

COBB & JOHNS

501 Congress Ave., Suite 150
Austin, Texas 78701
bill@cobbjohns.com
512-399-3150

January 25, 2024

Hugh Coleman
City of Sanger, City Attorney
502 Elm Street
Sanger, Texas 76266

Via email: 0

Re: Petition for Release from the Extraterritorial Jurisdiction of the City of Sanger

Dear Mr. Coleman,

1. Tracom Enterprises Inc. ("Owner") files this Petition pursuant to TEX. LOC. GOV'T CODE § 42.102.
2. Tracom Enterprises Inc. owns property within the extraterritorial jurisdiction of the City of Sanger located at Hoehn Road, Sanger, Texas 76266, PID 59572 (the "Property"). *See* Exhibit A (Deed and Property Map).
3. Owner hereby Petitions the City of Sanger to release of Owner's Property from its extraterritorial jurisdiction.
4. Pursuant to TEX. LOC. GOV'T CODE § 42.102, an owner or owners of majority in value of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality to be released from the extraterritorial jurisdiction, if the owner's property in question meets the applicability requirements of TEX. LOC. GOV'T CODE § 42.101 and the petition requirements of TEX. LOC. GOV'T CODE § 42.104.
5. Owner's Property meets the applicability requirements of TEX. LOC. GOV'T CODE § 42.101.
6. As set forth in Exhibit B, Affidavit of Owner, and as set forth in TEX. LOC. GOV'T CODE § 42.101, the undersigned swears that the Property is not:
 - (1) within five miles of the boundary of a military base, as defined by TEX. LOC. GOV'T CODE § 43.0117, at which an active training program is conducted;
 - (2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:

- (A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020, and
 - (B) that has a population greater than 240,000;
 - (3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:
 - (A) within 15 miles of the boundary of a military base, as defined by TEX. LOC. GOV'T CODE § 43.0117, at which an active training program is conducted, and
 - (B) in a county with a population of more than 2 million;
 - (4) in an area designated as an industrial district under TEX. LOC. GOV'T CODE § 42.044; or
 - (5) in an area subject to a strategic partnership agreement entered into under TEX. LOC. GOV'T CODE § 43.0751.
7. This Petition meets the requirements of TEX. LOC. GOV'T CODE § 42.104.
8. As required by TEX. LOC. GOV'T CODE § 42.104(a)(2), Owner's value in the Property constitutes more than 50% of the value of the Property, as indicated by the tax rolls of the Denton Central Appraisal District.
9. As required by TEX. LOC. GOV'T CODE § 42.104(a)(2), the signature page accompanying this Petition includes the signatures of 100% of the Property's owners in value, which is more than 50%.
10. As required by TEX. LOC. GOV'T CODE § 42.103, the signature is valid pursuant to TEX. ELEC. CODE § 277.002.
11. This Petition contains, in addition to the signature:
- (A) the signer's printed name;
 - (B) the signer's:
 - (i) date of birth; or
 - (ii) voter registration number and,
 - (iii) county of registration;
 - (C) the signer's residence address; and

(D) the date of signing.

12. As required by TEX. LOC. GOV'T CODE § 42.104(b), Owner filing this Petition satisfied the signature requirement within 180 days after the date the first signature for the Petition was obtained.
13. As required by TEX. LOC. GOV'T CODE § 42.104(c), the signature collected under this section is in writing.
14. As required by TEX. LOC. GOV'T CODE § 42.104(d), this Petition includes the deed for the land to be released in Exhibit A, which describes the boundaries of the land to be released by: (1) metes and bounds; or (2) lot and block number, if there is a recorded map or plat. Exhibit A also includes a map of the land to be released.
15. As required by TEX. LOC. GOV'T CODE § 42.105(a), the City must verify this Petition upon receipt; shall notify the residents and landowners of the area described by the petition of the results of the petition, or shall notify Owner, who filed this Petition under Section 42.102.
16. Pursuant to TEX. LOC. GOV'T CODE § 42.105(c), because Owner has obtained the number of signatures on the Petition required under Section 42.104 to release the area from the extraterritorial jurisdiction of the City of Sanger, the City must immediately release the area—Owner's Property—from the City's extraterritorial jurisdiction.
17. Pursuant to TEX. LOC. GOV'T CODE § 42.105(d), if the City fails to take action to release Owner's Property from the City's ETJ by the later of the 45th day after the date the municipality receives the petition or the next meeting of the City's governing body that occurs after the 30th day after the date the City receives this petition, the area—Owner's Property—is released by operation of law.

COBB & JOHNS

OWNER NAME: TRACOM ENTERPRISES INC.

By: John G Robinson
Printed Name

Its: President
Title

John A Rubin
Signature

[REDACTED]
Date of birth

[REDACTED]
Voter registration number

Dallas
Voter county of registration

4925 Greenville Ave # 200 Dallas, TX
Residence address 75206

1-26-2024
Date of signing

EXHIBIT A
DEED AND PROPERTY MAP

Denton County
Juli Luke
County Clerk

Instrument Number: 134328

ERecordings-RP

DEED

Recorded On: July 26, 2021 03:59 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$42.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 134328
Receipt Number: 20210726000834
Recorded Date/Time: July 26, 2021 03:59 PM
User: Melissa K
Station: Station 41

Record and Return To:

Simplifile



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

GF#ST212209NRH

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

WARRANTY DEED

DATE: July 22, 2021

GRANTOR: SHIRLEY MAE HOEHN, SHAWNA RENEE HOEHN DESILET AND KEITH RYAN HOEHN, AS THEIR SOLE AND SEPARATE PROPERTY

GRANTOR'S MAILING ADDRESS: _____

GRANTEE: TRACOM ENTERPRISES INC.

GRANTEE'S MAILING ADDRESS: 4925 Greenville Ave #200
Dallas, TX 75206

CONSIDERATION: Ten and No/100 (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

PROPERTY:

See Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is given and accepted subject to any and all easements, restrictions, rights-of-way, covenants, conditions, reservations, municipal or other governmental zoning laws, regulations and ordinances, if any, affecting and enforceable against the herein described property.

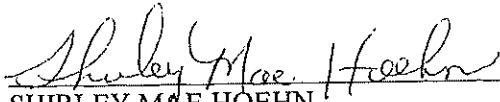
For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor waives and conveys to Grantee the right to ingress and egress to and from the surface of the Property relating to the portion of the mineral estates owned by Grantor.

Nothing herein, however restricts or prohibits the pooling or utilization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oils, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successor, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successor, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

When the context requires, singular nouns and pronouns include the plural.


SHIRLEY MAE HOEHN

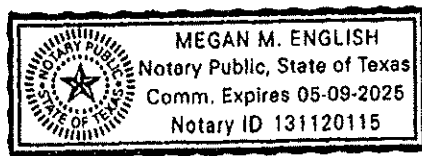

SHAWNA RENEE HOEHN DESILET

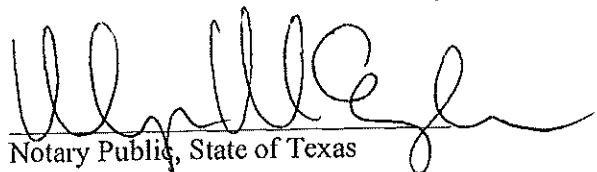

KEITH RYAN HOEHN

THE STATE OF TEXAS

COUNTY OF Tarrant

This instrument was acknowledged before me on 22 day of July,
2021 by Shirley Mae Hoehn.

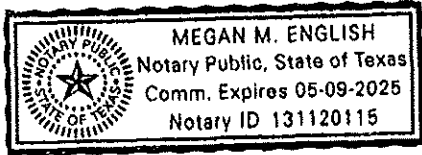


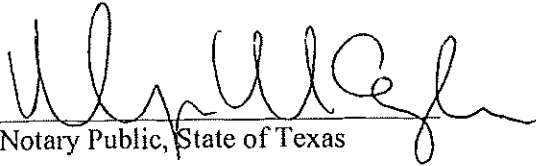

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF Tarrant

This instrument was acknowledged before me on 22 day of July,
2021 by Shawna Renee Hoehn Desilet.

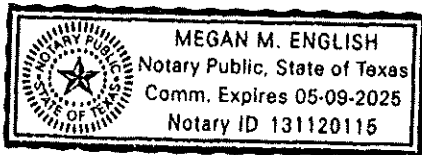


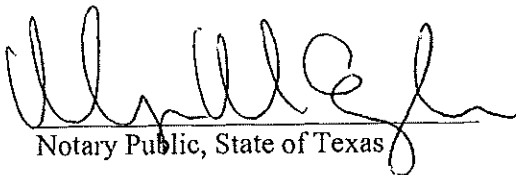

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF Tarrant

This instrument was acknowledged before me on 22 day of July,
2021 by Keith Ryan Hoehn.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Tracom Enterprises Inc.

Exhibit "A"

BEING all that certain lot, tract, or parcel of land situated in the William Mason Survey Abstract Number 801 In Denton County, Texas, being all that certain tract of land conveyed by deed from Josephine B. Hoehn to Wilbur Clarence Hoehn recorded in Volume 748, Page 804, Deed Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at a P. K. nail set for corner in Metz Road, a public roadway, said point being the northeast corner of that certain tract of land conveyed by deed from Fenton R. Hoehn and wife, Anna Mae Hoehn to Charles E. Stobaugh recorded in Volume 2027, Page 965, Real Property Records, Denton County, Texas;

THENCE S 86° 45' 51" W, 845.21 feet with the north line of said Stobaugh tract to a fence corner for corner;

THENCE S 01° 52' 05" W, 182.94 feet with the north line of said Stobaugh tract to an iron rod set for corner;

THENCE S 89° 48' 01" W, 1687.89 feet with the north line of said Stobaugh tract to an iron rod set for corner In the east line of Lot 6, Block A of Saddle Ridge Estates, an addition to Denton County, Texas according to the plat thereof recorded In Cabinet M, Page 241, Plat Records, Denton County, Texas;

THENCE NORTH, 1018.38 feet with said east line of said Lot 6, Block A of said Saddle Ridge Estates to an iron rod set for corner in Hoehn Road, a public roadway;

THENCE N 89° 37' 25" E, 2530.95 feet with said Hoehn Road to an iron rod set for corner in said Metz Road;

THENCE S 00° 29' 18" E, 798.60 feet with said Metz Road to the PLACE OF BEGINNING and containing 55.506 acres of land.

988714	741226	766354	748374	743889
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72958
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Parcels: TRACOM ENTERPRISES INC

[View More Property Information](#)

[Click Here to Download Plat](#)

Property Information

Property ID: 59572

Legal Acreage: 55.27

Legal Description: A0801A WM MASON, TR 8, 55.27 ACRES

Tract or Lot: 8

Abstract Subdivision Code: A0801A

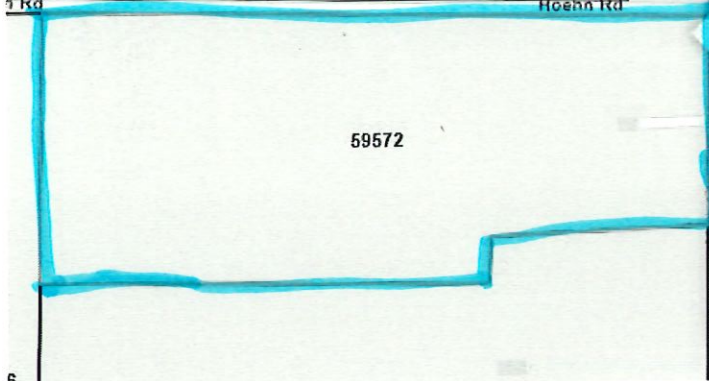
Block:

School District: S14

City Limits:

Property Location

[Zoom to](#) ...




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EXHIBIT B
AFFIDAVIT OF JOHN ROBINSON IN SUPPORT OF
PETITION FOR RELEASE FROM THE EXTRATERRITORIAL JURISDICTION OF THE
CITY OF SANGER

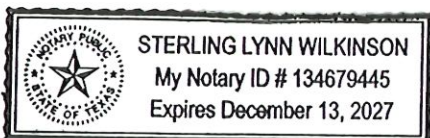
Before me, the undersigned authority, on this day personally appeared, John Robinson, who under oath stated as follows:

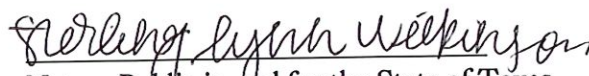
1. My name is John Robinson. I am over eighteen (18) years of age and am legally competent to make this affidavit, which is true and correct, and is made voluntarily and not under duress.
2. As the President of Tracom Enterprises Inc. I am authorized to submit this Petition on its behalf.
3. Tracom Enterprises Inc. is a property owner in the extraterritorial jurisdiction of the City of Sanger. Its property is located at the following address: Hoenhn Road, Sanger, Texas 76266, PID 59572 (the "Property").
4. There is 1 owner of the Property: Tracom Enterprises Inc.. Tracom Enterprises Inc. owns 100% of the interest in the Property.
5. I swear that the Property is not: (1) within five miles of the boundary of a military base, as defined by Tex. Loc. Gov't Code § 43.0117, at which an active training program is conducted; (2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county: (a) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020, and (b) that has a population greater than 240,000; (3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is: (a) within 15 miles of the boundary of a military base, as defined by Tex. Loc. Gov't Code § 43.0117, at which an active training program is conducted, and (b) in a county with a population of more than 2 million; (4) in an area designated as an industrial district under Tex. Loc. Gov't Code § 42.044; or (5) in an area subject to a strategic partnership agreement entered into under Tex. Loc. Gov't Code § 43.0751.
6. I swear that the petition contains my valid and true (1) signature, (2) printed name, (3) date of birth; voter registration number; county of voter registration, (4) residence address, and (5) date of which I signed such petition.
7. I swear that I satisfied the signature requirement of Tex. Loc. Gov't Code § 42.104(b) within 180 days following the date the first signature for the petition was obtained.



John Robinson

Sworn and subscribed to before me on this the 26 day of January, 2024.





Notary Public in and for the State of Texas