

ORDINANCE NO. 3570

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.55 ACRE TRACT OF LAND, LOCATED AT 640 COX RD, KNOWN AS PROPERTY ID 189402 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("**City**") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-184-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 7th day of October, 2024.



Billie Wallace
MAYOR

ATTEST:

Amber Villarreal
City Secretary

SURVEY PLAT

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6-24-2024

LEGAL DESCRIPTION (EXHIBIT A)

BEING ALL THAT LOT, TRACT OR PARCEL OF LAND SITUATED IN THE JOHN C. PAXTON SURVEY, ABSTRACT NO. 854, IN ELLIS COUNTY, TEXAS AND BEING A PORTION OF THE PROPERTY AS DESCRIBED IN DEED CONVEYED TO HARRY W. GRIER AND WIFE, PATSY R. GRIER AS RECORDED IN VOLUME 1028 PAGE 270 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET AT THE INTERSECTION OF THE SOUTHEAST LINE OF THIS TRACT WITH THE NORTHEAST LINE OF A 30 FOOT WIDE COUNTY ROAD;

THENCE N 53°36'01" E A DISTANCE OF 39.55 FEET TO A 1/2" IRON ROD SET NEAR A CORNER FENCE POST; (DEED-N48°00'E, 39.3')

THENCE S 89°13'25" E, GENERALLY ALONG A FENCE LINE, A DISTANCE OF 495.60 FEET TO A 1/2" IRON ROD SET NEAR A FENCE CORNER POST; (DEED-N88°24'E, 495.6')

THENCE N 11°37'28" W, GENERALLY ALONG A FENCE LINE, A DISTANCE OF 215.35 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF 0.60 ACRE TRACT CONVEYED TO CORY AND PENNY VESTAL AS RECORDED IN VOLUME 1831 PAGE 2025 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS; (DEED-N14°03'W)

THENCE AROUND THE VESTAL TRACT THE FOLLOWING COURSE AND DISTANCE:
N87°33'25" W A DISTANCE OF 144.05 FEET TO A 1/2" IRON ROD FOUND NEAR A FENCE POST;
N20°16'09" W A DISTANCE OF 117.20 FEET TO A 1/2" IRON ROD FOUND FOR CORNER NEAR A FENCE POST;
N51°01'19" E A DISTANCE OF 177.40 FEET TO A 1/2" IRON ROD FOUND FOR CORNER NEAR A FENCE POST AND BEING THE MOST NORTHERLY CORNER OF SAID VESTAL TRACT;

THENCE N 11°42'02" W A DISTANCE OF 37.95 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM DISC FOR THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE SOUTH LINE OF A TRACT CONVEYED TO LEWIS AND MELANIE SMITH AND RECORDED IN VOLUME 2144 PAGE 162 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS; (DEED-N14°03'W)

THENCE WITH THE COMMON LINE OF THE SMITH TRACT THE FOLLOWING COURSE AND DISTANCES:
S46°15'36" W A DISTANCE OF 318.80 FEET TO A 1/2" IRON ROD SET;
S32°17'50" E A DISTANCE OF 5.50 FEET TO A 1/2" IRON ROD SET;
S47°32'38" W A DISTANCE OF 327.90 FEET TO A RAILROAD SPIKE FOUND AND BEING THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE MOST SOUTHERLY CORNER OF THE SMITH TRACT; (DEED-S43°17'W, 625', MORE OR LESS)

THENCE S40°39'56" E A DISTANCE OF 60.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.59 ACRES OF LAND, MORE OR LESS. (DEED-S29°E, NO DISTANCE)

NOTE: THIS PROPERTY IS SUBJECT TO THE ORDINANCE NO. 1885 RECORDED IN VOLUME 1322 PAGE 278 O.P.R.E.C.T.

NOTE: PROPERTY SUBJECT TO BLANKET EASEMENT TO BUENA VISTA-BETHEL WATER SUPPLY PER VOLUME 580 PAGE 642 D.R.E.C.T. (CENTERLINE BEING PIPE AS INSTALLED UNDER GROUND)

LEGEND	
● POWER POLE	✕ FENCE
■ WOOD DECK	— BUILDING LINE
■ SEPTIC LIDS	— EASEMENT LINE
■ AC PAD	IRF IRON ROD FOUND
■ CONCRETE	IRS IRON ROD SET
■ GRAVEL	— POWER LINE
■ BRICK	NTS NOT TO SCALE
■ COVERED AREA	○ UTILITY PEDESTAL
■ GAS METER	■ ELECT. BOX
■ FIRE HYDRANT	U.E. UTILITY EASEMENT
■ BUTANE TANK	W WATER METER
— PROPERTY LINE	— BUILDINGS

I, Jimmy W. Pogue, Registered Professional Land Surveyor of the State of Texas, do certify that this Survey Plat is a representation of the property shown hereon as determined by a survey on the ground. The line and dimensions of said property being as indicated by the plat. The size, location and type of above ground improvements are as shown. Corner monuments are as shown on survey. EXCEPT AS SHOWN ON SURVEY, THERE ARE NO ABOVE GROUND ENCROACHMENTS OR ABOVE GROUND PROTRUSIONS.

This survey makes no judgment as to the ownership of the property, only that the property exists on the ground as shown and surveyed from a description provided to the surveyor.

This Survey was performed exclusively for the parties shown hereon and is licensed for a single use. This Survey remains the property of the Jimmy W. Pogue, Inc. Unauthorized reuse is not permitted without the expressed written permission of the President of company. This survey is an original work protected by United States Copyright Law and International Treaties. All rights reserved. Do not make paper copies.

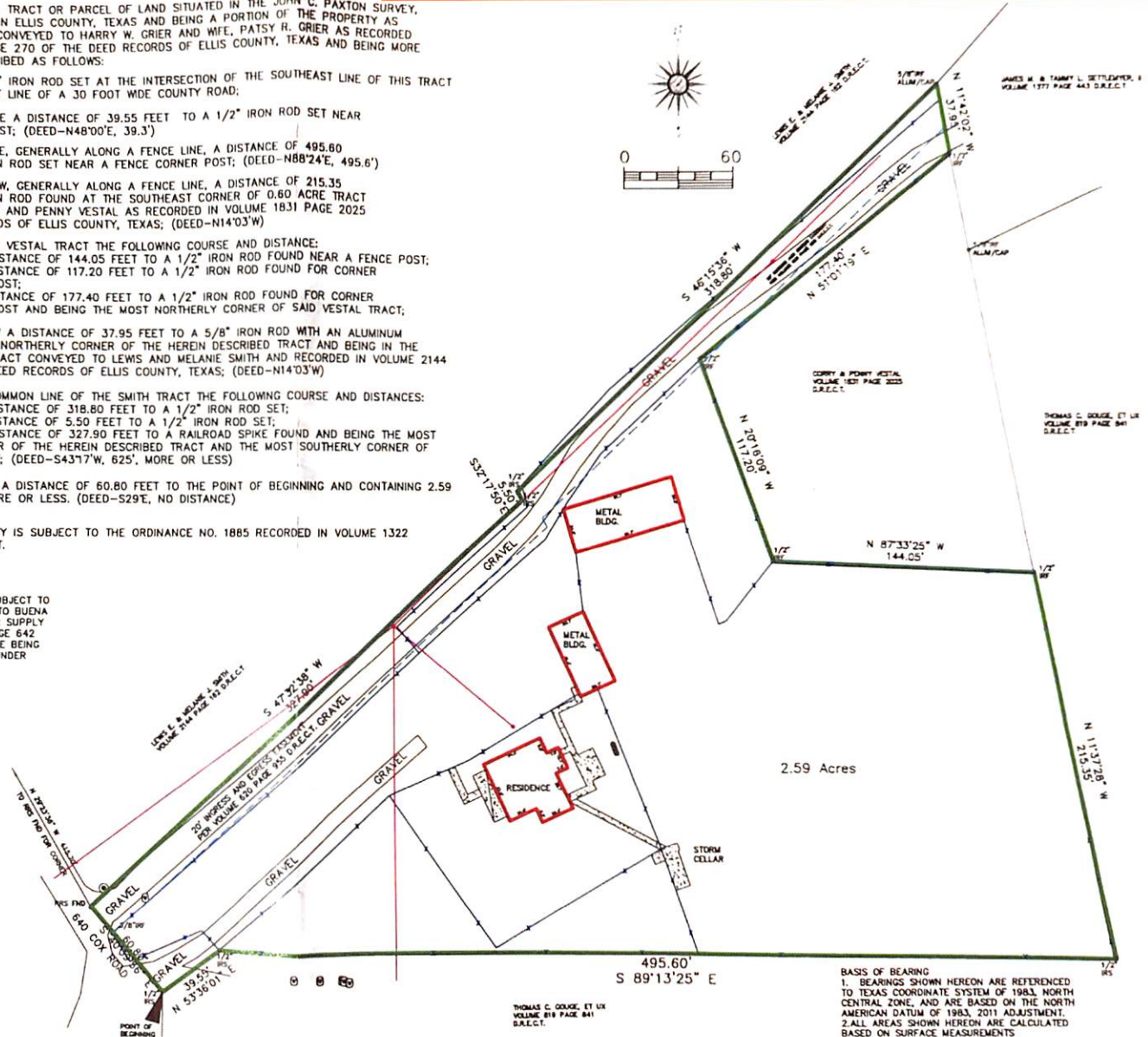
Jimmy W. Pogue, RPLS #5398
THIS SURVEY VALID WITH EMBOSSED SEAL



JIMMY W. POGUE, INC.
"Registered Professional Land Surveyors"
FIRM NO. 101219-00

5611 Sweetwater Drive (214) 371-0666
Midlothian, Texas 76065
Jimmy W. Pogue, R.P.L.S. No. 5398

G.F. Number:	24002076-30	Title Company:	TRULY TITLE
Certified to:			
Job Number:	131863	Date:	6-24-2024



BASIS OF BEARING
1. BEARINGS SHOWN HEREON ARE REFERENCED TO TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
2. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS.
3. ALL DISTANCES ARE MEASURED IN US SURVEY FEET.

LOCATION MAP (EXHIBIT B)



FILED FOR RECORD - ELLIS COUNTY, TX
INST NO. 2432316
on Oct 09, 2024 at 12:07:00 PM

STATE OF TEXAS

COUNTY OF ELLIS

I hereby certify this instrument was filed on the date
and time stamped hereon and was duly recorded in
the records of Ellis County, Texas as stamped hereon.



Hunter Valley

COUNTY CLERK, ELLIS COUNTY TEXAS