



ORDINANCE 576-2017-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS, ACCEPTING THE INCLUSION OF THE HEREIN DESCRIBED PROPERTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF VENUS, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION TO INCLUDE SAID HEREIN DESCRIBED PROPERTY, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OFFERED BY LAW AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, LAWS AND REGULATIONS OF THE CITY OF VENUS AND THE STATE THAT MAY BE APPLIED OR ENFORCED WITHIN THE EXTRATERRITORIAL JURISDICTION.

WHEREAS, the City of Venus (“City”) is a political subdivision of the State of Texas, organized as a Type A General Law municipality;

WHEREAS, TEXAS LOCAL GOVERNMENT CODE Section 42.022(b), provides that owners of land contiguous to the existing extraterritorial jurisdiction (“ETJ”) of a municipality, may petition to be included in the municipality’s ETJ;

WHEREAS, the authority granted by TEXAS LOCAL GOVERNMENT CODE Section 42.022(b) requires consent of the governing body (“Council”) of the municipality before inclusion into the ETJ;

WHEREAS, the City received a notarized petition titled “Petition Requesting Inclusion in the Extraterritorial Jurisdiction of the City of Venus, Texas” (Exhibit “1”) from Jim Strawn of Bluestem Ellis Partners, L.L.C. seeking inclusion into the City’s ETJ;

WHEREAS, the property subject to the petition and request (“Property”) has been identified by its Central Appraisal District of Ellis County (“Appraisal District”) Geo ID 99.0594.000.080.00.115, approximately and as described in the petition as 26.014 acres of land;

WHEREAS, the Council held a meeting on Monday, September 11, 2017 at 7:00 p.m. and considered an agenda item that read, “Discuss and consider approval of an Ordinance accepting landowner Jim Strawn’s request for a tract of land to become a part of Venus’s extraterritorial jurisdiction, namely; a tract identified by Ellis County CAD number 99.0594.000.080.00.115”, all

in strict compliance with the TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, Chapter 551; and

WHEREAS, at that meeting, the Council voted, by majority, to accept the petition and to include the Property into the ETJ of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS THAT:

- SECTION 1: The above recitals are hereby found to be true and correct and are incorporated herein for all purposes. The recitals and language of the petition for inclusion into City's ETJ, shall be incorporated herein for all purposes.
- SECTION 2: Exhibit "1" is a petition for inclusion into the City's ETJ and accurately identifies a tract of land ("Property") owned by Jim Strawn of Bluestem Ellis Partners, L.L.C..
- SECTION 3: The Property is hereby accepted into the City's ETJ, as described in Exhibit "1", to include all of the Property Jim Strawn has legal title to, including the fee to the center of any roadway (right-of-way) abutting the tract of land, for which Jim Strawn has legal title to by grant, reservation or common law.
- SECTION 4: The Council finds the Property, subject to this petition for inclusion into the City's ETJ, is contiguous with the City's existing ETJ at the time of the acceptance, in full compliance with law.
- SECTION 5: The City Secretary shall maintain a file of the original petition and any relevant supporting documents for the Property included in Exhibit "1".
- SECTION 6: For purposes of determining the date by which the Property was included into the City's ETJ, the effective date of this Ordinance shall govern.
- SECTION 7: If the petition subject to this Ordinance shall be deemed unlawful, unconstitutional, or otherwise invalid, the validity or legality of any other ETJ inclusion requests received before or after shall remain unaffected and shall be in full force and effect.
- SECTION 8: This Ordinance shall become effective immediately upon its passage.
- SECTION 9: The City Secretary is directed to record/file a certified copy of this Ordinance and its supporting exhibits and paperwork with the Ellis County Clerk's land records and deeds.

SECTION 10: The City Administrator is directed to update the city's boundary and ETJ map available to the public and to send the updated map to the North Central Texas Council of Governments ("NCTCOG") and any other government agency that maintains such city boundary maps.

PASSED AND APPROVED by the City Council of the City of Venus, Texas, on this the 11th day of September, 2017.




JAMES BURGESS – MAYOR

9-11-17
DATE

ATTEST:


RANA GAMEL – CITY SECRETARY

9-11-17
DATE

APPROVED AS TO FORM:


CASS CALLAWAY – CITY ATTORNEY

9-11-2017
DATE



EXHIBIT "1"

PETITION REQUESTING INCLUSION IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF VENUS, TEXAS

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF VENUS, TEXAS:

I(We), the undersigned, am(are) the owner(s) of a tract of land ("Tract"). The Tract is identified by deed, legal description, map, survey, address, and/or appraisal district geo code/account number as attached here as "Exhibit A" and included herein as if fully described. I(We) petition for the Tract be included in the City of Venus ("City") extraterritorial jurisdiction ("ETJ") as authorized by TEXAS LOCAL GOVERNMENT CODE SECTION 42.022(b). I(We) understand that for the Tract to be considered for acceptance into the City's ETJ, it must be contiguous to the city's existing ETJ or corporate boundaries. I(We) also understand that this may depend on the successful acceptance of other ETJ inclusion requests before our request may be considered and accepted.

The Tract Petitioner(s) seek to be included, is not believed to be located within any other municipality's existing ETJ or corporate boundaries; however if incorrect, Petitioner(s) request(s) the boundaries of the Tract be revised and reformed so that none of the Tract to be included within the City's ETJ shall be located within any other municipality's existing ETJ. If any portion of this Petition is invalid or unenforceable for any reason, including but not limited to parts of the Tract being ineligible for inclusion in the City's ETJ, such invalidity or unenforceability shall not affect any other provision hereof or any part of the Tract which is eligible for inclusion in the City's ETJ, and this Petition shall be construed as if such invalid or unenforceable provision had never been contained herein.

And Petitioner(s) request(s) any prior request(s) for inclusion into the City for the Tract or portion thereof by Petitioner(s) or prior landowners be construed to be reaffirmed by this request and not invalidated. Petitioner(s) sole intent in that circumstance is to show continued intent for the Tract to be included in the ETJ of the City and not that of another municipality. Petitioner(s) also expressly grant(s) this covenant or agreement to run with the land. Petitioner(s) also agree(s) that if this petition should be accepted and approved by the City Council that the Tract will remain, as a matter of law, included in the City's ETJ unless the City Council agrees to release the ETJ.

Signed and executed this the 29 day of August, 2017.

Jim Strawn - President Bluestem Ellis Park LLC
Property Owner Signature
JIM STRAWN
Printed Name

Property Owner Signature

Printed Name

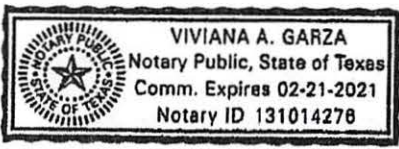
The State of Texas,
County of Ellis

Before me, the undersigned authority, on this day personally appeared Jim Strawn

and _____ known to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument and each acknowledged to me that he(she) executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 29 day of August, 2017.




Viviana A. Garza
Notary Public



SEAL

Exhibit A

(As described in our filed "Petition Requesting Inclusion in the Extraterritorial Jurisdiction of the City of Venus, Texas" the following description accurately reflects the "Tract" of land we seek to have included into the City's ETJ.)

 _____ Property Owner Signature	 _____ Property Owner Signature
 _____ Printed Name	_____ Printed Name

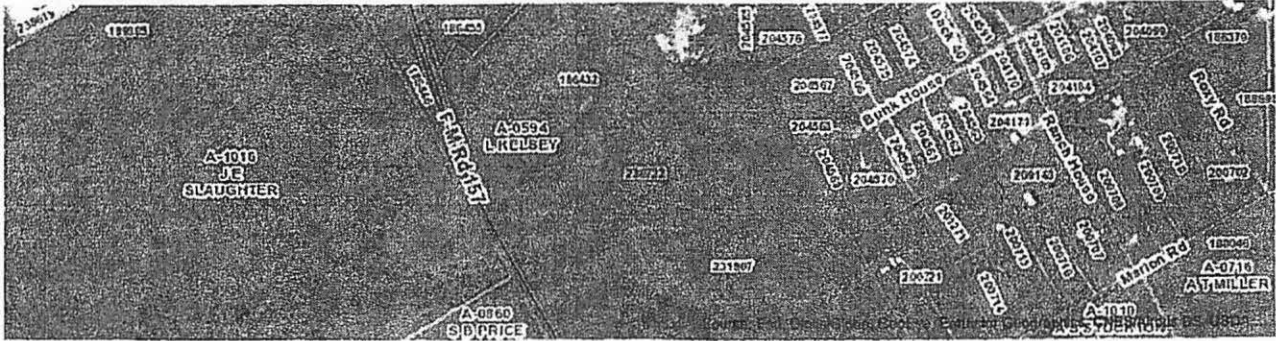
Property Description: (Please be as specific as possible, particularly if the property is a part of a larger area of land. And, please include attachments/maps/surveys to precisely identify the property.)

Ellis County Central Appraisal District Geo ID 99.0594.000.080.00.115, Property ID 230722, (26.014 Acres). Attached map and property information included.

Ellis CAD Property Search

Property ID: 230722 For Year 2017

Map



Property Details

Account

Property ID: 230722
 Legal Description: 594 L KELSEY 26.014 ACRES
 Geographic ID: 99.0594.000.080.00.115
 Agent Code:

Type: Real

Location

Address: FM 157 MAYPEARL, TX 76064
 Map ID: 3-14
 Neighborhood CD: LAND

Owner

Owner ID: 73577
 Name: ARBOR ROAD PARTNERS LTD
 Mailing Address: 245 FM 2258
 VENUS, TX 76084-4717

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$0
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$0
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$228,920
Market Value:	\$228,920
Ag Use Value:	\$2,710
Appraised Value:	\$2,710
Cap Loss:	\$0
Assessed Value:	\$2,710

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Prozo Colling
070	ELLIS COUNTY	0.380091	\$228,820	\$2,710	\$10.30	
216	MAYPEARL ISD	1.317000	\$228,820	\$2,710	\$35.69	
501	EC ESD #1 (MAYPEARL)	0.089000	\$228,820	\$2,710	\$2.41	
R70	ELLIS COUNTY LATERAL ROAD	0.033503	\$228,820	\$2,710	\$0.81	

Total Tax Rate: 1.819594 Estimated Taxes With Exemptions: \$49.21 Estimated Taxes Without Exemptions: \$4,166.43

Property Improvement - Building

Property Land

Type	Description	Acres	Sqft	EW Front	EW Depth	Market Value	Prod. Value
NPP	NATIVE PASTURE POOR	29.014	1,133,169.04	0.00	0.00	\$228,820	\$2,710

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	Cap Loss	Assessed
2018		NA	NA	NA	NA	NA
2017		\$0	\$228,820	\$2,710	\$2,710	\$0
2016		\$0	\$154,520	\$2,650	\$2,650	\$0
2015		\$0	\$154,520	\$2,600	\$2,600	\$0
2014		\$0	\$154,520	\$2,600	\$2,600	\$0
2013		\$0	\$154,520	\$2,600	\$2,600	\$0
2012		\$0	\$154,520	\$2,650	\$2,650	\$0
2011		\$0	\$154,520	\$2,450	\$2,450	\$0
2010		\$0	\$154,520	\$2,340	\$2,340	\$0
2009		\$0	\$154,520	\$2,340	\$2,340	\$0

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
7/27/2004	OT	DO NOT USE	RIM MEADOWS LP	ARBOR ROAD PARTNERS LTD	2053	1524	0
4/17/2003	OT	DO NOT USE			1929	380	0

DISCLAIMER

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

ETJ Petition



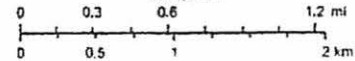
Ordinance 576-2017-09 Jim Strawn ETJ Expansion Ordinance -

August 25, 2017

Disclaimer: This product is for informational purposes only and has not been prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

1:36,112

- Parcels
- Streets
- Abstracts
- Local Roads
- Interstate
- U.S. Highway
- State Hwy
- Major Road



Elli Agrasol District & GIS Consulting - www.elliagrass.com
This product and relative boundaries are the property of the respective governmental entity and GIS Consultants. Use is restricted for official purposes.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

GENERAL WARRANTY DEED

Date: June 30, 2017

Grantor: Arbor Road Partners, Ltd., a Texas limited partnership

Grantor's Mailing Address:

245 FM 2258
Venus, Texas 76084

Grantee: Bluestem Ellis Partners, LLC, a Texas limited liability company

Grantee's Mailing Address:

9615 Angleridge Road
Dallas, Texas 75238

Consideration: TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by Grantor.

Property (including any improvements):

All that certain lot, tract or parcel of land situated in the LEEMAN KELSEY SURVEY, ABSTRACT NUMBER 594, Ellis County, Texas, and being that same parcel conveyed by Rim Meadows, L.P. to Arbor Road Partners, Ltd. by Warranty Deed With Vendor's Lien dated July 19, 2004 and recorded at Volume 2053, Page 1524, Official Public Records of Ellis County, Texas;

Save and Except all that certain lot, tract or parcel of land situated in the LEEMAN KELSEY SURVEY, ABSTRACT NUMBER 594, Ellis County, Texas, and being that same parcel conveyed by Arbor Road Partners, Ltd. to John Tysseling by Warranty Deed With Vendor's Lien dated August 8, 2005 and recorded at Volume 2150, Page 1634, Official Public Records of Ellis County, Texas;

As more particularly described by metes and bounds appearing in Exhibit A, being a total of approximately 26.014 acres of land.

Reservations from Conveyance:

Grantor reserves unto itself all of Grantor's interest in oil, gas, and other minerals, in and under and that may be produced from the Property.

2017 JUL -6 PM 4:30
FILED FOR RECORD
CINDY POLLEY
ELLIS COUNTY CLERK

Exceptions to Conveyance and Warranty:

All easements, rights-of-way, restrictions, reservations, covenants, conditions, and other instruments that affect the Property and appear of record in the Official Public Records or Plat Records of Ellis County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

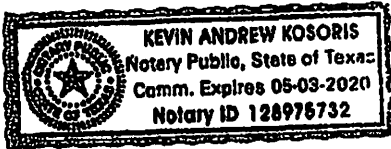
**ARBOR ROAD PARTNERS, LTD., by:
Miskimon Management I, LLC, its General
Partner**

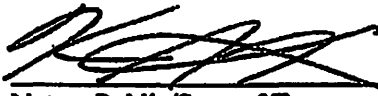


Rick Miskimon, President

**STATE OF TEXAS §
 §
 §
COUNTY OF ELLIS §**

This instrument was acknowledged before me on 30 day of June, 2017, by Rick Miskimon, President of Miskimon Management I, LLC, General Partner of Arbor Road Partners, Ltd.





Notary Public/State of Texas

**PREPARED BY/RETURN TO:
Wray, Willett & Stoffer, PLLC
200A North Rogers Street
Waxahatchie, Texas 75165**

