

SEP 13 2021

Approved

REQUEST FOR AGENDA PLACEMENT FORM

Submission Deadline - Tuesday, 12:00 PM before Court Dates

SUBMITTED BY: Bill Moore
TODAY'S DATE: August 30, 2021

DEPARTMENT: County Attorney

SIGNATURE OF DEPARTMENT HEAD:

REQUESTED AGENDA DATE: September 13, 2021

SPECIFIC AGENDA WORDING: Consideration of Resolution, Requesting the City of Keene, Texas to Annex a Portion of County Road 805 B that is Adjacent to Property Located in the Joseph Kneah Survey, Abstract No. 488, W. J. Robertson Survey, Abstract No. 727, and the Denton Darby Sr. Survey, Abstract No. 223 that is being Annexed by the City of Keene, Texas.

PERSON(S) TO PRESENT ITEM: Bill Moore

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 5 minutes	ACTION ITEM: <input checked="" type="checkbox"/>
_____	WORKSHOP: _____
(Anticipated number of minutes needed to discuss item)	CONSENT: _____
	EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY:	IT DEPARTMENT:
AUDITOR: _____	PURCHASING DEPARTMENT: _____
PERSONNEL: _____	PUBLIC WORKS: <input checked="" type="checkbox"/>
BUDGET COORDINATOR:	OTHER: Commissioner Woolley

*****This Section to be Completed by County Judge's Office*****

ASSIGNED AGENDA DATE: _____

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE _____

COURT MEMBER APPROVAL _____ Date _____

JOHNSON COUNTY COMMISSIONERS COURT



RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

MIKE WHITE
Commissioner Pct. #3

KENNY HOWELL
Commissioner Pct. #2

PAULA REID
Assistant to Commissioner's Court

LARRY WOOLLEY
Commissioner Pct. #4

STATE OF TEXAS

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§
§

RESOLUTION

COUNTY OF JOHNSON

REQUEST FOR THE CITY OF KEENE, TEXAS TO ANNEX A PORTION OF THE RIGHT OF WAY OF COUNTY ROAD 805 B THAT IS ADJACENT TO PROPERTY LOCATED IN THE JOSEPH KENAH SURVEY, ABSTRACT NO. 488, W. J. ROBERTSON SURVEY, ABSTRACT NO. 727, AND THE DENTON DARBY SR. SURVEY, ABSTRACT NO. 223 THAT IS BEING ANNEXED BY THE CITY OF KEENE, TEXAS

WHEREAS, the owner of a 12.607 acre tract of land, more or less, in the Joseph Kenah Survey, Abstract No. 488, W. J. Robertson Survey, Abstract No. 727 and the Denton Darby Sr. Survey, Abstract No. 223 has requested the City of Keene to annex said property; and

WHEREAS, the tract of land requested to be annexed is located adjacent to County Road 805 B; and

WHEREAS, Section 43.106 of the Texas Local Government Code provides that “a municipality that proposes to annex a portion of a county road or territory that abuts a county road must also annex the entire width of the county road and the adjacent right-of-way on both sides of the county road”; and

WHEREAS, Section 43.1055 of the Texas Local Government Code provides that “Notwithstanding any other law, a municipality may by ordinance annex a road right-of-way on request of the owner of the right-of-way or the governing body of the political subdivision that maintains the right-of way under the procedure prescribed by Subchapter C-1”; and

WHEREAS, Johnson County, Texas maintains the right-of-way of County Road 805 B adjacent to the 12.607 acre tract of land, more or less, requested to be annexed by the City of Keene, Texas; and

WHEREAS, the owner of the 12.607 acre tract of land, more or less, has provided Johnson County with a legal description of the County Road 805 B right-of-way adjacent to the 12.607 acre tract of land, more or less, to be annexed by the city of Keene, Texas; and

WHEREAS, the legal description of the County Road 805 B right-of-way adjacent to the 12.607 acre tract of land, more or less, to be annexed is a 1.066 acre tract of land, more or less, that is more particularly described in Exhibit "A" which is attached hereto.





NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 43.106 and 43.1055 of the Texas Local Government Code, the undersigned officials of Johnson County, do hereby request that the City of Keene, Texas annex the County Road 805 B right-of-way, that is a 1.066 acre tract of land, more or less, that is more particularly described in Exhibit "A" attached hereto.

ADOPTED THIS 13TH DAY OF SEPTEMBER, 2021

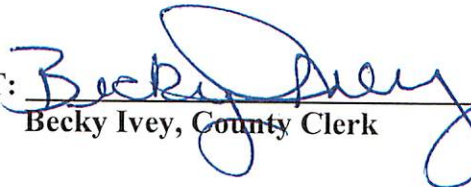


Roger Harmon, Johnson County Judge

Voted: yes, no, abstained


Rick Bailey, Comm. Pct. #1
Voted: yes, no, abstained
Kenny Howell, Comm. Pct. #2
Voted: yes, no, abstained
Mike White, Comm. Pct. #3
Voted: yes, no, abstained
Larry Woolley, Comm. Pct. #4
Voted: yes, no, abstained

ATTEST:


Becky Ivey, County Clerk

LEGAL DESCRIPTION

EXHIBIT "A"

BEING a 1.066 acre tract of land situated in the **JOSEPH KENAH SURVEY, ABSTRACT NO. 488, W. J. ROBERTSON SURVEY, ABSTRACT NO. 727, AND THE DENTON DARBY SR., SURVEY, ABSTRACT NO. 223**, in the City of Keene, Johnson County, Texas, being a portion of that certain tract of land described in a deed to Mark Miosi, et ux, recorded in Volume 4165, Page 685, Deed Records of Johnson County, Texas, a portion of a tract of land described in a deed to Larry Wright, recorded in Volume 860, Page 42, Deed Records, Johnson Texas, and a portion of Lot 1, Block 1, Bluebonnet Addition, an addition in the City of Keene, Johnson County, Texas, according to the plat thereof recorded in Volume 11, Page 557, Plat Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for the common corner of said Miosi tract, and Lot 1, Block 1, Wiist Addition, an addition in the City of Keene, Johnson County, Texas, according to the plat thereof recorded in Volume 8, Page 705, Plat Records, Johnson County, Texas, said point being in the west right-of-way line of Farm To Market Highway No. 2280 (Old Betsy Road)(a 100.00 foot wide public right-of-way), from which a 1/2 inch iron rod with cap stamped "RPLS5614" found bears N 66°22'30" W, 1.78 feet;

THENCE S 89°25'04" W, along the common line of said Miosi tract, and said Lot 1, Block 1, Wiist Addition, passing the common corner of said Lot 1, Block 1, and a tract of land described in a deed to Fidel Paz Sabillon, recorded in Document Number 2011-00540, Deed Records, Johnson County, Texas, and continuing a total distance of 1060.11 feet to a point for corner;

THENCE S 19°58'02" W, crossing said Miosi tract, a distance of 707.95 feet to a point for the **POINT OF BEGINNING**;

THENCE S 19°58'02" W, crossing said Miosi tract, passing the common line of said Miosi tract, and said Lot 1, Block 1, and continuing a total distance of 63.81 feet to a point for corner;

THENCE N 89°55'34" W, crossing said Lot 1, Block 1, passing the common line of said Lot 1, Block 1, and said Wright tract, and continuing a total distance of 768.77 feet to a point for corner, said point being in the common line of said Wright tract, and Lot 1, Block 1, Trail Oaks Estates, an addition in the City of Keene, Johnson County, Texas, according to the plat thereof recorded in Volume 67, Page 114, Plat Records, Johnson County, Texas;

THENCE N 00°19'49" E, along the common line of said Wright tract, and said Lot 1, Block 1, passing the northeast corner of said Lot 1, Block 1, and continuing a total distance of 29.99 feet to a point for the northwest corner of said Wright tract;

THENCE N 90°00'00" E, along the north line of said Wright tract, a distance of 11.75 feet to a road spike found for the southwest corner of said Miosi tract, said point being the southeast corner of a 10 foot wide right-of-way dedication as shown on said Trail Oaks Estates, being in the centerline of County Road 805B, more or less;

THENCE N 00°13'07" E, along the common line of said Miosi tract, and said 10 foot wide right-of-way dedication, and along the centerline of said County Road 805B, more or less, a distance of 30.00 feet to a point for corner;

THENCE S 89°55'34" E, crossing said Miosi tract, a distance of 778.87 feet to the **POINT OF BEGINNING**, and containing 46,434 square feet or 1.066 acres of land more or less.

NOTES: The basis of bearings for this survey is the Texas State Plane Coordinate System Grid, North Central Zone (4202), North American Datum 1983(2002)

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND OTHER MATTERS OF RECORD MAY AFFECT THIS PROPERTY.

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS, CONDITIONS, RESERVATIONS, RULES AND ORDINANCES THAT MAY BE APPLICABLE TO SAID PROPERTY AND ANY PART THEREOF.

NO EFFORT WAS MADE TO LOCATE BURIED OR UNDERGROUND UTILITY STRUCTURES DURING THE PROGRESS OF THIS SURVEY. TO LOCATE UNDERGROUND OR BURIED UTILITIES CALL 811.

SURVEYORS CERTIFICATION

I, Roy Rodriguez, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that the plat hereon represents the actual survey made on the ground and that all lines and dimensions shown are correct to the best of my knowledge and as found during the time of this survey, May 11, 2021

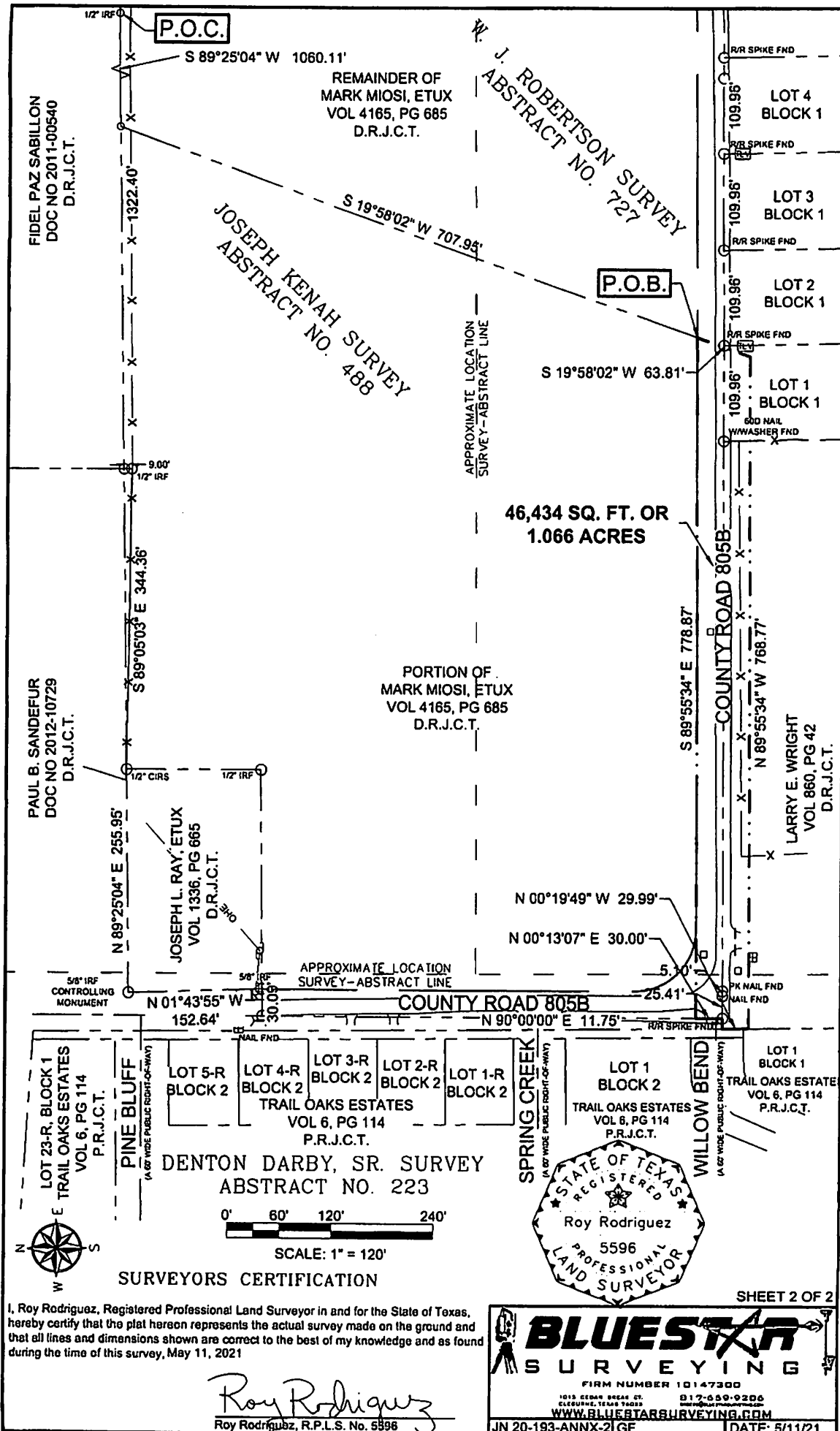

Roy Rodriguez, R.P.L.S. No. 5596



SHEET 1 OF 2



BLUESTAR SURVEYING
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JN 20-193-ANNX-2 | GF | DATE: 5/11/21



Roy Rodriguez
Roy Rodriguez, R.P.L.S. No. 5596