

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,  
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL**

**AN ORDINANCE**

\* \* \* \* \*

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN EXTRATERRITORIAL JURISDICTION (ETJ) AGREEMENT WITH THE CITY OF GARDEN RIDGE FOR THE RELEASE OF APPROXIMATELY 13 ACRES OF EXTRATERRITORIAL JURISDICTION (ETJ) FROM THE CITY OF SAN ANTONIO TO THE CITY OF GARDEN RIDGE WITH THE SUBJECT PROPERTY GENERALLY LOCATED NORTHEAST OF SAN ANTONIO IN COMAL COUNTY, NORTH OF BINDSEIL ROAD, SOUTH OF PARK LANE DRIVE, AND WEST OF BAT CAVE ROAD**

**WHEREAS**, the City of Garden Ridge has requested the release of approximately 13 acres from the extraterritorial jurisdiction (ETJ) of the City of San Antonio; and

**WHEREAS**, it is the desire of Garden Ridge to gain this area of ETJ and annex the subject property; AND

**WHEREAS**, annexation by the City of San Antonio is not a viable option in the near future based on the location of subject area and the difficulty to provide municipal services; and

**WHEREAS**, the City of San Antonio and the City of Garden Ridge have entered into an Extraterritorial Jurisdiction Agreement (See Attachment 2), and

**WHEREAS**, if subject area is annexed by the City of Garden Ridge, the City of Garden Ridge would provide future municipal services; and

**WHEREAS**, the City of San Antonio and the City of Garden Ridge each have all requisite municipal corporate power and authority to enter into an Agreement for performance of all of their relative obligations under such Agreement; and

**WHEREAS**, the Planning Commission of the City of San Antonio has considered the proposed release of the property from the San Antonio ETJ and has recommended approval, and

**WHEREAS**, the San Antonio City Council has considered the request from the City of Garden Ridge to release approximately 13 acres from the San Antonio ETJ; **NOW THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The property being approximately 13 acres, as described in **Attachment 1**, and the associated ETJ agreement (**Attachment 2**) with the City of Garden Ridge attached hereto and incorporated herein for all purposes, is hereby released from the Extraterritorial Jurisdiction of the City of San Antonio upon fulfillment of the conditions stated in this Ordinance.

**SECTION 2.** The City Manager or designee is hereby authorized to enter into and execute an Extraterritorial Jurisdiction Agreement with the City of Garden Ridge for the release of 13 acres to the City of Garden Ridge. The Extraterritorial Jurisdiction Agreement is attached hereto and incorporated as **Attachment 2**.

**SECTION 3.** This Ordinance shall be effective immediately upon its final passage.

**PASSED AND APPROVED on this 18<sup>th</sup> day of June 2015.**

**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Martha G. Sepeda, Acting City Attorney

**DRAFT**

This agreement shall be construed in accordance with the laws of the State of Texas.

4. Notices

Any notice, request, demand, report, certificate or other instrument which may be required or permitted to be furnished to or served upon the parties shall be deemed sufficiently given or furnished or served if in writing and deposited in the United States mail, registered or certified, return receipt required, addressed to such party at the address set forth below or such other address as may be hereafter designated by either party by written notice to the other party.

IF TO THE CITY OF SAN ANTONIO:

City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966  
Attn: Leticia M. Vacek  
City Clerk

IF TO THE CITY OF GARDEN RIDGE:

City of Garden Ridge  
9400 Municipal Parkway  
Garden Ridge, Texas 78266  
Attn: \_\_\_\_\_  
City Secretary

ACKNOWLEDGEMENTS

In witness of which this agreement has been executed in duplicate.

CITY OF GARDEN RIDGE

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: Mayor

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_, Mayor of the City of Garden Ridge, a Texas Municipal Corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission expires: \_\_\_\_\_

CITY OF SAN ANTONIO

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF TEXAS

COUNTY OF BEXAR

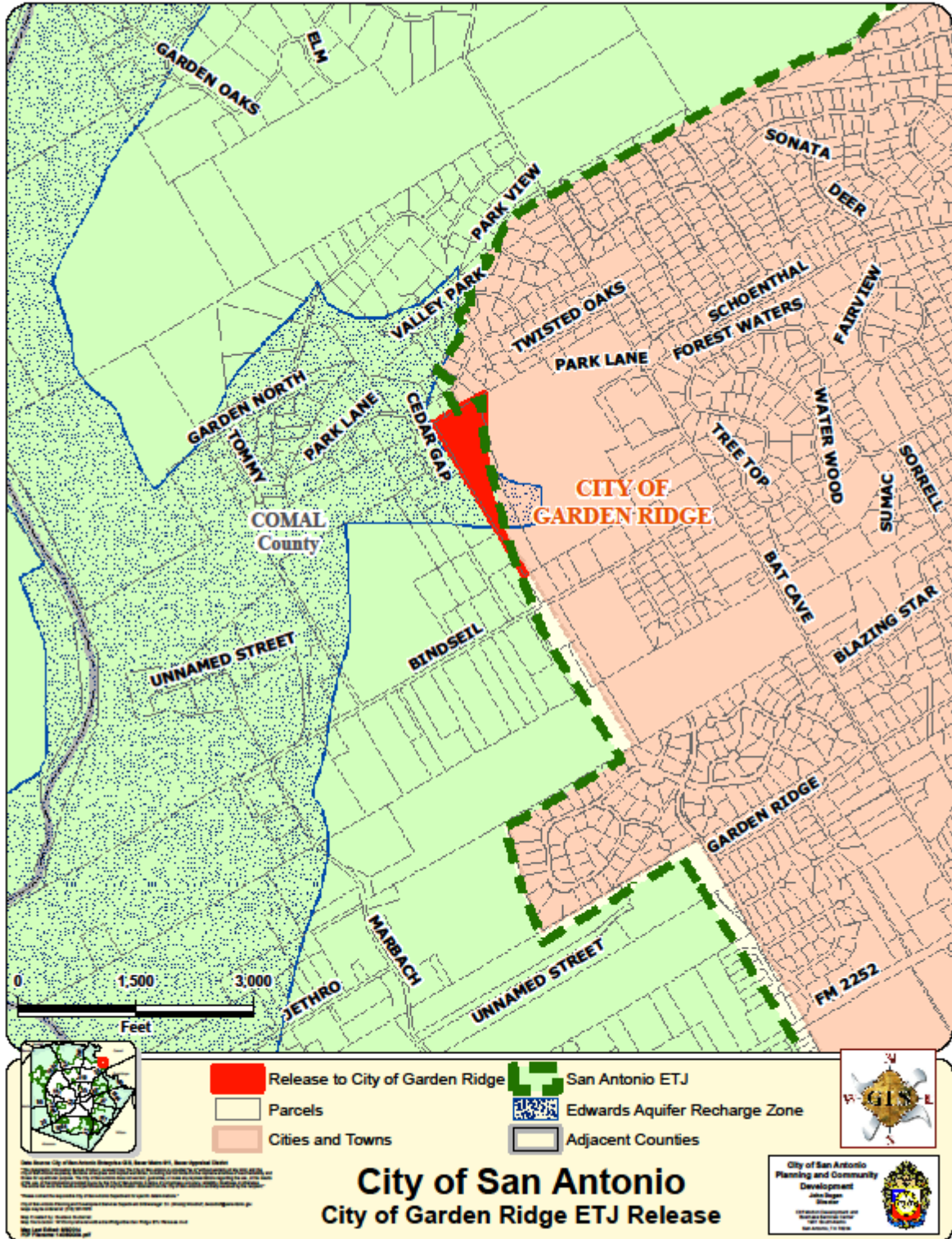
This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_, City Manager of the City of San Antonio, a Texas Municipal Corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission expires: \_\_\_\_\_

**EXHIBIT A**

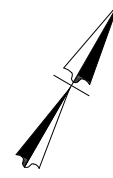
**Subject Property**



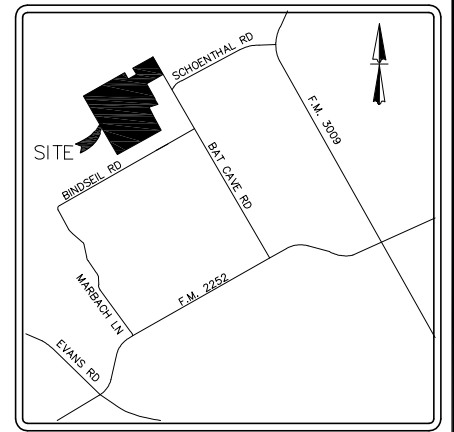
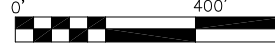


NOTES:

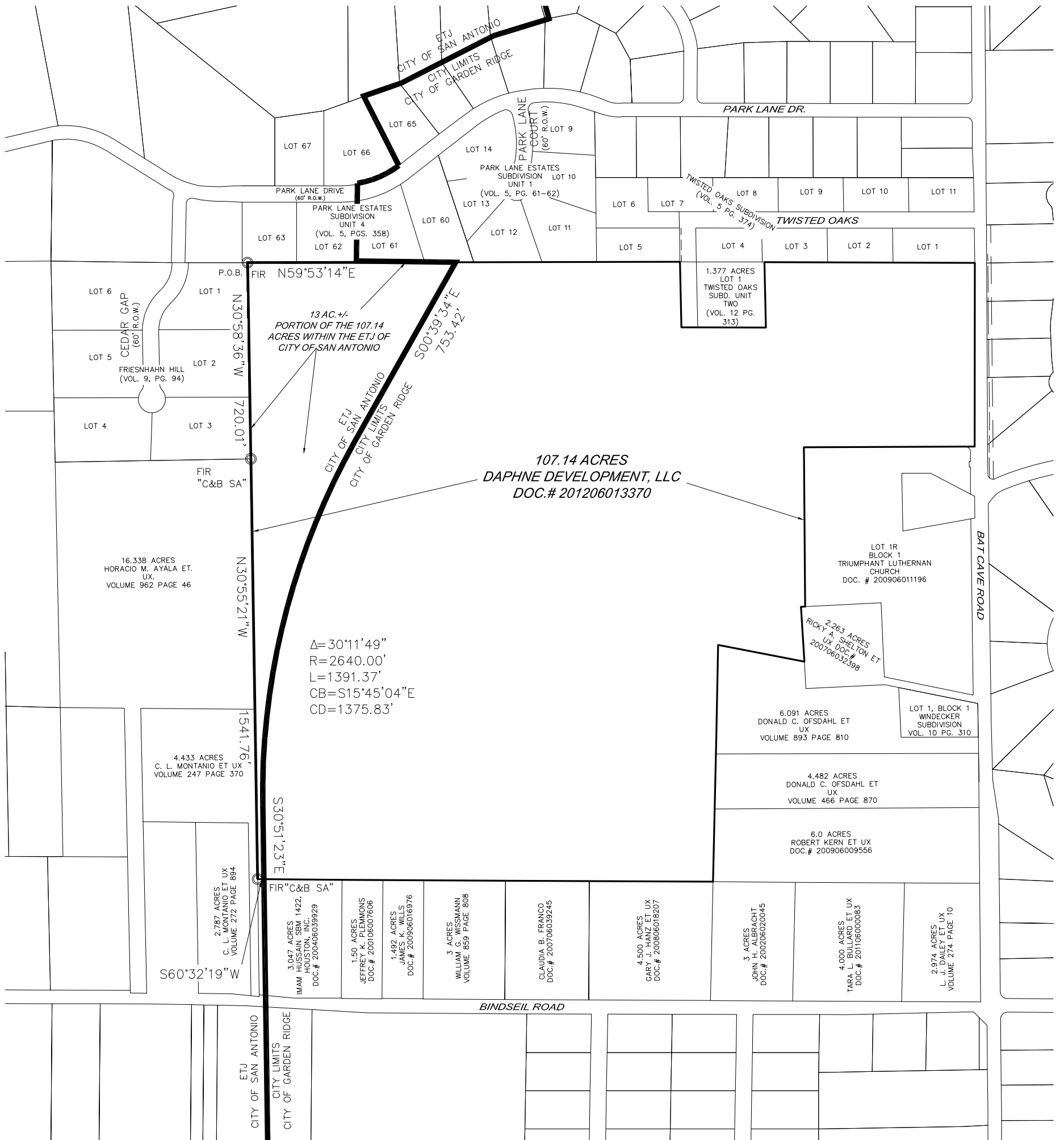
1. BEARINGS ON THE 107.14 ACRE BOUNDARY ARE NAD83 TEXAS SOUTH CENTRAL ZONE.
2. BEARINGS ON THE CITY LIMITS LINES ARE PER THE MAP TITLED "CITY OF GARDEN RIDGE CITY LIMITS JANUARY 2007" PREPARED BY BILL CALLERNDER R.P.L.S. OF RECORD IN THE ADMINISTRATORS OFFICE OF THE CITY OF GARDEN RIDGE, COMAL COUNTY, TEXAS.



SCALE : 1"=400'



LOCATION MAP  
NOT-TO-SCALE



Date: Nov 04, 2013, 2:47pm User: ltcasal  
File: S:\Draw 2012\12-038 FOREST AT GARDEN RIDGE\B512-038 ETJ.dwg



14603 HUEBNER ROAD, BLDG. 40  
SAN ANTONIO, TEXAS 78230  
PHONE (210) 979-8444  
FAX (210) 979-0499  
FIRM LICENSE NO. 10122300

EXHIBIT OF  
THE PORTION OF A 107.14 ACRE TRACT WHICH IS OUTSIDE THE CITY  
LIMITS OF THE CITY OF GARDEN RIDGE, COMAL COUNTY, TEXAS.

REVISIONS: 11-04-13 ADD AC.	ISSUE DATE: 11-01-2013
JOB NO. 13-142	DATE: 11/01/13
DRAWN: HCC	DESIGNER: HCC
CHECKED: HCC	



SHEET: 1 of 1



**PROPERTY DESCRIPTION OF  
A PORTION OF 107.14 ACRES**

Being all of that approximately 13 acre portion of the west side of a 107.14 acre tract of land lying outside the City Limits of the City of Garden Ridge, Texas and being out of the Charles P. Hanlon Survey No. 72, Abstract No. 253, Comal County, Texas and being a portion of the 107.14 acre tract of land conveyed to Daphne Development, LLC of record in Document No. 201206013370 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found 1/2" iron rod for the northwest corner of said 107.14 acres and the tract described herein, also being the northeast corner of Lot 1 of the Friesnhahn Hill Subdivision of record in Volume 9 Page 94, Deed and Plat Records of Comal County, Texas and on the south line of Lot 63 of the Park Lane Estates Subdivision Unit 4 of record in Volume 5 Page 358, Deed and Plat Records of Comal County, Texas;

**THENCE:** N 59° 53' 14" E (bearings based on NAD83 Texas State Plane Coordinate System South Central Zone) along and with the southeast line of said Park Lane Estates Subdivision Unit 4 and northwest line of said 107.14 acres and the tract described herein to the point of intersection with the City Limits line of the City of Garden Ridge, Texas for the northeast corner of this tract,

**THENCE:** S 00° 39' 34" E, a distance of 753.42 feet (course and distance taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, to a point of curvature;

**THENCE:** Continuing over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, with a curve to the left (courses and distances taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) said curve having an arc length of 1391.37 feet, a delta angle of 30° 11' 49", a radius of 2640.00 feet and a chord bearing and distance of S 15° 45' 04" E 1375.33 feet, to a point of tangency;

**THENCE:** S 30° 51' 23" E (course taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, to the point of intersection with the southeast line of said 107.14 acres and being on the northwest line of a called 3.047 acre tract conveyed to Imam Hussain of record in Document No. 200406039929 of the Official Public Records of Comal County, Texas, for the southeast corner of the tract described herein;

**THENCE:** S 60° 32' 19" W (this course and the following courses and distances based on NAD83 Texas State Plane Coordinate System South Central Zone) along and with the northwest line of the 3.047 acre tract and a southeast line of the 107.14 acre tract, to a found 1/2" iron rod with "Carter & Burgess" Cap for the west corner of the 3.047 acre tract and in the northeast line of a 4.433 acre tract of land conveyed to C. L. Montanio et ux of record in Volume 247 Page 370, Deed Records of Comal County, Texas and the most southwest corner of the 107.14 acre tract and the tract described herein;

**THENCE:** N 30° 55' 21" W, a distance of 1541.76 feet, along and with the northeast line of the 4.433 acre tract and a northeast line of a 16.338 acre tract of land conveyed to Horacio M. Ayala et ux of record in Volume 962 Page 46, Official Public Records of Comal County, Texas and with a southwest line of the 107.14 acre tract, to a found 1/2" iron rod with "Carter & Burgess" Cap for the north corner of the 16.338 acre tract of land and a southeast corner of Lot 3 of the Friesnhahn Hill Subdivision of record in Volume 9



Page 94, Deed and Plat Records of Comal County, Texas and an angle point of the 107.14 acre tract and the tract described herein;

**THENCE:** N 30° 58' 36" W, a distance of 720.01 feet, along and with the northeast line of said Friesnhahn Hill Subdivision and a southwest line of the 107.14 acre tract, to the **POINT OF BEGINNING** and containing all of that portion of said 107.14 acres outside of the City Limits line of the City of Garden Ridge, Comal County, Texas.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Job No.: 12-038  
Prepared by: KFW Surveying  
Date: November 1, 2013  
Revised: 11-4-2013  
File: S:\Draw 2012\12-038 Forest At Garden Ridge\ FN FOR ETJ.doc

