



**AGENDA ITEM REQUEST FORM  
CITY OF JOHNSON CITY, TEXAS  
CITY COUNCIL**

**ITEM NOS. 9-11**

**MEETING DATE:**           **May 4, 2021**

**AGENDA PLACEMENT:**

- Ceremonial
- Consent
- Individual
- Closed Session

**CAPTION:**

Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas providing for the extension of the Johnson City City Limits by the annexation of a 10.4 acre tract of land described as land situated on the Pedernales River in Blanco County, Texas, and comprises 9.82 acres of land, part of Survey No. 41, patented to Jack Shackelford, by Patent No. 416, Volume 5, dated September 20, 1849, recorded in the Deed Records of Blanco County, Texas, in Volume 55, Page 175, and .58 acre, part of Survey No. 40, W.D. Talley; granting to all inhabitants of said property all of the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; incorporating recitals; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas providing for the extension of the Johnson City City Limits by the annexation of a 4 acre tract of land described as 4.0 acres of land situated in Blanco County, Texas, being part of Survey No. 167, originally granted and patented to Zeno J. Hemphill by Patent No. 256, Vo1. 1, dated May 28, 1841, Abstract No. 262, and being a portion of that 8.0 acre tract of land, more or less, that was conveyed by The Blanco National Bank to W.T. Wood, et ux, by deed dated January 28, 1957, recorded in Vol. 66, page 296, of the Deed Records of Blanco County, Texas; granting to all inhabitants of said property all of the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; incorporating recitals; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas providing for the extension of the Johnson City City Limits by the annexation of a 19.84 acre tract of land described as a 19.84 acre tract of land being the remaining portion of that certain 30.79 acre tract of land described in Vol. 139, Page 755 of the Deed Records of Blanco County, Texas,

situated in the Zeno J. Hemphill Survey No. 167, Abstract No. 262 in said County; granting to all inhabitants of said property all of the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; incorporating recitals; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

**EXECUTIVE SUMMARY:**

The Mayor and City Council certified the petition for annexation for the following City-owned tracts of land on April 6, 2021:

- Lake Johnson City;
- PEC Solar Farm; and
- Hohenberger Home.

Annexation of the properties does not expand the City’s Extraterritorial Jurisdiction (ETJ).

**FINANCIAL:** N/a

**ATTACHMENTS:** Annexation Ordinances and Exhibits

**SUGGESTED ACTION:** Motion to approve.

**PREPARED BY:** CAO/City Secretary Rick Schroder

**DATE SUBMITTED:** April 30, 2021

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS PROVIDING FOR THE EXTENSION OF THE JOHNSON CITY CITY LIMITS BY THE ANNEXATION OF A 10.4 ACRE TRACT OF LAND DESCRIBED AS LAND SITUATED ON THE PEDERNALES RIVER IN BLANCO COUNTY, TEXAS, AND COMPRISED OF 9.82 ACRES OF LAND, PART OF SURVEY NO. 41, PATENTED TO JACK SHACKLEFORD, BY PATENT NO. 416, VOLUME 5, DATED SEPTEMBER 20, 1849, RECORDED IN THE DEED RECORDS OF BLANCO COUNTY, TEXAS, IN VOLUME 55, PAGE 175, AND .58 ACRE, PART OF SURVEY NO. 40, W.D. TALLEY.; GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; INCORPORATING RECITALS; AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; SETTING AN EFFECTIVE DATE; AND APPROVING A MUNICIPAL SERVICE PLAN FOR SUCH AREA.**

**WHEREAS**, a petition for the annexation of approximately 10.4 acres owned by the City of Johnson City has been signed by the Chief Administrative Officer / City Secretary of the City and approved by the Mayor and City Council on April 6, 2021 of the hereinafter described tract(s) of land, which is vacant and without residents, or on which fewer than three qualified voters reside to wit:

Said land is situated on the Pedernales River in Blanco County, Texas, and comprises 9.82 acres of land, part of Survey No. 41, patented to Jack Shackelford, by Patent No. 416, Volume 5, dated September 20, 1849, recorded in the Deed Records of Blanco County, Texas, in Volume 55, Page 175, and .58 acre, part of Survey No. 40, W.D. Talley.

**WHEREAS**, pursuant to Local Government Code Chapter 43 *Municipal Annexation*, Subchapter C-3 *Annexation of Area on Request of Owners*, the governing body may grant the petition after written annexation notice and notice of public hearing(s) are issued on or after the 20<sup>th</sup> day but before the 10<sup>th</sup> day before the date of the hearing(s); and

**WHEREAS**, on the 4<sup>th</sup> day of May, 2021, the City Council of the City of Johnson City held a public hearing(s) on the annexation of said territory and such public hearing gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

**WHEREAS**, notice of the abovementioned public hearing(s) were published on April 21, 2021 in the Johnson City Record Courier, a newspaper of general circulation in the City of Johnson

City, Texas, and within the territory to be annexed, and posted on the City's bulletin board and website from April 14<sup>th</sup> – May 4<sup>th</sup>, in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS THAT:**

**SECTION ONE. Annexation.** An approximate 9.82 acres of land, part of Survey No. 41, patented to Jack Shackelford, by Patent No. 416, Volume 5, dated September 20, 1849, recorded in the Deed Records of Blanco County, Texas, in Volume 55, Page 175, and .58 acre, part of Survey No. 40, W.D. Talley, being the same real property as described in the field notes hereto attached as "Exhibit A" and incorporated herein by reference, is hereby added to and annexed in the City of Johnson City, Texas, and said land and territory, as described, shall hereafter be included within the boundary limits of said City; and the present boundary limits of said City, at the various points contiguous to the area described in Exhibit A, are altered and amended so as to include said area within the Corporate Municipal Limits of the City of Johnson City, Texas.

**SECTION TWO. Municipal Service Plan.** A Municipal Service Plan outlining the provisions of necessary municipal services to the properties and rights-of-way described in Exhibit A is hereby approved, and the implementation of said Plan is hereby authorized. The Municipal Service Plan is attached hereto and incorporated herein as "Exhibit B".

**SECTION THREE. Findings of Fact.** All of the above recitals are found to be true and correct and are incorporated into this Ordinance as findings of fact.

**SECTION FOUR. Authorization.** The Chief Administrative Officer is authorized to take all necessary steps to implement the provisions of this Ordinance.

**SECTION FIVE. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

**SECTION SIX. Repealing Ordinances in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION SEVEN. Effective Date.** This Ordinance shall be effective immediately upon adoption.

**PASSED AND APPROVED this 4<sup>th</sup> day of May 2021.**

By: \_\_\_\_\_  
Rhonda Stell, Mayor

**ATTEST:**

\_\_\_\_\_  
Rick Schroder, City Secretary

THE STATE OF TEXAS {  
COUNTY OF BLANCO {

KNOW ALL MEN BY THESE PRESENTS:

That we, JAMES ROSS LEONARD and wife, YVONNE G. LEONARD, hereinafter called "the undersigned," for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration deemed fully adequate, paid to the undersigned by the City of Johnson City, a municipal corporation of Blanco County, State of Texas, receipt whereof is hereby acknowledged, have GRANTED, SOLD and CONVEYED and by these presents do GRANT, SELL and CONVEY unto the said City of Johnson City, Texas, hereinafter called "City," all of the following land in Blanco County, Texas, viz:

Said land is situated on the Pedernales River in Blanco County, Texas, and comprises 9.82 acres of land, part of Survey No. 41, patented to Jack Shackelford, by Patent No. 416, Volume 5, dated September 20, 1849, recorded in the Deed Records of Blanco County, Texas, in Volume 55, Page 175, and .58 acre, part of Survey No. 40, W. D. Talley.

Said tract of 10.4 acres of land is described by metes and bounds as follows, to-wit:

BEGINNING at a point in the center of the Pedernales River for the North corner of that 93.8 acre tract of land that was conveyed by Mrs. Emma Prehn to James Ross Leonard by deed dated October 7, 1947, recorded in Volume 59, Page 408;

THENCE down the Pedernales River in its center S. 43° 30' E. 770.5 feet; S. 44° 45' E. 745 feet to the East line of the Johnson City Lake project;

THENCE with East line of the Johnson City Lake project S. 46° 30' W. 327.46 feet to a stake in a branch for the South corner of the Johnson City Lake project and the South corner of this tract of land;

THENCE with the South side of the said project, N. 43° 02' W. 633.94 feet an iron stake; N. 52° 16' W 284.38 feet an iron stake; S. 78° 08' W. 190.36 feet an iron stake; N. 47° 23' E. 173.13 feet an iron stake; N. 44° 55' W. 164.77 feet an iron stake in West line of the said James Ross Leonard property and the East line of the J. Lloyd Lester property;

THENCE North 497.65 feet to the place of BEGINNING.

It is understood and agreed that said City proposes to construct a dam in the Pedernales River down stream from the above land to a crest spillway elevation of approximately 1110 feet above mean sea level as established by U. S. G. S. Bench Marks, and the above land is acquired for use therewith. The undersigned hereby waives (jointly and severally if more than one) any and all damages that the undersigned, or the heirs, successors or assigns of the undersigned, has or have sustained or at anytime hereafter may sustain, as to any of the remainder of any lands or premises adjoining the above tract now owned by the undersigned, by the construction or maintenance of said dam, and do release any and all riparian rights owned or held by the undersigned in and to any waters impounded by said dam.

It is understood neither party is obligated to fence said land to separate it from adjoining land, but either party may do so. Use by the undersigned, or any heirs, successors or assigns of the undersigned, shall not be deemed adverse to the City or commence the running of any statutes of limitation.

Undersigned hereby reserves and retains the oil and gas under such land, provided, they, nor their heirs or assigns, shall not have a right to disturb the City's surface works or improvements in order to prospect for or produce the same.

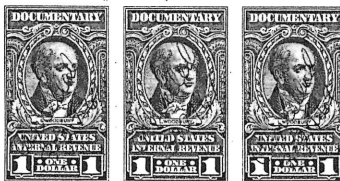
The undersigned for themselves, their heirs and assigns, reserve an easement for travel or passage of persons or vehicles across the above land from the remaining adjacent land now owned by them to reach the water impounded above said dam, and if said land is fenced, an appropriate gated opening or openings in said fence can be made for this purpose.

The undersigned also reserves for themselves or their tenants the right to take water (at their own cost and expense), from the land to be impounded for use upon their adjoining lands for domestic purposes and

livestock use, but not for re-sale or distribution to others.

TO HAVE AND TO HOLD the above described lands and rights unto said City, its successors and assigns, FOREVER. The undersigned hereby binds the undersigned and any legal representatives thereof, to WARRANT and FOREVER DEFEND all and singular said lands and rights to said City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

DATED this 27 day of MARCH, A. D. 1967.



James Ross Leonard  
James Ross Leonard

Yvonne G. Leonard  
Yvonne G. Leonard

THE STATE OF TEXAS }  
COUNTY OF BLANCO }



BEFORE ME, the undersigned authority, on this day personally appeared JAMES ROSS LEONARD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27 day of MARCH, A. D. 1967.

Barbara Milligan  
Notary Public, Blanco County,  
T E X A S.

THE STATE OF TEXAS }  
COUNTY OF BLANCO }

BEFORE ME, the undersigned authority, on this day personally appeared YVONNE G. LEONARD, wife of JAMES ROSS LEONARD, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me, privily and apart from her husband, and having the same fully explained to her, she, the said YVONNE G. LEONARD, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27 day of MARCH, A. D. 1967.

Barbara Milligan  
Notary Public, Blanco County,  
T E X A S



**EXHIBIT “B”  
CITY OF JOHNSON CITY, TEXAS  
MUNICIPAL SERVICE PLAN  
FOR APPROXIMATELY 10.4 ACRES  
LAKE JOHNSON CITY**

**INTRODUCTION**

The City of Johnson City has received a petition for the annexation of approximately 10.4 acres owned by the City and signed by the Chief Administrative Officer / City Secretary of the City. The property, more particularly described below, is located along the Pedernales River, and lies within the extraterritorial jurisdiction of the City of Johnson City, Blanco County, Texas. The property has similar topography as the adjoining property already in the City limits.

The annexation petition includes one (1) parcel of property totaling 10.4 acres, more particularly described by:

Said land is situated on the Pedernales River in Blanco County, Texas, and comprises 9.82 acres of land, part of Survey No. 41, patented to Jack Shackelford, by Patent No. 416, Volume 5, dated September 20, 1849, recorded in the Deed Records of Blanco County, Texas, in Volume 55, Page 175, and .58 acre, part of Survey No. 40, W.D. Talley.

**PROVISION OF FULL MUNICIPAL SERVICE**

1. Police Protection:

The City of Johnson City Police Department will respond to calls for assistance, enforcement, and protection and provide other services offered by the Police Department on the effective date of annexation.

2. Fire / EMS Protection:

The Johnson City Volunteer Fire Department will respond to calls for assistance, fire emergencies, and provide other fire-related services, as needed, on the effective date of annexation. The North Blanco County EMS will respond to calls for Emergency Medical Service (EMS) in the City of Johnson City, and they will provide patient care and transport services as of the effective date of annexation.

3. Water Service:

Water service will be provided by the City of Johnson City. Water service shall be provided and extended in accordance with City policies and established fees to those customers within the City’s certificated service area or by private wells where City service is not available.

4. Wastewater Service:

Wastewater service will be provided by the City of Johnson City. Wastewater service shall be provided and extended in accordance with City policies and established fees to those customers within the City's certificated service area or by private on-site septic systems where City service is not available.

5. Maintenance of Streets:

Publicly-owned streets and drainage improvements, which have been properly platted, duly dedicated, and accepted by the City of Johnson City and / or Blanco County, shall be maintained by the City. Private streets, roadways, driveways, and drainage ways shall be maintained by the property owners.

6. Electric:

Electric shall be provided in accordance with Pedernales Electric Cooperative policies for electric line extensions and service connections.

7. Solid Waste:

Solid waste collection will be provided for under the City of Johnson City's franchise agreement with Waste Connections or subsequent carrier. Brush and bulk waste pick-up is provided in accordance with a City-wide schedule and under the terms of the current and future solid waste agreements.

8. Capital Improvements:

No capital improvements are necessary for the City to provide full municipal services to the parcel(s). No capital improvements are anticipated at this time, and all future capital improvements will be installed by the property owners.

9. Building Code:

The City's Building Official will provide consultation for building code requirements, plan review, and on-site inspection services for new construction. The City of Johnson City shall provide municipal services to a level equivalent to similar land uses throughout the City.

10. Code Compliance:

The Code Compliance Department will enforce City Codes and regulations.

11. Zoning:

The territory to be annexed shall be zoned in accordance with Code of Ordinances Chapter 14 *Zoning*.

12. Building Permits:

Building permits must be obtained from the City in accordance with City Codes.

13. Public Facilities:

There are no publicly-owned parks, playgrounds, swimming pools, or buildings in or upon the parcel(s).

14. Elections:

Provisions of elections and polling sites for the City of Johnson City are made by the Office of the City Secretary on dates and times and at places provided for by City Code and / or State Law and are available to the citizens of Johnson City.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS PROVIDING FOR THE EXTENSION OF THE JOHNSON CITY CITY LIMITS BY THE ANNEXATION OF A 4 ACRE TRACT OF LAND DESCRIBED AS 4.0 ACRES OF LAND SITUATED IN BLANCO COUNTY, TEXAS, BEING PART OF SURVEY NO. 167, ORIGINALLY GRANTED AND PATENTED TO ZENO J. HEMPHILL BY PATENT NO. 256, VOL. 1, DATED MAY 28, 1841, ABSTRACT NO. 262, AND BEING A PORTION OF THAT 8.0 ACRE TRACT OF LAND, MORE OR LESS, THAT WAS CONVEYED BY THE BLANCO NATIONAL BANK TO W.T. WOOD, ET UX, BY DEED DATED JANUARY 28, 1957, RECORDED IN VOL. 66, PAGE 296, OF THE DEED RECORDS OF BLANCO COUNTY, TEXAS; GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; INCORPORATING RECITALS; AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; SETTING AN EFFECTIVE DATE; AND APPROVING A MUNICIPAL SERVICE PLAN FOR SUCH AREA.**

**WHEREAS**, a petition for the annexation of approximately 4 acres owned by the City of Johnson City has been signed by the Chief Administrative Officer / City Secretary of the City and approved by the Mayor and City Council on April 6, 2021 of the hereinafter described tract(s) of land, which is vacant and without residents, or on which fewer than three qualified voters reside to wit:

4.0 acres of land situated in Blanco County, Texas, being part of Survey No. 167, originally granted and patented to Zeno J. Hemphill by Patent No. 256, Vol. 1, dated May 28, 1841, Abstract No. 262, and being a portion of that 8.0 acre tract of land, more or less, that was conveyed by The Blanco National Bank to W.T. Wood, et ux, by deed dated January 28, 1957, recorded in Vol. 66, page 296, of the Deed Records of Blanco County, Texas.

**WHEREAS**, pursuant to Local Government Code Chapter 43 *Municipal Annexation*, Subchapter C-3 *Annexation of Area on Request of Owners*, the governing body may grant the petition after written annexation notice and notice of public hearing(s) are issued on or after the 20<sup>th</sup> day but before the 10<sup>th</sup> day before the date of the hearing(s); and

**WHEREAS**, on the 4<sup>th</sup> day of May, 2021, the City Council of the City of Johnson City held a public hearing(s) on the annexation of said territory and such public hearing gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

**WHEREAS**, notice of the abovementioned public hearing(s) were published on April 21, 2021 in the Johnson City Record Courier, a newspaper of general circulation in the City of Johnson City, Texas, and within the territory to be annexed, and posted on the City’s bulletin board and website from April 14<sup>th</sup> – May 4<sup>th</sup>, in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS THAT:**

**SECTION ONE. Annexation.** An approximate 4.0 acres of land situated in Blanco County, Texas, being part of Survey No. 167, originally granted and patented to Zeno J. Hemphill by Patent No. 256, Vol. 1, dated May 28, 1841, Abstract No. 262, and being a portion of that 8.0 acre tract of land, more or less, that was conveyed by The Blanco National Bank to W.T. Wood, et ux, by deed dated January 28, 1957, recorded in Vol. 66, page 296, of the Deed Records of Blanco County, Texas, being the same real property as described in the field notes hereto attached as “Exhibit A” and incorporated herein by reference, is hereby added to and annexed in the City of Johnson City, Texas, and said land and territory, as described, shall hereafter be included within the boundary limits of said City; and the present boundary limits of said City, at the various points contiguous to the area described in Exhibit A, are altered and amended so as to include said area within the Corporate Municipal Limits of the City of Johnson City, Texas.

**SECTION TWO. Municipal Service Plan.** A Municipal Service Plan outlining the provisions of necessary municipal services to the properties and rights-of-way described in Exhibit A is hereby approved, and the implementation of said Plan is hereby authorized. The Municipal Service Plan is attached hereto and incorporated herein as “Exhibit B”.

**SECTION THREE. Findings of Fact.** All of the above recitals are found to be true and correct and are incorporated into this Ordinance as findings of fact.

**SECTION FOUR. Authorization.** The Chief Administrative Officer is authorized to take all necessary steps to implement the provisions of this Ordinance.

**SECTION FIVE. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

**SECTION SIX. Repealing Ordinances in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION SEVEN. Effective Date.** This Ordinance shall be effective immediately upon adoption.

**PASSED AND APPROVED this 4<sup>th</sup> day of May 2021.**

By: \_\_\_\_\_  
Rhonda Stell, Mayor

**ATTEST:**

\_\_\_\_\_  
Rick Schroder, City Secretary

**WARRANTY DEED**  
(LONG FORM)

THE STATE OF TEXAS  
COUNTY OF BLANCO } KNOW ALL MEN BY THESE PRESENTS:

That I, J. C. WEST, a single man,

of the County of Blanco and State of Texas for and in  
consideration of the sum of TEN AND NO/100-----  
-----(\$10.00)-----DOLLARS

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which  
is hereby acknowledged, and for which no lien is retained, either express or  
implied,

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto  
THE CITY OF JOHNSON CITY, TEXAS

of the County of Blanco and State of Texas, all of

the following described real property in Blanco County, Texas, to-wit:  
4.0 acres of land situated in Blanco County, Texas, being part of  
Survey No. 167, originally granted and patented to Zeno J. Hemphill  
by Patent No. 256, Vol. 1, dated May 28, 1841, Abstract No. 262, and  
being a portion of that 8.0 acre tract of land, more or less, that  
was conveyed by The Blanco National Bank to W. T. Wood, et ux, by deed  
dated January 28, 1957, recorded in Vol. 66, page 296, of the Deed  
Records of Blanco County, Texas, and being more fully described by  
metes and bounds as follows, to wit:

BEGINNING at a steel bar found set near fence post, being a point in the South right-of-way line of U. S. Highway No. 290 and being a point 122.0 feet S. 88° 06' W. and 102.8 feet S. 88° 32' W. from the N. E. corner of the aforesaid mentioned 8.0 acre tract of land, more or less, that was conveyed to W. T. Wood, et ux, for the N. E. corner of this tract of land;

THENCE with the South right-of-way line of U. S. Highway No. 290 S. 88° 32' W. 451.9 feet to a steel bar set for the N. W. corner of this tract of land;

THENCE S. 0° 10' E. 385.7 feet to a steel bar set in fence line for the S. W. corner of this tract of land;

THENCE with fence, N. 88° 38' E. 451.9 feet to a steel bar found set at fence post for the S. E. corner of this tract of land;

THENCE with fence, N. 0° 10' W. 386.5 feet to the place of beginning.

This conveyance is made and accepted SUBJECT TO the following:

1. An easement from W. T. Wood and wife, Ruth Wood to Southwestern Bell Telephone Company, dated December 14, 1963, recorded in Volume 71, Page 489, Deed Records of Blanco County, Texas, as it affects the property.



**EXHIBIT “B”  
CITY OF JOHNSON CITY, TEXAS  
MUNICIPAL SERVICE PLAN  
FOR APPROXIMATELY 4 ACRES  
WEST WELLS**

**INTRODUCTION**

The City of Johnson City has received a petition for the annexation of approximately 4 acres owned by the City and signed by the Chief Administrative Officer / City Secretary of the City. The property, more particularly described below, is located along W. U.S. Hwy. 290 in Blanco County, Texas. The property has similar topography as the adjoining property already in the City limits.

The annexation petition includes one (1) parcel of property totaling 4 acres, more particularly described by:

4.0 acres of land situated in Blanco County, Texas, being part of Survey No. 167, originally granted and patented to Zeno J. Hemphill by Patent No. 256, Vol. 1, dated May 28, 1841, Abstract No. 262, and being a portion of that 8.0 acre tract of land, more or less, that was conveyed by The Blanco National Bank to W.T. Wood, et ux, by deed dated January 28, 1957, recorded in Vol. 66, page 296, of the Deed Records of Blanco County, Texas.

**PROVISION OF FULL MUNICIPAL SERVICE**

1. Police Protection:

The City of Johnson City Police Department will respond to calls for assistance, enforcement, and protection and provide other services offered by the Police Department on the effective date of annexation.

2. Fire / EMS Protection:

The Johnson City Volunteer Fire Department will respond to calls for assistance, fire emergencies, and provide other fire-related services, as needed, on the effective date of annexation. The North Blanco County EMS will respond to calls for Emergency Medical Service (EMS) in the City of Johnson City, and they will provide patient care and transport services as of the effective date of annexation.

3. Water Service:

Water service will be provided by the City of Johnson City. Water service shall be provided and extended in accordance with City policies and established fees to those customers within the City’s certificated service area or by private wells where City service is not available.

4. Wastewater Service:

Wastewater service will be provided by the City of Johnson City. Wastewater service shall be provided and extended in accordance with City policies and established fees to those customers within the City's certificated service area or by private on-site septic systems where City service is not available.

5. Maintenance of Streets:

Publicly-owned streets and drainage improvements, which have been properly platted, duly dedicated, and accepted by the City of Johnson City and / or Blanco County, shall be maintained by the City. Private streets, roadways, driveways, and drainage ways shall be maintained by the property owners.

6. Electric:

Electric shall be provided in accordance with Pedernales Electric Cooperative policies for electric line extensions and service connections.

7. Solid Waste:

Solid waste collection will be provided for under the City of Johnson City's franchise agreement with Waste Connections or subsequent carrier. Brush and bulk waste pick-up is provided in accordance with a City-wide schedule and under the terms of the current and future solid waste agreements.

8. Capital Improvements:

No capital improvements are necessary for the City to provide full municipal services to the parcel(s). No capital improvements are anticipated at this time, and all future capital improvements will be installed by the property owners.

9. Building Code:

The City's Building Official will provide consultation for building code requirements, plan review, and on-site inspection services for new construction. The City of Johnson City shall provide municipal services to a level equivalent to similar land uses throughout the City.

10. Code Compliance:

The Code Compliance Department will enforce City Codes and regulations.

11. Zoning:

The territory to be annexed shall be zoned in accordance with Code of Ordinances Chapter 14 *Zoning*.

12. Building Permits:

Building permits must be obtained from the City in accordance with City Codes.

13. Public Facilities:

There are no publicly-owned parks, playgrounds, or swimming pools, in or upon the parcel(s). West wells providing water service to the City of Johnson City are located on the parcel(s)

14. Elections:

Provisions of elections and polling sites for the City of Johnson City are made by the Office of the City Secretary on dates and times and at places provided for by City Code and / or State Law and are available to the citizens of Johnson City.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS PROVIDING FOR THE EXTENSION OF THE JOHNSON CITY CITY LIMITS BY THE ANNEXATION OF A 19.84 ACRE TRACT OF LAND BEING THE REMAINING PORTION OF THAT CERTAIN 30.79 ACRE TRACT OF LAND DESCRIBED IN VOL. 139, PAGE 755 OF THE DEED RECORDS OF BLANCO COUNTY, TEXAS, SITUATED IN THE ZENO J. HEMPHILL SURVEY NO. 167, ABSTRACT NO. 262 IN SAID COUNTY; GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; INCORPORATING RECITALS; AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; SETTING AN EFFECTIVE DATE; AND APPROVING A MUNICIPAL SERVICE PLAN FOR SUCH AREA.**

**WHEREAS**, a petition for the annexation of approximately 19.84 acres owned by the City of Johnson City has been signed by the Chief Administrative Officer / City Secretary of the City and approved by the Mayor and City Council on April 6, 2021 of the hereinafter described tract(s) of land, which is vacant and without residents, or on which fewer than three qualified voters reside to wit:

A 19.84 acre tract of land being the remaining portion of that certain 30.79 acre tract of land described in Vol. 139, Page 755 of the Deed Records of Blanco County, Texas, situated in the Zeno J. Hemphill Survey No. 167, Abstract No. 262 in said County.

**WHEREAS**, pursuant to Local Government Code Chapter 43 *Municipal Annexation*, Subchapter C-3 *Annexation of Area on Request of Owners*, the governing body may grant the petition after written annexation notice and notice of public hearing(s) are issued on or after the 20<sup>th</sup> day but before the 10<sup>th</sup> day before the date of the hearing(s); and

**WHEREAS**, on the 4<sup>th</sup> day of May, 2021, the City Council of the City of Johnson City held a public hearing(s) on the annexation of said territory and such public hearing gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

**WHEREAS**, notice of the abovementioned public hearing(s) were published on April 21, 2021 in the Johnson City Record Courier, a newspaper of general circulation in the City of Johnson City, Texas, and within the territory to be annexed, and posted on the City's bulletin board and website from April 14<sup>th</sup> – May 4<sup>th</sup>, in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS THAT:**

**SECTION ONE. Annexation.** An approximate 19.84 acre tract of land being the remaining portion of that certain 30.79 acre tract of land described in Vol. 139, Page 755 of the Deed Records of Blanco County, Texas, situated in the Zeno J. Hemphill Survey No. 167, Abstract No. 262 in said County, being the same real property as described in the field notes hereto attached as “Exhibit A” and incorporated herein by reference, is hereby added to and annexed in the City of Johnson City, Texas, and said land and territory, as described, shall hereafter be included within the boundary limits of said City; and the present boundary limits of said City, at the various points contiguous to the area described in Exhibit A, are altered and amended so as to include said area within the Corporate Municipal Limits of the City of Johnson City, Texas.

**SECTION TWO. Municipal Service Plan.** A Municipal Service Plan outlining the provisions of necessary municipal services to the properties and rights-of-way described in Exhibit A is hereby approved, and the implementation of said Plan is hereby authorized. The Municipal Service Plan is attached hereto and incorporated herein as “Exhibit B”.

**SECTION THREE. Findings of Fact.** All of the above recitals are found to be true and correct and are incorporated into this Ordinance as findings of fact.

**SECTION FOUR. Authorization.** The Chief Administrative Officer is authorized to take all necessary steps to implement the provisions of this Ordinance.

**SECTION FIVE. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

**SECTION SIX. Repealing Ordinances in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION SEVEN. Effective Date.** This Ordinance shall be effective immediately upon adoption.

**PASSED AND APPROVED this 4<sup>th</sup> day of May 2021.**

By: \_\_\_\_\_  
Rhonda Stell, Mayor

**ATTEST:**

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Rick Schroder, City Secretary

**HAMBRIGHT LAND SURVEYING**

P.O. BOX 1228  
JOHNSON CITY, TEXAS 78636

PHONE: (830) 868-2374  
FAX: (830) 868-2376

DECEMBER 09, 2006, JOB NO. 006-358, FIELD NOTE NO. 006-358,  
PROJECT: 19.84 ACRE SURVEY

FIELD NOTES

A DESCRIPTION OF A 19.84 ACRE TRACT OF LAND BEING THE  
REMAINING PORTION OF THAT CERTAIN 30.79 ACRE TRACT OF LAND  
DESCRIBED IN VOLUME 139, PAGE 755 OF THE DEED RECORDS OF  
BLANCO COUNTY, TEXAS, SITUATED IN THE ZENO J. HEMPHILL  
SURVEY NO. 167, ABSTRACT NO. 262 IN SAID COUNTY, SAID 19.84  
ACRES AS SHOWN ON THE ACCOMPANYING MAP BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 4 inch metal fence post found for the  
northeast corner of said 19.84 acres, being the northeast  
corner of said 30.79 acres, being the southeast corner of  
that certain 1.97 acre tract of land described in Volume  
91, Page 830 of the Deed Records of said County and being  
in the west line of said certain 3.34 acre tract of land  
described in Volume 143, Page 903 of the Deed Records of  
said County;

THENCE along the east line of said 19.84 acres, being the  
east line of said 30.79 acres and being the west line of  
said 3.34 acres, S00°07'35"E, 760.62 feet to a 4 inch metal  
fence post found for the southeast corner of said 19.84  
acres, being the northeast corner of that certain 4.89 acre  
tract of land described in Volume 168, Page 758 of the  
Official Public Records of said County;

THENCE along the south line of said 19.84 acres, being the  
north line of said 4.89 acres, crossing said 30.79 acres,  
S88°39'32"W, 536.47 feet to a 4 inch metal fence post found  
for the northwest corner of said 4.89 acres, being the  
northeast corner of that certain 2.80 acre tract of land  
described in Volume 112, Page 880 of the Deed Records of  
said County and being a southerly interior corner of said  
30.79 acres;

THENCE continuing along the south line of said 19.84 acres,  
being the north line of said 2.80 acres and , N84°08'26"W,  
529.30 feet to a concrete nail set for the southwest corner  
of said 19.84 acres, being a southerly ell corner of said  
30.79 acres, being a north corner of that certain 5.21 acre  
tract of land described in Volume 187, Page 197 of the  
Official Public Records of said County and being in the  
east line of that certain 6.04 acre tract of land described  
in Volume 139, Page 616 of the Deed Records of said County;

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P.O. BOX 1226  
JOHNSON CITY, TEXAS 78636  
PHONE: (830) 868-2574  
FAX: (830) 868-2576

THENCE along the west line of said 19.84 acres, being the east line of said 6.04 acres, crossing said 30.79 acres, the following five (5) courses;

1. N05°46'02"E, 536.90 feet to a 4 inch metal fence post
2. N28°18'49"E, 14.36 feet to a 4 inch metal fence post,
3. N66°21'39"W, 11.91 feet to a 4 inch metal fence post,
4. N32°33'55"E, 10.95 feet to a 4 inch metal fence post,
5. N10°30'12"E, 51.91 feet to a ¼ inch iron rod found for the northeast corner of said 6.04 acres, being the southeast corner of that certain 0.52 acre tract of land described in Volume 138, Page 198 of the Deed Records of said County and being in the west line of said 30.79 acres;

THENCE continuing along the west line of said 19.84 acres, being the west line of said 30.79 acres and being the east line of said 0.52 acre, N05°45'23"E, 55.95 feet to a ¼ inch Iron rod found for the northwest corner of said 19.84 acres, being the northwest corner of said 30.79 acres and being the southwest corner of that certain 3.97 acre tract of land described in Volume 149, Page 583 of the Official Public Records of said County;

THENCE along the north line of said 19.84 acres, being the north line of said 30.79 acres, being the south line of said 3.97 acres, the south line of that certain tract of land described in Volume 108, Page 966 and the south line of said 1.97 acres, N89°08'40"E, 22.84 feet to a ¼ inch iron rod found, N88°09'44"E, 533.77 feet to a 2 inch metal fence post found and N88°12'45"E, 584.56 feet to the POINT OF BEGINNING containing 19.84 acres of land, more or less.

Any provision herein which restricts the sale, rental or use of the described land shall be null and void insofar as it may be in violation of the laws of the STATE OF TEXAS. This instrument was FILED in the Public Records of the County of BLANCO, TEXAS on \_\_\_\_\_, 2006. The date of recording is printed in Official Public Records of Real Property of Blanco County, Texas on \_\_\_\_\_.

DEC 22 2006

  
*Sharon Plummer*  
COUNTY CLERK  
BLANCO COUNTY, TEXAS



12-09-06

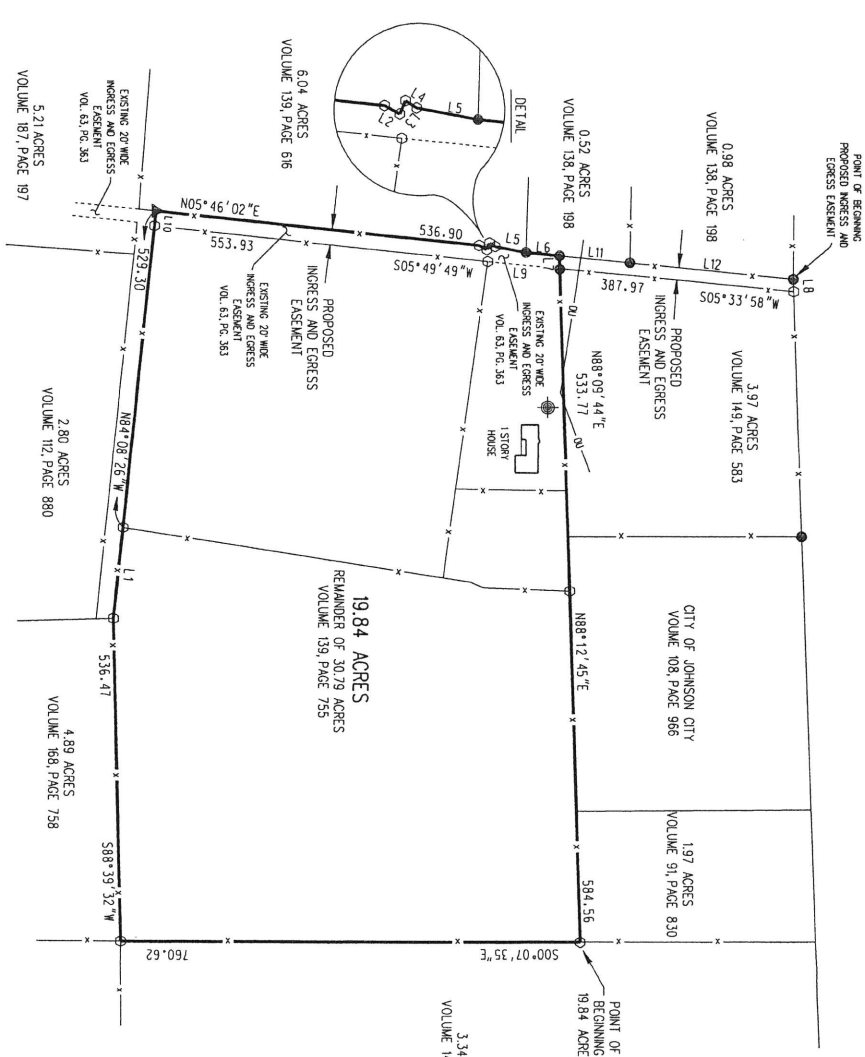
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FN 006-338



U.S. HIGHWAY NO. 290



RK 12-15-06  
 KA 12-15-06  
 JH

EASEMENTS, AS LISTED IN SCHEDULE B OF FIRST AMERICAN TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE OF NO. 06-307 EFFECTIVE NOVEMBER 27, 2006 AFFECTING THE SUBJECT PROPERTY ARE SHOWN HEREIN.

I, RANDALL H. HAMBRIGHT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY TO THE CITY OF JOHNSON CITY, FIRST AMERICAN TITLE INSURANCE CORPORATION, COUNTYWIDE TITLE COMPANY AND LENDER THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY SHOWN HEREON AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, ENCROACHMENTS, VISIBLE UTILITY LINES OR EASEMENTS KNOWN TO ME EXCEPT AS SHOWN HEREON AND THAT SAID PROPERTY HAS ACCESS TO AND FROM AN INGRESS AND EGRESS EASEMENT.

DATE: 12-09-06  
 RANDALL H. HAMBRIGHT, R.P.L.S. NO. 5263



- LEGEND
- 1/2" IRON ROD FOUND
  - ▲ CONCRETE NAIL SET
  - x—x— WIRE FENCE
  - ( ) RECORD INFORMATION
  - FENCE CORNER POST FOUND
  - OU OVERHEAD UTILITIES
  - ☼ WATER WELL

| LINE | DIRECTION   | DISTANCE |
|------|-------------|----------|
| L1   | N83°57'40"W | 151.09   |
| L2   | N28°18'49"E | 14.56    |
| L3   | N66°21'39"W | 11.91    |
| L4   | N32°33'55"E | 10.95    |
| L5   | N0°30'27"E  | 51.91    |
| L6   | N05°45'23"E | 55.95    |
| L7   | N89°08'40"E | 22.84    |
| L8   | N87°56'26"E | 20.21    |
| L9   | S05°24'55"W | 119.84   |
| L10  | N84°08'28"W | 24.76    |
| L11  | N88°12'45"E | 165.94   |
| L12  | N05°44'48"E | 270.71   |



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 P.O. BOX 1226  
 JOHNSON CITY, TEXAS 78636  
 PHONE (830) 888-2574  
 FAX (830) 868-2576  
 EMAIL: HAMBRIGHT@AMMENT.NET

MAP TO ACCOMPANY FIELD NOTE NO. 006-358  
 SURVEY OF 19.84 ACRES SITUATED IN THE ZENO J. HEMPHILL SURVEY NO. 167, ABSTRACT NO. 262, BLANCO COUNTY, TEXAS

JOB NO.: 006-358  
 DATE: 12-09-06

**EXHIBIT “B”  
CITY OF JOHNSON CITY, TEXAS  
MUNICIPAL SERVICE PLAN  
FOR APPROXIMATELY 19.84 ACRES  
PEC SOLAR FARM / HOHENBERGER HOME**

**INTRODUCTION**

The City of Johnson City has received a petition for the annexation of approximately 19.84 acres owned by the City and signed by the Chief Administrative Officer / City Secretary of the City. The property, more particularly described below, is located along W. U.S. Hwy. 290 in Blanco County, Texas. The property has similar topography as the adjoining property already in the City limits.

The annexation petition includes one (1) parcel of property totaling 19.84 acres, more particularly described by:

A 19.84 acre tract of land being the remaining portion of that certain 30.79 acre tract of land described in Vol. 139, Page 755 of the Deed Records of Blanco County, Texas, situated in the Zeno J. Hemphill Survey No. 167, Abstract No. 262 in said County.

**PROVISION OF FULL MUNICIPAL SERVICE**

1. Police Protection:

The City of Johnson City Police Department will respond to calls for assistance, enforcement, and protection and provide other services offered by the Police Department on the effective date of annexation.

2. Fire / EMS Protection:

The Johnson City Volunteer Fire Department will respond to calls for assistance, fire emergencies, and provide other fire-related services, as needed, on the effective date of annexation. The North Blanco County EMS will respond to calls for Emergency Medical Service (EMS) in the City of Johnson City, and they will provide patient care and transport services as of the effective date of annexation.

3. Water Service:

Water service will be provided by the City of Johnson City. Water service shall be provided and extended in accordance with City policies and established fees to those customers within the City’s certificated service area or by private wells where City service is not available.

4. Wastewater Service:

Wastewater service will be provided by the City of Johnson City. Wastewater service shall be provided and extended in accordance with City policies and established fees to those customers within the City's certificated service area or by private on-site septic systems where City service is not available.

5. Maintenance of Streets:

Publicly-owned streets and drainage improvements, which have been properly platted, duly dedicated, and accepted by the City of Johnson City and / or Blanco County, shall be maintained by the City. Private streets, roadways, driveways, and drainage ways shall be maintained by the property owners.

6. Electric:

Electric shall be provided in accordance with Pedernales Electric Cooperative policies for electric line extensions and service connections.

7. Solid Waste:

Solid waste collection will be provided for under the City of Johnson City's franchise agreement with Waste Connections or subsequent carrier. Brush and bulk waste pick-up is provided in accordance with a City-wide schedule and under the terms of the current and future solid waste agreements.

8. Capital Improvements:

No capital improvements are necessary for the City to provide full municipal services to the parcel(s). No capital improvements are anticipated at this time, and all future capital improvements will be installed by the property owners.

9. Building Code:

The City's Building Official will provide consultation for building code requirements, plan review, and on-site inspection services for new construction. The City of Johnson City shall provide municipal services to a level equivalent to similar land uses throughout the City.

10. Code Compliance:

The Code Compliance Department will enforce City Codes and regulations.

11. Zoning:

The territory to be annexed shall be zoned in accordance with Code of Ordinances Chapter 14 *Zoning*.

12. Building Permits:

Building permits must be obtained from the City in accordance with City Codes.

13. Public Facilities:

There are no publicly-owned parks, playgrounds, or swimming pools, in or upon the parcel(s). The Pedernales Electric Cooperative Solar Farm and Hohenberger Home are located on the parcel(s)

14. Elections:

Provisions of elections and polling sites for the City of Johnson City are made by the Office of the City Secretary on dates and times and at places provided for by City Code and / or State Law and are available to the citizens of Johnson City.