

ORDINANCE NO. 23-00438

AN ORDINANCE OF THE CITY OF MUSTANG RIDGE, TEXAS DISANNEXING CERTAIN LANDS FROM WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY BASED UPON THAT CERTAIN CONSENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND RFJJ HWY. 21, LLC, RELATED TO CREATION OF THE CALDWELL COUNTY MUNICIPAL UTILITY DISTRICT NO. 3.

WHEREAS, the City and RFJJ Hwy 21, LLC, have agreed to enter into a Consent and Development Agreement (the "Agreement") related to the development, annexation and disannexation of certain lands located within the municipal boundaries of the City and its ETJ, as well as creation of the Caldwell County Municipal Utility District No. 3; and

WHEREAS, pursuant to the terms of the Agreement the City has agreed to disannex 54.308 acres of land owned by RFJJ Hwy. 21, LLC, being the lands described and shown in Exhibit "A" attached hereto; and

WHEREAS, the City is authorized to disannex the Exhibit "A" lands pursuant to Section 43.144 of the Texas Local Government Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG RIDGE, TEXAS:

- A. That the Exhibit "A" lands are disannexed from the municipal boundaries of the City of Mustang Ridge, said lands now being located only within the City's extra territorial jurisdiction ("ETJ").
- B. That maps of the City shall be revised to show this change in the municipal boundaries of the City and its ETJ.
- C. If any part of this ordinance or its application is for any reason held to be unconstitutional, invalid or unenforceable, the unconstitutionality, invalidity, or unenforceability of any such part shall in no way affect, impair, or invalidate the remaining parts of this ordinance, but as to such remaining parts, this ordinance shall remain in full effect.
- D. This ordinance shall be effective upon the final execution of the above-referenced Consent and Development Agreement by the City and RFJJ Hwy. 21, LLC.
- E. The descriptive caption of this ordinance is hereby ordered to be published in the official newspaper of the City of Mustang Ridge immediately.

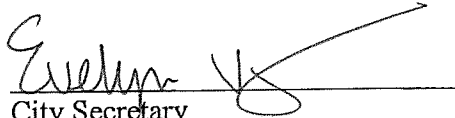
PASSED by the City Council of Mustang Ridge, Texas, on the __ day of April 2023.





Mayor David Bunn

ATTEST:



City Secretary

Exhibit A

Disannexation Tracts

54.308 ACRES

ALBERT M. LEAVY LEAGUE SURVEY NUMBER 5, A-171

PABLO MARTINEZ LEAGUE SURVEY NUMBER 9, A-181

CALDWELL COUNTY, TEXAS

DESCRIPTION OF 54.308 ACRES IN CALDWELL COUNTY, TEXAS, IN THE ALBERT M. LEAVY LEAGUE SURVEY NUMBER 5, A-171, AND IN THE PABLO MARTINEZ LEAGUE SURVEY NUMBER 9, A-181, BEING A PORTION OF THE 242.34 AGGREGATE ACRES DESCRIBED IN THE SPECIAL WARRANTY DEED TO RFJJ HWY 21 LLC, DATED JANUARY 06, 2023 AND RECORDED IN DOCUMENT NUMBER 2023-000148, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (OPRCCT).

PART 1 BEING 18.200 ACRES OF LAND IN THE ALBERT M. LEAVY LEAGUE SURVEY NUMBER 5, A-171, AND IN THE IN THE PABLO MARTINEZ LEAGUE SURVEY NUMBER 9, A-181 IN CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 103.75 ACRE TRACT DESCRIBED AS PARCEL 2, BEING ALL OF THAT CERTAIN 0.057 ACRE TRACT DESCRIBED AS PARCEL 2-A, SAID PARCEL 2 AND PARCEL 2-A BEING A PORTION OF TRACT 6, RESURVEY AND SUBDIVISION OF THE BUNTON PASTURE, A SUBDIVISION OF RECORD IN VOLUME 27, PAGE 644, DEED RECORDS, CALDWELL COUNTY, TEXAS (DRCCT), AND A PORTION OF THAT CERTAIN 126.23 NET ACRE TRACT DESCRIBED AS PARCEL 3 IN THE SPECIAL WARRANTY DEED TO RFJJ HWY 21 LLC, DATED JANUARY 06, 2023 AND RECORDED IN DOCUMENT NUMNER 2023-000148, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (OPRCCT).

PART 2 BEING 36.108 ACRES OF LAND IN THE PABLO MARTINEZ LEAGUE SURVEY NUMBER 9, A-181 IN CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 126.23 ACRE TRACT DESCRIBED AS PARCEL 3 IN THE SPECIAL WARRANTY DEED TO RFJJ HWY 21 LLC, DATED JANUARY 06, 2023 AND RECORDED IN DOCUMENT NUMNER 2023-000148, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (OPRCCT).

SAID 54.308 ACRES BEING MORE PARTICULARLY DESCRIBED AS PART 1 AND PART 2 BY METES AND BOUNDS AS FOLLOWS:

PART 1:

BEGINNING at a cotton spindle with washer stamped "CHAPARRAL BOUNDARY" set on the southerly right of way line of State Highway 21, also being the northeast line of said 103.75 acre tract, and being on the west line of Mustang Meadow I, a subdivision plat of record in Cabinet A, slides 92 94, Plat Records, Caldwell County, Texas (PRCCT), and from which point, a 1 inch iron pipe found for the apparent northwest corner of said Mustang Meadow bears North 46°45'49" West, 0.73 feet.

THENCE South 46°45'49" East, with the common line of said 103.75 acre tract and said Mustang Meadow I, a distance of 301.87 feet to the calculated southeast corner and being a point of curvature for a curve to the right; and from which point, a ½-inch rebar found for the east corner of said 103.75 acre tract and said Bunton Pasture Tract 6, said point also being the north corner of Bunton Pasture Tract 5 and that called that called 99.73 acre tract described in the Warranty Deed to Kristen L. Ermis, et alia, dated March 28, 2005 and recorded in Volume 415, Page 658, Official Public Records of Real Property, Caldwell County, Texas (OPRRPCCT) bears South 46°45'49" East, 1600.08 feet.

THENCE crossing said 103.75 acre tract and said 126.23 acre tract, the following two (2) courses and distances:

1. With said curve to the right, having a radius of 6079.58 feet, a delta angle of 26°00'22", an arc length of 2759.46 feet, and a chord which bears South 62°27'45" West, a distance of 2735.83 feet to the calculated southwest corner, being on the west line of said 126.23 acre tract, same being the east line of a called 13.20 acre tract conveyed to Mustang Ridge Investments LLC described in the Special Warranty Deed with Vendor's Lien, dated November 19, 2020, and recorded in Document No. 2020-006706, OPRCCT, and
2. North 02°21'20" West, with the common line of said 126.23 acre tract and said 13.20 acre tract, 307.28 feet to a ½-inch rebar with a plastic cap marked "CHAPARRAL BOUNDARY" set for the common corner of said 126.23 acre tract and said 13.20 acre tract, also being on the southerly right-of-way line of said State Highway 21, and also being a point of curvature for a curve to the left.

THENCE with said curving southerly right-of-way line of State Highway 21, to the left, and with the north line of said 126.23 acre tract and said 103.75 acre tract, having a radius of 5779.58 feet, a delta angle of 25°02'20", an arc length of 2525.74 feet, and a chord which bears North 62°18'12" East, a distance of 2505.69 feet to the **POINT OF BEGINNING** and containing 18.200 acres of land.

PART 2:

BEGINNING at a ½-inch rebar with cap marked "CHAPARRAL BOUNDARY" set on the centerline of Tomahawk Trail, a called forty-foot (40') wide road (no record found) now known as County Road 175, said corner being the reestablished southeast corner of said Parcel 3, being a southwest corner of that called 17.50 acre tract described in the Deed to Kelli Jane Ermis, dated March 28, 2005 and recorded in Volume 415, Page 658, Official Public Records of Real Property (OPRRPCCT), and being on the southwest line of

Bunton Pasture Tract 4; and from which point, a ½-inch rebar found in concrete at the base of a fence post on the south margin of said Tomahawk Trail, being an angle point on the north line of that called 77.93 acre tract described in the Special Warranty Deed to Max Piwonka, Trustee of the Benjamin W. Piwonka Testamentary Trust, dated December 27, 1995 and recorded in Volume 138, Page 510 OPRRPCCT bears South 46°41'23" East, 124.55 feet; also from which point, a 1-inch iron pipe of unknown pedigree found bears South 86°43'22" East, 21.82 feet.

THENCE South 43°57'23" West, with the southeast line of said 126.23 acre tract as reestablished, and with the centerline of said Tomahawk Road, a distance of 1187.87 feet to a ½-inch rebar with cap marked "CHAPARRAL BOUNDARY" set for the south corner herein, being on the northeast line of the right-of-way easement for F.M. Highway 1854 (identified as F.M. Highway 672 on the Texas Highway Department Strip Map AUS038404AD, dated May 05, 1956), as described in the DEED from Jack Louis to The State of Texas, dated March 31, 1956 and recorded in Volume 268, Page 31, DRCCT; and from which point, a TxDOT Type I concrete highway monument found leaning, for a point of tangency of said easement at Engineer's Centerline Station 139+85.1, 40-foot right bears South 45° 57' 37" East, 2682.88 feet.

THENCE with the common line of said FM Highway 1854 and said 126.23 acre tract, the following two (2) courses and distances:

1. North 45°57'37" West, passing at a distance of 20.00 feet a ½-inch rebar with cap marked "CHAPARRAL BOUNDARY" set on the northwest margin of said Tomahawk Trail and continuing for a total distance of 2580.05 feet to a TxDOT Type I concrete highway monument found for an angle point of said easement at Engineer's Centerline Station 192+47.0, 40-foot right, and
2. North 46°16'37" West, passing at a distance of 1053.33 feet, a TxDOT Type I concrete highway monument found at Engineer's Centerline Station 203+00, 40-foot right and continuing for a total distance of 1620.44 feet to a ½-inch rebar with cap marked "CHAPARRAL BOUNDARY" set for the south corner of that called 13.20 acre tract described in the Special Warranty Deed with Vendor's Lien to Mustang Ridge Investments LLC, dated November 19, 2020 and recorded in Document No. 2020-006706, Official Public Records, Caldwell County, Texas (OPRCCT); said point being a southerly northwest corner herein.

THENCE North 02°21'20" West, leaving said northeast right-of-way easement and with the common line of said 126.23 acre tract and said 13.20 acre tract, a distance of 432.48 to the calculated northerly northwest corner.

THENCE crossing said 126.23 acre tract, three-hundred feet (300') easterly of and parallel with said right-of-way easement, the following three (3) courses and distances:

1. South 46°16'37" East, a distance of 1932.78 feet to a calculated angle point,
2. South 45°57'37" East, a distance of 2280.44 feet to a calculated southerly reentrant corner, and

3. North $43^{\circ}57'23''$ East, three-hundred feet (300') northerly of and parallel with the southerly line of said 128.23 acre tract and the centerline of said Tomahawk Trail, a distance of 884.05 feet to a calculated northerly southeast corner, being on the northeast line of said 126.23 acre tract, same being the southwest line of said Bunton Pasture Tract 4 and said 17.50 acre tract.

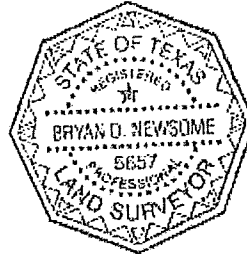
THENCE South $46^{\circ}41'23''$ East, with common line of said 126.23 acre tract and said Bunton Pasture Tract 4 and said 17.50 acre tract, passing at a distance of 280.02 feet a $\frac{1}{2}$ -inch rebar with cap marked "CHAPARRAL BOUNDARY" set for the northwest margin of said Tomahawk Trail, and continuing for a total distance of 300.02 feet to the POINT OF BEGINNING and containing 36.108 acres of land.

Surveyed on the ground on April 09, 2021.

Bearing Basis: Grid bearings of the Texas Coordinate System of 1983 (NAD_83(2011))(EPOCH:2010.0000), South Central Zone (4204), US Survey Feet, based on GPS solutions from a Real Time Network (RTN).

Attachments: Survey Drawing No. 1019-003-DISANNEX 1.

Bryan D. Newsome 22 March 2023
Bryan D. Newsome
Registered Professional Land Surveyor
State of Texas No. 5657
TBPELS Firm No. 10124500

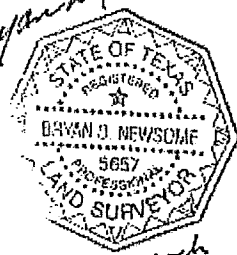


SKETCH TO ACCOMPANY A DESCRIPTION OF 54.308 ACRES
 (APPROXIMATELY 2,365,630 SQ. FT.) IN THE ALBERT M. LEAVY LEAGUE SURVEY NUMBER 5,
 A-171, AND THE PABLO MARTINEZ LEAGUE SURVEY NUMBER 9, A-181, CALDWELL COUNTY,
 TEXAS, BEING A PORTION OF A 103.75 ACRE TRACT DESCRIBED AS PARCEL 2, AND ALL OF A
 0.057 ACRE TRACT DESCRIBED AS PARCEL 2-A, AND A PORTION OF A 126.23 ACRE TRACT
 DESCRIBED AS PARCEL 3 CONVEYED BY SPECIAL WARRANTY DEED TO RFJJ HWY 21, LLC
 RECORDED IN DOCUMENT NO. 2023-00148 OF THE OFFICIAL PUBLIC RECORDS OF
 CALDWELL COUNTY, TEXAS.

LEGEND	
●	1/2" REBAR FOUND
■	CONCRETE HIGHWAY MONUMENT FOUND
⊙	IRON PIPE FOUND (SIZE NOTED)
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
△	CALCULATED POINT
()	RECORD INFORMATION

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	5729.85'	6°28'59"	648.33'	N46°34'16"E	647.99'
C2	6079.58'	26°00'22"	2759.46'	S62°27'45"W	2735.83'
C3	5779.58'	25°02'20"	2525.74'	N62°18'12"E	2505.69'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S46°45'49"E	301.87'
L2	N02°21'20"W	307.28'
L3	S43°57'23"W	1187.87'
L4	N02°21'20"W	432.48'
L5	N43°57'23"E	884.05'
L6	S46°41'23"E	300.02'

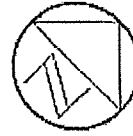
Bryan J. Newsome

 22 March 2023

DATE OF SURVEY: April 9, 2021
 PLOT DATE: 03/21/2023
 DRAWING NO.: 1019-003-DISANNEX 1
 PROJECT NO.: 1019-003
 T.B.P.E.L.S. FIRM NO. 10124500
 DRAWN BY: RGH
 SHEET 1 OF 5

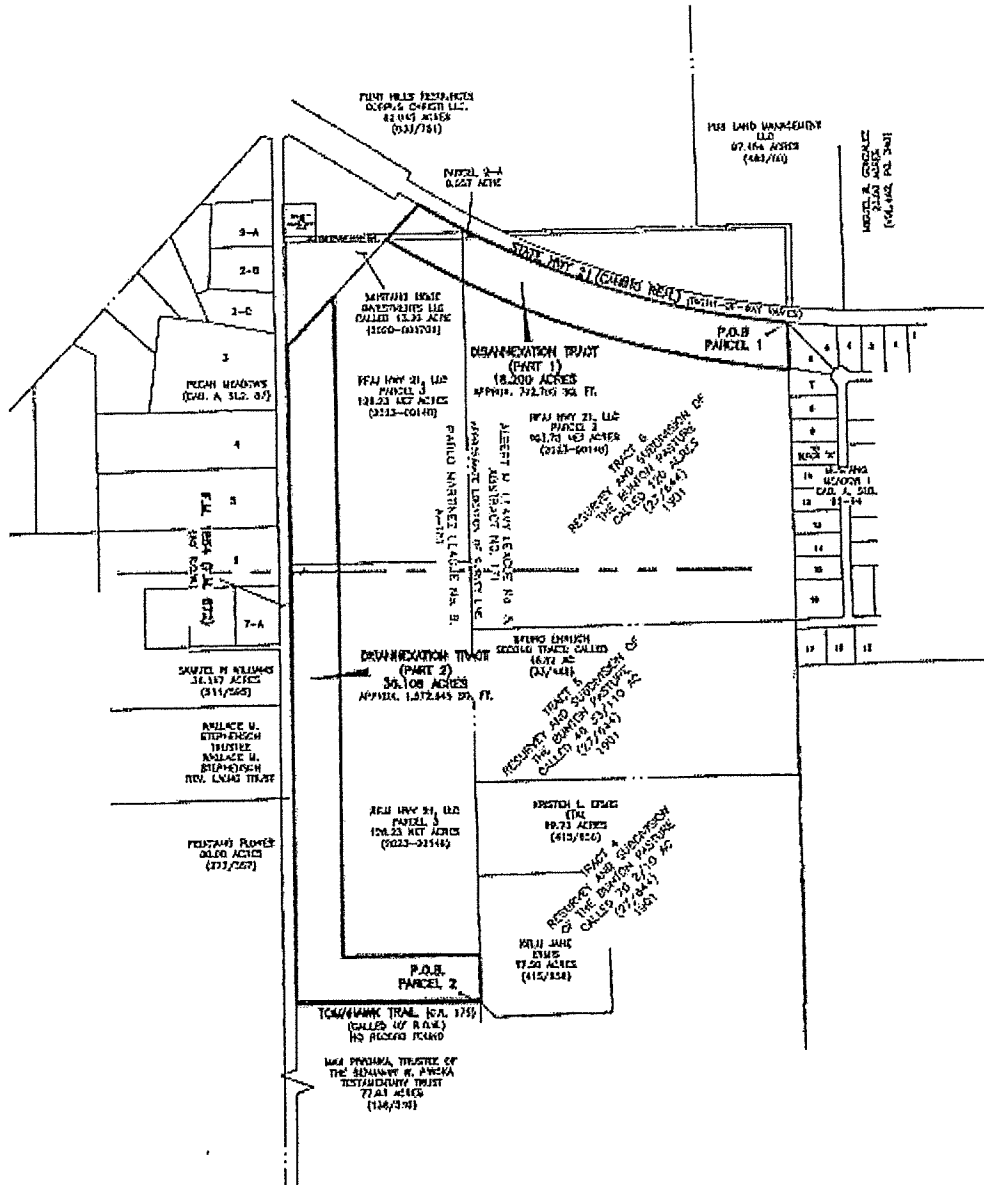
Chaparral

BEARING BASIS: THE TEXAS COORDINATE SYSTEM
 OF 1983 (NAD 83 (2011)(EPOCH:2010.D000)),
 SOUTH CENTRAL ZONE, BASED ON GPS
 SOLUTIONS FROM A REAL TIME NETWORK (RTN)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION
 1019-003-DISANNEX 1



1" = 1000'



FLINT HILLS RESOURCES
CORPUS CHRISTI LLC,
82,045 ACRES
(633/751)

P6B LAND MANAGEMENT
LLC
97,454 ACRES
(480/80)



1" = 500'

MIGUEL R. GONZALEZ
20,000 ACRES
(VOL. 462, PG. 340)

PARCEL 2-A
0.057 ACRE

MUSTANG RIDGE
INVESTMENTS LLC
CALLED 13.20 ACRE
(2020-006706)

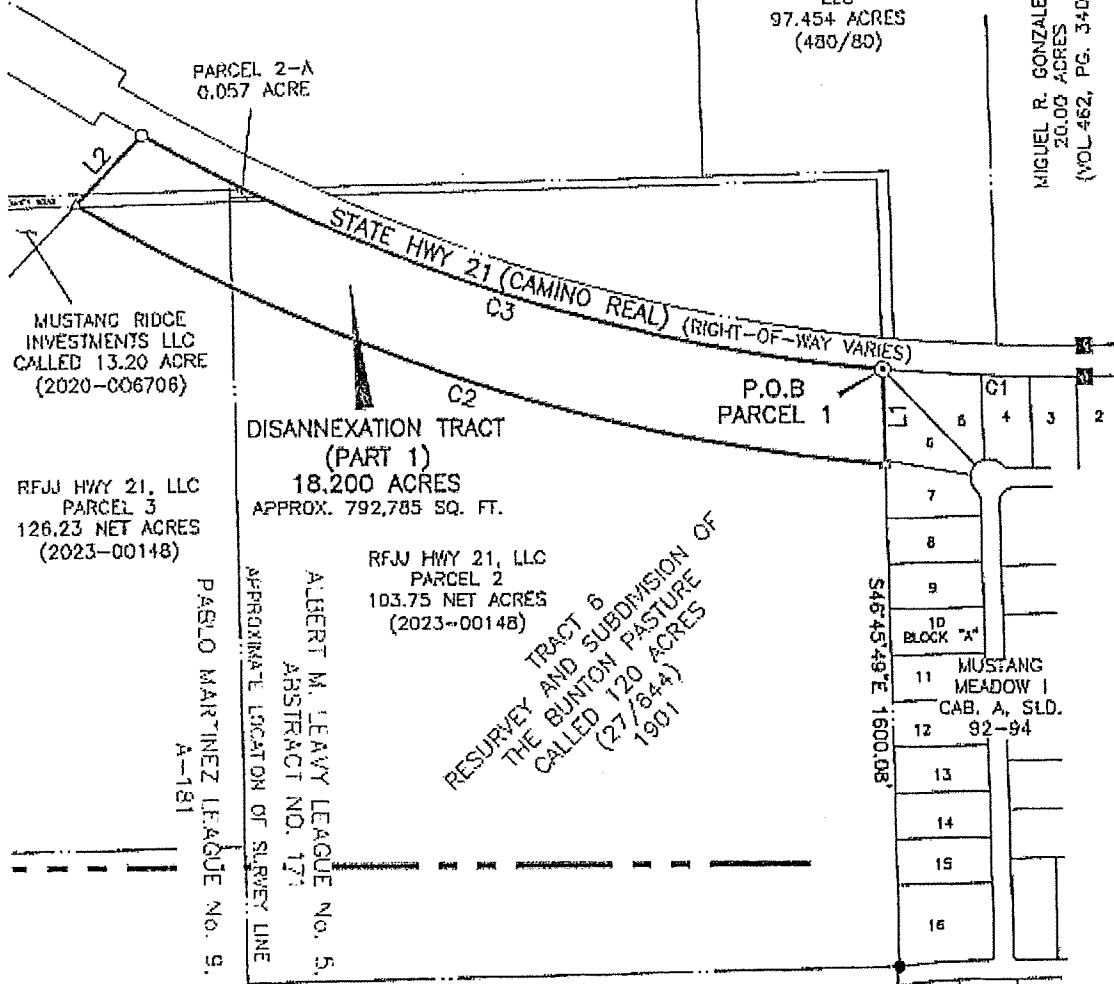
RFJW HWY 21, LLC
PARCEL 3
126.23 NET ACRES
(2023-00148)

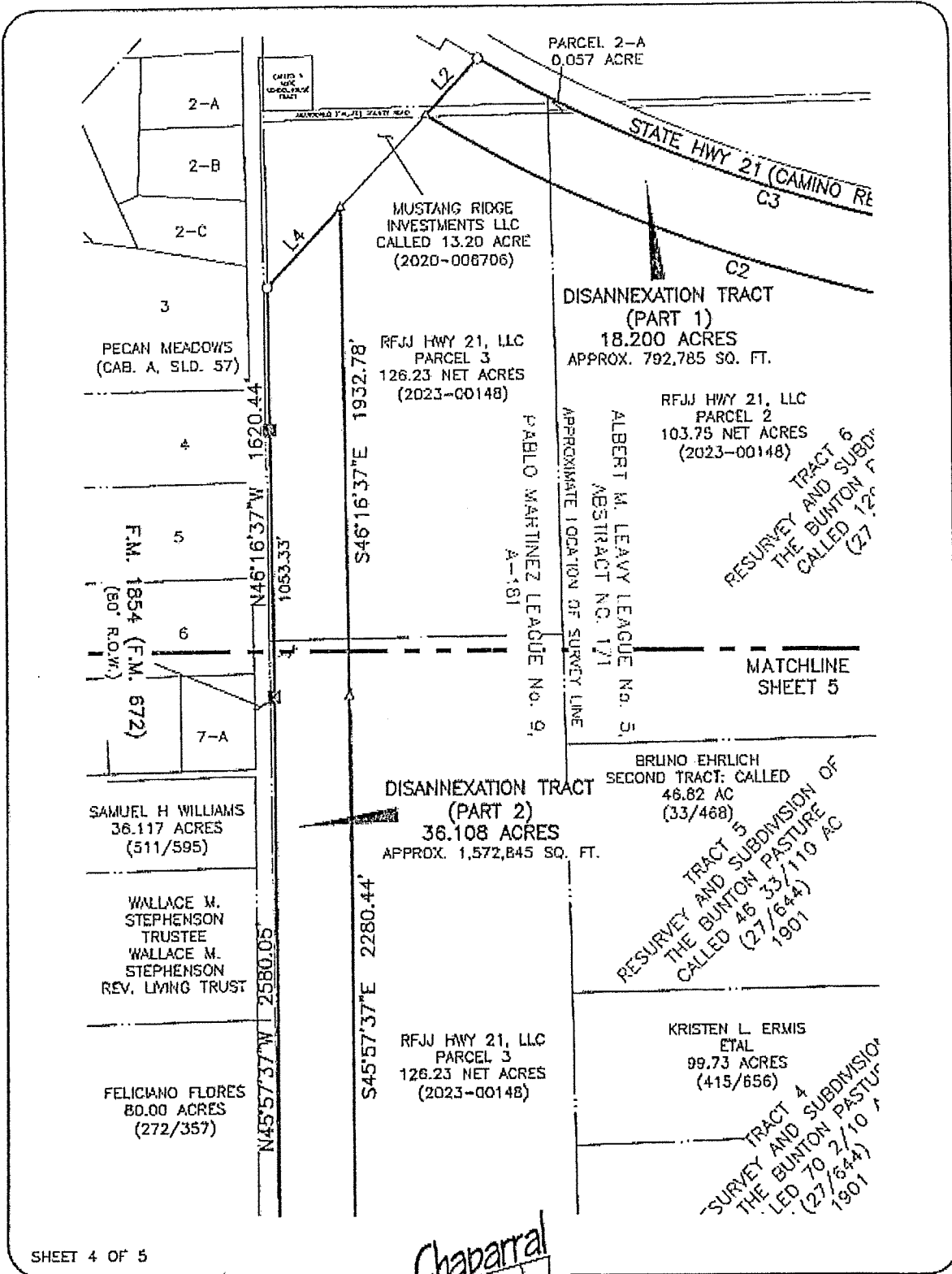
DISANNEXTION TRACT
(PART 1)
18.200 ACRES
APPROX. 792,785 SQ. FT.

RFJW HWY 21, LLC
PARCEL 2
103.75 NET ACRES
(2023-00148)

TRACT 6
RESURVEY AND SUBDIVISION OF
THE BUNTON PASTURE
CALLED 120 ACRES
(27/844)
1901

PABLO MARTINEZ LEAGUE NO. 9,
A-181
APPROXIMATE LOCATION OF SURVEY LINE
ALBERT M. LEAVY LEAGUE NO. 5,
ABSTRACT NO. 171





Chaparral

