



ORDINANCE NO. 24-0409-01

AN ORDINANCE OF THE CITY OF WHITEHOUSE, TEXAS, RELEASING LAND FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY; CONTAINING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Section 42.023 of the Texas Local Government Code authorizes the governing body of a municipality to reduce its extraterritorial jurisdiction ("ETJ") by ordinance or resolution; and

WHEREAS, a petition to release property within the City's Extraterritorial Jurisdiction has been filed with the City pursuant to Texas Local Government Code Sections 42.101 – 42.105; and

WHEREAS, the City Council of the City of Whitehouse passes this Ordinance to effectuate the release of the aforementioned property from the City's Extraterritorial Jurisdiction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITEHOUSE, TEXAS, AS FOLLOWS:

I. RELEASE

The City hereby releases, for all purposes, the land more particularly described in Exhibit "A" from its extraterritorial jurisdiction pursuant to Texas Local Government Code Section 42.105.

The official map and boundaries of the City of Whitehouse are hereby amended and revised so as to release solely that portion of its ETJ that is described in Exhibit "A."

II. SEVERABILITY

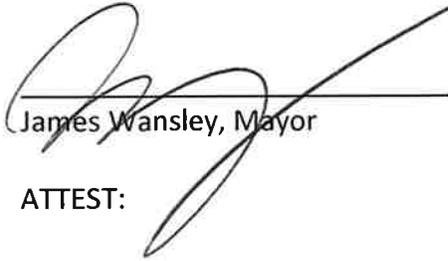
Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

III. EFFECTIVE DATE AND FILING

This Ordinance shall become effective immediately upon its passage and approval as required by law.

The City Secretary shall file a copy of this Ordinance with the Smith County Clerk's Office.

PASSED AND APPROVED on this 9 day of April, 2024.


James Wansley, Mayor

ATTEST:


Susan Hargis, City Secretary



Exhibit "A"

All that certain lot, tract or parcel of land being part of the Thomas Orr Survey, Abstract No. 755 Smith County, Texas, and being all of the residue of a called 7.001 acre tract described in Deed from Troy N. Moser and wife, Mary R. Moser to Jeff Crymes and Herschell Crymes, dated June 26, 2003, and recorded in Volume 7217 on Page 103 of the Official Public Records of Smith County, Texas, and this 3.720 acre tract being more completely described as follows:

BEGINNING at a 3/8" Iron Rod found for the Southeast corner of said called 7.001 acre tract, same being the Northeast corner of a called 4.243 acre tract of land described in Deed from Christine Dodd to Phuwadol Thamathikhun, dated October 25, 2005, and recorded in Volume 7929 on Page 626 of the Official Public Records of Smith County, Texas, in the West right-of-way line of State Highway No. 110, from which Fence Corner bears South 60 deg. 47 min. West a distance of 1.4 feet;

THENCE South 72 deg. 19 min. 04 sec. West, with the South boundary line of said called 7.001 acre tract, a distance of 636.46 feet to a 1/2" Iron Rod found for corner and an angle break in the South boundary line of said called 7.001 acre tract, same being the Northwest corner of said called 4.243 acre tract, also being most Easterly Northeast corner of a called 9.202 acre tract of land described in Deed from Troy N. Moser and wife, Mary R. Moser to Jeff Crymes and Herschell Crymes, dated June 26, 2003, and recorded in Volume 7217 on Page 106 of the Official public records of Smith County, Texas, from which a Fence Corner bears South 68 deg. 24 min. E a distance of 11.4 feet;

THENCE South 71 deg. 42 min. 56 sec. West, continuing with the South boundary line of said called 7.001 acre tract, a distance of 37.60 feet to a 1/2" Iron Rod found for the Southwest corner of said called 7.001 acre tract, same being an inner all corner of said called 9.202 acre tract;

THENCE North 17 deg. 39 min. 16 sec. West, with the West boundary line of said called 7.001 acre tract, a distance of 453.90 feet to a 1/2" Iron Rod found for the Northwest corner of said called 7.001 acre tract, same being the Northeast corner of said called 9.202 acre tract and being in the South boundary line of a called residue of a 73.29 acre tract described in Deed from D.B. Langford and wife, Jo Ann Langford to Bill G. Kee and wife, Jean Kee, dated January 22, 1979, and recorded in Volume 1721 on Page 258 of the Deed Records of Smith County, Texas;

THENCE North 72 deg. 22 min. 21 sec. East, with North boundary line of said called 7.001 acre tract, a distance of 285.69 feet to a 1/2" Iron Rod found for the most Northerly Northeast corner of this 3.720 acre tract, in the South boundary line of said called residue of the 73.29 acre tract, also being the Northwest corner of a called 2.000 acre tract of land described in Deed from Herschell Crymes to Robert Carpenter, dated November 17, 2003, and recorded in Volume 7375 on Page 131 of the Official Public Records of Smith County, Texas;

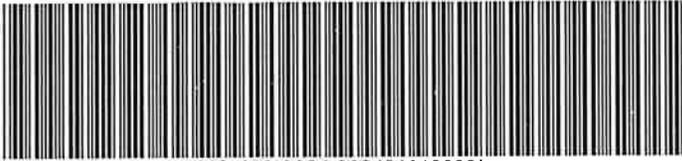
THENCE South 17 deg. 34 min. 27 sec. East, with the West boundary line of said called 2.000 acre tract, a distance of 225.45 feet to a 1/2" Iron Rod found for the Southwest corner of said called 2.000 acre tract, same being the Northwest corner of a called 1.274 acre tract of land described in Deed from Jeff Crymes to Advanced Analytical Laboratories, LLC, dated October 30, 2006, and recorded in County Clerk's File No. 2006-R00053516 of the Official Public records of Smith County, Texas;

THENCE South 29 deg. 20 min. 35 sec. East, with the West boundary line of said called 1.274 acre tract, a distance of 161.70 feet to a 1/2" Iron Rod found for the Southwest corner of said called 1.274 acre tract;

THENCE North 69 deg. 38 min. 40 sec. East, with the South boundary line of said called 1.274 acre tract, a distance of 355.11 feet to a 1/2" Iron Rod found for the Southeast corner of said called 1.274 acre tract, same being located in the West right-of-way line of State Highway No. 110 and in the East boundary line of said called 7.001 acre tract;

THENCE South 26 deg. 42 min. 25 sec. East, along said West right-of-way of State Highway No. 110, a distance of 23.07 feet to a Point for Corner, being in the West right-of-way of said Highway and in the East boundary line of said called 7.001 acre tract;

THENCE South 15 deg. 27 min. 42 sec. East, continuing along said West right-of-way of State Highway No. 110, a distance of 63.26 feet to the **PLACE OF BEGINNING AND CONTAINING 3.720 ACRES OF LAND.**



VG-139-2024-202401012602

Smith County
Karen Phillips
Smith County Clerk

Document Number: 202401012602

Real Property Recordings
ORDINANCE

Recorded On: May 02, 2024 11:15 AM

Number of Pages: 4

Billable Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$33.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 202401012602
Receipt Number: 20240502000052
Recorded Date/Time: May 02, 2024 11:15 AM
User: Suni W



STATE OF TEXAS

Smith County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Smith County, Texas

Karen Phillips
Smith County Clerk
Smith County, TX