



## *City of Pattison*

P.O. Box 223  
Pattison, TX 77466  
281-934-3715

### **Ordinance No. #150**

**AN ORDINANCE OF THE CITY OF PATTISON, TEXAS EXTENDING AND EXPANDING THE CITY OF PATTISON'S EXTRATERRITORIAL JURISDICTION BY THE REQUEST OF LAND OWNERS OF TERRITORY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 42.022(b) of the Texas Local Government Code, Expansion of Extraterritorial Jurisdiction, the land owner(s) of all the territory which is contiguous to the existing jurisdiction of the City of Pattison, Texas ("City") and as described in Exhibit "A" hereto, has been presented to the City requesting that the City extend and expand its extraterritorial jurisdiction to include all of the territory described in Exhibit "A" attached to this Ordinance and incorporated and adopted in it's entirety as part of this Ordinance for all purposes; and

**WHEREAS**, the City has reviewed and approved the land owner's Petition to be included in the City's extraterritorial jurisdiction at its September 23, 2021, City Council meeting; and

**WHEREAS**, the City Council finds that it will be in the best interest of the City to extend and expand its extraterritorial jurisdiction to include all of the territory described in Exhibit "A";

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

**Section 1.** The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** Land owner(s) have requested by written petition that the property described in Exhibit "A" be included within the extraterritorial jurisdiction of the City of Pattison, Texas.

**Section 3.** The area described in Exhibit "A" is an area contiguous to the existing extraterritorial jurisdiction of the City of Pattison, Texas.

**Section 4.** The extension and expansion of the City's extraterritorial jurisdiction to include the territory described in Exhibit "A" does not include any area in the existing territorial jurisdiction of another municipality.

**Section 5.** The City of Pattison, Texas hereby extends and expands its extraterritorial jurisdiction to include the territory described in Exhibit "A."

2113712  
11/18/2021 03:52:53 PM Total Pages: 16 Fee: 72.00  
Debbie Hollan, County Clerk - Waller County, TX



## ***City of Pattison***

*P.O. Box 223  
Pattison, TX 77466  
281-934-3715*

### **Section 6.** *Severability.*

In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the city council of the City of Pattison, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

### **Section 7.** *Effective Date.*

This Ordinance shall become effective immediately upon passage.

**PASSED, APPROVED and ADOPTED** this, the 7<sup>th</sup> day of October, 2021

  
\_\_\_\_\_  
Joe Garcia, Mayor

ATTEST:

  
\_\_\_\_\_  
Lorene L. Hartfiel, City Secretary

State of Texas §

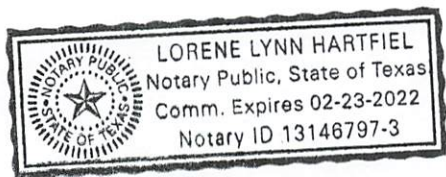
§

County of Waller §

This instrument was acknowledged before me on October 7, 2021 by

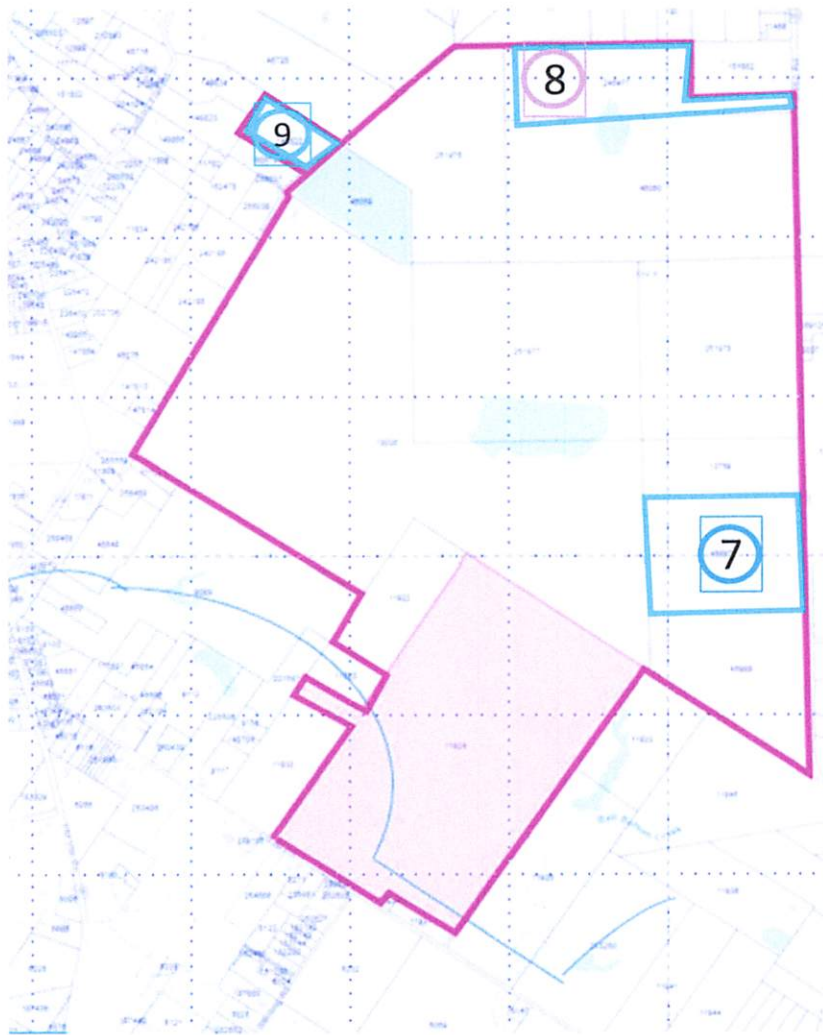
John Joe Garcia  
Printed

[Signature]  
Signature



[Signature]  
Notary Public Signature

Exhibit "A"



Map: Deeds associated with corresponding property

J. D. Woods Family Trust

	<u>Acres (+/-)</u>
	197

**Deeds**

- 7. 94.838 acres
- 8. 81.8107 acres
- 9. 19.923 acres

J. D. Woods Family Trust Ownership in 3 Deeds

**CITY OF PATTISON, WALLER COUNTY, TEXAS**

From: Christianna Woods, Co-Trustee  
J. D. Woods, Jr. Family Trust  
550 Woods Lane  
Katy, Texas 77494

To: Mayor and City Council  
City of Pattison  
P.O. Box 223  
Pattison, Texas 77466-0223

Dear Sirs/Madams:

We would like to have our property included in the extraterritorial jurisdiction (E.T.J.) for the City of Pattison. It is our belief that none of the property described is located within any other city's E.T.J. or city limits. We would like to request that the City of Pattison take the necessary steps to extend the E.T.J. to include the property as described in EXHIBIT A.

Sincerely,

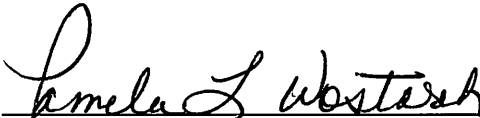


Christianna Woods  
Co-Trustee

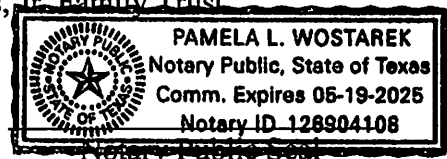
09-15-2021  
Date

State of TEXAS           §  
                                     §  
County of WALLER       §

This instrument was acknowledged before me on 9-15-2021 (date), by  
Christianna Woods as Co-Trustee on behalf of J. D. Woods, Jr. Family Trust



Notary Public signature





## EXHIBIT A

Exhibit Deed 7 – 94.838 Acres FM 362, Waller County, Texas, Legal Description: ABS A318500 A-185 H & T C R R CO TRACT 1 ACRES 94.838

Herein described as Exhibit B, Tract 2 of Special Warranty Deed Filed and Recorded as Waller County Clerk Instrument No. 1500602, 01/29/2015, 03:07:17 PM

Exhibit Deed 8 – 81.8107 Acres FM 362, Waller County, Texas, Legal Description: ABS A319500 A-195 H & T C R R CO TRACT 8-2 ACRES 81.8107

Herein described as Exhibit “A” of General Warranty Deed Filed and Recorded as Waller County Clerk Instrument No. 1507276, 10/28/2015, 01:58:09 PM

Exhibit Deed 9 – 19.923 Acres, Whit Williams Road, Waller County, Texas, Legal Description: ABS A312700 A-127 WILLIAM B ELLIS TRACT 8-1 ACRES 19.923

Herein described as Exhibit “A” of General Warranty Deed Filed and Recorded as Waller County Clerk Instrument No. 2002853, 03/27/2020, 09:42:25 AM

## TRUST DELEGATION AGREEMENT

This Delegation Agreement (the "Agreement") is made and entered into by and between Jonas Cody Woods and Rebecca Lynn Brink as Co-Trustees (herein called the "Delegating Trustees") of the J.D. Woods, Jr. Family Trust and Christianna Woods as Co-Trustee (herein called the "Accepting Trustee") of the J.D. Woods, Jr. Family Trust, such J.D. Woods, Jr. Family Trust (the "Trust") having been created by agreement (the "Trust Agreement") dated June 3, 1986 James Desmond Woods, Jr. and Patricia Lynn Woods, as Grantors (the "Grantors"), and W.H. Jordan, Jr. and Billy H. Pollard, as co-trustees. Billy H. Pollard died on August 8, 1990, and W.H. Jordan, Jr. continued to serve as the sole trustee of the Trust until his death on March 3, 2016. By Order Modifying Trust and Appointing Successor Trustee of the 506<sup>th</sup> Judicial District Court of Waller County, Texas, dated April 13, 2016, Jonas Cody Woods, Christianna Woods, and Rebecca Lynn Brink were appointed as Co-Trustees of the Trust, and are now serving in such capacity.

Reference is made to the following:

1. Section 113.085(e) of the Texas Trust Code provides that a trustee may delegate to a co-trustee the performance of a trustee's function unless the agreement establishing the applicable trust directs otherwise. Section 2.2 of the Trust Agreement provides that the trustee of any trust created thereunder has all of the powers conferred upon trustees by the Texas Trust Code, and the Trust Agreement does not explicitly authorize or prohibit any trustee from delegating the performance of such trustee's function to another co-trustee.

2. To the greatest extent allowable under the law, the Delegating Trustees desire to delegate to the Accepting Trustee the power, authority, and responsibility to perform any and all necessary and desirable actions to administered the Trust and deal with the assets of the Trust, including without limitation the power to do all of the following which are herein collectively called the "Administrative Duties":

(a) Negotiate, review, sign, execute, or otherwise authenticate any and all documents and papers on behalf of the Trust;

(b) Handle any administrative and ministerial duties related to the assets, receipts and disbursements of the Trust;

(c) Communicate with third parties on behalf of the Delegating Trustees with respect to any portion or the entirety of the Trust;

(d) Exchange, sell or lease for cash, property or credit, or to partition, from time to time publicly or privately, at such prices, on such terms, times, and conditions and by instruments of such character and with such covenants as the Accepting Trustee may deem proper, all or any part of the assets of the Trust, and no vendee or lessee of the Accepting Trustee

shall be required to look to the application made by the Accepting Trustee of any funds paid to the Accepting Trustee;

(e) Invest and reinvest the Trust estate in any kind of property whatsoever, real or personal;

(f) To open accounts at any bank or other financial institution, to make deposits to and withdrawals from such accounts;

(g) To pay any and all expenses of the Trust; and

(f) Exercise all other powers conferred upon trustees under the Texas Trust Code and the Trust Agreement.

3. The Accepting Trustee is willing to accept such Administrative Duties and is willing to carry out such responsibilities and duties as set forth in this Agreement.

NOW, THEREFORE, it is agreed as follows:

1. The Delegating Trustees hereby delegate the performance of the Administrative Duties to the Accepting Trustee in accordance with the provisions outlined herein. The Delegating Trustees acknowledge that the Accepting Trustee is willing to accept the responsibilities and duties outlined above, and the Accepting Trustee hereby accepts such responsibilities and duties.

2. The Accepting Trustee acknowledges that, with respect to the aforementioned Administrative Duties, the Accepting Trustee will exercise reasonable care to comply with the terms of this Agreement, the Trust Agreement and applicable law.

3. This Agreement may be revoked at any time by the Delegating Trustees by written notice of such revocation to the Accepting Trustee; provided, however, that revocation of this Agreement is not effective as to a third party dealing with the Accepting Trustee pursuant to this Agreement until such third party receives actual notice of the revocation.

4. The provisions and terms of this Agreement shall be governed and construed in accordance with the laws of the State of Texas. The parties agree to be subject to the jurisdiction of the courts of the State of Texas with respect to the determination of any issues relating to the interpretation or enforcement of the terms of this Agreement.

This Agreement may be executed in any number of counterparts with the same effect as if both signing parties had signed the same document. All counterparts shall be construed together and constitute the same instrument.

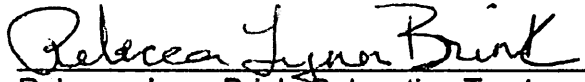


This Agreement is executed on the dates indicated below but effective for all purposes as of April 13, 2016. To the extent the Accepting Trustee acted under the terms of this Agreement from and after April 13, 2016, but before the actual execution of this Agreement, such actions under the terms of this Agreement are hereby ratified and confirmed by the Delegating Trustees.



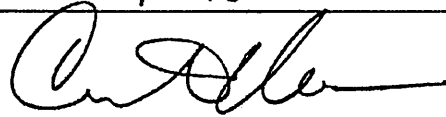
Jonas Cody Woods, Delegating Trustee

Date: 4-20-16



Rebecca Lynn Brink, Delegating Trustee

Date: 4-15-16



Christianna Woods, Accepting Trustee

Date: 4-14-16

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

File No.: 1247331283

#### **Tract 1**

FIELD NOTES FOR A 219.513 ACRE TRACT OF LAND IN THE H. & T. C. RAILROAD COMPANY SURVEY SECTION 41, ABSTRACT 195, WALLER COUNTY, TEXAS, BEING THAT CERTAIN CALLED 219.797 ACRE TRACT RECORDED IN VOLUME 474, PAGE 80, DEED RECORDS, WALLER COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GP S OBSERVATIONS OF FORT BEND COUNTY MONUMENT FB05.

BEGINNING at a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the northwest corner of the adjoining T. G. Clapp Survey, Abstract 382, and the northwest corner of an adjoining called 189.7888 acre tract recorded in Volume 0640, Page 224, Official Records, Waller County, Texas, same being a northeast corner of the adjoining J. G. Bennett Survey, Abstract 287, and a northeast corner of an adjoining called 1,401.3771 acre tract recorded in Volume 0586, Page 147, Official Records, Waller County, Texas, for an angle point in the south line and Place of Beginning of the herein described tract, said point also being in the south line of said H. & T. C. Railroad Company Survey Section 41, Abstract 195;

THENCE South 87 degrees 54 minutes 15 seconds West (called North 88 degrees 02 minutes 27 seconds West) along the south line of the herein described tract, the south line of said called 219.797 acre tract, and the south line of said H. & T. C. Railroad Company Survey Section 41, Abstract 195, same being a north line of said adjoining J. G. Bennett Survey, Abstract 287, and a north line of said adjoining called 1,401.3771 acre tract, 2,013.11 feet (called 2,012.72 feet) to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the southwest corner of the herein described tract and the southwest corner of said called 219.797 acre tract, same being a reentry corner to said adjoining called 1,401.3771 acre tract;

THENCE North 02 degrees 07 minutes 52 seconds West (called North 01 degree 55 minutes 29 seconds East) along the west line of the herein described tract and the west line of said called 219.797 acre tract, same being an east line of said adjoining called 1,401.3771 acre tract, 2,163.38 feet (called 2,168.90 feet) to a 1/2 inch iron rod found for the northwest corner of the herein described tract and the northwest corner of said called 219.797 acre tract, same being the southwest corner of an adjoining called 109.899 acre tract recorded in Volume 0615, Page 653, Official Records, Waller County, Texas;

THENCE North 87 degrees 35 minutes 16 seconds East (called South 88 degrees 17 minutes 51 seconds East) along the north line of the herein described tract and the north line of said called 219.797 acre tract, same being the south line of said adjoining called 109.899 acre tract, at 4,349.93 feet pass a 1/2 inch iron rod found on said line at its intersection with the west right-of-way line of F. M. Highway 362 (100-feet wide), and continuing for a total distance of 4,399.93 feet (called 4,399.50 feet) to a point for

the northeast corner of the herein described tract and the northeast corner of said called 219.797 acre tract, same being the southeast corner of said adjoining called 109.899 acre tract, said point also being in the east line of said H. & T. C. Railroad Company Survey Section 41, Abstract 195, same being the west line of the adjoining W. McCutcheon Survey, Abstract 310, as located in F. M. Highway 362;

THENCE South 02 degrees 31 minutes 15 seconds East (called South 01 degree 31 minutes 40 seconds West) along the east line of the herein described tract, the east line of said called 219.797 acre tract, and the east line of said H. & T. C. Railroad Company Survey Section 41, Abstract 195, same being the west line of said adjoining W. McCutcheon Survey, Abstract 310, 2,165.78 feet (called 2,165.73 feet) to a point for the southeast corner of the herein described tract, the southeast corner of said called 219.797 acre tract, and the southeast corner of said H. & T. C. Railroad Company Survey Section 41, Abstract 195, same being the upper southwest corner of said adjoining W. McCutcheon Survey, Abstract 310, the northwest corner of the adjoining J. G. Bennett Survey, Abstract 288, and the northeast corner of the aforementioned adjoining T. G. Clapp Survey, Abstract 382;

THENCE South 87 degrees 22 minutes 50 seconds West (called North 88 degrees 35 minutes 17 seconds West) along the south line of the herein described tract, the south line of said called 219.797 acre tract, and the south line of said H. & T. C. Railroad Company Survey Section 41, Abstract 195, same being the north line of said adjoining T. G. Clapp Survey, Abstract 382, at 50 00 feet pass a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found on said line at its intersection with the west right-of-way line of F. M. Highway 362 for the northeast corner of the aforementioned adjoining called 189 7888 acre tract, and continuing for a total distance of 2,401 59 feet (called 2,401 84 feet) to the Place of Beginning and containing 219.513 acres of land, with 2.486 acres within the margins of F. M. Highway 362, for a net acreage of 217.027 acres of land, more or less.

EXHIBIT B

CHARLIE KALKOMEY SURVEYING, INC.

A JONES & CARTER COMPANY

1815 MONS AVENUE  
ROSENBERG, TEXAS 77471  
281 342-2033

FIELD NOTES FOR A 94.838 ACRE TRACT OF LAND IN THE H. & T. C. RAILROAD COMPANY SURVEY SECTION 21, ABSTRACT 185, WALLER COUNTY, TEXAS, SAID 94.838 ACRE TRACT BEING THE REMAINDER OF THAT CERTAIN CALLED 96.9 ACRE TRACT RECORDED IN VOLUME 404, PAGE 347, DEED RECORDS, WALLER COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SQUER CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS OF FORT BEND COUNTY GPS MONUMENT PROJ.

COMMENCING at a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found in the west right-of-way line of F. M. Highway 362 (100-foot wide) for the northeast corner of an adjoining called 189.7888 acre tract recorded in Volume 6640, Page 224, Official Records, Waller County, Texas, same being the southeast corner of a called 219.797 acre tract recorded in Volume 474, Page 90, Deed Records, Waller County, Texas;

THENCE South 02 degrees 08 minutes 41 seconds East (adjoiner called South 00 degrees 40 minutes 02 seconds East) along the east line of said adjoining called 189.7888 acre tract, same being the west right-of-way line of F. M. Highway 362, 3,518.53 feet (adjoiner called 3,518.53 feet to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the northeast corner and Place of Beginning of the herein described tract, said point also being in the south line of the adjoining T. G. Clapp Survey, Abstract 382, same being the north line of said H. & T. C. Railroad Company Survey Section 21, Abstract 185;

THENCE South 02 degrees 08 minutes 53 seconds East (called South) along the east line of the herein described tract, same being the west right-of-way line of F. M. Highway 362, 1,772.20 feet (called 638 varas, 1,772.2 feet) to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the southeast corner of the herein described tract, same being the lower northeast corner of an adjoining called 1,401.3771 acre tract recorded in Volume 0586, Page 147, Official Records, Waller County, Texas;

THENCE South 86 degrees 55 minutes 12 seconds West (called West) along the south line of the herein described tract and the south line of said called 96.9 acre tract, same being the lower north line of said adjoining called 1,401.3771 acre tract, 2,327.25 feet (called 858 varas, 2,383.3 feet) to a 1-1/4 inch iron pipe found for the southwest corner of the herein described tract and the southwest corner of said called 96.9 acre tract, same being a reentry corner to said adjoining called 1,401.3771 acre tract, said point also being in the west line of said H. & T. C. Railroad Company Survey Section 21, Abstract 185, same being the east line of the adjoining J. G. Bennett Survey, Abstract 287;

CHARLIE KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

CHRIS D. KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

THENCE North 02 degrees 24 minutes 39 seconds West (called North) along the west line of the herein described tract, the west line of said called 96.9 acre tract, and the west line of said H. & T. C. Railroad Company Survey Section 21, Abstract 185, same being the east line of said adjoining called 1,401.3771 acre tract and the east line of said adjoining J. G. Bennett Survey, Abstract 287, 1,772.20 feet (called 638 varas, 1,772.2 feet) to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the northwest corner of the herein described tract, the northwest corner of said called 96.9 acre tract, and the northwest corner of said H. & T. C. Railroad Company Survey Section 21, Abstract 185, same being the southwest corner of the aforementioned adjoining called 189.7888 acre tract, and the southwest corner of the aforementioned adjoining T. G. Clapp Survey, Abstract 382;

THENCE North 86 degrees 55 minutes 22 seconds East (called East) along the north line of the herein described tract, the north line of said called 96.9 acre tract, and the north line of said H. & T. C. Railroad Company Survey Section 21, Abstract 185, same being the south line of said adjoining called 189.7888 acre tract and the south line of said adjoining T. G. Clapp Survey, Abstract 382, 2,335.38 feet (called 858 varas, 2,383.3 feet) to the Place of Beginning and containing 94.838 acres of land, more or less.

For reference and further description see Survey Plat No. R8006-041-00 prepared by the undersigned on same date.



*[Signature]*

Chris D. Kalkomey, R.P.L.S.  
Texas Registration Number 5869  
November 20, 2007

Job Number R8006-041-00

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

File No.: 15473030106

Being a 81.8107 acre tract of land out of a 109.8983 acre tract of land conveyed to Randy McKaskle, in Volume 615, Page 653, of the Deed Records of the Waller County, Texas and being a part of the H. & T. C. Railroad Survey, Section 41, Abstract no. 195 in Waller County, Texas and more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found at the northwest corner of the 109.8983 acre tract and same being a northeast corner of 1,401.3771 acre tract conveyed to James Desmond Woods, Jr. and wife Patricia Lynn Pollard Woods, in Volume 586, Page 147, of the Deed Records of the Waller County, Texas.

**THENCE** South 88 degree 18' 08" East 2,836.65 feet along the north line of said 109.8983 acre tract to a 3/4" iron rod set for a corner;

**THENCE** South 01 degree 31' 40" West 790.48 feet to a 3/4" iron rod set for a corner;

**THENCE** South 88 degree 17' 51" East 1,505.30 feet pass a 3/4" iron rod set, in all 1,555.30 feet a point in the center line of F.M. 362 (100.00 feet right-of-way width) and East line of Section 41 for a corner;

**THENCE** South 01 degree 31' 40" West along the center line of said F.M. 362 and East line of the Section 41 a distance of 300.00 feet to a point for a corner;

**THENCE** North 88 degree 17' 51" West 50.00 feet pass a 1/2" iron rod found in the west right-of-way line of said F.M. 362 in all 4,399.50 feet along the common line between the said 109.8983 acre tract and 210.513 acre tract conveyed to James D. Woods, Jr. and Patricia L. Woods, in Volume 1322, Page 77, to a 1/2" iron rod found for a corner;

**THENCE** North 01 degree 55' 29" East a distance of 1,090.25 feet along the west line of the 109.8983 acre tract to the POINT OF BEGINNING, containing an area of 81.8107 acres of land, more or less.



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

File No.: 690562

Being 19.923 acre tract of land situated partly in the William B. Ellis Survey A-127 and partly in the Stephen Miller Survey A-219, Waller County, Texas and being the same call 19.1940 acre tract of land described by deed dated March 1, 1999, recorded in Volume 614 Page 631, Official Public Records Waller County, Texas, said 19.923 acres being more particularly described as follows:

## FILED AND RECORDED

**Instrument Number: 2113712**

Filing and Recording Date: 11/18/2021 03:52:53 PM Pages: 16 Recording Fee: \$72.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



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Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Jenifer Deutrich, Deputy

Returned To:  
CITY OF PATTISON