

ORDINANCE 2018-02

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF TOLAR, HOOD COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the following property described as:

All that certain 3.533 of an acre tract, described as Lots 1-8, Parkview Place Addition II, out of the Rachael Story Survey, Abstract 501, Hood County, Texas, more particularly described in Exhibit "A" appended hereto and incorporated herein by reference;

WHEREAS, said tract of land is contiguous and adjacent to the City of Tolar, Texas and is not more than one-half (1/2) mile in width, and;

WHEREAS, said petition was presented to the City Council and the City Council voted to accept said petition, and;

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

That the property described above, be and the same is hereby annexed to the City of Tolar, Hood County, Texas and that the boundary limits of the City of Tolar, Texas, be and the same are hereby extended to include the territory described above, within the city limits of the City of Tolar, Texas, and the same shall hereinafter be included within the territorial limits of said City and said land and the future inhabitants thereof shall hereinafter be entitled to all rights and privileges of other citizens of the City of Tolar, Texas, and shall be bound by the acts and ordinances of said City; and said territory shall be zoned as "R-6 " Single Family Residential" at the time of such annexation as those terms are so provided in the Zoning Ordinance of the City of Tolar, Texas.

PRESENTED, PASSED AND APPROVED on the 18th day of June 2018, by a vote of 3 ayes and 0 nays at a regular meeting of the City Council of the City of Tolar, Texas.

Terry R. Johnson
Terry R. Johnson, Mayor



ATTEST:

Joyce Johnson
Joyce Johnson, City Secretary

NOTARY ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF HOOD

This instrument was acknowledged to me on 27th of June by Terry R. Johnson and Joyce Johnson.



Notary Public *Shavonne A Kenley*
Printed Name: Shavonne A Kenley
My Commission Expires: 10/16/2019

"EXHIBIT A"

GF#17-26016

Warranty Deed with Vendor's Lien

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: December 18, 2017

Grantor: TERRY LEA WILLIAMS MOORE and JANIS ELAINE WILLIAMS GREEN, not joined herein our my spouses as the property herein conveyed is our sole and separate property and constitutes no part of our residential homestead

Grantee: FLIPPIN CONSTRUCTION & CUSTOM HOMES, LLC, a Texas limited liability company

Grantee's Mailing Address:
1314 Hill City Hwy.
Tolar, Texas 76476

Consideration: Cash and a note of even date executed by Grantee and payable to the order of THE FIRST NATIONAL BANK OF GRANBURY in the principal amount of \$31,500.00. The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of THE FIRST NATIONAL BANK OF GRANBURY and by a first-lien deed of trust of even date from Grantee to John R. Cox, Trustee(s).

Property (including any improvements):

BEING a 3.533 acre tract of land out of the RACHEL STORY SURVEY, Abstract 501, Hood County, Texas, and being part of a 4.207 acre tract described in deed to James Carson Williams, Jr. and wife, Mabel Janis Williams recorded in Volume 1517, Page 445, Official Public Records, Hood County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a set «" iron rod in the west right of way line of F.M. Highway No. 56 and the south right of way line of Acadia Court for the northeast corner of said Williams tract;

THENCE South 30 deg. 25 min. 27 sec. East along the west right of way line of said F.M. Highway No. 56, a distance of 243.48 feet to a set «" iron rod in the east line of said Williams tract;

THENCE South 59 deg. 34 min. 46 sec. West, a distance of 233.26 feet to a set 1/2" iron rod;

THENCE South 30 deg. 27 min. 03 sec. East, a distance of 125.80 feet to a set 1/2" iron rod in the south line of said Williams tract and in the north line of a tract described in deed to Donald Jay Cochrane according to Document No. 2017-0005659, Deed Records, Hood County, Texas;

THENCE South 59 deg. 34 min. 46 sec. West, a distance of 263.10 feet to a 3/8" iron rod found for the southwest corner of said Cochrane tract;

THENCE North 30 deg. 27 min. 03 sec. West, a distance of 369.02 feet to a set 1/2" iron rod in the south right of way line of said Acadia Court;

Thence North 59 min. 32 sec. 58 sec. East along the south right of way line of said Acadia Court, a distance of 496.47 feet to the POINT OF BEGINNING and containing 3.533 acres of land, more or less.

Reservations from Conveyance:

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it. This reservation does not include water, sand, gravel, limestone, building stone, caliche, surface shale, near-surface lignite, and iron, but does include the reasonable use of these surface materials for mining, drilling, exploring, operating, developing, or removing the oil, gas, and other minerals from the Property.

EXHIBIT A

Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor.

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Exceptions to Conveyance and Warranty:

Any and all restrictions, covenants, easements, mineral reservations and conveyances, and mineral leases, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in Hood County, Texas and to all zoning laws, regulations or ordinances of municipal and other governmental authorities, if any, but only to the extent they are still in effect, relating to the hereinabove described property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

THE FIRST NATIONAL BANK OF GRANBURY, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of THE FIRST NATIONAL BANK OF GRANBURY and are transferred to THE FIRST NATIONAL BANK OF GRANBURY without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

Terry Lea Williams Moore
TERRY LEA WILLIAMS MOORE

Janis Elaine Williams Green
JANIS ELAINE WILLIAMS GREEN

Accepted and Approved:

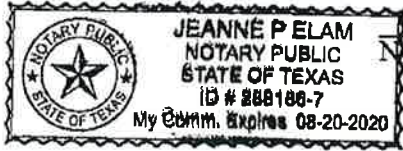
FLIPPIN CONSTRUCTION & CUSTOM HOMES, LLC, a Texas limited liability company

By: Shane Flippin, Managing Member

"Exhibit A"

STATE OF TEXAS
COUNTY OF HOOD

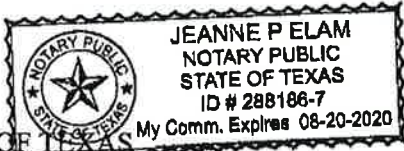
This instrument was acknowledged before me on Dec 18, 2017, by TERRY LEA WILLIAMS MOORE.



Jeanne Elam
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HOOD

This instrument was acknowledged before me on Dec 18, 2017, by JANIS ELAINE WILLIAMS GREEN.



Jeanne Elam
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HOOD

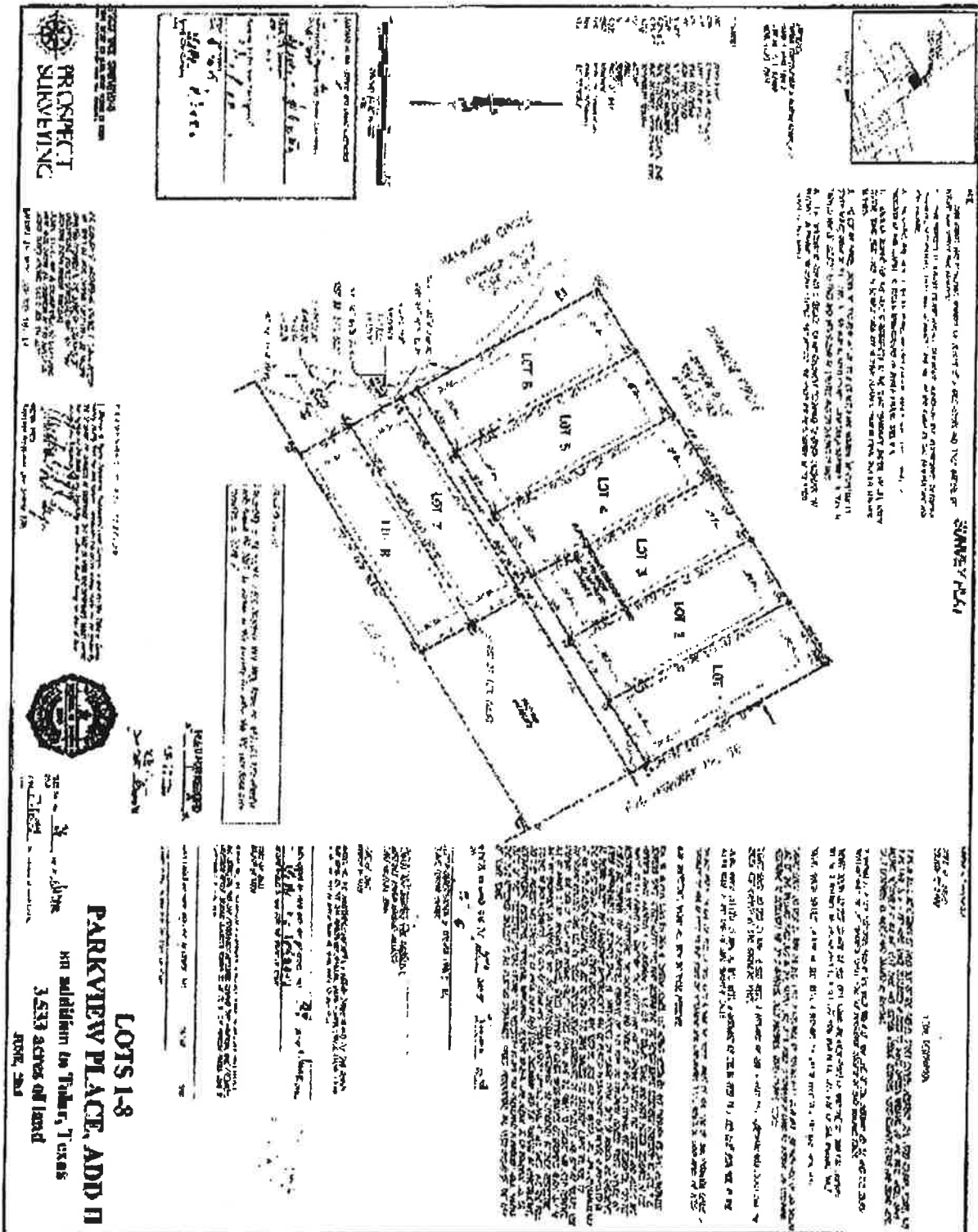
This instrument was acknowledged before me on Dec 18, 2017, by Shane Flippin, Member on behalf of FLIPPIN CONSTRUCTION & CUSTOM HOMES, LLC, a Texas limited liability company.

NOTARY PUBLIC, STATE OF TEXAS

PREPARED IN THE OFFICE OF:
Walton & Kuban, PLLC
107 E. Pearl Street
Granbury, TX 76048

AFTER RECORDING RETURN TO:
Flippin Construction & Custom Homes, LLC
1314 Hill City Hwy.
Tolar, Texas 76476

EXHIBIT A



**Hood County Clerk
201 W Bridge Street
PO BOX 339
Granbury, Texas 76048
Phone: 817-579-3222**

Document Number: 2018-0008406 -
Filed and Recorded - Real Records

ORDER OR ORDINANCE

Grantor: CITY OF TOLAR

Pages: 5

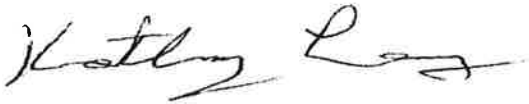
Recorded On: 06/27/2018 03:04 PM

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Recorded On: 06/27/2018 03:04 PM	Notes:
Document Number: 2018-0008406	
Receipt Number: R188526	
Amount: \$33.00	
Recorded By: Kathryn Frost	

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.

I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas



Katie Lang
County Clerk
Hood County, Texas



Return To: In Office

