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**ORDINANCE NO. 3615**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.837 ACRE TRACT OF LAND, LOCATED AT 411 S RING ROAD KNOWN AS PROPERTY ID 274663, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("**City**") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-52-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

**NOW, THEREFORE**, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by the recorded Plat in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

**PASSED, APPROVED AND ADOPTED** on this 21<sup>ST</sup> day of April, 2025.



*Billie Wallace*

MAYOR

ATTEST:

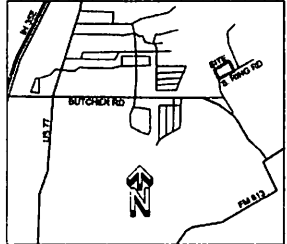
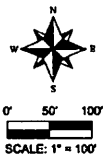
*Amber Villarreal*

City Secretary

FILED FOR RECORD - ELLIS COUNTY, TEXAS  
INST NO. 2513584 FILING DATE/TIME: APR 28, 2025 at 09:25:00 PM

ORIGINAL FILED

J449-450



VICINITY MAP  
 1"= 5000'

J. STARRETT SURVEY  
 ABSTRACT NO 1026

REMAINDER  
 ERIK BARNARD, KYLE BELLER  
 JONATHAN MARKERT &  
 LINDSAY JO MARKERT  
 INSTRUMENT NO. 182750-1  
 OPRECT  
 (CALCULATED 80.7 ACRES)

J. STROOP SURVEY  
 ABSTRACT NO. 1043

WILLIAM LEONHARDT &  
 RAMONA LEONHARDT  
 VOL. 2782 PG. 442  
 OPRECT

REMAINDER  
 BUTCHER ROAD  
 PARTNERS, LTD.  
 VOL. 2238 PG. 785  
 OPRECT  
 (CALCULATED  
 100.3 ACRES)

M. ALLEN SURVEY  
 ABSTRACT NO. 11

WILLIAM C. ESTES  
 VOL. 1716 PG. 378  
 OPRECT

LEGEND

CIRB- 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET  
 FND- FOUND  
 RUM- IRON ROD FOUND  
 OPRECT- OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS  
 D & UE = DRAINAGE AND UTILITY EASEMENT  
 BL = BUILDING LINE

NOTES:

DEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS.  
 THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 4813C0200F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.  
 ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.  
 ALL LOT CORNERS ARE MONUMENTED WITH A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET, UNLESS OTHERWISE NOTED.  
 WHITE ROCK DRIVE WILL NOT BE CONSTRUCTED WITH THIS DEVELOPMENT AND WILL BE MAINTAINED BY THE ADJACENT LOT OWNERS UNTIL IT IS CONSTRUCTED AND ACCEPTED BY THE COUNTY.

FINAL PLAT  
**THE RANCH  
 AT HIDDEN CREEK**

12.391 ACRES  
 SITUATED IN THE

J. STARRETT SURVEY, ABSTRACT NO 1026  
 J. STROOP SURVEY, ABSTRACT NO. 1043  
 IN THE ETJ OF THE CITY OF WAXAHACHIE, TEXAS  
 ELLIS COUNTY, TEXAS

OWNERS:  
 ERIK BARNARD, KYLE BELLER  
 JONATHAN MARKERT &  
 LINDSAY JO MARKERT  
 1765 DALLAS HWY.  
 WAXAHACHIE, TEXAS 75165  
 469.517.0160

SURVEYOR:  
 TEXAS REALITY CAPTURE &  
 SURVEYING, L.L.C.  
 P.O. BOX 252  
 WAXAHACHIE, TEXAS 75168  
 469.518.0338  
 TBPLS FIRM NO 10194359

JOB NO. 1153

AUGUST 2018

ORIGINAL FILED

7450

STATE OF TEXAS:  
COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT ARE THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE J. STARRETT SURVEY, ABSTRACT NO. 1026 AND THE J. STROOP SURVEY, ABSTRACT NO. 1043, IN THE ETJ OF THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT, RECORDED IN INSTRUMENT NO. 1827391 OF THE OFFICIAL PUBLIC RECORDS, OF ELLIS COUNTY, TEXAS (HEREIN AFTER REFERRED TO AS BARNARD TRACT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "CARTER & BURGESS" FOUND FOR THE SOUTHEAST CORNER OF SAID BARNARD TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO WILLIAM LEONHARDT AND RAMONA LEONHARDT, RECORDED IN VOLUME 2782, PAGE 442, OPRECT, AND BEING IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF SOUTH RING ROAD (A VARIABLE WIDTH PRESCRIPTIVE ROW),

THENCE S 58°06'12" W, ALONG THE SOUTH LINE OF SAID BARNARD TRACT AND THE NORTH ROW LINE OF SAID RING ROAD, A DISTANCE OF 1037.97 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "CARTER & BURGESS" FOUND FOR CORNER;

THENCE N 20°56'35" W OVER AND ACROSS SAID BARNARD TRACT, A DISTANCE OF 529.65 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE N 58°06'12" E OVER AND ACROSS SAID BARNARD TRACT, A DISTANCE OF 1037.97 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER IN THE EAST LINE OF SAID BARNARD TRACT AND THE COMMON WEST LINE OF SAID LEONHARDT TRACT;

THENCE S 20°56'35" E, ALONG THE EAST LINE OF SAID BARNARD TRACT AND THE COMMON WEST LINE OF SAID LEONHARDT TRACT, A DISTANCE OF 529.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.391 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE RANCH AT HIDDEN CREEK, AN ADDITION TO ELLIS COUNTY TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHIE'S USE THEREOF. ELLIS COUNTY AND THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. ELLIS COUNTY AND THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

BY:   
ERIK BARNARD

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ERIK BARNARD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



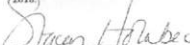
WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

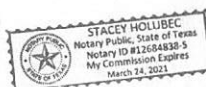
BY:   
KYLE BELLER

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED KYLE BELLER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

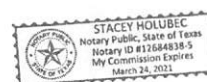
BY:   
JONATHAN MARKERT

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JONATHAN MARKERT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



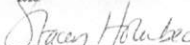
WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

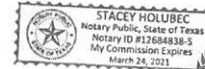
BY:   
LINDSAY JO MARKERT

STATE OF TEXAS:  
COUNTY OF ELLIS:

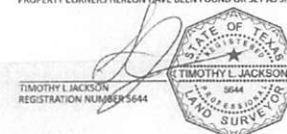
BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED LINDSAY JO MARKERT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



I, TIMOTHY L. JACKSON, RP/L, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

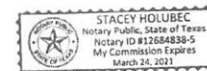


STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIMOTHY L. JACKSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF SEPTEMBER, 2018.

  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY:   
CHAIRPERSON  
DATE: 9-11-18

APPROVED BY: CITY COUNCIL  
CITY OF WAXAHACHIE


BY:   
CITY CLERK  
DATE: 9/23/2018

BY:   
CITY CLERK  
DATE: 9-24-18

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

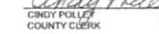
APPROVED THIS, 8<sup>th</sup> DAY OF October, 2018.

ATTEST:

  
CAROL BUSH  
COUNTY JUDGE

  
CINDY KELLEY  
COUNTY CLERK

  
TIMOTHY L. JACKSON  
COMMISSIONER PRECINCT 1

  
LANE GRAYSON  
COMMISSIONER PRECINCT 2

  
PAUL PERRY  
COMMISSIONER PRECINCT 3

  
KYLE BUTLER  
COMMISSIONER PRECINCT 4

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

BY:   
DEPARTMENT OF DEVELOPMENT DIRECTOR  
DATE: 10/8/18

# FINAL PLAT THE RANCH AT HIDDEN CREEK

12.391 ACRES  
SITUATED IN THE

J. STARRETT SURVEY, ABSTRACT NO 1026  
J. STROOP SURVEY, ABSTRACT NO. 1043  
IN THE ETJ OF THE CITY OF WAXAHACHIE, TEXAS  
ELLIS COUNTY, TEXAS

OWNERS:  
ERIK BARNARD, KYLE BELLER  
JONATHAN MARKERT &  
LINDSAY JO MARKERT  
1795 DALLAS HWY.  
WAXAHACHIE, TEXAS 75165  
409.517.0160

SURVEYOR:  
TEXAS REALITY CAPTURE &  
SURVEYING, LLC  
P.O. BOX 252  
WAXAHACHIE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 10194359

JOB NO. 1153

AUGUST 2018

PAGE 2 OF 2





FILED FOR RECORD - ELLIS COUNTY, TX  
INST NO. 2543584  
on Apr 28, 2025 at 03:25:00 PM

STATE OF TEXAS

COUNTY OF ELLIS

I hereby certify this instrument was filed on the date  
and time stamped hereon and was duly recorded in  
the records of Ellis County, Texas as stamped hereon.



*Hughes Valdez*

COUNTY CLERK, ELLIS COUNTY, TEXAS