

MINUTES OF THE
HENDERSON CITY COUNCIL
Regular Scheduled Meeting

March 18, 2025

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

Mayor Protem Juarez called the meeting to order at 6 p.m.

Council members present were Stephen Strong, Michael Searcy, Greg Jackson, Melissa Morton, and Gina Juarez.

Staff members present were City Secretary Cheryl Jimerson, Chief of Police Chad Taylor, Fire Chief Sonny Ybarra, Director of Operations Davis Brown, Director of Public Services Kirk Kimbrell, Director of Utilities Randy Boyd, Director of Utility Infrastructure and Delivery David Hortman, Community Development Manager/Building Official Cliff McElfresh, Code Enforcement Officer Wes Breitenberg, Finance Director Karen Arnall, Animal Center Director Charissa Pool, Civic Center Manager Stephanie Kimbrell, and Executive Leadership Assistant/HR Specialist Hillary Faulkner.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Council Member Stephen Strong gave the invocation, Council Member Melissa Morton led the Pledges.

CITIZENS COMMENTS

There were no citizens' comments.

PRESENTATIONS/ANNOUNCEMENTS

1. Annual Audit Presentation by Gollob Morgan Peddy, PC.

Kevin Cashion gave a synopsis of the 2024 audit results. He referenced page 7. As of the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$5,481,737, an increase of \$894,926 in comparison with the prior year. A significant reason for the increase was the issuance of the 2023 Series Tax Notes for \$2,055,000.

Page 19 exhibits 6 statements of revenues, expenditures and changes in the fund balance. The fund balance is down 1.1 million. Those expenditures were a one-time expense for the beautiful building you're now in without having to borrow any money.

Council members had no questions about the audit.

CONSENT AGENDA

2. Consideration and possible action upon the minutes of the February 18th 2025 Joint Workshop and Council Meeting. (Jimerson)
3. Consideration and possible action upon the City's Discrimination Policy. (Faulkner)
4. Consideration and possible action upon the City's Antifraud Policy (Faulkner)
5. Consideration and possible action upon declaring certain property as surplus and authorizing staff to dispose of the same. (K. Kimbrell)
6. Consideration and possible action upon the HEDCO financial's for the month of January 2025. (Gardella)

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6. Consideration and possible action upon the HEDCO financial's for the month of January 2025. (Gardella)

7. Consideration and possible action upon HEDCO 2024-2025 Budget Amendments. (Gardella)
Council Member Michael Searcy made a motion to approve the consent agenda, duly seconded by Council Member Stephen Strong. The vote was unanimous.

COUNCIL BUSINESS – REGULAR SESSION

8. Consideration and possible action upon a feasibility study for possible infracture to get water to Henderson from Lake Striker with Stokes and Associates. (Hortman)

The City of Henderson currently makes an annual payment to reserve raw water rights in Lake Striker Reservoir. The City's water rights, totaling approximately 8,289 ac-ft/yr (7.4 million gallons per day), are administered through a 10-year Agreement with ANCWCID. The City has expressed an interest in building the infrastructure necessary to convey this approximate 7.4 MGD water to Henderson to enhance their overall raw and treated water reliability.

The Engineer met with the owner and determined the scope of work and the services to be rendered prior to preparation of this Work Order. The Engineer shall prepare a Feasibility Report for delivering approximately 7.4 MGD of raw water to the City's existing and/or new water treatment infrastructure necessary to meet short-term and long-term water needs for the citizens of Henderson.

Items to be considered shall include the following:

1. Meet with the Mayor, City Manager and Staff to determine short-term and long-term water goals.
2. Review the Texas Water Plan to establish long-term water needs based on population projections.
3. Meet with the ANCWCID Board and Staff members to discuss this potential project.
4. Evaluate an existing ANCWCID raw water intake structure for compatibility that currently serves raw water to a biomass power plant near Sacul, Texas.
5. Evaluate the potential for a new raw water intake structure size and location near Lake Striker Dam.
6. Evaluate raw water pump station(s) size and location.
7. Evaluate raw and treated water transmission main(s) size and location.
8. Evaluate optional high-level ground storage tank(s) size and location.
9. Evaluate the potential for construction of a new water treatment facility near the southside of the City.
10. Prepare Estimates of Probable Costs for each alternative.
11. Prepare a Feasibility Report including maps and exhibits.
12. Evaluate funding sources for financing options.

Council Member Stephen Strong asked how long a study of this magnitude take? Neal said 2 to 3 years for the study, 2 to 2 1/2 years to build.

Council Member Melissa Morton made a motion to approve the feasibility study, duly seconded by Council Member Greg Jackson. The vote was unanimous.

9. Consideration and possible action upon a Shooting Range work order with Stokes and Associates to provide services. (Brown)

Neal Holland of Stokes and Associates stated: Representatives from the City of Henderson (OWNER) of the property have met with the Engineer (S&A) to develop a plan for the construction of a new outdoor shooting range. The purpose of this work will be to support local law enforcement with their proficiency and advanced tactical training skills, emphasizing safe handling, marksmanship, and tactical application, with ongoing training and qualification requirements. The study will be on the outdoor and indoor range that will be done in phases.

Council Member Greg Jackson asked if the range would be available for civilians to use? Director of Operations Davis Brown stated: that has not been discussed yet, but when the time comes there are many options that will be considered.

Council Member Stephen Strong made a motion to approve the feasibility study, duly seconded by Council Member Michael Searcy. The vote was unanimous.

10. Consideration and possible action upon the second reading of Ordinance 2025-02-01 amending the Zoning map for the City of Henderson, changing the zone from General Industrial to a High Density Multi-Family District for a property located on N. Van Buren across from Lakewood Cemetery. (Jimerson)

City Secretary and Appointed Zoning Administrator Cheryl Jimerson made a recommendation that Council approve this second reading of said ordinance.

Council Member Stephen Strong made a motion approving Ordinance 2025-02-01, duly seconded by Council Member Greg Jackson. The vote was unanimous.

11. Consideration upon the first reading of Ordinance 2025-03-01 changing the City of Henderson's zoning map from Low Density Single-Family Residential (R1) Zone to General Commercial (C2) Zone on a property known as 2500 S. Evenside Street for WCG Properties. (Jimerson)

City Secretary and Zoning Administrator Cheryl Jimerson stated: this is the first reading of said ordinance. Now would be the time to make changes or corrections if needed.

Council had no questions or comments on the first reading of Ordinance 2025-03-01.

12. Consideration upon the first reading of Ordinance 2025-30-02 changing the City of Henderson's zoning map from Low Density Single-Family Residential (R1) Zone to General Commercial (C2) Zone. The property is described as PT OF LT 1 BLK 890, 13.357 Acres J Smith Survey, located near the corner of HWY 79 S. and S. Evenside for BIH LLC. (Jimerson)

City Secretary and Zoning Administrator Cheryl Jimerson stated: this is the first reading of said ordinance. Now would be the time to make changes or corrections if needed.

Council had no questions or comments on the first reading of Ordinance 2025-03-02.

13. Consideration upon the first reading of Ordinance 2025-03-03 changing the City of Henderson's zoning map from Medium Density Single-Family Residential (R2) Zone to General Commercial (C2) Zone. The property is described as, LT 8A BLK 1134, Tall Pines Estates, directly behind United Ag and Turf. (Jimerson)

City Secretary and Zoning Administrator Cheryl Jimerson stated the ordinance for this item will be ready at the next meeting.

Mayor Pro tem Juarez asked Council for a motion to table this item. Council Member Michael Searcy made a motion to table the item until the next council meeting, duly seconded by Council Member Stephen Strong. The vote was unanimous.

14. Consideration and possible action upon Resolution 2025-03-01 for a rate increase from CenterPoint Energy for forty-five days (45). (Jimerson)

City Secretary and Zoning Administrator Cheryl Jimerson stated: Centerpoint Energy received approval of an increase from the Texas Utilities Commission effective April 19, 2025. Resolution 2025-03-01 acts to suspend the date for a period of 45 days.

Council Member Melissa Morton made a motion to approve Resolution 2025-03-01, duly seconded by Council Member Michael Searcy. The vote was unanimous.

15. Consideration and possible action upon a recommendation from the Board of Adjustments to reinstate Reggie Weatherton to a vacant seat on the Board. (Jimerson)

City Secretary and Zoning Administrator Cheryl Jimerson stated: the Board of Adjustments (BOA) made a recommendation to the council, allowing Reggie Weatherton to be reinstated to the vacant seat on the board.

Council Member Michael Searcy made a motion to approve the reinstatement, duly seconded by Council Member Melissa Morton. The vote was unanimous.

16. Consideration and possible action upon a minor plat request subdividing 307 Forrest Street and combining lots for 306 Joseph Street. (Breitenberg/Jimerson)

Code Enforcement Officer Wes Breitenberg and staff recommend approval of this minor plat application that would allow the property owner to convey a portion of the property at 307 Forrest St to the property owner of 306 Joseph Ave. Staff recommends approval of this minor plat application. Mr. Mansfield inherited the property at 307 Forrest St from his deceased father. His father had a verbal agreement with Ms. Thirkill that allowed her to park a vehicle and trailer on the east/northeast portion of his lot. Mr. Mansfield spoke with Ms. Thirkill and expressed his intention to sell the house and lot at 307 Forrest. He explained she would no longer be allowed to park any vehicles or equipment there. Ms. Thirkill made Mr. Mansfield made an offer to buy this portion of the property from him so that she could continue to use it for this purpose. After it was originally surveyed, it was determined that a standalone parcel would not meet the minimum lot size requirements for the R2 zone. Staff proposed the solution of attaching this piece of the lot to her existing parcel at 306 Joseph Ave to meet developmental standards.

Council Member Michael Searcy made a motion to approve the minor plat, duly seconded by Council Member Melissa Morton. The vote was unanimous.

DEPARTMENTAL REPORTS:

17. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.

A. City Manager

B. Fire Department

C. Police Department

Police Chief Chad Taylor stated there have been several burglaries in Henderson. He wanted the Council to know the Police Department is on top of it. They are making changes to the way some things are done in the Police Department and if there are any questions, he would be happy to speak to them individually after the meeting.

D. Animal Center

E. Community Development

F. Public Services/Parks and Recreation Department

G. Public Utilities

H. Finance Department

I. City Secretary

J. Communications and Marketing

K. HEDCO

Sales Tax Revenue for January 2025.

L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

BOARDS AND COMMISSIONS

Board of Adjustments Minutes

Planning and Zoning Minutes

Cemetery Board Meeting Minutes of Feb 19, 2025. Next meeting will be May 21, 2025

Main Street Meeting Minutes

Preservation Minutes

EXECUTIVE SESSION:

REGULAR SESSION:

ADJOURNMENT

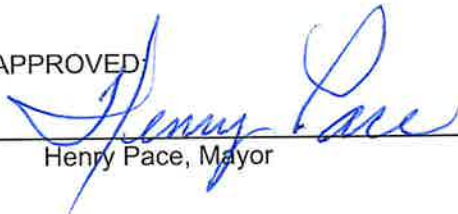
18. Adjourn

Council Member Michael Searcy made a motion to adjourn at 6:37 p.m., duly seconded by Council Member Melissa Morton. The vote was unanimous.

ATTEST:


Cheryl Jimerson, City Secretary

APPROVED:


Henry Pace, Mayor

RESOLUTION # 2024-04-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS AMENDING THE MASTER FEE SCHEDULE CREATED AND ADOPTED ON APRIL 15, 2025, AND MAINTAINED WITHIN THE OFFICE OF THE CITY SECRETARY; AND ESTABLISH AN EFFECTIVE DATE.

WHEREAS, the City of Henderson has adopted by resolution a Master Fee Schedule containing the various Fees for Service charged by the City of Henderson; and

WHEREAS, The City Council of the City of Henderson finds that from time to time, it is necessary to amend that Master Fee Schedule to reflect changes to, and/or the creation of, new Fees for Service provided to citizens, property owners and parties doing business within the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS:

SECTION 1.

Such Master Fee Schedule is amended to include under the heading Administration changes to certain fees.

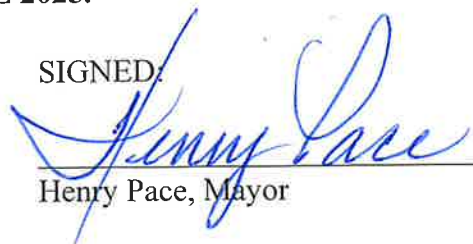
See Attachment A

SECTION 2.

This Resolution is effective immediately upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS ON THIS THE 15TH DAY OF APRIL 2025.

SIGNED:


Henry Pace, Mayor

ATTESTED:


Cheryl Jimerson, City Secretary

ORDINANCE NO. 2025-03-01

AN ORDINANCE OF THE CITY OF HENDERSON, TEXAS, TO REZONE PROPERTY CURRENTLY ZONED RESIDENTIAL (R1) TO GENERAL COMMERCIAL (C2) AT 2500 SOUTH EVENSIDE STREET AND THE CORNER OF HISGHWAY 79 SOUTH.

WHEREAS WCG Properties LTD requested a property located at 2500 South Evenside Street and the corner of Highway 79 South to be rezoned from Residential (R1) to General Commercial (C2) for marketing and attracting future commercial development. The property is described as:

**Parcel 24905 - SE PT OF LOT1 BLK 890 AND PT OF LT3 BLK890 A R-1
(At the Corner of 2500 S. Evenside and HWY 79 South)
All that certain lot or parcel of land being part of the James Smith Survey, A-709, Rusk
County, Texas, being 0.91 acres by survey in the
The City of Henderson, TX**

WHEREAS the Planning and Zoning Commission met on February 18, 2025 and recommended approval of the request for a zoning change submitted by WCG Properties LTD for the above-referenced property from the current zoning of Low Density Single-Family Residential (R1) to General Commercial (C2) on a property known as 2500 S. Evenside Street.

WHEREAS this is in the best interest of the City as both property tax and water revenue will be collected on this now undeveloped lot.

WHEREAS this change in zoning would have a positive impact on the City of Henderson in that both property tax revenue and future water sales can be collected on the now unimproved lot.

WHEREAS changing this zone to General Commercial (C2) will follow the 2050 Comprehensive Plan that was put in place.

WHEREAS said affected property is fully described as follows:

See Attachments “A” and “B”

WHEREAS the City Council finds it to be in the best interest of the City of Henderson to approve the rezoning of this property as requested WCG Properties LTD and recommended by the Planning and Zoning Commission of the City of Henderson.

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

**Parcel 24905 – SE PT OF LOT1 BLK 890 J. SMITH and PT OF LT 3 BLK 890 A R-1
(At the Corner of 2500 S. Evenside and HWY 79 S.)**

is hereby rezoned from Low Density Single-Family Residential (R1) to General Commercial (C2).

CONSIDERED BY THE CITY COUNCIL THIS 18TH DAY OF MARCH 2025.

PASSED, APPROVED AND ADOPTED by an affirmative vote of all members of the City Council on this the 15th day of April 2025.

APPROVED:


Henry Pace, Mayor

ATTEST:


Cheryl Jimerson, City Secretary





APPLICATION TO AMEND THE PLANNING AND ZONING MAP OR TEXT

Applicant WCG PROPERTIES LTD PO BOX 1061 HENDERSON TX 75653
(Name) (Address, City and Zip)
903-657-1466 BPropes@texasbnk.com
(Phone) (E-Mail Address)

Property Owner WCG PROPERTIES LTD PO BOX 1061 HENDERSON TX 75653
(Name) (Address, City and Zip) (Phone)
(903) 658-7777

Section 7 of the Henderson Zoning Ordinance

☐ Request a Zoning map amendment to rezone property as described (rezoning) section 7.12
_____ Currently Zoned

☐ Request a Zoning text amendment to Article 2

Describe and explain in detail why it is being requested. (Use additional sheets if necessary)

Requesting property to be rezoned from R-1 Residential to C-2 General Commercial for
marketing and attracting future commercial development.

The description of the property involved in this request is as follows:

Legal Description of Property Parcel 24905 - SE PT OF LT 1 BLK 890 J SMITH AND PT OF LT 3 BLK 890 A R-1
(Lot, Block, and Subdivision or Abstract, Survey, Tract and Section) (Current Zone)

Street Address 2500 S. Evenside Proposed Use C-2

Has any previous application been filed in connection with these premises? ☐ Yes ☒ No

If Yes when: _____ for what purpose: _____

Are there deed restrictions to this property? ☐ Yes ☒ No

If yes, please provide a copy of the deed restrictions with the application.

What is the applicant's interest in the premises affected? Owner

(Agent or Lessee must provide a letter from the owner authorizing this request)

(Owner, Agent, Lessee)

D. Smith
(Applicant's Signature)

11/20/2024

(Date)

FOR OFFICE USE ONLY

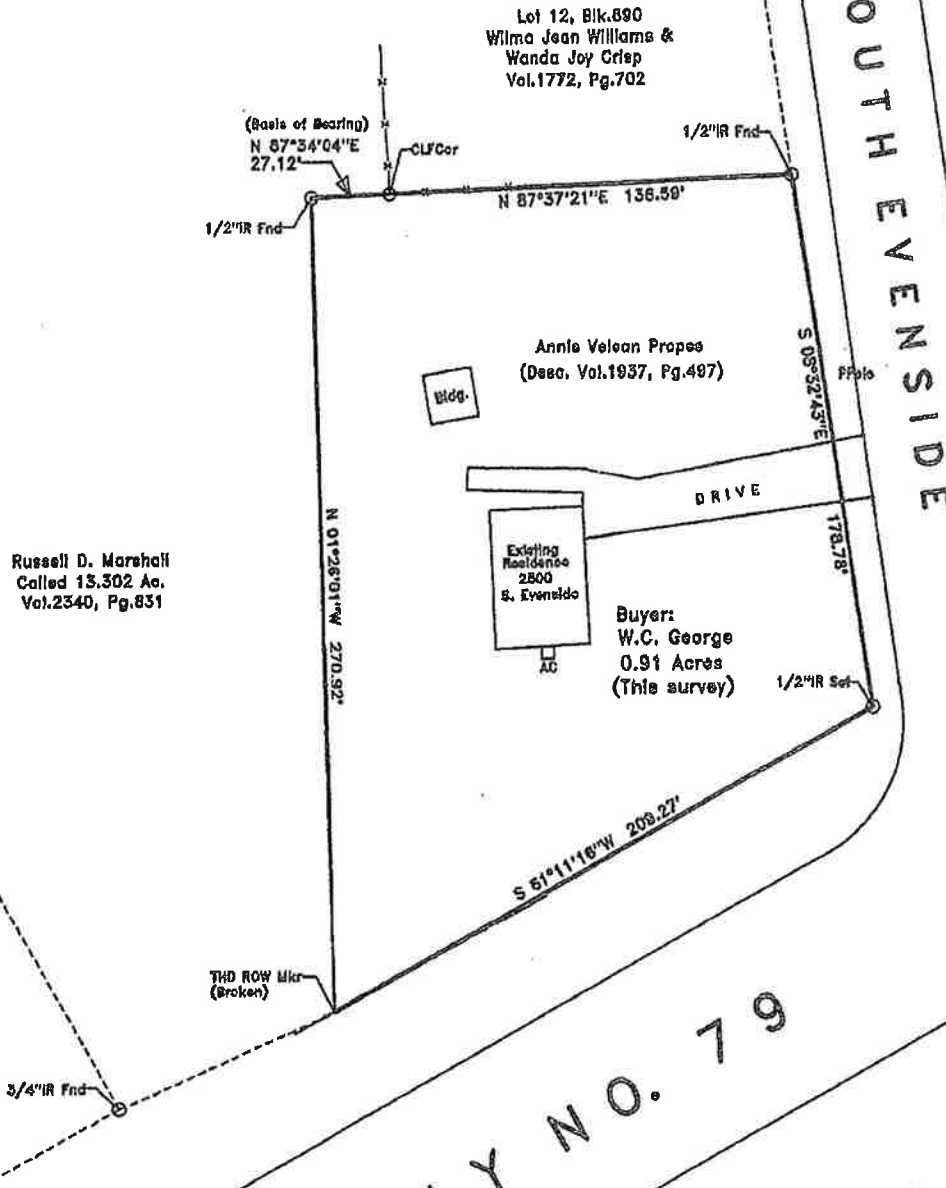
APPLICATION FEE: \$150.00

CASE NO: 20241120-1

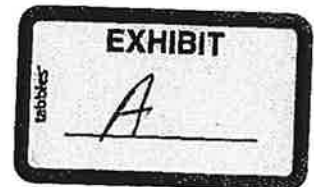
PERMIT NO: _____

JAMES SMITH SURVEY, A-709

Job No. 120602
GEORGEW.ord
GEORGEW.plt



U. S. HIGHWAY NO. 79



**SURVEY FOR
W.C. GEORGE
0.91 ACRES
JAMES SMITH SURVEY, A-709
RUSK COUNTY, TEXAS**

Scale: 1"=60' December 7, 2006

I, Roy L. Lemley, RPLS No. 3677, hereby certify that the above plat correctly represents the results of a survey on the ground by me and is true and correct to the best of my knowledge and belief. Witness my hand and seal this the 7th day of December, 2006.

Roy L. Lemley

Roy L. Lemley
Registered Professional Land Surveyor No. 3677



Roy L. Lemley
Registered Professional Land Surveyor No. 3677
2510 Ramblewood
Henderson, Texas 75652

Telephone (903) 657-9314 Office
(903) 657-7198 Fax
Boundary Surveys, Lot Surveys, Topographic Surveys, GPS Surveys
Pipeline Surveys, and Specializing in Estate Divisions

Field Notes for
W. C. George
0.91 Acres

Page 1 of 2

LEGAL DESCRIPTION

All that certain lot or parcel of land being a part of the James Smith Survey, A-709, Rusk County, Texas, being 0.91 acres by this survey and being the same parcel described as a save and except tract (called approximately 1 acre) in a Warranty Deed with Vendor's Lien (57.46 acres) from Annie Veleen Propes to Donal R. Brooks and recorded in Volume 1937, Page 497 of the Official Public Records of Rusk County, Texas, said 0.91 acres more particularly described as follows;

BEGINNING at a 1/2" iron rod found (bent) on the West margin of South Evenside Street for the Northeast corner of said 0.91 acres, this point also being the Southeast corner of Lot 12, Block 890 conveyed to Wilma Jean Williams and Wanda Joy Crisp (Vol. 1772, Pg. 702).

THENCE South 08 degrees 32 minutes 43 seconds East along the West margin of South Evenside Street for a distance of 178.78 feet to a 1/2" iron rod set on the North ROW line of U.S. Highway No. 79.

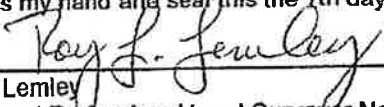
THENCE South 61 degrees 11 minutes 16 seconds West along the North ROW line of U.S. Highway No. 79 for a distance of 209.27 feet to a THD Concrete ROW Marker found (broken) for the Southwest corner of said 0.91 acres, this point also being the Southeast corner of a called 13.302 acre tract conveyed to Russell D. Marshall (Vol. 2340, Pg. 831).

THENCE North 01 degrees 26 minutes 01 seconds West for a distance of 270.92 feet to a 1/2" iron rod found at the Northwest corner of said 0.91 acres at an interior corner of said 13.302 acres.

THENCE North 87 degrees 34 minutes 04 seconds East (Being the Basis of Bearing for this survey) for a distance of 27.12 feet to a chain link fence corner found at an Easterly corner of said 13.302 acres and the Southwest corner of Lot 12, Block 890.

THENCE North 87 degrees 37 minutes 21 seconds East for a distance of 136.59 feet to the place of beginning and containing 0.91 acres of land.
(See Plat Prepared of Even Date and attached as Page 2 of 2).

Witness my hand and seal this the 7th day of December, 2006.


Roy L. Lemley
Registered Professional Land Surveyor No. 3677



ORDINANCE NO. 2025-03-02

AN ORDINANCE OF THE CITY OF HENDERSON, TEXAS, TO REZONE PROPERTY CURRENTLY ZONED RESIDENTIAL (R1) TO GENERAL COMMERCIAL (C2) NEAR THE CORNER OF SOUTH EVENSIDE AND HIGHWAY 79 SOUTH ON AN UNDEVELOPED LOT.

WHEREAS Bane Investment Holdings, LLC requested a property located near South Evenside street and the corner of Highway 79 South to be rezoned from Residential (R1) to General Commercial (C2) for marketing and attracting future commercial development. The property is described as:

**Parcel 60629 - PT LOT1 BLK 890
(At the Corner of S. Evenside and HWY 79)
13.475 acres being all of a called 13.357 acres recorded in Volume 2340 Page 831m
situated in the J. Smith Survey A-709 on
U.S. Highway No. 79 within the corporate limits of
The City of Henderson, TX**

WHEREAS the Planning and Zoning Commission met on February 11, 2025 and recommended approval of the request for a zoning change for the above-referenced property from the current zoning of Residential (R1) to General Commercial (C2).

WHEREAS these requests are in the best interest of the City as both property tax and water revenue will be collected on this now undeveloped lot.

WHEREAS this change in zoning would have a positive impact on the City of Henderson in that both property tax revenue and future water sales can be collected on the now unimproved lot.

WHEREAS changing this zone to General Commercial (C2) will follow the 2050 Comprehensive Plan that was put in place.

WHEREAS said affected property is fully described as follows:

See Attachments "A" and "B"

WHEREAS the City Council finds it to be in the best interest of the City of Henderson to approve the rezoning of this property as requested by Bane Investment Holdings LLC and recommended by the Planning and Zoning Commission of the City of Henderson.

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

**Parcel 60629 - PT LOT1 BLK 890
(At the Corner of S. Evenside and HWY 79 S.)**

is hereby rezoned from Residential (R1) to General Commercial (C2).

CONSIDERED BY THE CITY COUNCIL ON THIS 18TH DAY OF MARCH 2025.

PASSED, APPROVED AND ADOPTED by an affirmative vote of all members of the City Council on this the 15th day of April, 2025.

APPROVED:


Henry Pace, Mayor

ATTEST:


Cheryl Jimerson, City Secretary





DDM, Surveying, Inc.

February 18, 2020
Emanuel Glockzin
13.475 Acres

13.475 acres being all of a called 13.357 acres as conveyed to Russell D. Marshall by Donal Brooks and Glenda Brooks in an instrument dated August 30, 2002 and recorded in Volume 2340 Page 831 of the Official Public Records of Rusk County, Texas (OPRRC), situated in the J. Smith Survey A-709 on U.S. Highway No. 79 (US 79) within the corporate limits of The City of Henderson, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an existing steel spike found at the base of an existing $\frac{1}{2}$ " iron rod found (disturbed), said spike found marking the Southwest corner of said 13.357 acres, common with the Southeast corner of a called 9.3498 acres as conveyed to Fannie Aileen Green in an instrument recorded in Volume 2015 Page 34 OPRRC, common with the Northeast corner of a lot conveyed to Billy G. Green and wife, Fannie A. Green in an instrument recorded in Volume 770 Page 95 of the Deed Records of Rusk County, Texas (DRRC), common with the Northwest corner of a lot conveyed to Chester Howard Martin in an instrument recorded in Volume 1763 Page 520 of the Land Records of Rusk County, Texas (LRRC), whence bears an existing chain link fence corner post (CLFCP) found for reference South $69^{\circ} 13'$ East a distance of 1.37 feet;

THENCE with the West boundary line of said 13.357 acres, common with the East boundary line of said 9.3498 acres North $42^{\circ} 20' 06''$ West a distance of 941.84 feet to a $\frac{1}{2}$ " iron rod set (all iron rods set with cap marked "DDM SURVEY BOUNDARY") to mark the Northwest corner of said 13.357 acres, same being in the South boundary line of a called 99.48 acres as conveyed to Jerry Norman and Freda Norman in an instrument recorded in Volume 2661 Page 173 OPRRC;

THENCE with the North boundary line of said 13.357 acres, common with the South boundary line of said 99.48 acres, all being along the general course of an existing wire fence as follows:

North $76^{\circ} 53' 54''$ East a distance of 257.74 feet, and

North $78^{\circ} 12' 14''$ East a distance of 232.80 feet to an existing 6" wooden fence corner post found, and

North $83^{\circ} 32' 57''$ East a distance of 162.15 feet to a $\frac{1}{2}$ " iron rod set to mark an outside ell corner of said 13.357 acres;

THENCE with the upper East boundary line of said 13.357 acres, common with the West boundary line of a called 2.09 acres as conveyed to Billy Wayne Propes in an instrument recorded in Volume 2060 Page 492 OPRRC South $13^{\circ} 21' 17''$ East a distance of 177.63 feet to an existing $\frac{1}{2}$ " iron pipe found marking an inside ell corner of said 13.357 acres, common with the Southwest corner of said 2.09 acres, whence bears an existing $\frac{3}{4}$ " iron pipe found for reference North $50^{\circ} 19'$ West a distance of 2.68 feet;

THENCE with the North boundary line of said 13.357 acres, common with the South boundary line of said 2.09 acres North $82^{\circ} 37' 42''$ East a distance of 519.78 feet to an existing $\frac{1}{2}$ " iron rod found marking the Southeast corner of said 2.09 acres, common with the Southwest corner of a lot conveyed to Billy Wayne Propes and wife, Pat Propes in an instrument recorded in Volume 997 Page 502 DRRC;

THENCE continuing with the North boundary line of said 13.357 acres, common with the South boundary line of said Propes lot North $82^{\circ} 03' 58''$ East a distance of 44.23 feet to an existing $\frac{3}{4}$ " iron pipe found marking the Northeast corner of said 13.357 acres, common with the Northwest

corner of a called 0.34 of an acre as conveyed to Patricia Ann Marshall in an instrument recorded in Volume 983 Page 103 DRRC;

THENCE with the East boundary line of said 13.357 acres, common with the West boundary line of said 0.34 of an acre South 14° 27' 54" East a distance of 99.98 feet to an existing ½" iron rod found marking the Southwest corner of said 0.34 of an acre, common with the Northwest corner of a called 0.313 of an acre as conveyed to Aaron Ray Barnes in an instrument recorded in Volume 3239 Page 693 OPRRC;

THENCE continuing with the East boundary line of said 13.357 acres, common with the West boundary line of said 0.313 of an acre South 13° 46' 51" East a distance of 99.56 feet to an existing CLFCP found marking an outside ell corner of said 13.357 acres, common with the Southwest corner of said 0.313 of an acre, common with an angle corner in the North boundary line of a called 0.91 of an acre as conveyed to Billy Wayne Propes in an instrument recorded in Volume 2708 Page 128 OPRRC;

THENCE with a boundary line of said 13.357 acres, common with the North boundary line of said 0.91 of an acre South 81° 56' 33" West a distance of 26.92 feet to an existing ½" iron rod found marking an inside ell corner of said 13.357 acres, common with the Northwest corner of said 0.91 of an acre;

THENCE with the East boundary line of said 13.357 acres South 10° 43' 26" East a distance of 262.02 feet to an existing ½" iron rod found marking the Southeast corner of said 13.357 acres, being in the North Right-of-Way (ROW) line of said US 79;

THENCE with the South boundary line of said 13.357 acres, common with the North ROW line of said US 79 as follows:

South 55° 38' 28" West a distance of 20.07 feet to an existing concrete ROW monument found (disturbed), and

South 61° 20' 27" West a distance of 79.86 feet to an existing ½" iron rod found marking an outside ell corner of said 13.357 acres, common with the Southeast corner of a called 0.344 of an acre as conveyed to Charles Ray Hart in an instrument recorded in Volume 3456 Page 342 OPRRC;

THENCE with a boundary line of said 13.357 acres, common with the East boundary line of said 0.344 of an acre North 34° 09' 18" West a distance of 152.01 feet to an existing ¾" iron pipe found marking an inside ell corner of said 13.357 acres, common with the Northeast corner of said 0.344 of an acre;

THENCE with the South boundary line of said 13.357 acres, common with the North boundary line of said 0.344 of an acre South 56° 02' 15" West a distance of 100.36 feet to an existing car axle found marking the Northwest corner of said 0.344 of an acre, common with the Northeast corner of a lot conveyed to Billie Ruth Ballenger in an instrument recorded in Volume 2088 Page 822 OPRRC;

THENCE continuing with the South boundary line of said 13.357 acres, common with the North boundary line of said Ballenger lot South 55° 21' 39" West a distance of 109.72 feet to an existing ½" iron rod found marking the Northwest corner of said Ballenger lot, common with the Northeast corner of a called 0.34 of an acre conveyed to Katherine M. Coates in an instrument recorded in Volume 3092 Page 664 OPRRC;

THENCE continuing with the South boundary line of said 13.357 acres, common with the North boundary line of said Coates 0.34 of an acre South 55° 57' 03" West a distance of 100.02 feet to an existing ½" iron rod found marking the Northwest corner of said Coates 0.34 of an acre, common with the Northeast corner of a lot conveyed to Michaels S. Moore in an instrument recorded in Volume 2026 Page 93 OPRRC;

THENCE continuing with the South boundary line of said 13.357 acres, common with the North boundary line of said Moore lot South 55° 53' 09" West a distance of 99.98 feet to an existing CLFCP found marking the Northwest corner of said Moore lot, common with the Northeast corner of said Martin lot;

THENCE continuing with the South boundary line of said 13.357 acres, common with the North boundary line of said Martin lot South 56° 05' 36" West a distance of 199.65 feet to the BEGINNING and CONTAINING 13.475 acres.

I, D. Dwayne Miley, Registered Professional Land Surveyor, No. 4164-Texas, do hereby certify that this description represents the results of a survey completed on the ground under my supervision in February, 2020. See plat dated 2/18/2020.


D. Dwayne Miley, R.L.S.

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