

ORDER #342



STATE OF TEXAS § **IN THE COMMISSIONERS COURT**
COUNTY OF COMAL §

**ORDER GRANTING CANCELLATION OF
FORREST WILSON SUBDIVISION**

WHEREAS, Texas Local Government Code § 232.008(b) states that a person owning real property in this state that has been subdivided into lots and blocks or into small subdivisions may apply to the commissioners court in the county in which the property is located for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision;"

WHEREAS, the Comal County Commissioners Court received an application from Forrest Joseph Wilson, Jr., (hereafter "Applicant"), requesting cancellation of a subdivision named Forrest Wilson Subdivision, as shown on the map attached hereto as Exhibit A and incorporated herein;

WHEREAS, Applicant desires to reestablish the property, a subdivision named Forrest Wilson Subdivision, as filed in the official records of the Comal County Clerk in Volume 10, Page 314, as acreage, as it existed before the subdivision.

WHEREAS, Texas Local Government Code §232.008(a) states that "[t]his section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42;"

WHEREAS, Forrest Wilson Subdivision lies in the unincorporated area of Comal County, Texas;

WHEREAS, upon receipt of the application for cancellation of a subdivision or part thereof under § 232.008, the Commissioners Court shall publish notice of the application for cancellation pursuant to the requirements of § 232.008(c);

WHEREAS, on June 19, 2014, the Commissioners Court directed the County Engineer's Office to comply with the notice requirements of §232.008(c) and scheduled the public hearing for July 17, 2014;

WHEREAS, the notice was published in a newspaper for at least three weeks before the date on which action is to be taken on the application for cancellation pursuant to §232.008(c);

WHEREAS, the Commissioners Court by order shall authorize the owner of the subdivision to file an instrument canceling the subdivision in whole or in part if the application shows that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision or it is shown that the purchaser agrees to the cancellation in accordance with Texas Local Government Code §232.008(b);

WHEREAS, Applicant owns the subject subdivision, in its entirety and claims that the cancellation of the subdivision named Forrest Wilson Subdivision, will not interfere with the established rights of any purchaser who owns any part of the subdivision;

WHEREAS, Applicant owes no delinquent taxes on the subject subdivision named Forrest Wilson Subdivision, in accordance with Texas Local Government Code §232.008(d);

WHEREAS, the Commissioners Court has not received a written objection to the cancellation from the owners of at least ten (10) percent of the property affected by the proposed cancellation pursuant to §232.008(e);

WHEREAS, Section 232.008(h) holds that if the Commissioners Court determines the cancellation will prevent the proposed interconnection of infrastructure to pending or existing development the Court may deny the requested cancellation;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT FOR COMAL COUNTY THAT upon application, proper notice and announcement as required by law, and upon motion duly made and seconded, the cancellation of the subdivision named Forrest Wilson Subdivision, in Comal County is approved, as indicated by the signatures of the Commissioners below, that the subdivision named Forrest Wilson Subdivision, as described in Exhibit A, is hereby cancelled and that the cancellation does not prevent the proposed interconnection of infrastructure to pending or existing development;

BE IT FURTHER RESOLVED THAT the Court hereby orders that Applicant is authorized to file an instrument cancelling the subdivision named Forrest Wilson Subdivision, as described in Exhibit A, and that Applicant shall use the instrument form attached as Exhibit B to prepare said instrument for recordation;

BE IT FURTHER RESOLVED THAT the Court hereby directs the Comal County Clerk to properly record the above instrument cancelling the subdivision named Forrest Wilson Subdivision, as prepared by the Applicant and appropriately notate the recordation of this instrument in the Clerk's Map and Plat Index.

EFFECTIVE THIS the 17th day of July, 2014.



SHERMAN KRAUSE, COUNTY JUDGE



DONNA ECCLESTON,
COUNTY COMMISSIONER PCT. #1



SCOTT HAAG,
COUNTY COMMISSIONER PCT. #2



~~GREGORY PARKER,~~ Kevin Webb
COUNTY COMMISSIONER PCT. #3



JAN KENNADY,
COUNTY COMMISSIONER PCT. #4



ATTEST:



JOY STREATER, COUNTY CLERK

By:  deputy

January 14, 2014
December _____, 2013

RECEIVED
MAY 14 2014
COUNTY ENGINEER

Comal County Commissioners Court
199 Main Plaza
New Braunfels, TX 78130

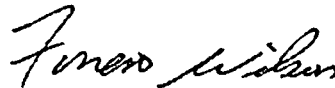
Re: Cancellation of FORREST WILSON SUBDIVISION, within Comal County, Texas

Dear Commissioners Court:

Pursuant to Section 232.008, Texas Local Government Code, this letter is submitted as a request and application to cancel the referenced subdivision and to reestablish the property as an acreage tract. I, Forrest Joseph Wilson, Jr. own this property, outright in my name, free and clear of any encumbrances. Specifically, there is no mortgage or liens on this property. Under these circumstances, a cancellation of this subdivision will in no way interfere with the rights or conflict with any interests of any other land owners.

Thank you.

Sincerely,



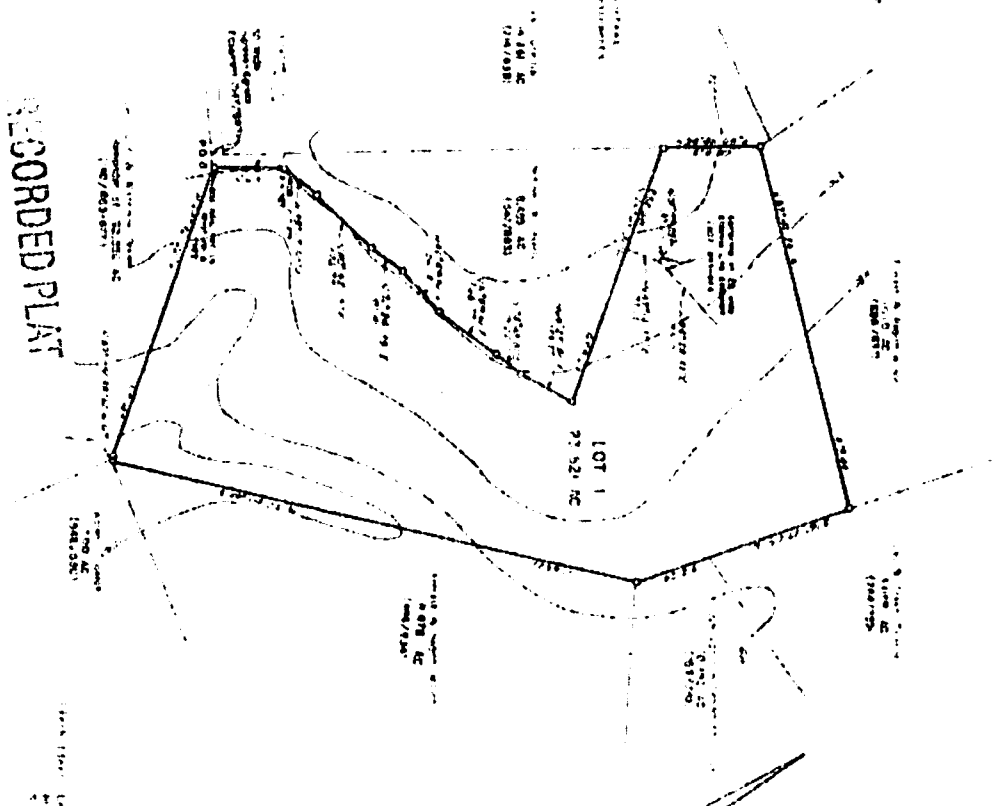
Forrest Joseph Wilson, Jr.
Sole owner of Forrest Wilson Subdivision

251 South Fork Balverde Tr 78163
Address

Address

EXHIBIT A
Page 1 of 2

NOTICE: This plat is subject to the provisions of the Texas Subdivision Act, Chapter 253, Texas Property Code, and the provisions of the Texas Surveying Act, Chapter 81, Texas Property Code. The surveyor is not responsible for the accuracy of the information provided on this plat, and the surveyor is not responsible for the accuracy of the information provided on this plat.



RECORDED PLAT
FOREST WILSON SUBDIVISION

423353



S. Craig Hollmig
Surveyor



S. CRAIG HOLLMIG, INC.
engineers - surveyors
new braunfels, texas



THIS PLAT IS SUBJECT TO THE PROVISIONS OF THE TEXAS SUBDIVISION ACT, CHAPTER 253, TEXAS PROPERTY CODE, AND THE PROVISIONS OF THE TEXAS SURVEYING ACT, CHAPTER 81, TEXAS PROPERTY CODE. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT, AND THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT.

THIS PLAT IS SUBJECT TO THE PROVISIONS OF THE TEXAS SUBDIVISION ACT, CHAPTER 253, TEXAS PROPERTY CODE, AND THE PROVISIONS OF THE TEXAS SURVEYING ACT, CHAPTER 81, TEXAS PROPERTY CODE. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT, AND THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT.

THIS PLAT IS SUBJECT TO THE PROVISIONS OF THE TEXAS SUBDIVISION ACT, CHAPTER 253, TEXAS PROPERTY CODE, AND THE PROVISIONS OF THE TEXAS SURVEYING ACT, CHAPTER 81, TEXAS PROPERTY CODE. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT, AND THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED ON THIS PLAT.

CANCELLATION OF FORREST WILSON SUBDIVISION

State of Texas §

County of Comal §

On July 17, 2014, at a regular meeting, evidenced in the minutes thereof, the Commissioners Court of Comal County authorized the owner of a subdivision named Forrest Wilson Subdivision, recorded in Volume 10, Page 314, Map and Plat Records, Comal County, Texas, to file this instrument cancelling Forrest Wilson Subdivision, as shown in Exhibit B, Page 2 of 2, attached hereto and incorporated herein, in accordance with §232.008 of the Texas Local Government Code.

Forrest Joseph Wilson, Jr.

Date

ACKNOWLEDGEMENT

State of Texas §

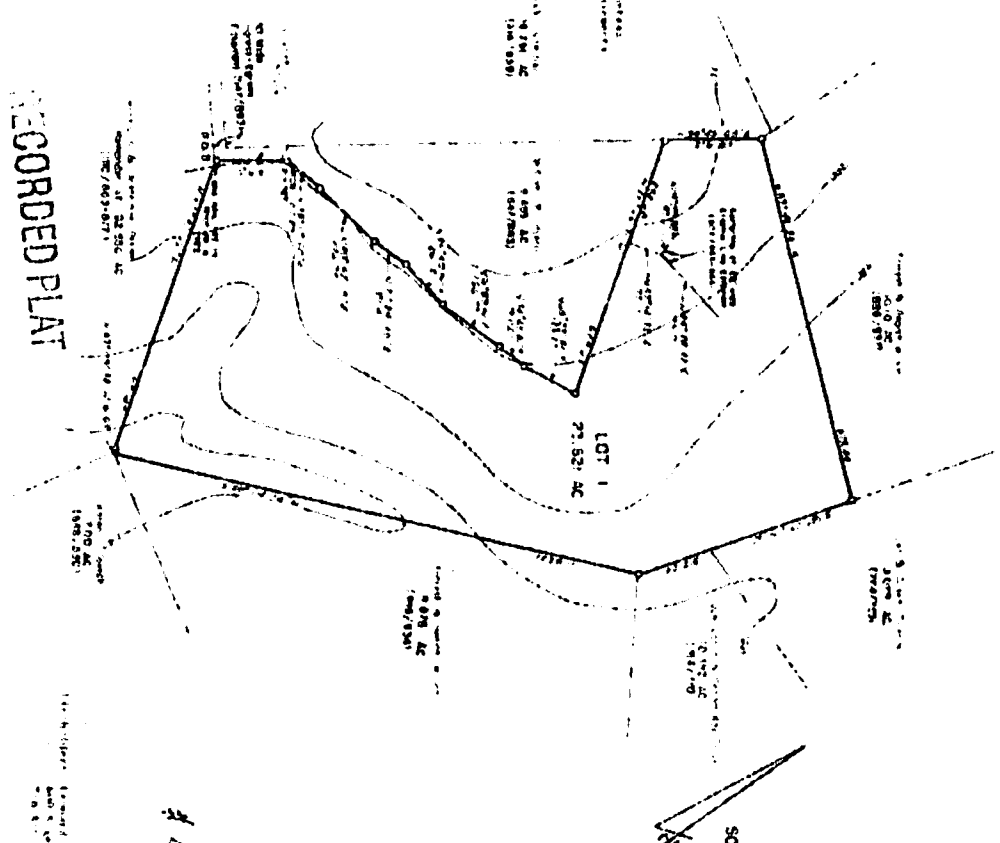
County of Comal §

This instrument was acknowledged before me on the _____ day of _____, 2014, by Forrest Joseph Wilson, Jr., owner.

Notary Public, State of Texas

(Print Notary Name)

- NOTES:
1. This plat is subject to all laws and ordinances of the State of Texas.
 2. This plat is subject to all laws and ordinances of the County of Tarrant, Texas.
 3. This plat is subject to all laws and ordinances of the City of Fort Worth, Texas.
 4. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 5. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 6. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 7. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 8. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 9. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.
 10. This plat is subject to all laws and ordinances of the State of Texas, the County of Tarrant, Texas, and the City of Fort Worth, Texas.



RECORDED PLAT
FOREST WILSON SUBDIVISION

423353

THIS PLAT IS SUBJECT TO ALL LAWS AND ORDINANCES OF THE STATE OF TEXAS, THE COUNTY OF TARRANT, TEXAS, AND THE CITY OF FORT WORTH, TEXAS.

THIS PLAT IS SUBJECT TO ALL LAWS AND ORDINANCES OF THE STATE OF TEXAS, THE COUNTY OF TARRANT, TEXAS, AND THE CITY OF FORT WORTH, TEXAS.

Surveyed and Platted by
S. CRAIG HOLLMIG, INC.
Engineers - Surveyors
New Braunfels, Texas



S. CRAIG HOLLMIG, INC.
engineers - surveyors
new braunfels, texas



Surveyed and Platted by
S. CRAIG HOLLMIG, INC.
Engineers - Surveyors
New Braunfels, Texas

Surveyed and Platted by
S. CRAIG HOLLMIG, INC.
Engineers - Surveyors
New Braunfels, Texas

Surveyed and Platted by
S. CRAIG HOLLMIG, INC.
Engineers - Surveyors
New Braunfels, Texas