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SOAH DOCKET NO. 473-16-5739.WS  
PUC DOCKET NO. 45956

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APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
SCHERTZ TO AMEND A SEWER	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY UNDER WATER	§	
CODE SECTION 13.255 AND TO	§	OF
DECERTIFY A PORTION OF GREEN	§	
VALLEY SPECIAL UTILITY	§	
DISTRICT'S CERTIFICATE RIGHTS	§	
IN BEXAR COUNTY	§	ADMINISTRATIVE HEARINGS

INITIAL BRIEF OF CITY OF SCHERTZ

SEPTEMBER 22, 2017

## INITIAL BRIEF OF CITY OF SCHERTZ

### TABLE OF CONTENTS

I.	INTRODUCTION .....	3
II.	PARTIES .....	5
III.	REQUESTED RECOMMENDATION.....	5
IV.	ARGUMENT .....	6
A.	Referred Issue No. 2: The City provided adequate written notice to GVSUD of the City's intent to provide service to the Decertified Area. ....	6
1.	The Notice clearly depicts to which tracts the City intends to provide wastewater service. ....	6
2.	Neither Commission Staff nor the Commission have found the threshold issue of notice to be deficient, thus precluding the administrative process that has occurred to date.....	8
B.	Referred Issue No. 3: The City waited more than 180 days after providing the adequate written notice before the City filed its Application. ....	9
C.	Referred Issue No. 4 (excluding subparts a. and b.): The Application is administratively complete pursuant to 16 TAC § 24.8. ....	10
D.	Referred Issue No. 5: The City has demonstrated that its public drinking water systems comply with TCEQ's minimum requirements for public drinking water systems. ....	10
V.	CONCLUSION AND PRAYER .....	11

### Attachments

Attachment A – Schertz's Notice to GVSUD of Intent to Provide Service

Attachment B – Schertz's Supplement to Application

Attachment C – Updated Reports

**SOAH DOCKET NO. 473-16-5739.WS  
PUC DOCKET NO. 45956**

<b>APPLICATION OF THE CITY OF SCHERTZ TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY UNDER WATER CODE SECTION 13.255 AND TO DECERTIFY A PORTION OF GREEN VALLEY SPECIAL UTILITY DISTRICT'S CERTIFICATE RIGHTS IN BEXAR COUNTY</b>	<b>§ § § § § § § § §</b>	<b>BEFORE THE STATE OFFICE       OF    ADMINISTRATIVE HEARINGS</b>
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**INITIAL BRIEF OF THE CITY OF SCHERTZ**

**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:**

The City of Schertz (the "City") files this, its Initial Brief, in accordance with the Administrative Law Judge's ("ALJ") Order Nos. 8 and 9 in this Docket. This Initial Brief is timely filed. In support thereof, the City would show as follows:

**I. INTRODUCTION**

On May 11, 2016, more than 180 days after the City provided GVSUD with notice of its intent to provide retail wastewater service (the "Notice"), the City filed its application for single sewer certificate of convenience and necessity ("CCN") certification under Texas Water Code ("TWC") § 13.255 and 16 Tex. Admin. Code ("TAC") § 24.120 (the "Application") at the Public Utility Commission ("Commission"), decertifying portions of Green Valley Special Utility District's ("GVSUD") sewer CCN No. 20973 (the "Decertified Area") that are within the City's corporate limits.

On September 12, 2016, the Commission adopted a list of issues to be addressed in a hearing at the State Office of Administrative Hearings ("SOAH") regarding the Application in a bifurcated proceeding. On March 24, 2016, the ALJ granted the City's motion for partial summary decision for the first phase issues (Issue Nos. 8-10), and cancelled the hearing on the

merits accordingly. The Commission issued an Interim Order on July 28, 2017, ruling on Preliminary Order Issue Nos. 8-10 and remanding the Application remaining issues back to SOAH for the second phase on the remaining issues. The parties agreed at the subsequent prehearing conference that a hearing on the merits of the second phase issues was not necessary, but rather, these remaining issues could be addressed through briefing; and SOAH Order No. 8 Memorializing the Prehearing Conference and SOAH Order No. 9 Revising the Procedural Schedule implements that path forward.

Pursuant thereto, the ALJ ordered the Parties to provide stipulations on the remaining issues, where possible, and to brief the issues in the Commission's Preliminary Order Issue Nos. 1-8 to which the parties have not stipulated. On September 15, 2017, pursuant to the revised procedural schedule reflected in the ALJ's Order No. 9, the parties filed joint stipulations on the following issues (the "Stipulations"): Preliminary Order Issue Nos. 1, 4.a., 4.b., 6, 7, and 11. The issues remaining in this Docket are thus as follows:

Issue No. 2: Did Schertz provide written notice to the retail public utility of Schertz's intent to provide service to the area for which Schertz seeks certification?

Issue No. 3: If so, did Schertz wait more than 180 days after providing the written notice before Schertz filed its application with the Commission?

Issue No. 4: (excluding subparts a. and b.): Is Schertz's application administratively complete pursuant to 16 TAC § 24.8?

Issue No. 5: Has Schertz demonstrated that its public-drinking-water systems comply with the Texas Commission on Environmental Quality's ("TCEQ's") minimum requirements for public-drinking-water system?

The City's Application complied with all applicable procedural and substantive laws and regulations, including all notice requirements to GVSUD. Thus, the Application is administratively complete. GVSUD's previous assertions to the contrary were based on flawed interpretations of TWC § 13.255. Additionally, both at the time the Application was filed and today, the City has complied with the TCEQ's minimum requirements for public drinking water systems. As such, the ALJ should issue a proposal for decision determining on the remaining non-stipulated issues to that end.

## **II. PARTIES**

### **Party**

City of Schertz

Green Valley SUD

Commission Staff

### **Representatives**

David J. Klein and Ashleigh Acevedo

Geoffrey Kirshbaum and Shan Rutherford

Alexander Petak

## **III. REQUESTED RECOMMENDATION**

The City requests that the ALJ issue a proposal for decision recommending that:

- A. The City provided sufficient written notice to GVSUD on the City's intent to provide service to the Decertified Area on October 22, 2015.
- B. The City waited more than 180 days after providing the adequate written notice before the City filed its Application.
- C. The Application is administratively complete pursuant to 16 TAC § 24.8.
- D. The City has demonstrated that its public drinking water systems comply with TCEQ's minimum requirements for public drinking water systems.

#### IV. ARGUMENT

**A. Referred Issue No. 2: The City provided adequate written notice to GVSUD of the City's intent to provide service to the Decertified Area.**

On October 22, 2015, the City provided GVSUD with the Notice pursuant TWC §13.255 that the City intends to provide retail sewer service to certain portions of GVSUD's sewer CCN boundaries that overlap with the City's corporate limits. A copy of the Notice is attached hereto as Attachment A. GVSUD does not dispute that it received the Notice.<sup>1</sup> The tracts identified in the Notice are the same tracts of land that are the subject of the Application. GVSUD, however, contends—and has contended since the inception of this docket—that the Notice is insufficient to demonstrate to which tracts the City intends to provide service by filing the Application. GVSUD's assertion lacks legal and factual merit as the Notice is adequate under TWC § 13.255 and Commission rules, and the Commission has acknowledged that the Notice is sufficient.

**1. The Notice clearly depicts to which tracts the City intends to provide wastewater service.**

The Notice meets the legal requirements of TWC § 13.255 and the Commission's rules at 16 TAC § 24.120. To effectuate the municipality's single certification within the annexed or incorporated area and to decertify that portion of the retail public utility's service area within the annexed or incorporated area, TWC § 13.255 and the Commission rules require that the municipality notify the retail public utility in writing of its intent to provide service to the incorporated or annexed area.<sup>2</sup>

The City respectfully asserts that it provided clear and sufficient detail to GVSUD in the Notice to indicate the City's intent to provide sewer service and to identify the tracts of land that the City intends to serve. First, the Notice narrates the areas subject to single certification:

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<sup>1</sup> Stipulations, Docket Item No. 159, at 2.

<sup>2</sup> TWC § 13.255(b); 16 TAC § 24.120.

In accordance with Texas Water Code § 13.255, the City hereby provides Green Valley SUD with notice that the City intends to provide retail sewer service to the areas within its corporate limits that overlap with Green Valley SUD's sewer CCN service area.... which are depicted as the portion of the blue areas that are within the purple dashed line on the map attached hereto as Attachment A. These areas are generally bounded by Lower Seguin Road to the north, Cibolo Creek to the east, United States Interstate Highway 10 to the south, and Farm to Market Road 1518 to the west...

Please also note that the olive areas depicted in Attachment A are additional tracts that are subject to annexation agreements with the City; and while the City anticipates annexing those areas in the future, this notice of intent letter *does not* include those olive areas.<sup>3</sup>

This specific reference to the statutory provision coupled with the description of the area it intends to serve—the overlapping areas within the City's corporate limits—provides notice to GVSUD that the process for single certification has been initiated.

Second, the multi-colored, labeled map attached to the Notice depicts the specific areas that are incorporated or annexed into the City and also within the GVSUD service area by color-coding those tracts in light blue and defining the boundary of GVSUD's CCN in purple. This visual representation—which is not even required under applicable laws—of the particular areas for which the City is seeking single sewer certification provides GVSUD all of the information it needs to identify the areas subject to the Application.

That the Notice and accompanying map also separately reference areas that the City anticipates annexing in the near future does not negate the fact that the City provided notice to GVSUD of its intent to serve the currently annexed or incorporated tracts contemplated by the Application. The City referenced these olive-colored tracts for efficiency in the event that GVSUD would want to transfer other areas, as contemplated by 13.255(a) and 13.2551(a). More precisely, the City informed GVSUD that the City would be annexing other areas that overlap

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<sup>3</sup> Attachment A, at 1.



with GVSUD's service area in the near future in addition to those subject to this single certification proceeding. Thus, rather than pursuing this process under TWC § 13.255 again after the additional tracts are annexed, the City and GVSUD could presently come to an agreement for all of this area for both the annexed and unannexed tracts. Facilitating an efficient and cost effective agreement by including additional information simply does not render the Notice deficient. Such an agreement is contemplated by TWC § 13.255. Moreover, these communications reaffirm the identification of the specific tracts the City seeks to service through this proceeding.

Finally, attached to the Notice are the City's ordinances annexing those portions of the Decertified Area, which includes precise metes and bounds descriptions of those tracts. The City could not have provided any more specificity in its Notice. Collectively, these documents sufficiently detail and adequately demonstrate the tracts for which the City seeks single certification under applicable law.

Therefore, the City complied with the notice requirements in TWC § 13.255 and 16 TAC § 24.120. The information included in the Notice and attached thereto specifically cites the statutory authority to seek single certification and sufficiently identifies the tracts. As such, the legal requirements for the Notice have been met.

**2. Neither Commission Staff nor the Commission have found the threshold issue of notice to be deficient, thus precluding the administrative process that has occurred to date.**

The Commission Staff and the Commission have both had the opportunity to consider whether the Notice was deficient throughout this proceeding, and have declined to do so. Upon receipt of the Application, Commission Staff had the opportunity to comment on any deficiencies in the Application, including whether the threshold issue notice requirements were satisfied. Here, however, the Commission Staff never identified any deficiency.

GVSUD, however, raised the issue of notice deficiency in a plea to the jurisdiction,<sup>4</sup> which the Commission declined to address. Nevertheless, in its recommendation on administrative completeness, Commission Staff again reiterated that the Notice satisfies the applicable notice requirements.<sup>5</sup>

Whether the Notice satisfies the requirements has thus already been considered by Commission Staff, and the Commission has affirmatively refused to reassess Staff's determination. If the Commission or Commission Staff had found an issue with this basic consideration in this proceeding, it would have been addressed one and a half years ago when this matter was first raised, not after already proceeding through the first phase and reaching briefing on the final issues. GVSUD's maintained assertions that the Notice is still somehow deficient thus lacks merit and is disingenuous to the determinations on the sufficiency of the Notice that have been made or acknowledged in this proceeding to date.

**B. Referred Issue No. 3: The City waited more than 180 days after providing the adequate written notice before the City filed its Application.**

It is undisputed that more than 180 days passed from the date that the City provided the Notice to GVSUD to the date that the Application was filed.<sup>6</sup> The District provided GVSUD with the written Notice on October 22, 2015, and the Application was filed on May 11, 2016. Thus, because the October 22 Notice was substantively sufficient, as discussed above in Referred Issue No. 2, there is no dispute that the City waited the requisite 180 days before filing the Application at the Commission.

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<sup>4</sup> GVSUD's Plea to the Jurisdiction, Docket Item, No. 9, at 3-6.

<sup>5</sup> Commission Staff's Recommendation on Administrative Completeness, Docket Item No. 102.

<sup>6</sup> Stipulations, Docket Item No. 111, at 2-3.

**C. Referred Issue No. 4 (excluding subparts a. and b.): The Application is administratively complete pursuant to 16 TAC § 24.8.**

The Application has not formally been deemed administratively complete by the Commission pursuant to 16 TAC § 24.8. However, it is undisputed that on August 24, 2017, Commission Staff recommended that the Application be deemed administratively complete pursuant to 16 TAC § 24.8.<sup>7</sup> Based on GVSUD's unsolicited response to Commission Staff's recommendation that it filed with the Commission (rather than the ALJ, despite the order specifically requesting briefing on this very issue), GVSUD's sole contention for withholding administrative completeness and thus rejecting the Application is dependent upon a determination that the Notice was deficient.<sup>8</sup> In other words, should the ALJ determine that the Notice is not deficient, as explained at length herein above and through previous briefing on this very matter, GVSUD has no basis for asserting that the Application is not administratively complete.

**D. Referred Issue No. 5: The City has demonstrated that its public drinking water systems comply with TCEQ's minimum requirements for public drinking water systems.**

Throughout this proceeding, the City has strived to be in compliance with the TCEQ's drinking water quality standards pursuant to TWC § 13.255(m). First, the City has successfully obtained a public drinking water system authorization number TX0940003. Second, as of the date of the Application, the City had a compliance history rating of "satisfactory", which has not changed as of today. Third, the City has achieved and maintained a "Superior Water System" designation from the TCEQ.

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<sup>7</sup> *Id.* at 3.

<sup>8</sup> GVSUD's Response to Commission Staff's Recommendation on Administrative Completeness, Docket Item No. 106, at 1-3.

In support of these facts, on August 3, 2016, the City filed a supplement to its Application demonstrating compliance with TCEQ's minimum drinking water system requirements, including the City's compliance history report indicating that the water system was satisfactory, the City's Consumer Confidence Report summarizing how the City meets or exceeds the minimum water quality requirements for its drinking water system, the Safe Drinking Water Information System report reflecting compliance with drinking water requirements, TCEQ Drinking Water Watch information sheets reflecting a number of parameters and reporting requirements that the City had satisfied, and correspondence with the TCEQ demonstrating the City's designation as a "Superior Water System".<sup>9</sup> Collectively, these documents reflected that the City was in compliance with the minimum drinking water system requirements at the time that the Application was filed.

Again, the City aims to comply with TCEQ drinking water system requirements. Attached hereto as Attachment C are updated reports and correspondence with TCEQ demonstrating such continued compliance. Notably, there are no outstanding violations of TCEQ's requirements for the City's public drinking water system as of today. As such, the ALJ should determine that the City meets TCEQ's minimum drinking water requirements.

## **V. CONCLUSION AND PRAYER**

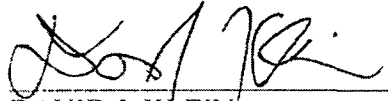
The City of Schertz respectfully requests that the Administrative Law Judge issue a proposal for decision consistent with the City of Schertz's request in Section III of this Initial Brief and grant any other relief to the City of Schertz to which it may be entitled.

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<sup>9</sup> Attached hereto as Attachment B is the City's Supplement to Application, Docket Item No. 62, which includes the aforementioned public drinking water system compliance information.

Respectfully submitted.

**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
(512) 322-5800  
(512) 472-0532 (Fax)

  
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**ATTORNEYS FOR THE CITY OF SCHERTZ**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 22nd day of September, 2017 to the parties of record.

  
\_\_\_\_\_  
David J. Klein



October 22, 2015

Green Valley Special Utility District  
Attn: Pat Allen, General Manager  
529 South Center Street  
Marion, TX 78124

**VIA HAND DELIVERY AND USPS**  
**REGULAR MAIL**

Re: Notice of Intent by the City of Schertz to Provide Sewer Service in Its Corporate Limits

Dear Mr. Allen:

As you know, the City of Schertz ("City") currently provides retail sewer service to customers in portions of the City's corporate limits. Other portions of the City's corporate limits, however, overlap with Green Valley Special Utility District's ("*Green Valley SUD*") sewer Certificate of Convenience and Necessity ("*CCN*") No. 20973.

In accordance with Texas Water Code § 13.255, the City hereby provides Green Valley SUD with notice that the City intends to provide retail sewer service to the areas within its corporate limits that overlap with Green Valley SUD's sewer CCN service area ("*Transfer Tracts*"), which are depicted as portion of the blue areas that are within the purple dashed line on the map attached hereto as Attachment A. These areas are generally bounded by Lower Seguin Road to the north, Cibolo Creek to the east, United States Interstate Highway 10 to the south, and Farm to Market Road 1518 to the east. For your convenience, the pertinent portions annexation ordinances for the Transfer Tracts – the metes and bounds descriptions – are attached as Attachment B. To be clear, this notice of intent to serve does not include the portions of those metes and bounds descriptions that are outside the purple dashed line.

Please also note that the olive areas depicted in Attachment A are additional tracts that are subject to annexation agreements with the City; and while the City anticipates annexing those areas in the future, this notice of intent to serve letter does not include those olive areas.

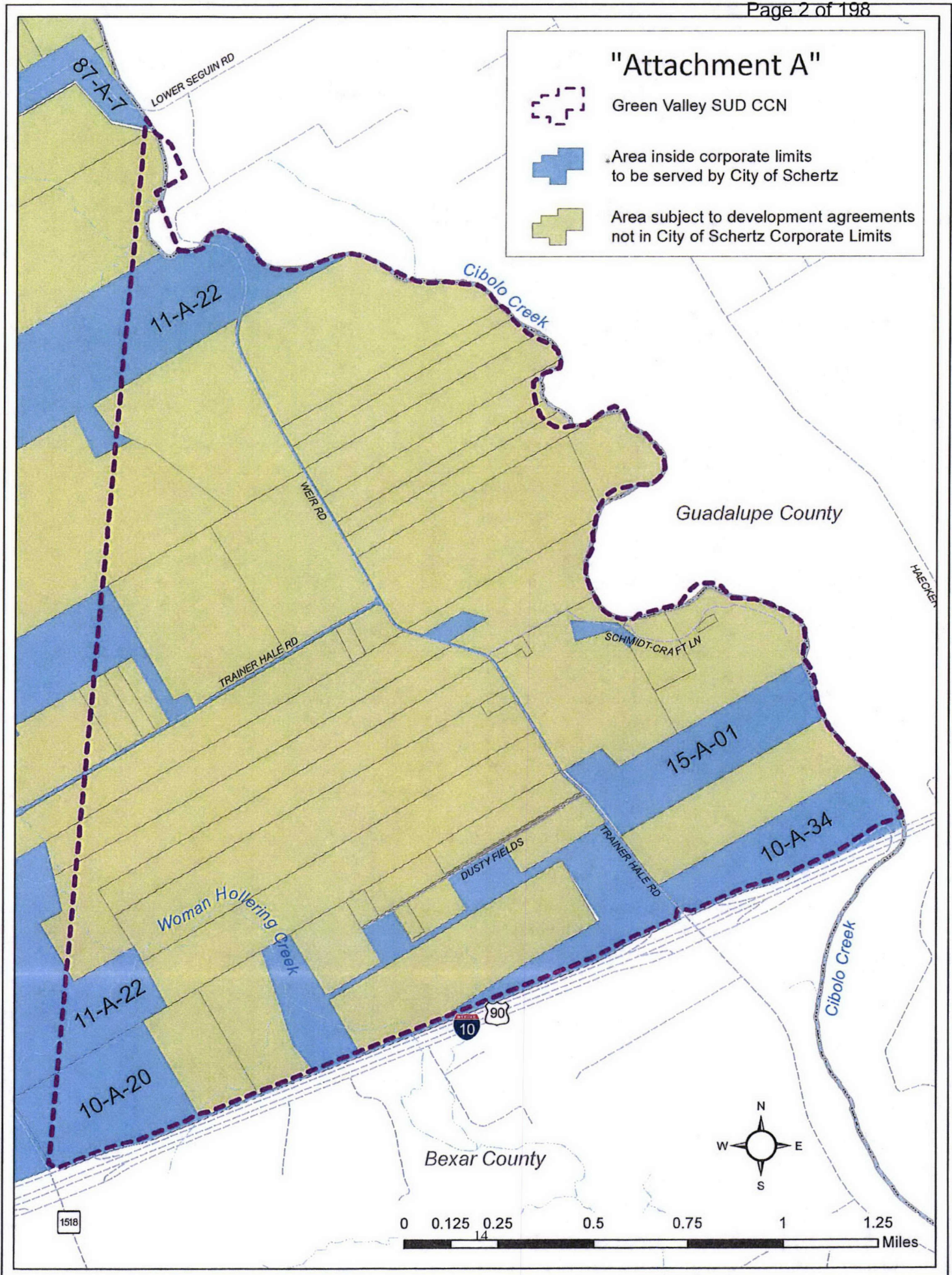
We look forward to discussing the terms of an agreement between the City and Green Valley SUD, which will detail the arrangement between the parties for the City's provision of retail sewer service to the Transfer Tracts. If you have any questions, please contact David Klein at (512) 322-5818.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Kessel", written over a horizontal line.

John C. Kessel  
City Manager





**“Attachment B”**



Certificate of Convenience and Necessity No. 20271

**City Of Schertz  
Amended Sewer CCN 20271  
Addition  
Bexar County, Texas  
June 10, 2015 Project No. 1123.3805**

The State Legislature, through House Bill 2876 (effective September 1, 2005), require that all entities holding a sewer purveyor's CCN up-date said map with metes and bounds description therein. The following is a meets and bounds description, describing the City Of Schertz Sewer Service Area CCN accordingly.

Being 2,088.69 acres of land situated in Bexar County, Texas. The said 2,088.69 acre tract being more particularly described in metes and bounds as follows:

**Beginning:** at a point for the Southeastern corner of the City of Schertz City Limits at the intersection of the center of Cibolo Creek and the Northern line of Interstate Highway 10 on the Western line of the City of Cibolo City Limits and a common line of the Bexar and Guadalupe Counties, Texas;

**Thence:** along the Northern line of Interstate Highway 10 and the Southern line of the City of Schertz City Limits as follows:

- S 70°51'04" W – 342.69 feet;
- S 57°05'42" W – 683.55 feet;
- S 66°11'03" W – 840.02 feet;
- S 73°15'07" W – 503.80 feet;
- S 66°11'03" W – 838.90 feet to a point at the flair cutback of Weir Road and Interstate Highway 10;
- N 78°07'57" W – 140.00 feet along the cutback flair of Weir Road and Interstate Highway 10;
- S 78°25'11" W – 61.77 feet across Weir Road;
- S 11°53'03" W – 116.68 feet along a cutback flair of Weir Road and Interstate Highway 10;
- S 66°11'03" W – 322.19 feet;

Certificate of Convenience and Necessity No. 20271

S 67°11'24" W – 206.32 feet;  
S 68°29'13" W – 116.77 feet;  
S 63°03'30" W – 670.90 feet;  
S 68°20'16" W – 5713.57 feet;  
S 77°51'51" W – 104.19 feet;  
S 68°21'36" W – 150.03 feet;  
S 59°49'50" W – 101.12 feet;  
S 68°21'36" W – 729.22 feet;  
S 76°07'30" W – 407.00 feet;  
S 68°21'36" W – 756.66 feet to a cutback flair at F.M. 1518 and Interstate Highway 10;  
N 71°04'54" W – 151.79 feet along a cutback flair at F.M. 1518 and Interstate Highway 10;

**Thence:** Departing Interstate Highway 10 and the Southern line of the City of Schertz City Limits N 05°12'00" E – 14532.92 feet to a point in the center of Cibolo Creek, being the Common line of the City of Schertz and City of Cibolo City limits along with the common line of Bexar and Guadalupe Counties;

**Thence:** S 33°41'04" E – 248.27 feet along the center of Cibolo Creek, the common line of the City of Schertz and the City of Cibolo City Limits and the common line of Bexar and Guadalupe Counties;

**Thence:** Along continuing with the center of Cibolo Creek, the common line of the City of Schertz ETJ and the City of Cibolo City Limits and the common line of Bexar and Guadalupe Counties as follows;

S 54°25'18" E – 263.17 feet;  
S 23°37'01" E – 480.85 feet;  
S 61°55'53" W – 455.78 feet;  
S 21°58'31" E – 883.43 feet to a point for a corner of the City of Schertz City Limits, a corner of the City of Schertz ETJ, a common corner with the City of Cibolo City Limits along with Bexar and Guadalupe Counties;

**Certificate of Convenience and Necessity No. 20271**

**Thence:** Continuing with the center of Cibolo Creek, a common line of the City of Schertz and the City of Cibolo City Limits and the common line of Bexar and Guadalupe Counties as follows;

N 53°18'45" E – 19.45 feet;  
S 84°27'14" E – 91.80 feet;  
N 88°51'57" E – 123.84 feet;  
N 69°04'39" E – 133.87 feet;  
N 18°16'09" E – 155.74 feet;  
N 54°49'19" E – 116.60 feet;  
N 78°11'54" E – 106.93 feet;  
S 63°29'34" E – 95.67 feet;  
S 62°59'21" E – 127.37 feet;  
S 57°52'39" E – 112.98 feet;  
S 45°00'09" E – 138.45 feet;  
S 41°38'09" E – 107.17 feet;  
S 34°19'58" E – 110.47 feet;  
S 55°37'20" E – 102.45 feet;  
S 64°03'56" E – 97.58 feet;  
S 82°59'04" E – 145.72 feet;  
S 89°06'17" E – 142.42 feet;  
N 84°42'48" E – 116.70 feet;  
N 71°50'55" E – 113.22 feet;  
N 67°52'03" E – 201.82 feet;  
N 70°55'35" E – 225.41 feet;  
N 72°07'22" E – 129.70 feet;  
S 83°32'31" E – 106.20 feet to a corner of the City of Schertz City Limits, a corner of the City of Schertz ETJ, a common corner of the City of Cibolo City Limits, a corner of Bexar and Guadalupe Counties;

**Thence:** Continuing with the center of Cibolo Creek, a common line of the City of Schertz ETJ, the City of Cibolo City Limits and the common line of Bexar and Guadalupe Counties as follows;

Certificate of Convenience and Necessity No. 20271

S 73°47'33" E – 178.31 feet;  
S 66°58'14" E – 180.49 feet;  
S 58°16'07" E – 141.01 feet;  
S 66°48'11" E – 144.22 feet;  
S 66°44'03" E – 171.78 feet;  
S 64°50'34" E – 115.07 feet;  
S 77°04'29" E – 98.77 feet;  
S 82°45'27" E – 101.16 feet;  
N 86°41'55" E – 82.20 feet;  
N 78°41'28" E – 88.51 feet;  
S 86°34'01" E - 79.05 feet;  
S 81°39'25" E - 119.62 feet;  
S 84°33'36" E - 99.87 feet  
S 83°28'50" E - 111.19 feet;  
S 86°49'14" E - 85.35 feet;  
S 68°27'39" E - 64.47 feet;  
S 52°13'35" E - 79.86 feet;  
S 50°00'13" E - 103.99 feet;  
S 33°24'39" E - 88.85 feet;  
S 49°49'22" E - 92.94 feet;  
S 53°49'23" E - 130.99 feet;  
S 39°33'44" E - 94.15 feet;  
S 25°30'57" E - 76.93 feet;  
S 45°54'42" E - 70.31 feet;  
S 47°16'26" E - 191.69 feet;  
S 61°35'48" E - 175.82 feet;  
S 66°37'01" E - 190.84 feet;  
S 46°38'20" E - 117.21 feet;  
S 23°12'01" E - 120.17 feet;  
S 06°45'13" W - 120.76 feet;  
S 61°08'46" W - 88.29 feet;

Certificate of Convenience and Necessity No. 20271

S 77°37'14" W - 132.48 feet;  
S 50°39'03" W - 102.04 feet;  
S 50°49'21" W - 105.70 feet;  
S 02°53'31" E - 156.42 feet;  
S 12°11'30" E - 181.52 feet;  
S 21°41'27" E - 149.44 feet;  
S 48°36'40" E - 124.10 feet;  
S 59°59'51" E - 129.38 feet;  
S 86°30'40" E - 129.64 feet;  
N 74°44'47" E - 71.97 feet;  
N 88°59'41" E - 89.97 feet;  
N 84°41'14" E - 137.18 feet;  
N 54°05'32" E - 80.47 feet;  
N 50°47'16" E - 167.59 feet;  
N 55°53'16" E - 105.74 feet;  
N 69°44'43" E - 126.43 feet;  
S 72°42'04" E - 90.22 feet;  
S 46°38'48" E - 76.81 feet;  
S 18°26'12" E - 88.48 feet;  
S 15°06'06" E - 73.03 feet;  
S 38°39'18" E - 90.60 feet;  
S 60°01'13" E - 75.85 feet;  
S 69°26'45" E - 53.98 feet;  
S 76°27'54" E - 70.18 feet;  
S 46°38'21" E - 62.56 feet;  
S 31°49'45" E - 86.24 feet;  
S 40°47'56" E - 119.19 feet;  
S 35°09'08" E - 109.36 feet;  
S 21°53'43" E - 91.53 feet;  
S 06°55'39" E - 85.55 feet;  
S 14°25'18" W - 57.37 feet;

Certificate of Convenience and Necessity No. 20271

S 36°13'09" W - 73.61 feet;  
S 43°24'42" W - 82.00 feet  
S 55°19'34" W - 104.58 feet;  
S 84°30'35" W - 43.91 feet;  
N 86°06'00" W - 72.82 feet;  
S 85°36'07" W - 86.11 feet;  
S 77°45'12" W - 199.36 feet;  
S 78°41'28" W - 99.61 feet;  
S 58°43'10" W - 94.37 feet;  
S 48°25'41" W - 97.80 feet;  
S 29°13'55" W - 153.98 feet;  
S 14°30'24" W - 136.76 feet;  
S 12°24'17" W - 227.49 feet;  
S 05°49'37" E - 117.10 feet;  
S 08°44'49" W - 93.81 feet;  
S 25°47'44" W - 182.97 feet;  
S 05°42'40" W - 167.25 feet;  
S 15°26'27" E - 129.49 feet;  
S 19°26'32" E - 107.15 feet;  
S 27°38'27" E - 98.47 feet;  
S 30°33'47" E - 144.95 feet;  
S 32°40'27" E - 129.92 feet;  
S 56°47'15" E - 119.36 feet;  
S 71°59'37" E - 162.72 feet;  
N 89°30'02" E - 150.70 feet;  
N 51°14'46" E - 106.59 feet;  
N 75°57'53" E - 259.29 feet;  
N 74°03'22" E - 205.23 feet;  
N 73°20'17" E - 140.58 feet;  
N 35°01'27" E - 121.04 feet;  
N 38°20'07" E - 121.45 feet;

Certificate of Convenience and Necessity No. 20271

N 51°20'35" E - 98.48 feet;  
N 80°32'19" E - 93.55 feet;  
N 88°50'35" E - 152.29 feet;  
S 65°52'52" E - 112.90 feet;  
S 42°23'11" E - 70.08 feet;  
S 44°40'17" E - 149.12 feet;  
S 84°58'10" E - 154.04 feet;  
S 87°14'29" E - 162.87 feet;  
S 75°48'09" E - 167.80 feet;  
S 65°12'24" E - 216.52 feet;  
S 61°34'34" E - 242.92 feet;  
S 49°48'38" E - 148.81 feet;  
S 04°32'54" E - 173.01 feet;  
S 08°14'51" W - 136.64 feet;  
S 06°36'49" W - 136.13 feet;  
S 32°08'53" E - 114.44 feet;  
S 33°12'31" E - 128.83 feet;  
S 15°26'52" E - 154.53 feet;  
S 05°33'12" E - 141.77 feet;  
S 07°19'36" E - 138.32 feet;  
S 25°20'54" E - 123.61 feet;  
S 24°43'17" E - 150.14 feet;  
S 24°30'32" E - 116.09 feet;  
S 39°04'38" E - 148.71 feet;  
S 39°49'28" E - 296.92 feet;  
S 50°56'53" E - 303.47 feet;  
S 42°22'42" E - 250.29 feet;  
S 39°35'18" E - 289.91 feet;  
S 29°08'11" E - 220.26 feet;  
S 17°39'06" E - 118.06 feet;

**Certificate of Convenience and Necessity No. 20271**

**Thence:** S 17°39'06" W – 118.06 feet continuing along line to the **POINT OF BEGINNING** and containing 2088.69 acres of land.

***The Acreage and Distances shown are based on Lambert Grid, Texas South Central Zone, NAD 83.***



ORDINANCE NO. 87-A-12

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE BOUNDARY  
LINES OF THE CITY OF SCHERTZ, TEXAS BY THE  
ANNEXATION OF A TRACT OF LAND CONTAINING  
107.63 ACRES OF LAND, OUT OF BEXAR COUNTY.

WHEREAS, the hereafter described tract of land adjoins  
the corporate limits of the City of Schertz, Texas, and does not  
exceed one (1) mile in width; and

WHEREAS, public hearings on the question of whether  
said land should be annexed to and become a part of the City of  
Schertz, Texas, were duly called and notice thereof given and  
said public hearings have been had, all in accordance with law;  
and

WHEREAS, by the passage of this ordinance, annexation  
of said territory will have been brought to completion within  
ninety (90) days of the institution of annexation proceedings;  
and

WHEREAS, the City Council of the City of Schertz,  
Texas, is of the opinion and finds that such territory is  
suitable for municipal purposes and that it is in the best  
interest of the City of Schertz, Texas, and the citizens and  
inhabitants thereof that said territory be annexed to and made a  
part of said City; and

WHEREAS, the City Council has directed the City Manager  
to prepare a service plan that provides for the extension of  
municipal services into the area to be annexed in accordance with  
law; NOW THEREFORE,

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

I

THAT the following described territory containing  
107.63 acres of land lying adjacent to and adjoining the City of  
Schertz, Texas, be and the same is hereby added and annexed to  
the City of Schertz, Texas, and said territory shall hereinafter  
be included within the boundary limits of said City and the  
various points contiguous to the area described are hereby  
altered and amended so as to include said land and territory  
within the corporate limits of the City of Schertz, Texas; said  
land being more particularly described by metes and bounds as  
follows:

Project No. 1121.69  
July 28, 1986

PROPOSED ANNEXATION  
LOWER SEGUIN ROAD  
107.630 ACRES

FIELDNOTE DESCRIPTION of 107.630 acres of land being in Bexar County, Texas; being in part out of the Julian Diaz Survey No. 66 Abstract No. 187, F. Rodriguez Abstract No. 609 and M.S. Bennett Abstract No. 6, Bexar County, Texas; said property being described is East of the existing City Limits Line of the City of Schertz as annexed by Ordinance No. \_\_\_\_\_. dated July 1, 1986 along the right-of-way line of Lower Seguin road to a depth of 250 feet in a Northerly and Southerly direction from the center line of Lower Seguin Road between F.M. 1518 and the Cibolo Creek:

BEGINNING at a point on the existing City Limits Line of the City of Schertz, as annexed by Ordinance No. \_\_\_\_\_, dated July 1, 1986, said point being on the East right-of-way line of F.M. 1518 and the South right-of-way line of Lower Seguin Road;

THENCE, North  $10^{\circ}11'00''$  West, 387.30 feet along the existing City Limits Line of the City of Schertz and East right-of-way line of F.M. 1518 to a point being the Northwest corner of this tract;

THENCE, North  $59^{\circ}10'00''$  East, 930.97 feet;

THENCE, South  $86^{\circ}30'00''$  East, 2,740.00 feet;

THENCE, North  $59^{\circ}10'00''$  East, 4,727.27 feet to a point being the Northeast corner of this tract;

THENCE, South  $39^{\circ}53'12''$  East, 423.78 feet;

THENCE, South  $28^{\circ}00'00''$  East, 250.00 feet;

THENCE, South  $44^{\circ}00'00''$  East, 570.00 feet;

THENCE, South  $34^{\circ}00'00''$  East, 450.67 feet to a point being  
the Southeast corner of this tract;

THENCE, North  $78^{\circ}20'00''$  West, 631.66 feet;

THENCE, North  $42^{\circ}20'00''$  West, 761.73 feet;

THENCE, South  $59^{\circ}10'00''$  West, 4,473.21 feet;

THENCE, North  $86^{\circ}30'00''$  West, 2,740.00 feet;

THENCE, South  $59^{\circ}10'00''$  West, 964.95 feet to a point being  
the Southwest corner of this tract;

THENCE, North  $10^{\circ}11'00''$  West, 147.03 feet to the POINT OF  
BEGINNING and containing 107.630 acres of land.

II

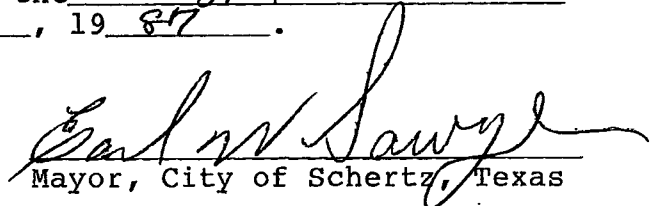
THAT the Service Plan providing municipal services be attached and made a part of this ordinance annexing the area and approved as a part of this ordinance. The Plan shall be construed as a contractual obligation and be valid for ten (10) years and renewal shall be at the discretion of the City of Schertz, Texas.

III

THAT the territory so described and the areas so annexed shall hereafter be a part of the City of Schertz, Texas, and all taxable property situated therein shall hereafter bear its pro rata part of the taxes levied by the City of Schertz, Texas and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the city of Schertz, Texas.

Approved on first reading the 7 day of April, 1987.

PASSED, APPROVED AND ADOPTED this the 21st  
day of April, 1987.

  
Mayor, City of Schertz, Texas

ATTEST:

  
City Secretary, City of Schertz

(SEAL OF CITY)

**SERVICE PLAN PROVIDING FOR MUNICIPAL SERVICES**

- I Pursuant to H.B. 1952, Sixty-Seventh Legislature of the State of Texas, the City of Schertz, Texas, does hereby propose and adopt the following service plan that provides for the extension of city services to land that adjoins the corporate limits of the City of Schertz, Texas. Said land being herein described by legal description and that said land is hereby being considered for annexation by the City of Schertz, Texas; and whereby upon annexation of said land by the City of Schertz, Texas, the plan hereby adopted establishes a contractual obligation between the City of Schertz, Texas, and the registered voters that will be within the territory herein described and proposed to be annexed by the City of Schertz, Tx.
- II This plan applies to a 107.630 acres of land out of Bexar County, described in the attached fieldnotes, metes and bounds and map, and made a part hereof.
- III The City of Schertz, Texas, proposes and adopts the following plan:
  - A. That upon installation of water and sewer lines as required by ordinances of the City, the City will permit those services to be used according to the general standard and scope of those type of services furnished by the City in other areas of the City of Schertz which have characteristics of topography, patterns of land utilization, and population density similar to this area being annexed.
  - B. That law enforcement services, fire department services, and emergency medical services will be provided by the City of Schertz according to the general standard and scope of those services furnished by the City in other areas of the City of Schertz which have characteristics of topography, patterns of land utilization, and population density similar to this area being annexed.
  - C. That garbage collection service will be made available by the City of Schertz according to the same standard and scope of that type of service made available by the City in other areas of the City of Schertz, Texas.

- D. That all other utilities available within the present corporate limits of the City of Schertz will be made available to this area being annexed according to the capabilities of those companies providing those utilities and according to any agreement, contract, or franchise that may exist between those companies and the City of Schertz.
- E. That this area being annexed and the residents thereof are entitled to the amenities of the City of Schertz to the equal degree of the citizens presently within the corporate limits of the City of Schertz.
- F. That the area being annexed and the residents thereof are entitled to and shall be governed by the Charter of the City of Schertz and all statutes, ordinances, policies and any and all other governing directives that exist or may ever exist for those residents presently within the corporate limits of the City of Schertz.
- G. That if this area being annexed is ever disannexed, then only those laws, rules, regulations, ordinances and any and all other governing directives that may apply to areas of land within the extra territorial jurisdiction of the City of Schertz will be in effect.
- H. That it is the intent of the City of Schertz to comply with the laws of the State of Texas that relate to the annexation of territory.
- I. That the provisions of this plan will commence upon the effective date of an approved and adopted ordinance annexing this territory into the corporate limits of the City Schertz.

Project No. 1121.69  
July 28, 1986

PROPOSED ANNEXATION  
LOWER SEGUIN ROAD  
107.630 ACRES

FIELDNOTE DESCRIPTION of 107.630 acres of land being in Bexar County, Texas; being in part out of the Julian Diaz Survey No. 66 Abstract No. 187, F. Rodriguez Abstract No. 609 and M.S. Bennett Abstract No. 6, Bexar County, Texas; said property being described is East of the existing City Limits Line of the City of Schertz as annexed by Ordinance No. \_\_\_\_\_, dated July 1, 1986 along the right-of-way line of Lower Seguin road to a depth of 250 feet in a Northerly and Southerly direction from the center line of Lower Seguin Road between F.M. 1518 and the Cibolo Creek:

BEGINNING at a point on the existing City Limits Line of the City of Schertz, as annexed by Ordinance No. \_\_\_\_\_, dated July 1, 1986, said point being on the East right-of-way line of F.M. 1518 and the South right-of-way line of Lower Seguin Road;

THENCE, North  $10^{\circ}11'00''$  West, 387.30 feet along the existing City Limits Line of the City of Schertz and East right-of-way line of F.M. 1518 to a point being the Northwest corner of this tract;

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THENCE, North  $10^{\circ}11'00''$  West, 147.03 feet to the POINT OF BEGINNING and containing 107.630 acres of land.



**ORDINANCE NO. 10-A-20**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 183.429 ACRES OF LAND BETWEEN FM 1518 AND TRAINER HALE ROAD NORTH OF IH-10 TO A LINE APPROXIMATELY 1,200 TO 2,600 FEET NORTH OF IH-10, ALL IN BEXAR COUNTY, TEXAS; AND RELATED MATTERS**

WHEREAS, the City Council of the City of Schertz (the "City") has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the "Annexed Land"); and

WHEREAS, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.035(c) of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City has complied with all requirements of the Act relating to annexation of the Annexed Land; and

WHEREAS, the City Council of the City finds that (i) the Annexed Land is suitable for municipal purposes and (ii) it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

SECTION 1. The City hereby annexes the Annexed Land described in Exhibit A.

SECTION 2. The Annexed Land shall be included within the City's corporate limits, effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.


SECTION 3. The inhabitants of the Annexed Land shall be entitled to all of the rights and privileges of all the citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 4. This Ordinance shall be in force and effect from and after its final passage.

*[The remainder of this page intentionally left blank.]*

**PASSED AND APPROVED** on first reading the 13<sup>th</sup> day of July, 2010.

**PASSED AND FINALLY APPROVED** on second and final reading the 20<sup>th</sup> day of July, 2010.

  
\_\_\_\_\_  
Mayor

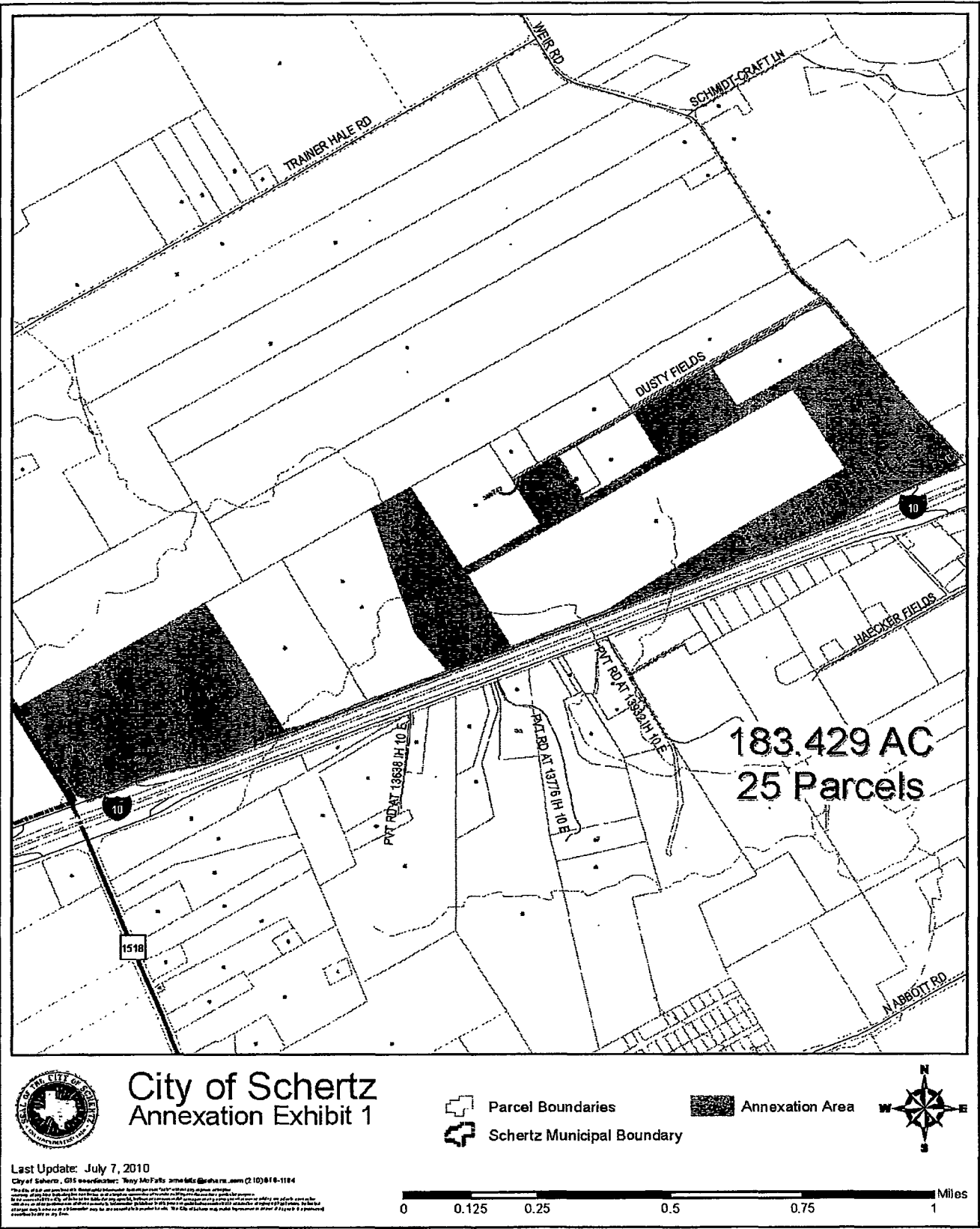
ATTEST:

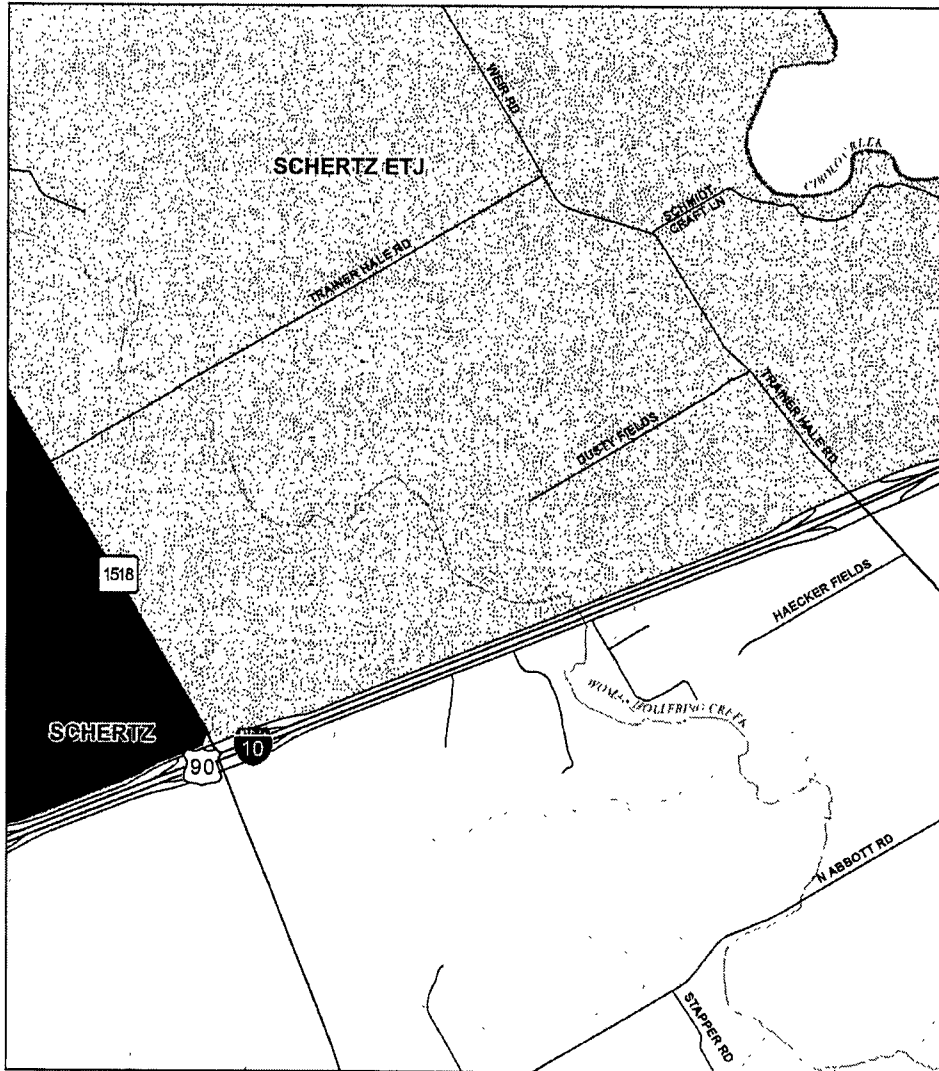
  
\_\_\_\_\_  
City Secretary

[CITY SEAL]

**EXHIBIT A**  
**PROPERTY TO BE ANNEXED**

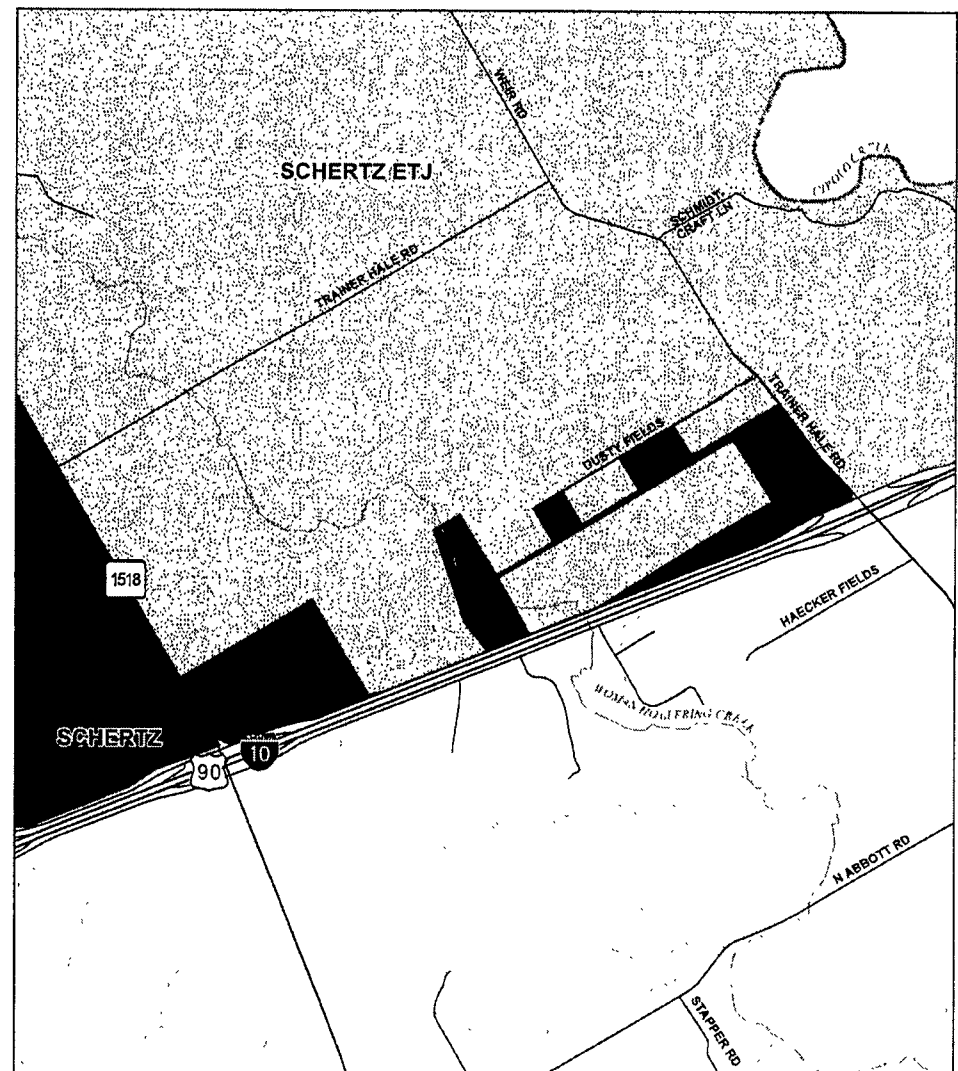
**The property described in shading on the attached map.**





City of Schertz  
Annexation ORD 10-A-20

10/10/2010, 10:27:29 AM  
Map created by: [illegible]  
Map data: [illegible]  
Map scale: [illegible]



Schertz Municipal Boundary  
 Schertz Extraterritorial Jurisdiction Boundary

0 1/4 1/2 1 1 1/2 2 Miles



**CERTIFICATE OF CITY SECRETARY**

THE UNDERSIGNED HEREBY CERTIFIES that:

1. On the 20th day of July, 2010, the City Council (the "Council") of the City of Schertz, Texas (the "City") convened in regular session in the regular meeting place of the City at the City Hall (the "Meeting"), the duly constituted members of the Council being as follows:

Harold D. Baldwin	Mayor
Cedric Edwards	Mayor Pro Tem
Jim Fowler	Councilmember
David Scagliola	Councilmember
Council Place 3	Vacant

and all of such persons were present at the Meeting, except the following: Councilmember Michael Carpenter, thus constituting a quorum. Among other business considered at the Meeting, the attached Ordinance (the "Ordinance") entitled:

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 183.429 ACRES OF LAND BETWEEN FM 1518 AND TRAINER HALE ROAD NORTH OF IH-10 TO A LINE APPROXIMATELY 1,200 TO 2,600 FEET NORTH OF IH-10, ALL IN BEXAR COUNTY, TEXAS; AND RELATED MATTERS**


was introduced and submitted to the Council for passage and adoption. After presentation and discussion of the Ordinance, a motion was made by Councilmember Jim Fowler that the Ordinance be finally passed and adopted in accordance with the City's Home Rule Charter. The motion was seconded by Mayor Pro Tem Cedric Edwards and carried by the following vote:

3 voted "For" 0 voted "Against" 0 abstained

all as shown in the official Minutes of the Council for the Meeting.

2. The attached Ordinance is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the Council on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Council was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Ordinance would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Ordinance, was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the City, this 28th day of January, 2011.

  
City Secretary

(CITY SEAL)

Copy

**ORDINANCE NO. 10-A-20**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 183.429 ACRES OF LAND BETWEEN FM 1518 AND TRAINER HALE ROAD NORTH OF IH-10 TO A LINE APPROXIMATELY 1,200 TO 2,600 FEET NORTH OF IH-10, ALL IN BEXAR COUNTY, TEXAS; AND RELATED MATTERS**

WHEREAS, the City Council of the City of Schertz (the "City") has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the "Annexed Land"); and

WHEREAS, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.035(c) of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City has complied with all requirements of the Act relating to annexation of the Annexed Land; and

WHEREAS, the City Council of the City finds that (i) the Annexed Land is suitable for municipal purposes and (ii) it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

SECTION 1. The City hereby annexes the Annexed Land described in Exhibit A.

SECTION 2. The Annexed Land shall be included within the City's corporate limits, effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.

SECTION 3. The inhabitants of the Annexed Land shall be entitled to all of the rights and privileges of all the citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 4. This Ordinance shall be in force and effect from and after its final passage.

*[The remainder of this page intentionally left blank.]*

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



February 17, 2011

Ms. Brenda Dennis  
City Secretary  
City of Schertz  
1400 Schertz Pkwy  
Schertz, TX 78154-1634

Dear Ms. Dennis:

We have received Schertz annexation ordinance nos. 08-A-03, 09-A-38, 10-A-01, 10-A-10, 10-A-19, 10-A-20, 10-A-33, 10-A-34, and the map indicating the property annexed into the City of Schertz.

The local sales and use tax will become effective April 1, 2011 in the areas indicated on the map.

If you have any questions or need more information, please call me toll free at (800) 531-5441, ext. 51907. My direct number is (512) 475-1907.

Sincerely,

A handwritten signature in cursive script that reads "Josh Hastie".

Josh Hastie  
Revenue Accounting Division  
Tax Allocation Section





LT1-81-20110022916-1

SCANNED

**ORDINANCE NO. 10-A-20**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 183.429 ACRES OF LAND BETWEEN FM 1518 AND TRAINER HALE ROAD NORTH OF IH-10 TO A LINE APPROXIMATELY 1,200 TO 2,600 FEET NORTH OF IH-10, ALL IN BEXAR COUNTY, TEXAS; AND RELATED MATTERS**

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WHEREAS, the City has complied with all requirements of the Act relating to annexation of the Annexed Land; and

WHEREAS, the City Council of the City finds that (i) the Annexed Land is suitable for municipal purposes and (ii) it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

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SECTION 4. This Ordinance shall be in force and effect from and after its final passage.

*[The remainder of this page intentionally left blank.]*



LT2-14841-978-9

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law  
STATE OF TEXAS, COUNTY OF BEXAR  
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped herein by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

**FEB 08 2011**



*Gerard Rickhoff*  
COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20110022916 Fees: \$41.00  
02/08/2011 10:55AM # Pages 9  
Filed & Recorded in the Official Public  
Records of BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK

**RECORDER'S MEMORANDUM**  
AT THE TIME OF RECORDATION, THIS  
INSTRUMENT WAS FOUND TO BE INADEQUATE  
FOR THE BEST PHOTOGRAPHIC REPRODUCTION  
BECAUSE OF ILLEGIBILITY, CARBON OR  
PHOTO COPY, DISCOLORED PAPER ETC.



U.S. Department of Justice  
Civil Rights Division

TCH:RSB:JR:SMC:tst  
DJ 166-012-3  
2010-3189  
2010-3290

Voting Section - NWB  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

September 27, 2010

W. Jeffrey Kuhn, Esq.  
Michael L. Spain, Esq.  
Fulbright & Jaworski  
300 Convent Street, Suite 2200  
San Antonio, Texas 78205-3792

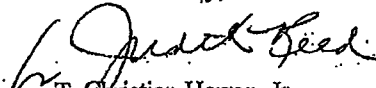
Dear Messrs. Kuhn and Spain:

This refers to two annexations (Ordinance Nos. 10-A-19 and 10-A-20 (2010)); and the joint election procedures for the November 2, 2010, special bond and tax election, including conduct by the counties and use of the counties' early voting locations and hours, for the City of Schertz in Bexar, Comal, and Guadalupe Counties, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on August 10 and 13, 2010.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41 and 51.43.

We have reviewed the joint election procedures, including the conduct of elections by the counties and the use of counties' early voting locations and hours, as a recurrent practice pursuant to the Procedures for the Administration of the Voting Rights Act of 1965, 28 C.F.R. 51.14. Thus, the city need not submit future implementation of this same practice. Should the city cancel a general election because there are unopposed candidates, Section 4 review of that decision is required. 28 C.F.R. 51.2. However, a policy that cancels all uncontested elections may be implemented and reviewed under Section 5 as a recurrent practice.

Sincerely,

  
T. Christian Herren, Jr.  
Chief, Voting Section

**ORDINANCE NO. 10-A-34**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 62± ACRES OF LAND NORTH OF INTERSTATE 10 BETWEEN TRAINER HALE ROAD AND CIBOLO CREEK, ALL IN BEXAR COUNTY, TEXAS; AND RELATED MATTERS**

WHEREAS, the City Council of the City of Schertz (the "City") has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the "Annexed Land"); and

WHEREAS, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.035(c) of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City has complied with all requirements of the Act relating to annexation of the Annexed Land including preparation of an Annexation Service Plan attached hereto as Exhibit B; and

WHEREAS, the City Council of the City finds that (i) the Annexed Land is suitable for municipal purposes and (ii) it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

SECTION 1. The City hereby annexes the Annexed Land described in Exhibit A and approves the Annexation Service Plan attached hereto as Exhibit B.

SECTION 2. The Annexed Land shall be included within the City's corporate limits, effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.

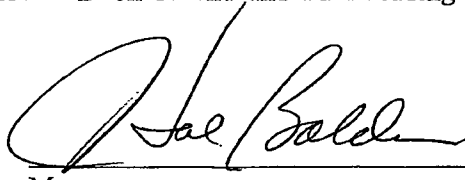
SECTION 3. The inhabitants of the Annexed Land shall be entitled to all of the rights and privileges of all the citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 4. This Ordinance shall be in force and effect from and after its final passage.

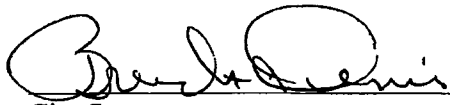
*[The remainder of this page intentionally left blank.]*

**PASSED AND APPROVED** on first reading the 2<sup>nd</sup> day of November, 2010.

**PASSED AND FINALLY APPROVED** on second and final reading the 9<sup>th</sup> day of November, 2010.

  
\_\_\_\_\_  
Mayor

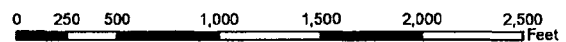
ATTEST:

  
\_\_\_\_\_  
City Secretary

[CITY SEAL]

**EXHIBIT A**  
**PROPERTY TO BE ANNEXED**

**The property described in green shading on the attached map.**



**EXHIBIT B**  
**ANNEXATION SERVICE PLAN**

**See attached**



## **CITY OF SCHERTZ, TEXAS**

### **ANNEXATION SERVICE PLAN**

#### **AREA ANNEXED**

Approximately 62± acres located immediately north of Interstate Highway 10 and between FM 1518 and Trainer Hale Road, all in Bexar County, Texas, as shown on the map on file with the City Secretary.

#### **INTRODUCTION**

This service plan has been prepared in accordance with Local Government Code Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City at the following levels and in accordance with the following schedule.

#### **POLICE PROTECTION**

Patrolling, responses to calls, and other police services will be provided on the effective date of the annexation at the same level as provided throughout the City.

#### **FIRE PROTECTION AND FIRE PREVENTION**

Fire protection and fire prevention services will be provided on the effective date of the annexation at the same level as provided throughout the City.

#### **EMERGENCY MEDICAL SERVICES**

Emergency medical services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City.

#### **SOLID WASTE COLLECTION AND DISPOSAL**

Solid waste collection and disposal services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City. However, no obligation exists for the City to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider.

#### **OPERATION AND MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY**

Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City.

#### **OPERATION AND MAINTENANCE OF ROADS AND STREETS**

Operation and maintenance of roads and streets will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the City.

### **STREET LIGHTING**

Street lighting will be made available on the effective date of the annexation on the same basis and at the same level in comparable areas as provided throughout the City.

### **OPERATION AND MAINTENANCE OF PUBLIC PARKS AND OTHER PUBLICLY OWNED FACILITIES**

If any public park, playground, swimming pool, or any other publicly owned facility, building or service is located within the annexed area, it will be maintained on the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the City.

### **OTHER SERVICES**

Other services that may be provided by the City such as planning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available on the effective date of the annexation on the same basis and at the same level as provided throughout the City.

### **CAPITAL IMPROVEMENTS**

The City will make available to the annexed area any necessary water, sewer, street, and drainage facilities within four and one-half (4-1/2) years of the effective date of the annexation unless the construction of the necessary facilities is interrupted by circumstances beyond the control of the city, or unless this period is extended by an arbitration decision. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with Local Government Code Ch. 395. Construction of other capital improvements shall be considered by the City in the future as the needs dictate on the same basis as such capital improvements are considered throughout the City.

### **UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED**

Nothing in this plan shall require the City to provide a uniform level of full municipal services in any of the above service categories to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

### **TERM**

This service plan shall be valid for a term of ten (10) years.

### **AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Local Government Code Section 43.0561.

**FULBRIGHT**  
*& Jaworski L.L.P.*  
Attorneys at Law

**Michael L. Spain**  
*Partner*

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300 Convent Street, Suite 2100 • San Antonio, Texas 78205-3792  
mspain@fulbright.com • Direct: 210 270 7184 • Main: 210 224 5575 • Facsimile: 210 270 7205

January 4, 2011

**VIA FEDERAL EXPRESS**

Mr. Chris Herren  
Chief, Voting Section, Civil Rights Division  
United States Department of Justice  
Room 7254 - NWB  
1800 G Street N.W.  
Washington, DC 2006

Re: Submission for preclearance relating to annexation of land undertaken by action on  
November 9, 2010 by the City of Schertz, Texas

Dear Mr. Herren:

On behalf of our client, the City of Schertz, Texas (the "Submitting Party"), we make the following submission under Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c, and in accordance with the provisions of 28 C.F.R. § 51 et seq., for preclearance of the boundary changes described below as a change affecting voting.

Background

The Submitting Party is a home-rule municipality organized pursuant to Article XI, Section 5 of the Constitution of the State of Texas. The Submitting Party operates pursuant to its Home Rule Charter and general law.

The Submitting Party is governed by a mayor and five councilmembers elected by the qualified voters within the Submitting Party on the uniform election date of each May in each calendar year for two-year staggered terms. The mayor and all councilmembers are elected at large. The Submitting Party may also call bond elections to authorize the issuance of ad valorem tax supported bonds, to amend the Submitting Party's Home Rule Charter, and for certain other purposes.

This submission is being made to obtain preclearance for two annexations of property into the City. All prior annexations have been precleared by your office.

50380790.1

AUSTIN • BEIJING • DALLAS • DENVER • DUBAI • HONG KONG • HOUSTON • LONDON • LOS ANGELES  
MINNEAPOLIS • MUNICH • NEW YORK • RIYADH • SAN ANTONIO • ST. LOUIS • WASHINGTON DC  
[www.fulbright.com](http://www.fulbright.com)

Mr. Chris Herren  
January 4, 2011  
Page 2

We hereby submit, on behalf of the Submitting Party, the following information (paragraphed to correspond with the requirements described in 28 C.F.R. §§ 51.27-28) with respect to changes affecting voting implemented by the Submitting Party on November 9, 2010:

Required Contents

(a) A copy of the ordinances (the "Ordinances") adopted on November 9, 2010 embodying the changes affecting voting are attached hereto as Exhibit A.

(b) The voting practice prior to the adoption of the Ordinances described above has not been repealed, amended, or otherwise changed.

(c) The Ordinances extend the boundaries of the Submitting Party to include an additional approximately 381 acres of land (the "Annexed Area"). The property owners of several parcels located in the vicinity of the Annexed Area were eligible for, and accepted, statutory development agreements with the Submitting Party in lieu of annexation. Those development agreements excepted those parcels from the Submitting Party's November 9 annexations and resulted in odd boundary lines, as can be seen on Exhibit B. The City estimates that 44<sup>1</sup> eligible voters reside in the Annexed Area.

(d) This submission is being made by Michael E. Spain, Fulbright & Jaworski L.L.P., 300 Convent Street, Suite 2100, San Antonio, Texas 78205 (210/270-7184), as legal counsel to the Submitting Party.

(e) The name of the Submitting Party is the City of Schertz, Texas. The Submitting Party is responsible for the change.

(f) The Submitting Party is located in the Counties of Guadalupe, Bexar, and Comal, Texas. A portion of the Annexed Area is located in Comal County, Texas, a portion of the Annexed Area is located in Guadalupe County, Texas, and the remainder of the Annexed Area is located in Bexar County, Texas.

(g) The City Council (the "Council") of the Submitting Party is responsible for making the change and has effected the change by adopting the Ordinances.

(h) The Submitting Party undertakes to make the change affecting voting pursuant to Section 1.02(b) of its Home Rule Charter and Chapter 43, Texas Local Government Code, as amended, which governs municipal annexation. In deciding to annex the area described in the Ordinance, the Submitting Party was required to (i) conduct two public hearings for which notice

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<sup>1</sup> This estimate was calculated by multiplying the total number of annexed parcels (15 parcels) by 2.89 persons per household, which number was obtained from official U.S. Census data as of 2008 as the average City household size. The above estimate assumes that all estimated residents are eligible voters. The Submitting Party believes that some of the 15 parcels are agricultural or commercial parcels, which should result in reducing the above estimate of eligible voters.

Mr. Chris Herren  
January 4, 2011  
Page 3

must be, and was, properly given and at which people interested in the annexation must be, and were, given the opportunity to be heard; and (ii) direct the appropriate individuals to propose and present a service plan that provides for the extension of municipal services to the Annexed Area and to make such service plan available for discussion at the two public hearings. Such service plan was prepared and available when required. Pursuant to Section 551.043, Texas Government Code, as amended, notices of the meetings of the Council at which the Ordinances were considered are required to be, and were, posted at a place convenient to the public within the Submitting Party and within the administrative office of the Submitting Party at least 72 hours prior to each of the meetings.

(i) The date of adoption of the proposed changes affecting voting was November 9, 2010.

(j) The annexations became effective on November 9, 2010 and the changes affecting voting took effect on such date.

(k) The annexations are complete. No election has been conducted in the Annexed Areas. As noted above, the City estimates that 44 eligible voters reside in the Annexed Area.

(l) See paragraph (c) above. The change will affect the entire jurisdiction of the Submitting Party.

(m) The Submitting Party has undertaken the annexations in order to provide municipal services to the Annexed Area.

(n) The Submitting Party anticipates no effect from the change on members of racial or language minority groups.

(o) No past or pending litigation exists concerning the change or related voting practices.

(p) The prior practice for conducting elections within the Submitting Party has been most recently precleared by a letter dated September 27, 2010. The procedure for the adoption of the change is established by state statute, and submissions for preclearance of such procedure as well as practices required by state statute are, pursuant to 28 C.F.R. § 51.23, the responsibility of the State of Texas.

(q) See Supplemental Contents below.

#### Supplemental Contents

(a) As noted above, the City estimates that 44 eligible voters reside in the Annexed Area. The Submitting Party estimates that prior to the annexation approximately 31,893 persons resided within the Submitting Party. The Submitting Party estimates that after the annexation

Mr. Chris Herren  
January 4, 2011  
Page 4

approximately 31,937 persons currently reside within the Submitting Party. (Based on the 2000 Census, the total population of the Submitting Party was 18,694, the voting age population was 13,211.) Based on the 2000 Census<sup>2</sup>, the Submitting Party estimates that prior to and after the annexation, approximately 82.0% of persons residing in the jurisdiction of the Submitting Party are White, 6.6% Black, 0.5% American Indian and Alaska Native, 1.8% Asian, 0.2% Native Hawaiian and Other Pacific Islanders, and 5.5% Other. Of all such persons, approximately 19.5% are of Hispanic origin.

(b) The boundary map (in duplicate) of the Submitting Party indicating the boundaries of the Submitting Party before and after the annexations is attached as Exhibit B. The Submitting Party comprises one election precinct for purposes of its elections. The property owners of several parcels located in the vicinity of the Annexed Area were eligible for, and accepted, statutory development agreements with the Submitting Party. Those development agreements excepted those parcels from the Submitting Party's November 9 annexations and resulted in odd boundary lines, as can be seen on Exhibit B.

(c) All prior annexations subject to the preclearance requirement have been submitted for review.

The estimation of current population herein was provided by the Council by Resolution dated July 24, 2007 (as adjusted by the estimate described in footnote 1 above). Such 2007 approximation was made based upon a careful review by the City Staff of the Submitting Party of population estimates, forecasts, counts, and analysis from the U.S. Bureau of Census, County Records from Guadalupe County, Bexar County, and Comal County, water utility connection information from all certificated water or waste water service providers serving areas within the corporate limits of the Submitting Party, electric utility service connection information for customers within the corporate limits of the Submitting Party, domestic natural gas service connections for customers located within the corporate limits of the Submitting Party, information on school population for areas located within the corporate limits of the Submitting Party, new building permit issuance records of the Submitting Party from 2004 through July 24, 2007, certificate of occupancy issuance records of the Submitting Party from 2004 through July 24, 2007, and annexation records of the Submitting Party from 2004 through July 24, 2007, together with certain other available records which might assist the City Staff in determining the number of inhabitants of the Submitting Party.

All approximations of land area herein and of the numbers of eligible voters who reside in the Annexed Area were provided to us by John Bierschwale and David Harris, Assistant City Managers of the Submitting Party. Such approximations were made based upon information provided by the Submitting Party's engineer and Director of Development Services.

If there is any further information that might expedite clearance for the change described above, please contact me at 210/270-7184 so that we may respond accordingly.

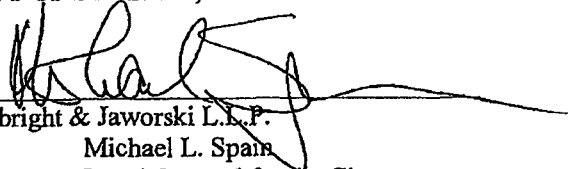
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<sup>2</sup> 2010 Census results have not yet been published for the City.

Mr. Chris Herren  
January 4, 2011  
Page 5

Respectfully submitted,

CITY OF SCHERTZ, TEXAS

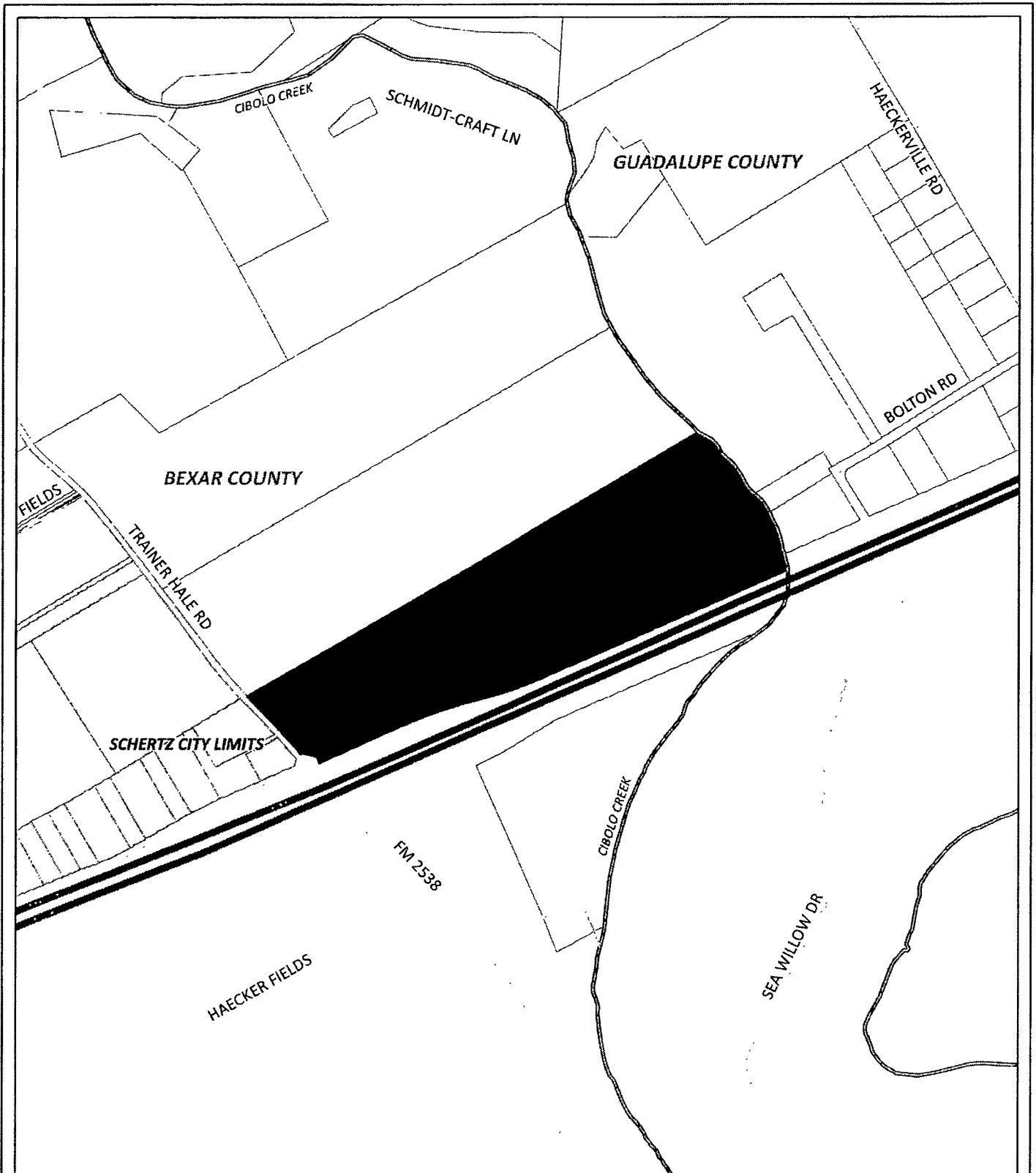
  
Fulbright & Jaworski L.L.P.  
By: Michael L. Spain  
Legal Counsel for the City

Address: Fulbright & Jaworski L.L.P.  
300 Convent Street, Suite 2100  
San Antonio, Texas 78205

Phone Number: 210/270-7184

MLS/mjw  
Attachments

cc: Don Taylor, City Manager, City of Schertz  
John Bierschwale, Assistant City Manager, City of Schertz  
David Harris, Assistant City Manager, City of Schertz  
Michelle Sanchez, Director of Development Services, City of Schertz  
Brenda Dennis, City Secretary, City of Schertz



# City of Schert 62 ± acres north of IH 10 between Trainer Hale Road and the Cibolo Creek

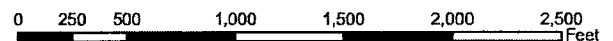
Ordinance  
10-A-34



Last Update: November 2, 2010

City of Schert, GIS coordinator, Tony McFall, amcfalls@schert.com (210) 618-1184

The City of Schert and its employees are not responsible for any errors or omissions in this map. The City of Schert and its employees are not responsible for any damages or losses resulting from the use of this map. The City of Schert and its employees are not responsible for any damages or losses resulting from the use of this map. The City of Schert and its employees are not responsible for any damages or losses resulting from the use of this map.





TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



February 17, 2011

Ms. Brenda Dennis  
City Secretary  
City of Schertz  
1400 Schertz Pkwy  
Schertz, TX 78154-1634

Dear Ms. Dennis:

We have received Schertz annexation ordinance nos. 08-A-03, 09-A-38, 10-A-01, 10-A-10, 10-A-19, 10-A-20, 10-A-33, 10-A-34, and the map indicating the property annexed into the City of Schertz.

The local sales and use tax will become effective April 1, 2011 in the areas indicated on the map.

If you have any questions or need more information, please call me toll free at (800) 531-5441, ext. 51907. My direct number is (512) 475-1907.

Sincerely,

A handwritten signature in black ink, which appears to read "Josh Hastie".

Josh Hastie  
Revenue Accounting Division  
Tax Allocation Section



U.S. Department of Justice  
Civil Rights Division

TCH:RSB:JBG:SHH:tst  
DJ 166-012-3  
2011-0069

Voting Section - NWB  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

February 8, 2011

Michael L. Spain, Esq.  
Fulbright & Jaworski  
300 Convent Street, Suite 2100  
San Antonio, Texas 78205-3792

Dear Mr. Spain:

This refers to two annexations (Ordinance Nos. 10-A-33 and 10-A-34 (2010)) to the City of Schertz in Bexar, Comal and Guadalupe Counties, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on January 5, 2011; supplemental information was received through February 3, 2011.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41 and 51.43.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Christian Herren, Jr.", written over a circular stamp.

P. Christian Herren, Jr.  
Chief, Voting Section

**ORDINANCE NO. 11-A-22**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 3,315± ACRES, LESS CERTAIN PROPERTIES SUBJECT TO DEVELOPMENT AGREEMENTS, LOCATED EAST OF FM 1518, SOUTH OF FM 78, AND NORTH OF I-10, SUBSTANTIALLY ALL OF WHICH IN BEXAR COUNTY, TEXAS, AS DESCRIBED HEREIN; AND RELATED MATTERS**

WHEREAS, the City Council of the City of Schertz (the "City") has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the "Annexed Land"); and

WHEREAS, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.035(c) of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Annexed Land contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract, as defined by Section 43.052(h)(1) of the Act; and

WHEREAS, the City has complied with all requirements of the Act relating to annexation of the Annexed Land including preparation of an Annexation Service Plan attached hereto as Exhibit B; and

WHEREAS, the City Council of the City finds that (i) the Annexed Land is suitable for municipal purposes and (ii) it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

SECTION 1. The City hereby annexes the Annexed Land described in Exhibit A and approves the Annexation Service Plan attached hereto as Exhibit B.

SECTION 2. The Annexed Land shall be included within the City's corporate limits, effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.

SECTION 3. The inhabitants of the Annexed Land shall be entitled to all of the rights and privileges of all the citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 4. This Ordinance shall be in force and effect from and after its final passage.

**PASSED AND APPROVED** on first reading the 2<sup>nd</sup> day of August, 2011.

**PASSED AND FINALLY APPROVED** on second and final reading the 9<sup>th</sup> day of August, 2011.

  
Mayor

ATTEST:

  
City Secretary

[CITY SEAL]

**EXHIBIT A**  
**PROPERTY TO BE ANNEXED**

**Tract One:**

**Metes and Bounds Description**  
**595.18 Acres**

Field notes describing 595.18 acres of land located in the G. Malpez Survey No. 67, Abstract No. 464, Bexar County Block No. 5054, M.S. Bennett Survey No. 75, Abstract No. 61, Bexar County Block No. 5057; the William Bracken Survey No. 74, Abstract No. 43 Bexar County Block No. 5056; the William Bracken Survey No. 65, Bexar County Abstract No. 48, Bexar County Block No. 5055; the Francisco Rodriguez Survey No. 84, Bexar County Abstract No. 609, Bexar County Block No. 5066; the Julian Diaz Survey No. 66, Abstract No. 187, Bexar County Block No. 5059;

**BEGINNING** on the Southeastern line of Schaeffer road on the Northeastern line of the established City of Schertz Ordinance No. 85-A-20 – 83.22 acres, for the Northwestern corner of this 595.18 acres;

**THENCE:** N 59°46'28" E – 1030.85 feet along the Southeastern line of Schaeffer road to a point for a corner of this 595.18 acres;

**THENCE:** N 59°44'42" E – 399.99 feet continuing along the Southeastern line of Schaeffer road to a point for the Northwestern corner of Hillbrook Road, for a corner of this 595.18 acres;

**THENCE:** N 59°46'37" E – 49.98 feet continuing along the Southeastern line of Schaeffer road to a point for the Northeastern corner of Hillbrook Road, for a corner of this 595.18 acres;

**THENCE:** N 59°45'27" E – 544.23 feet continuing along the Southeastern line of Schaeffer road, to a point for the Northwestern corner of the County of Bexar 0.176 acre tract in Volume 14947, Page 594, for a corner of this 595.18 acres;

**THENCE:** N 59°43'27" E – 478.59 feet continuing along the Southeastern line of Schaeffer road, the Northwestern line of the County of Bexar 0.176 acre tract to a point for the Northeastern corner of the Salley S. Hoedebecke 7.61 acre tract in Volume 4752, Page 1947, the Northwestern corner of Edward Hoedebecke 8.00 acre tract in Volume 2293, Page 28, for a corner of this 595.18 acres;

**THENCE:** N 59°46'58" E – 406.67 feet continuing along the Southeastern line of Schaeffer Road, the Northwestern line of the said County of Bexar 0.176 acre tract to a point for the Northeastern corner of the said County of Bexar 0.176 acre tract, the Northeastern corner of the Edward Hoedebecke 8.00 acre tract, the Northwestern corner of

the County of Bexar 0.068 acre tract in Volume 14896, Page 1375, for a corner of this 595.18 acres;

**THENCE:** N 59°31'29" E – 939.12 feet along the Southeastern line of Schaeffer Road, the Northwestern line of the said County of Bexar 0.068 acre tract, the Northwestern line of the County of Bexar 0.060 acre tract in Volume 14968, Page 662 and the Northwestern line of the County of Bexar 0.007 acre tract in Volume 14853, Page 572 to a point for Northeastern corner of the County of Bexar 0.007 acre tract, the Northwestern corner of the County of Bexar 0.102 acre tract in Volume 14941, Page 47, for a point for a corner of this 595.18 acres;

**THENCE:** N 59°36'10" E – 576.83 feet along the Southeastern line of Schaeffer Road, the Northwestern line of the said County of Bexar 0.102 acre tract to a point for the Northwestern corner of the Schertz-Cibolo-Universal City ISD 4.100 acre tract in Volume 14325, Page 2280, for a corner of this 595.18 acres;

**THENCE:** N 59°06'10" E – 177.33 feet along the Southeastern line of Schaeffer Road, the Northwestern line of the said Schertz-Cibolo-Universal City ISD 4.100 acre tract to a point for the Northeastern corner of the said 4.100 acre tract, the Northwestern corner of the remainder of the David Neal Ludwig 79.02 acre tract in Volume 14407, Page 1977, the Southwestern corner of the Issac E. Burnette 33.749 acre tract in Volume 5553, Page 453, for a corner of this 595.18 acres;

**THENCE:** N 29°36'04" W – 449.27 feet along the Northeastern line of Schaeffer Road, the Western line of the said Issac E. Burnette tract to a point for the Northwestern corner of the said Burnette tract, the Southwestern corner of the Lost Meadows Subdivision in Volume 9200, Page 127-128, Plat records for a corner of this 595.18 acres;

**THENCE:** N 57°59'25" E – 2937.02 feet along the Northwestern line of the said Issac E. Burnette tract, the Southeastern line of the said Lost Meadows Subdivision to a point for the Southeastern corner of the said Lost Meadows Subdivision on the Western line of the David A. Young Tract 1 – 10.00 acres in Volume 14086, Page 1488, for a corner of this 595.18 acres;

**THENCE:** N 34°13'04" W – 470.60 feet along the Western line of the said David A. Young Tract 1, the Eastern line of the said Lost Meadows Subdivision to a point on the Southeastern line of Schaeffer Road, for the Northeastern corner of the said Lost Meadows Subdivision, the Northwestern corner of the said David A. Young Tract 1 for a corner of this 595.18 acres;

**THENCE:** N 55°46'56" E – 528.02 feet along the Southeastern line of Schaeffer Road, the Northwestern line of the said David A. Young Tract 1 to a point for a corner of the said David A. Young tract, for a corner of this 595.18 acres;

**THENCE:** N 03°43'24" W – 14.20 feet to a point for a corner of the said David A. Young Tract 1, for a corner of this 595.18 acres;

**THENCE:** N 55°46'56" E – 46.41 feet to a point for a corner of the said David A. Young Tract 1, for a corner of this 595.18 acres;

**THENCE:** N 22°00'03" W – 31.36 feet along the Northeastern line of the said David A. Young Tract 1, to a point on the Southeastern line of that certain 8.62 acre tract called Tract IV conveyed to Bexar County recorded in Volume 9896, Page 856, for a corner of this 595.18 acres;

**THENCE:** S 81°57'37" E – 55.98 feet along the Southern line of the said Bexar County Tract IV – 8.62 acres to a point in the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties for the Southeastern corner of the said 8.62 acres, on the a line of that certain 43.64 acre tract situated in Guadalupe County, Texas called Tract 2 conveyed to Paul Klar in Volume 5047, Page 411 of the Deed Records of Bexar County, Texas, for a corner of this 595.18 acres;

**THENCE:** Along the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties as follows:

S 13°55'52" E – 312.46 feet;  
S 25°01'31" E – 222.22 feet;  
S 54°41'31" E – 277.78 feet;  
S 72°56'31" E – 186.11 feet;  
N 73°18'29" E – 261.11 feet;  
N 58°38'29" E – 294.44 feet;  
N 77°58'29" E – 150.00 feet;

**THENCE:** N 26°04'25" E – 110.38 feet continuing along the centerline of Cibolo Creek, the recognized common line of Bexar and Guadalupe Counties to a point for the Northwestern corner of that certain 71.3 acre tract situated in Bexar County, Texas called Tract 1 conveyed to Paul Klar in Volume 5047, Page 411 for a corner of this 595.18 acres;

**THENCE:** S 30°51'31" E – 1633.33 feet along the Southwestern line of the said Paul Klar Tract 1 – 71.3 acres, the Northeastern line of the David A. Young Tract 2 – 132.26 acres in Volume 14086, Page 1488 to a point for the Southwestern corner of the said 71.3 acres in the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties, Texas, for a corner of this 595.18 acres;

**THENCE:** Along the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties as follows:

N 71°05'31" W - 150.52 feet  
N 71°28'27" W - 227.30 feet  
N 82°17'55" W - 144.37 feet  
N 73°27'03" W - 76.39 feet  
S 86°22'07" W - 249.87 feet  
S 89°22'17" W - 180.11 feet  
N 88°20'56" W - 205.91 feet  
S 87°28'35" W - 88.02 feet  
S 66°34'54" W - 57.25 feet  
S 49°41'52" W - 75.76 feet  
S 41°24'14" W - 137.67 feet  
S 58°34'49" W - 36.93 feet  
N 73°00'55" W - 65.91 feet  
S 63°26'35" W - 101.78 feet  
S 27°06'19" W - 84.55 feet  
S 06°42'51" W - 89.88 feet  
S 11°00'36" E - 64.19 feet  
S 28°49'13" E - 119.86 feet  
S 22°27'55" E - 142.04 feet  
S 35°28'05" E - 77.62 feet  
S 51°21'11" E - 97.17 feet  
S 65°24'10" E - 162.37 feet  
S 67°35'58" E - 144.77 feet  
S 66°49'29" E - 119.20 feet  
S 77°00'39" E - 162.87 feet  
S 75°58'08" E - 186.23 feet  
S 76°26'02" E - 142.42 feet  
S 73°39'23" E - 117.46 feet  
S 65°42'15" E - 88.83 feet  
S 63°44'06" E - 115.04 feet  
S 78°06'58" E - 101.42 feet  
S 86°21'27" E - 142.42 feet  
S 50°01'47" E - 194.79 feet  
S 48°03'06" E - 150.76 feet  
S 63°50'56" E - 78.51 feet  
S 52°43'08" E - 139.88 feet  
S 49°09'39" E - 115.47 feet  
S 40°08'50" E - 117.79 feet  
S 29°22'04" E - 97.24 feet  
S 24°49'34" E - 112.18 feet  
S 19°50'08" E - 65.77 feet  
S 09°59'09" E - 94.15 feet



S 04°30'56" E - 56.55 feet  
S 04°09'24" W - 108.78 feet  
S 08°24'10" W - 109.29 feet  
S 23°21'02" W - 170.46 feet  
S 00°00'00" E - 54.88 feet  
S 15°00'03" E - 96.42 feet  
S 07°48'24" E - 120.82 feet  
S 09°47'53" E - 92.74 feet  
S 14°57'41" E - 120.93 feet  
S 05°50'11" E - 89.82 feet  
S 00°00'00" E - 73.62 feet  
S 04°31'34" E - 93.00 feet  
S 38°57'40" E - 174.65 feet  
S 33°44'01" E - 97.53 feet  
S 32°00'48" E - 96.89 feet  
S 20°39'19" E - 108.17 feet  
S 01°43'12" E - 146.77 feet  
S 17°57'16" E - 112.60 feet  
S 24°44'07" E - 108.61 feet  
S 22°50'28" E - 107.03 feet  
S 01°21'55" E - 163.58 feet  
S 26°51'36" E - 125.47 feet  
S 19°08'33" E - 84.85 feet  
S 04°58'15" E - 75.54 feet  
S 33°22'24" W - 80.32 feet  
S 20°40'57" E - 92.67 feet  
S 05°09'17" E - 144.97 feet  
S 13°37'58" E - 61.04 feet  
S 30°30'41" E - 76.16 feet  
S 45°25'46" E - 87.08 feet  
S 80°32'29" E - 136.73 feet  
S 40°48'51" E - 90.13 feet  
S 17°31'56" E - 67.72 feet

*THENCE:* S 18°04'12" W – 99.59 feet continuing along the centerline of Cibolo Creek, the recognized common line of Bexar and Guadalupe Counties to a point on a line of the Established City of Schertz Ordinance No. 87-A-7 – 107.63 acres, for a corner of this 595.18 acres;

*THENCE:* N 43°46'53" W – 519.99 feet along a line of the Established City of Schertz Ordinance No. 87-A-7 to a point for a corner of the said Ordinance No. 87-A-7, for a corner of this 595.18 acres;

**THENCE:** N 27°46'53" W – 250.00 feet along a line of the Established City of Schertz Ordinance No. 87-A-7 to a point for a corner of the said Ordinance No. 87-A-7, for a corner of this 595.18 acres;

**THENCE:** N 39°40'05" W – 423.78 feet along a line of the Established City of Schertz Ordinance No. 87-A-7 to a point for a corner of the said Ordinance No. 87-A-7, for a corner of this 595.18 acres;

**THENCE:** S 59°23'07" W – 942.07 feet along the Northwestern line of the established City of Schertz Ordinance No. 87-A-07 to a point on the Eastern line of Milton Friesenhahn 11.651 acres in Volume 5058, Page 182, the Western line of the Larry W. and Yvonne Baumann 27.80 acre tract in Volume 11004, Page 11, for a corner of this 595.18 acres;

**THENCE:** N 28°56'19" W – 1277.91 feet along the Eastern line of the said Milton Friesenhahn tract, the Western line of the said Larry W. and Yvonne Baumann tract to a point for the Northeastern corner of the said Milton Friesenhahn tract, a corner of the Delrose W. Baumann and Larry W. Baumann 127.7 acre tract in Volume 1249, Page 563, for a corner of this 595.18 acres;

**THENCE:** S 59°20'09" W – 892.35 feet along a Southern line of the said Delrose W. Baumann and Larry W. Baumann tract, the Northern line of the said Milton Friesenhahn tract, the Northern line of the Donnie K. and Cindy A. Fischer 11.680 acre tract and the Donnie K. and Cindy A. Fischer 70.824 acre tract in Volume 13622, Page 2403 to a point for the Easternmost Southeastern corner of the Milton Friesenhahn remainder of a 135.06 acre tract in Volume 7423, Page 621, the Southwestern corner of the said Baumann tract for a corner of this 595.18 acres;

**THENCE:** N 30°31'09" W – 2297.47 feet along the Western line of the said Delrose W. Baumann and Larry W. Baumann tract, the Eastern line of the Milton Friesenhahn remainder of a 135.06 acre tract to a point for the Northwestern corner of the said Baumann tract, the Northeastern corner of the said Milton Friesenhahn remainder of the 135.06 acre tract on the Southern line of the remainder of the David Neal Ludwig and Janis Ludwig 79.02 acre tract in Volume 14407, Page 1977, for a corner of this 595.18 acres;

**THENCE:** S 49°55'06" W – 1346.19 feet along the Northern line of the said Milton Friesenhahn remainder of a 135.06 acre tract, the Northern line of the Board of Trustees of the Schertz-Cibolo-Universal City Independent School District 25.01 acre tract in Volume 14298, Page 7 to a point for the Southwestern corner of the said Schertz-Cibolo-Universal City ISD 4.100 acre tract in Volume 14325, Page 2280, the Southeastern corner of the Delbert Petoskey 7.00 acre tract in Volume 2811, Page 1726, for a corner of this 595.18 acres;

**THENCE:** S 49°38'06" W – 1101.19 feet along the Northern line of the said Schertz-Cibolo-Universal City ISD tract, to a point for the Northeastern corner of the Schertz-Cibolo-Universal City ISD 0.289 acre tract in Volume 14343, Page 1954 on the Southern line of the Wesley H. Rumpf remainder of a 14.48 acre tract in Volume 6622, Page 358, for a corner of this 595.18 acres;

**THENCE:** S 50°11'57" W – 110.98 feet along the Southern line of the said Wesley H. Rumpf tract, the Northern line of the said Schertz-Cibolo-Universal City ISD 0.289 acre tract to a point for a corner of the Schertz-Cibolo-Universal City ISD 0.708 acre tract in Volume 14343, Page 1960, for a corner of this 595.18 acres;

**THENCE:** Along the Northern line of the said Schertz-Cibolo-Universal City ISD 0.708 acre tract, a curve to the right having a Delta angle of 40°14'19", a Radius of 370.00 feet, an Arc length of 259.85 feet and a Chord bearing of S 83°10'30" W – 254.54 feet to a point for the corner of the said 0.708 acre tract, for a corner of this 595.18 acres;

**THENCE:** N 76°42'20" W – 63.74 feet continuing along the Northern line of the said Schertz-Cibolo-Universal City ISD 0.708 acre tract to a point for a corner of the said 0.708 acre tract, for a corner of this 595.18 acres;

**THENCE:** Continuing along the Northern line of the said Schertz-Cibolo-Universal City ISD 0.708 acre tract, a curve to the left having a Delta angle of 08°14'34", a Radius of 430.00 feet, an Arc length of 61.86 feet and a Chord bearing of N 80°49'38" W – 61.81 feet to a point for the Northern corner of the said 0.708 acre tract, on the Eastern line of the Schertz-Cibolo-Universal City ISD 2.028 acre tract in Volume 14343, Page 1954, the Southwestern corner of the remainder of the said Wesley H. Rumpf 14.48 acre tract, for a corner of this 595.18 acres;

**THENCE:** N 29°48'03" W – 80.22 feet along the Eastern line of the said Schertz-Cibolo-Universal City ISD 2.028 acre tract to a point for the Southeastern corner of the James W. Herrera 15.755 acre tract in Volume 8604, Page 176, for a corner of this 595.18 acres;

**THENCE:** S 60°09'38" W – 1340.90 feet along the Northwestern of the said Schertz-Cibolo-Universal City ISD 2.028 acre tract, the Southeastern line of the Richard W. Castillon Tract 2 – 7.221 acres in Volume 14059, Page 996, to a point for the Northeastern corner of Lot 1, Block 1, Ray D. Corbett Junior High Subdivision in Volume 9600, Page 159-160, plat records, the Northeastern corner of the established City of Schertz Ordinance No. 07-A-33 – 35.874 acres, for a corner of this 595.18 acres;

**THENCE:** S 60°09'38" W – 78.12 feet along the Northwestern line of the said Ray D. Corbett Junior High Subdivision, the Northwestern line of the established City of Schertz Ordinance No. 07-A-33 to a point for the Southeastern corner of Hillbrook Road, for a corner of this 595.18 acres;

***THENCE:*** S 60°21'49" W – 49.71 feet continuing along the Northwestern line of the said Ray D. Corbett Junior High Subdivision, the Northwestern line of the established City of Schertz Ordinance No. 07-A-33 to a point for the Southwestern corner of Hillbrook Road, the Southeastern corner of the Anthony Filla – 2.832 acre tract in Volume 14061, Page 1397, for a corner of this 595.18 acres;

***THENCE:*** S 60°21'49" W – 399.84 feet continuing along the Northwestern line of the said Ray D. Corbett Junior High Subdivision, the Northwestern line of the established City of Schertz Ordinance No. 07-A-33 to a point for the Southwestern corner of the said Anthony Filla – 2.832 acre tract, the Southeastern corner of the Milton Friesenhahn Tract 1 – 5.605 acres in Volume 2103, Page 825, for a corner of this 595.18 acres;

***THENCE:*** N 30°17'07" W – 1750.80 feet to a point for the Northeastern corner of the Schertz-Cibolo-Universal City ISD 24.016 acres in Volume 13003, Page 1746, the Southeastern corner of the Irene F. Acuna 1.16 acre tract in Volume 8575, Page 327, for a corner of this 595.18 acres;

***THENCE:*** S 61°07'50" W – 297.40 feet along the Northern line of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract to a point for a corner of the said 24.016 acre tract, the Southwestern corner of the Raquel and Arturo Carrasco 0.612 acre tract in Volume 7663, Page 862, the Southeastern corner of the Hermelinda A. Licona 0.608 acre tract in Volume 5279, Page 1336, for a corner of this 595.18 acres;

***THENCE:*** S 61°24'33" W – 267.05 feet continuing along the Northern line of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract to a point for a corner of the David T. Hawkins 1.184 acre tract in Volume 14133, Page 717, a corner of the said 24.016 acre tract, for a corner of this 595.18 acres;

***THENCE:*** S 31°05'55" E – 9.43 feet to a point for a corner of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract, a corner of the said David T. Hawkins tract, for a corner of this 595.18 acres;

***THENCE:*** S 60°40'38" W – 264.83 feet continuing along the Northern line of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract to a point for a corner of the said 24.016 acre tract, the Southwestern corner of the remainder of the Bennie R. Byley 1.494 acre tract in Volume 1454, Page 143, for a corner of this 595.18 acres;

***THENCE:*** N 30°56'48" W – 153.27 feet to a point for a corner of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract, a corner of the said Bennie R. Byley tract, for a corner of this 595.18 acres;

***THENCE:*** S 61°29'51" W – 200.49 feet along a Northern line of the said Schertz-Cibolo-Universal City ISD 24.016 acre tract to a point on the Eastern line of the Established City of Schertz Ordinance No. 85-A-20 – 83.22 acres for a corner of this 595.18 acres;

***THENCE:*** N 30°12'54" W – 186.79 feet along the Northeastern line of the said established City of Schertz Ordinance No. 85-A-20 to the ***POINT OF BEGINNING*** and containing 595.18 acres of land;

*This document was prepared under 22TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.*

**Tract Two:**

**Metes and Bounds Description  
2719.31 Acres**

Field notes describing 2719.31 acres of land located in the Julian Diaz Survey No. 66, Abstract No. 187, Bexar County Block No. 5059; the Francisco Rodriguez Survey No. 84, Bexar County Abstract No. 609, Bexar County Block No. 5066; the E. Gortari Survey No. 1, Abstract No. 5, Bexar County Block No. 5067 and the E. Gortari Survey No. 2, Abstract No. 5, Bexar County Block No. 5193; said 2722.41 acres situated in Bexar County, Texas and being more fully described as follows;

***BEGINNING*** at a point on the Northeastern line of F.M. 1518, the Northeastern line of the established City of Schertz Ordinance No. 86-A-15 – 1583.993 acres, dated June 17, 1986, the same being the Southwestern corner of the established City of Schertz Ordinance No. 87-A-07 – 107.63 acres, dated April 4, 1987, on the Western line of Lot 4 of the Tarr Subdivision as shown on a plat recorded in Volume 8900, Page 18 of the Deed and Plat Records of Bexar County, Texas, said Lot 4 conveyed to Jose Lerma in Volume 2825, Page 2486;

***THENCE:*** N 59°23'07"E – 983.70 feet along the Southeastern line of the established City of Schertz Ordinance No. 87-A-07 to an angle point for a corner of Ordinance No. 87-A-07, for a corner of this 2722.41 acres;

***THENCE:*** S 86°16'53" E – 2740.00 feet continuing along the Southeastern line of the established City of Schertz Ordinance No. 87-A-07 to an angle point for a corner of Ordinance No. 87-A-07, for a corner of this 2722.41 acres

***THENCE:*** N 59°23'07" E – 4473.21 feet continuing along the Southeastern line of established City of Schertz Ordinance No. 87-A-07 to an angle point for a corner of Ordinance No. 87-A-07, for a corner of this 2722.41 acres;

***THENCE:*** S 42°06'52" E – 761.74 feet continuing along a line of the established City of Schertz Ordinance No. 87-A-07 to an angle point for a corner of Ordinance No. 87-A-07, for a corner of this 2722.41 acres;

***THENCE:*** S 78°06'53" E – 631.66 feet continuing along a line of the established City of Schertz Ordinance No. 87-A-07 to a point for a corner of said Ordinance No. 87-A-07. at near the centerline of the Cibolo Creek. the same being the common line of Bexar and Guadalupe Counties, Texas, for a corner of this 2722.41 acres;

**THENCE:** Along the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties as follows:

S 09°20'44" E – 181.15 feet;  
S 11°54'42" E – 328.60 feet;  
S 02°39'53" W – 178.20 feet;  
S 06°46'33" W – 171.30 feet;  
S 19°10'13" W – 201.30 feet;  
S 50°19'03" W – 108.50 feet;  
S 26°33'43" W – 15.60 feet;  
S 03°45'17" E – 102.20 feet;  
S 03°10'43" W – 143.00 feet;  
S 02°28'07" E – 112.30 feet;  
S 30°36'02" E – 115.40 feet;  
S 56°12'55" E – 101.44 feet;  
S 45°55'28" E – 103.16 feet;  
N 68°40'36" E – 279.87 feet;  
S 73°23'21" E – 155.57 feet;

**THENCE:** N 43°48'15" E – 90.65 feet continuing along the centerline of Cibolo Creek, to a point on the Western line of Weir Road, a corner of a 176.439 acre tract conveyed to Krickhahn ETC Enterprises, LLC in Volume 11319, Page 762, for a corner of this 2722.41 acres;

**THENCE:** N 43°44'49" E – 75.97 feet crossing Weir Road to a point for a corner of a 10.126 acre tract conveyed to Krickhahn ETC Enterprises, LLC in Volume 11319, Page 762, for a corner of this 2722.41 acres;

**THENCE:** Along the Centerline of Cibolo Creek, the same being the recognized common line of Bexar and Guadalupe Counties as follows:

N 30°44'44" E – 103.17 feet  
N 52°04'12" E – 161.30 feet  
S 82°06'19" E – 73.48 feet  
S 63°29'34" E – 95.68 feet  
S 62°59'21" E – 127.39 feet  
S 53°06'24" E – 114.67 feet  
S 48°49'07" E – 135.39 feet  
S 41°38'09" E – 107.18 feet  
S 34°19'58" E – 110.48 feet  
S 55°37'20" E – 102.46 feet  
S 64°03'56" E – 97.60 feet  
S 82°59'04" E – 145.74 feet

S 89°06'17" E – 142.44 feet  
N 83°40'22" E – 106.67 feet  
N 73°46'40" E – 122.69 feet  
N 67°52'03" E – 201.85 feet  
N 70°55'35" E – 225.44 feet  
N 72°07'22" E – 129.72 feet  
S 83°32'31" E – 106.21 feet  
S 73°47'33" E – 178.34 feet  
S 66°58'14" E – 180.51 feet  
S 62°35'02" E – 284.48 feet  
S 66°44'03" E – 171.80 feet  
S 64°50'34" E – 115.08 feet  
S 79°42'04" E – 99.28 feet  
N 88°55'55" E – 267.89 feet  
N 84°42'33" E – 97.82 feet  
S 83°15'24" E – 100.89 feet  
S 76°47'06" E – 119.22 feet  
S 78°30'05" E – 221.00 feet  
S 53°05'05" E – 308.37 feet  
S 43°43'03" E – 337.76 feet  
S 51°20'09" E – 335.61 feet  
S 36°25'12" E – 38.57 feet  
S 25°52'04" E – 20.80 feet  
S 58°42'02" E – 144.41 feet  
S 61°01'41" E – 206.45 feet  
S 25°38'33" E – 32.83 feet  
S 16°51'27" E – 66.66 feet  
S 06°30'54" E – 110.04 feet  
S 07°43'28" W – 41.70 feet  
S 79°44'09" W – 120.87 feet  
S 57°37'10" W – 154.67 feet  
S 17°11'22" W – 112.17 feet  
S 36°42'58" W – 133.81 feet  
S 75°47'49" W – 67.20 feet  
S 33°53'43" W – 76.54 feet  
S 11°33'32" E – 57.14 feet  
S 69°41'00" E – 47.93 feet  
S 45°40'48" E – 51.30 feet  
S 45°23'28" E – 61.81 feet  
S 37°35'50" E – 50.13 feet  
S 12°48'20" E – 89.50 feet  
S 38°58'20" E – 97.75 feet  
S 51°32'20" E – 130.00 feet



S 78°01'20" E – 134.50 feet  
N 85°28'40" E – 93.68 feet  
S 89°41'00" E – 90.28 feet  
N 88°27'40" E – 111.18 feet  
N 74°19'40" E – 86.20 feet  
N 44°49'40" E – 133.95 feet  
N 65°44'40" E – 168.78 feet  
N 78°01'40" E – 127.68 feet  
N 88°26'40" E – 110.32 feet  
S 77°26'20" E – 55.70 feet  
S 02°57'20" E – 107.05 feet  
S 27°19'20" W – 79.06 feet  
S 56°03'20" E – 85.10 feet  
S 67°09'20" E – 185.11 feet  
S 40°32'20" E – 264.50 feet  
S 22°33'20" E – 98.66 feet  
S 11°33'20" E – 158.13 feet  
S 26°20'40" W – 100.89 feet  
S 50°12'40" W – 204.62 feet  
N 81°01'20" W – 117.69 feet  
S 66°28'40" W – 90.94 feet  
S 78°54'40" W – 209.76 feet  
S 69°31'40" W – 92.30 feet  
S 56°26'40" W – 157.60 feet  
S 37°53'40" W – 121.62 feet  
S 18°19'40" W – 141.33 feet  
S 14°14'45" E – 88.77 feet  
S 08°33'19" W – 329.09 feet  
S 18°59'40" W – 381.94 feet  
S 14°55'47" E – 176.91 feet  
S 19°26'32" E – 107.16 feet  
S 27°38'27" E – 95.39 feet  
S 30°30'07" E – 148.06 feet  
S 32°40'27" E – 129.94 feet  
S 48°27'06" E – 128.70 feet  
S 84°38'53" E – 151.02 feet  
S 88°11'34" E – 299.61 feet  
N 80°21'44" E – 119.70 feet  
N 74°25'35" E – 83.91 feet  
N 61°24'51" E – 372.57 feet  
N 35°01'27" E – 121.05 feet  
N 38°20'07" E – 121.46 feet  
N 65°33'29" E – 185.86 feet

N 88°50'35" E – 152.31 feet  
S 65°52'52" E – 112.92 feet  
S 42°23'11" E – 70.09 feet  
S 44°40'17" E – 149.14 feet  
S 86°08'13" E – 316.89 feet  
S 75°48'09" E – 167.83 feet  
S 65°12'24" E – 216.55 feet  
S 61°34'34" E – 242.95 feet  
S 49°48'38" E – 148.83 feet  
S 04°32'54" E – 173.03 feet  
S 02°53'39" E – 220.83 feet

***THENCE:*** S 01°24'41" W = 119.38 feet continuing along the centerline of Cibolo Creek, the recognized common line of Bexar and Guadalupe Counties to a point for the Southeastern corner of the remainder of a 78.49 acre tract conveyed to Joe W. Craft in Volume 4119, Page 221, the same being the Northeastern corner of that certain tract of land conveyed to Michael Z. Kalinowski in Volume 6160, Page 1686 for the Southeastern corner of this 2722.41 acres;

***THENCE:*** S 60°43'07" W – 2060.56 feet along the Northern line of the said Michael Z. Kalinowski tract to a point for the Southwestern corner of the said Joe W. Craft tract, the same being the Southeastern corner of the remainder of 80.00 acre tract conveyed to Betty Jean Schmidt in Volume 5824, Page 1313. for a corner of this 2722.41 acres;

***THENCE:*** S 60°40'14" W – 933.08 feet continuing along the Northern line of the said Michael Z. Kalinowski tract, to a point for a corner of the said Betty Jean Schmidt tract, for a corner of this 2722.41 acres;

***THENCE:*** N 45°18'45" W – 348.04 feet continuing along a line of the said Michael Z. Kalinowski tract, a line of the said Betty Jean Schmidt tract to a point for a corner of the said Kalinowski and the Schmidt tract, for a corner of this 2722.41 acres;

***THENCE:*** S 59°35'14" W – 586.38 feet continuing along the Northern line of the said Michael Z. Kalinowski tract, the Southern line of the said Betty Jean Schmidt tract to a point on the Northeastern line of Trainer Hale Road. for the Northwestern corner of the said Kalinowski tract, the Southwestern corner of the remainder of the said Schmidt tract, for a corner of this 2722.41 acres;

***THENCE:*** S 53°20'29" W – 70.60 feet across said Trainer Hale Road to a point for the Southeastern corner of a 101.396 acre tract conveyed to Reagan Rawe in Volume 14612. Page 1869. the Northeastern corner of a 10.00 acre tract conveyed to William H. Wheelis in Volume 2537. Page 1617, for a corner of this 2722.41 acres;

**THENCE:** S 59°32'13" W – 1015.66 feet along the Southern line of the said Reagan Rawe tract to a point for the Northwestern corner of the said Wheelis tract in Volume 2537, Page 1617, the Northeastern corner of the William H. Wheelis 10.00 acre tract in Volume 7909, Page 251, for a corner of this 2722.41 acres;

**THENCE:** S 59°20'22" W – 2157.79 feet continuing along the Southern line of the said Reagan Rawe tract to a point for the Northwestern corner of the remainder of a 14.829 acre tract conveyed to Joe James Vrana in Volume 5183, Page 997, the Northeastern corner of a 3.018 acre tract conveyed to Jerome Gary Kiolbassa in Volume 5295, Page 1214, for a corner of this 2722.41 acres;

**THENCE:** S 60°29'31" W – 304.98 feet continuing along the Southern line of the said Reagan Rawe tract to a point for the Northwestern corner of the said Kiolbassa tract, the Northeastern corner of the Gerald Clayton 19.612 acre tract in Volume 7546, Page 1187, for a corner of this 2722.41 acres;

**THENCE:** S 59°03'28" W – 901.48 feet continuing along the Southern line of the said Reagan Rawe tract, to a point for the Northwestern corner of the said Clayton tract, the Northeastern corner of the Harold Baue 14.309 acre tract in Volume 11609, Page 1681, for a corner of this 2722.41 acres;

**THENCE:** S 59°28'18" W – 459.48 feet continuing along the Southern line of the said Reagan Rawe tract to a point for the Northwestern corner of the Harold Bauer 10.635 acre tract in Volume 11705, Page 32, the Northeastern corner of the Evelyn Zuercher 35.00 acre tract in Volume 8733, Page 748, for a corner of this 2722.41 acres;

**THENCE:** S 59°29'36" W – 1014.00 feet continuing along the Southern line of the said Reagan Rawe tract to a point for the Northwestern corner of the said Evelyn Zuercher tract, the Northeastern corner of the Sally Jo & Julian Cano tract in Volume 14072, Page 1354, for a corner of this 2722.41 acres;

**THENCE:** S 59°27'48" W – 450.27 feet to a point for the Southwestern corner of the said Reagan Rawe tract, the Southeastern corner of the Dirt Dealers XV, Ltd 51.390 acre tract in Volume 13010, Page 304, for a corner of this 2722.41 acres;

**THENCE:** S 59°28'05" W – 2580.47 feet along the Southern line of the said Dirt Dealers XV, Ltd tract to a point on the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the established City of Schertz Ordinance No. 86-A-15, for the Southwestern corner of the said Dirt Dealers XV, Ltd tract, for the Southwestern corner of this 2722.41 acres;

**THENCE:** N 30°28'05" W – 8410.17 feet along the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the established City of Schertz Ordinance No. 86-

A-15 to a point for the Northwestern corner of the Shekinah Learning Institute, Inc. 9.42 acre tract, a corner of Woman Hollering Road, for a corner of this 2722.41 acres;

*THENCE:* N 78°40'59" E – 390.86 feet along the Southern line of Woman Hollering Road, the Northern line of the said Shekinah Learning Institute tract to a point for a corner of the Shekinah Learning Institute tract, a corner of Woman Hollering Road, for a corner of this 2722.41 acres;

*THENCE:* S 77°14'01" E – 293.33 feet continuing along the Southern line of said Woman Hollering Road to a point for the Northeastern corner of the said Shekinah Learning Institute tract, the Northwestern corner of the Crosby L. Spruill Revocable Living Trust 1.08 acre tract in Volume 8423, Page 1320, for a corner of this 2722.41 acres;

*THENCE:* S 15°57'16" E – 588.84 feet along the Eastern line of the said Shekinah Learning Institute tract to a point for the Southeastern corner of the Shekinah Learning Institute tract, a corner of the Gary W. McCall 7.36 acre tract in Volume 4666, Page 1416, the Northeastern corner of the James Watson 6.10 acre tract in Volume 14308, Page 1250, for a corner of this 2722.41 acres;

*THENCE:* S 30°30'05" E – 610.03 feet along the Eastern line of the said James Watson Tract, the Western line of the said Gary W. McCall tract to a point for the Southeastern corner of the said Watson tract, the Southern corner of the said McCall tract, the Northeastern corner of the Edward E. Minter, III 5.63 acre tract in Volume 7142, Page 72, for a corner of this 2722.41 acres;

*THENCE:* S 77°14'03" E – 688.99 feet along the Southwestern line of the Troy A. Miedema 9.16 acre tract in Volume 12474, Page 1366, the Northeastern line of the said Edward E. Minter, III tract to a point for the Southernmost corner of the Rodney Ellison 2.35 acre tract in Volume 13522, Page 339, a corner of the Donald W. Walker 4.91 acre tract in Volume 6603, Page 720, for a corner of this 2722.41 acres;

*THENCE:* S 70°57'14" E – 900.73 feet to a point for the Southwestern corner of the Philip Sweet 3.994 acre tract in Volume 14976, Page 1437, the Southeastern corner of the George A. Jones 7.9897 acre tract in Volume 6629, Page 1642, for a corner of this 2722.41 acres;

*THENCE:* N 59°06'18" E – 556.48 feet along the Southern line of the said Philip Sweet tract, to a point for the Southeastern corner of the said Philip Sweet tract, the Northeastern corner of the John V. Scott 12.50 acre tract in Volume 12335, Page 1985 on the Western line of the Lenora Duggar 9.43 acre tract in Volume 7593, Page 687 for a corner of this 2722.41 acres;

**THENCE:** S 16°37'53" E – 286.89 feet to a point for the Southeastern corner of the said John V. Scott tract, the Southwestern corner of the said Lenora Duggar tract on the Northern line of the Brycap Farm Properties, LLC 112.939 acre tract in Volume 13921, Page 157, for a corner of this 2722.41 acres;

**THENCE:** N 59°30'10" E – 690.83 feet along the Northern line of the said Brycap Farm Properties tract to a point for the Southeastern corner of the said Lenora Duggar Tract, the Southwestern corner of the Wiederstein Trust Fund 182.91 acre tract being a remainder of a 188.68 acre tract in Volume 2043, Page 460, for a corner of this 2722.41 acres;

**THENCE:** N 30°35'07" W – 2267.17 feet to a point for the Northwestern corner of the said Wiederstein Trust Fund tract, the Southwestern corner of the Krickhahn ETC Enterprises, LLC 176.439 acre tract in Volume 11319, Page 762, for a corner of this 2722.41 acres;

**THENCE:** N 30°23'17" W – 201.54 feet along the Western line of the said Krickhahn ETC Enterprises tract, to a point for the Northeasterly corner of the Stanley Mosley 4.90 acre tract in Volume 4702, Page 1925, for a corner of this 2722.41 acres;

**THENCE:** N 30°36'03" W – 836.86 feet continuing along the Western line of the said Krickhahn ETC Enterprises tract to a point for the Northeastern corner of the Harry A. Krawetz 9.547 acre tract in Volume 5826, Page 774, for a corner of this 2722.41 acres;

**THENCE:** N 30°22'11" W – 338.20 feet continuing along the Western line of the said Krickhahn ETC Enterprises tract to a point for the Northwestern corner of the said Krickhahn ETC Enterprises tract, the Southwestern corner of the Seanna Fraser Holtz 194.101 acre tract in Volume 5813, Page 450, for a corner of this 2722.41 acres;

**THENCE:** N 30°29'12" W – 272.00 feet along the Western line of the said Holtz tract to a point for the Northeastern corner of the Raymond Youngblood 11.3 acre tract in Volume 11363, Page 1253, for a corner of this 2722.41 acres;

**THENCE:** S 59°34'56" W – 735.00 feet along the Southern line of the Heather and Courtney Fey 12.532 acre tract in Volume 12652, Page 577 to a point for the Northwestern corner of the said Raymond Youngblood tract, the Northeastern corner of the Crosby L. Spruill Revocable Living Trust 6.08 acres in Volume 8423, Page 1322. for a corner of this 2722.41 acres;

**THENCE:** S 59°56'10" W – 514.10 feet continuing along the Southern line of the Heather and Courtney Fey tract to a point for the Northwestern corner of the said Crosby L Spruill Revocable Living Trust tract. the Northeastern corner of the John E. Lundquist 9.08 acre tract in Volume 7223, Page 1302, for a corner of this 2722.41 acres;

**THENCE:** S 01°17'07" E – 719.36 feet along the Eastern line of the said John E. Lundquist tract to point for the Southeastern corner of the Philip E. Jacobson 9.47 acre tract in Volume 7021, Page 731, a corner of the Christa S. Carmack 20.48 acre tract in Volume 14565, Page 329, for a corner of this 2722.41 acres;

**THENCE:** S 59°16'19" W – 1095.55 feet along the Northern line of the said Christa S. Carmack tract, the Southern line of the said Philip E. Jacobson tract to a point for the Southwestern corner of the said Jacobson tract, the Westernmost Northwestern corner of the said Carmack tract on the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the Established City of Schertz Ordinance No. 86-A-15, for a corner of this 2722.41 acres;

**THENCE:** N 30°28'05" W – 3483.08 feet along the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the Established City of Schertz Ordinance No. 86-A-15 to a point for a corner of said Farm Market Road No. 1518, for a corner of this 2722.41 acres;

**THENCE:** Continuing along the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the Established City of Schertz Ordinance No. 86-A-15, a curve to the right having a Delta angle of 20°05'00", a Radius of 2824.88 feet, an Arc length of 990.18 feet and a Chord bearing of N 20°25'35" W – 985.12 feet to a point for a corner of said Farm Market Road No. 1518, a corner of the Established City of Schertz Ordinance No. 86-A-15, for a corner of this 2722.41 acres;

**THENCE:** N 10°23'05" W – 18.58 feet continuing along the Northeastern line of Farm Market Road No. 1518, the Northeastern line of the Established City of Schertz Ordinance No. 86-A-15 to the *POINT OF BEGINNING* and containing 2719.31 acres of land.

*This document was prepared under 22TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.*

Save and Except those properties described on the attached Schedules 1 – 51.

*[ The remainder of the page is intentionally left blank. ]*

**SCHEDULE 1**

**ASHER PROPERTY**

ALL THAT CERTAIN 15.00 ACRES, MORE OR LESS, IN THE JULIAN DIAZ SURVEY NO 66. A-187, BLOCK NO. 5059, MORE FULLY DESCRIBED IN THE WARRANTY DEED TO THE VETERANS LAND BOARD DATED JANUARY 23, 1969, RECORDED IN VOLUME 6107, PAGE 378, DEED RECORDS OF BEXAR COUNTY, TEXAS; AND FURTHER DESCRIBED IN THAT CONTRACT OF SALE AND PURCHASE DATED JANUARY 22, 1969, RECORDED IN VOLUME 6107, PAGE 406, DEED RECORDS OF BEXAR COUNTY, TEXAS.

MORE commonly known as: **12606 Lower Seguin Road**  
**Schertz, Texas 78154**

Prior Recorded Doc. Ref.: Deed: Recorded **March 13, 2003**; Book **9885**, Page **2102**,  
Instrument No. **20030062845**



**SCHEDULE 2**

**BARR PROPERTY**

Tract One:

A 5.05 acre tract, out of the Julian Diaz Survey No. 66, Abstract 187, Bexar County, Texas, being the same 5.00 acre tract described deed recorded in Volume 7205, Page 300 Deed Records of Bexar County, Texas, said 5.05 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 Inch Iron Rod Found, for the east corner of the said 5.00 acre tract and the herein described tract, being also the south corner of a called 5.00 acre tract conveyed to Joe H. Reinhard, et ux, and being in the northwest line of Trainer Hale Road;

**THENCE**, leaving the said Reinhard Tract with the northwest line of the said Trainer Hale Road, and the southeast line of the said 5.00 acre tract and the herein described tract, S 59°15'00" W, (Bearing Basis), a distance of 212.01 Feet to a 1/2 Inch Iron Rod Found for the south corner of the said 5.00 acre tract and the herein described tract, said iron rod being also the east corner of a called 5.00 acre tract conveyed to James W. Barr Jr., et ux;

**THENCE**, leaving the said Trainer Hill Road with the northeast line of the said Barr Tract and the southwest line of the said 5.00 acre tract and the herein described tract, N 31°01'47" W, a distance of 1025.67 Feet to a 1/2 Inch Iron Rod Found for the north corner of the said Barr Tract, being also the west corner of the said 5.00 acre tract and the herein described tract, said iron rod being also in the southeast line of a tract of land conveyed to Margaret Kneupper Family Trust, recorded in Volume 8775, Page 1406 Real Property Records of Bexar County, Texas;

**THENCE**, leaving the said Barr Tract with the southeast line of the said Kneupper Tract and the northwest line of the said 5.00 acre tract and the herein described tract, N 58°51'05" E, a distance of 216.73 Feet to a 1/2 Inch Iron Rod Set for north corner of the said 5.00 acre tract and the herein described tract, said iron rod being also the west corner of the said Reinhard Tract;

**THENCE**, leaving the said Kneupper Tract with the southwest line of the said Reinhard Tract and the northeast line of the said 5.00 acre tract and the herein described tract, S 30°46'00" E, a distance of 1027.17 Feet to the POINT OF BEGINNING and containing 5.05 acres of land, more or less.

Tract Two:

Being 5,000 acres of land out of the Julian Diaz Survey No. 66, Bexar County, Texas, and being 5,000 acres of land out of that certain 112.59 acre tract of land conveyed by A. Mattes to W. H. Muenchow by deed dated September 28, 1943, and recorded in Volume 2162 on pages 119-123 of the Deed Records of Bexar County, Texas and described more particularly by notes and bounds as follows:

FROM a concrete monument in the point of intersection of the East line of F. A. Road 1518 with the North line of Trainer-Hale Road, the Southwest corner of the W. H. Muenchow tract; THENCE with the North line of Trainer-Hale Road, the South line of the W. H. Muenchow tract, as fenced, N. 58° 59' E. 1,330.10 feet, N. 59° 04' E. 205.9 feet, N. 59° 35' E. 2,114.26 feet, and N. 59° 15' E. 424.78 feet to an Iron pin set for the Southeast corner of 5,000 Acre Tract 4, for the Southwest corner and POINT OF BEGINNING of the herein described 5,000 acre Tract 3;

THENCE with the East line of 5,000 acre Tract 4, N. 30° 45' W. 1,026.81 feet to an Iron pin in the fence, the North line of the said W. H. Muenchow tract, set for the Northeast corner of 5,000 acre Tract 4, for the Northwest corner of this tract;

THENCE with the fence, the North line of the said W. H. Muenchow tract, N. 29° 13' E. 212.24 feet to an Iron pin set for the Northwest corner of 5,000 acre tract 2, for the Northeast corner of this tract;

THENCE with the West line of 5,000 acre Tract 2, S. 30° 46' E. 1,026.93 feet to an Iron pin in the North line of Trainer-Hale Road, the South line of the W. H. Muenchow tract, set for the Southwest corner of 5,000 acre Tract 2, for the Southeast corner of this tract;

THENCE with the North line of Trainer-Hale Road, the South line of the W. H. Muenchow tract, S. 59° 15' W. 212.24 feet to the place of beginning.

SCHEDULE 3

BAUMANN PROPERTY

TRACT ONE:

**WILLIAM J. KOLODZIE SURVEYING COMPANY**

Exhibit "A"

REGISTERED PROFESSIONAL LAND SURVEYORS  
197 EAST MILL STREET  
NEW BRAUNFELS, TEXAS 78130  
830-625-6484 FAX 830-620-6484

WILLIAM J. KOLODZIE, R.P.L.S. 1462

GERARD S. SCHOLLER, R.P.L.S. 1876

(TRACT I)

May 21, 2004

Description of a 27.800 acre tract of land out of the William Bracken Survey No. 65, Abstract 48 and the Julian Diaz Survey No. 66, Abstract 187, Bexar County, Texas, and being all of that called 27.842 acre tract conveyed by Alfonso Chiscano to Frances Keresztury by Substitute Trustee's Deed dated April 7, 1987 and recorded as Document No. 1365170 in Volume 3990 on pages 963-968 of the Official Public Records of Bexar County, Texas, said 27.800 acre tract described more particularly by metes and bounds as follows:

BEGINNING at a 1/2" re-bar rod found in the Northwest line of Lower Seguin Road, for the East corner of an 11.651 acre tract conveyed to Milton Friesenhahn and wife, Billie Friesenhahn by deed dated April 26, 1991 and recorded in Volume 5058 on pages 182-186 of the Official Public Records of Bexar County, Texas, for the South corner of the above cited Frances Keresztury called 27.842 acre tract, for the South corner of the herein described 27.800 acre tract;

THENCE with an unfenced line, the Northeast line of the Friesenhahn 11.651 acre tract, the Southwest line of the Keresztury called 27.842 acre tract, N. 28° 19' 00" W. (REFERENCE BEARING) 1,498.26 feet to a 1/2" re-bar rod found at a fence corner post for the North corner of the Friesenhahn 11.651 acre tract, for an East corner of a 127.7 acre tract in the name of Larry Baumann, referenced at the Bexar County Appraisal District as Account No. 05055-000-0100, for a point on the Southwest line of the Keresztury called 27.842 acre tract;

THENCE with a fence, a Northeast line of the Larry Baumann tract, the Southwest line of the Keresztury called 27.842 acre tract, N. 28° 21' 13" W. 572.85 feet to a 1/2" re-bar rod set at a fence corner post for an interior corner of the Larry Baumann tract, for the West corner of the Keresztury called 27.842 acre tract, for the West corner of this 27.800 acre tract;

THENCE with a fenced line, a Southeast line of the Larry Baumann tract, the Northwest line of the Keresztury called 27.842 acre tract, N. 60° 20' 00" E. 1,846.80 feet to a 1/2" re-bar rod set, and N. 68° 56' 00" E. 20.70 feet to a 1/2" re-bar rod set on the West bank of the Cibolo Creek, for the North corner of the Keresztury called 27.842 acre tract, for the North corner of this 27.800 acre tract;

THENCE with the West bank of the Cibolo Creek, the East line of the Keresztury called 27.842 acre tract, as follows:  
S. 06° 51' 00" E. 85.80 feet to a point,  
S. 19° 34' 00" W. 209.20 feet to a point, and  
S. 14° 00' 00" E. 136.20 feet to a 1/2" re-bar rod set for the North corner of

27.800 ACRE TRACT, PAGE 2.

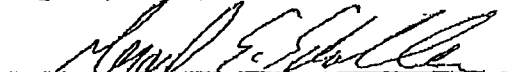
a 40.611 acre tract conveyed to Tony Forchione Living Trust by deed dated June 29, 1998 and recorded in Volume 7530 on pages 972-974 of the Official Public Records of Bexar County, Texas, for the Northernmost East corner of the Keresztury called 27.842 acre tract, for the Northernmost East corner of this 27.800 acre tract;

THENCE with the deeded Northwest line of the Forchione Living Trust 40.611 acre tract, with the deeded Southeast line of the Keresztury called 27.842 acre tract, with a line approximately 3 feet to 6 feet Northwest of a fence, S. 60° 24' 28" W. 1,296.68 feet to a 1/2" re-bar rod set for the West corner of the Forchione Living Trust 40.611 acre tract, for an interior corner of the Keresztury called 27.842 acre tract, for an interior corner of this 27.800 acre tract;

THENCE partially with a fenced line, the Southwest line of the Forchione Living Trust 40.611 acre tract, the Northeast line of the Keresztury called 27.842 acre tract, S. 28° 19' 00" E, at 6.76 feet a fence corner post, in all a total distance of 1,719.26 feet to a 1/2" re-bar rod found in the Northwest line of Lower Seguin Road, for the South corner of the Forchione Living Trust 40.611 acre tract, for the East corner of the Keresztury called 27.842 acre tract, for the East corner of this 27.800 acre tract;

THENCE with the Northwest line of Lower Seguin Road, the Southeast line of the Keresztury called 27.842 acre tract, S. 59° 45' 26" W. 350.03 feet to the Place of Beginning.

I hereby state that this survey was made on the ground and completed on May 17, 2004, and is true and correct to the best of my knowledge and belief.

  
GERARD S. SCHOLLER  
TEXAS R.P.L.S. 1876

TRACT TWO:

BEGINNING at a point on the SW bank of the Cibolo Creek, said point being the North corner of a Tract of 170 1/2 acres conveyed by Heinrich Schulz, Executor of the Wilhelmine Schulz Estate of Adolph Weyel by deed dated June 15, 1895, and recorded in the Deed Records of Bexar County in Volume 139, Page 597, for the North corner of the Tract herein described;

THENCE down with the meanders of the SW bank of said Creek as follows, to wit: South 73 deg. and 44 min. East 337.8 vrs; South 81 deg. and 15 min. East, 74.5 vrs; South 54 deg. and 30 min. East 89.6 vrs; South 46 deg. and 30 min. East, 114.8 vrs; South 38 deg. and 15 min. East 89.3 vrs; South 33 deg. and 15 min. East, 97.6 vrs. and South 15 deg. West 96.1 vrs. to a point, the North corner of the Gustav Achterberg Tract, for East corner;

THENCE South 60 deg. West with the N.W. line of the said Achterberg Tract, 659.7 vrs. to a corner of fence for corner;

THENCE South 28 deg. and 34 min. East with line of fence 205.9 vrs. to another corner of fence;

THENCE South 59 deg. and 44 min. West with NW line of the Julian Diaz Survey 321 vrs. to a stake for South corner;

THENCE North 30 deg. West 827.9 vrs. to a stake on the NW line of said 170 1/2A. tract, for West corner;

THENCE North 50 deg. and 16 min. East with NW line of said 170 1/2A. Tract, 684 vrs. to the PLACE OF BEGINNING containing 127.7 acres.

SCHEDULE 4

BEUTNAGEL PROPERTY

Field notes of a 78.146 acre tract of land situated in Brazos County, Texas, out of the Julian Diaz Survey No. 56, being out of that 148.05 acre tract conveyed to Verma Lee Garth Beutnagel, and husband Delvin E. Beutnagel, and Thuzelda Garth Timmermann and husband, Rubie H. Timmermann, by deed dated December 17, 1975, and recorded in Volume 1739, Page 330, Deed Records of Brazos County, Texas, and being more particularly described by notes and soundings as follows: (Notes: All set from pins are 1/2" rubber with a Baker Surveying Plastic Cap)

Beginning at an iron pin set in the northwest right-of-way line of Trainer-Hale Road for the east corner of this tract and the south corner of a 68.146 acre tract this day surveyed and being S 50° 52' 00" W. 1399.28 feet along said right-of-way line from its cutoff to the southwest right-of-way line of Main Road.

Thence along the northwest right-of-way line of Trainer-Hale Road as follows:  
S 69° 52' 00" W. 1050.72 feet to an iron pin set at the beginning of a curve to the left.

Southwest along the arc of said curve to the left having a radius of 3003.23 feet and a central angle of 04° 07' 48" a distance of 202.03 feet (Chord = S 56° 48' 06" W. 202.03 feet) to an iron pin set at the end of said curve and the beginning of a curve to the right.

Southwest along the arc of said curve to the right having a radius of 2857.88 feet and a central angle of 03° 18' 46" a distance of 153.30 feet (Chord = S 55° 58' 40" W. 153.20 feet) to an iron pin found at the end of said curve.

S 60° 52' 00" W. 64.93 feet to an iron pin found at the east corner of a 1.0 acre tract, being a south corner of this tract.

Thence N 31° 06' 22" W. 208.13 feet generally along fence and with the east line of said 1.0 acre tract to an iron pin found at the north corner, being an interior corner of this tract.

Thence S 59° 01' 11" W. 200.64 feet generally along fence and with the northwest line of the 1.0 acre tract and the southwest line of this tract to an iron pin found at fence corner, in the southwest line of the 140.05 acre tract, for a south corner of this tract.

Thence N 31° 05' 36" W. 1058.78 feet generally along fence and with the southwest line of the 140.05 acre tract and this tract to an iron pin set at the west corner of the 140.05 acre tract for the west corner of this tract.

Thence N 03° 00' 52" E. 1675.03 feet along the northeast line of the 148.05 acre tract to an iron pin set for the north corner of this tract and the west corner of the 68.146 acre tract.

Thence S 31° 08' 00" E. 1047.03 feet along the northeast line of this tract and the southwest line of the 68.146 acre tract to the place of beginning and containing 78.146 acres of land, according to a survey on the ground on April 16, 1992, by Baker Surveying, Inc.

52.710 acres of land, more or less, together with all improvements thereon, in Tarrant County, Texas, being a portion of Survey No. 66 in the name of Julian Diaz. Said 52.710 acres being part of an original tract described as 112.39 acres of land, more or less, in deed dated August 6, 1945, duly filed on August 1, 1945, and recorded on September 26, 1945, in Volume 2197, Page 105, Deed Records of Tarrant County, Texas.

**SCHEDULE 5**  
**DEELEY PROPERTY**

**Tract No. One (1)**

BEING 4.354 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, Bexar County, Texas, and also being out of the remaining portion of a 119 acre tract described in Volume 1897, Page 93 of the Deed Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set in the existing northwest line of a 40' Road Easement described in Volume 1897, Page 225 of the Real Property Records of Bexar County, Texas, for the most southerly corner of this tract, said point also being the most easterly corner of a 6.000 acre tract described in Volume 2902, Page 118 of the Real Property Records of Bexar County, Texas;

THENCE, N 30° 23' 30" W, 216.87 feet along the common line with said 6.000 acre tract to an iron rod found in same for the most westerly corner of this tract, said point also being the most southerly corner of a 5.058 acre tract described in Volume 1163, Page 655 of the Real Property Records of Bexar County, Texas;

THENCE, N 48° 22' 58" E, 681.55 feet along the common line with said 5.058 acre tract described in Volume 1163, Page 655 and the common line with a 5.058 acre tract described in Volume 6779, Page 1758 of the Real Property Records of Bexar County, Texas, to an iron rod set for the most northerly corner of this tract;

THENCE, S 30° 16' 29" E, 350.91 feet along the existing southwest line of said 40" Road Easement to an iron rod set for the most easterly corner of this tract.

THENCE, S 59° 43' 31" W, 667.80 feet along the existing northwest line of said 40' Road Easement to the POINT OF BEGINNING and containing 4.354 acres of land, more or less.



Tract No. Two (2).

BEING 3.889 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, Bexar County, Texas, and also being out of the remaining portion of a 119 acre tract described in Volume 1897, Page 93 of the Deed Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found in the existing northeast R.O.W. line of F. M. Highway 1518 for the most westerly corner of this tract, said point also being the most southerly corner of a 0.7227 acre tract described in Volume 7461, Page 94 of the Real Property Records of Bexar County, Texas;

THENCE, N 61° 27' 40" E, 272.42 feet along the common fence line with said 0.7227 acre tract to an iron rod found for an angle point of this tract and the most easterly corner of said 0.7227 acre tract;

THENCE, N 61° 49' 04" E, 161.27 feet along the common fence line with a 5.095 acre tract described in Volume 10337, Page 840 of the Real Property Records of Bexar County, Texas, to an iron rod found for an angle point of this tract and the most easterly corner of said 5.095 acre tract;

THENCE, N 61° 44' 18" E, 257.23 feet along the common fence line with the remaining portion of a 16.86 acre tract described in Volume 2975, Page 149 of the Real Property Records of Bexar County, Texas, to a wood fence corner post found for the most northerly corner of this tract;

THENCE, S 30° 49' 19" E, 53.09 feet along the common fence line with a 40.556 acre tract described in Volume 8666, Page 492 of the Real Property Records of Bexar County, Texas to an iron rod found for an angle point of this tract, said point also being the interior corner

of the above referenced 119 acre tract;

THENCE, along the common line with a 5.058 acre tract described in Volume 1163, Page 655 of the Real Property Records of Bexar County, Texas, as follows:

S 29° 14' 35" E, 226.68 feet to an iron rod set for a corner of this tract,

N 62° 03' 57" E, 102.25 feet to an iron rod found for a corner of this tract,

S 36° 59' 47" E, 145.68 feet to an iron rod set for a corner of this tract,

S 54° 41' 25" W, 77.28 feet to an iron rod found for a corner of this tract, and

S 30° 56' 26" E, 71.06 feet to an iron rod found for the most easterly corner of this tract and the most northerly corner of a 4.000 acre tract described in Volume 3365, Page 1018 of the Real Property Records of Bexar County, Texas;

THENCE, S 59° 37' 53" W, 73.88 feet along the common fence line with said 4.000 acre tract to an iron rod set in same for a corner of this tract;

THENCE, N 29° 02' 37" W, 305.89 feet along the common line with a 4.768 acre tract, surveyed this day, to an iron rod set for an interior corner of this tract;

THENCE, S 61° 12' 17" W, 662.97 feet along the common line with said 4.768 acre tract to an iron rod set in the existing northeast R.O.W. line of F. M. Highway 1518 for a corner of this tract;

THENCE, N 30° 16' 00" W, (Ref. Brg.) 206.78 feet along said northeast R.O.W. line to the POINT OF BEGINNING and containing 3.889 acres of land, more or less.

Tract Three:

FIELD NOTES describing 5.058 acres of land situated in a tract called 119 acres in a conveyance to Monroe Hillert from Mrs. Bertha Hillert, Vol. 1897, page 93, County Block 5059, Julian Diaz Survey No. 66, A-187, Bexar County, Texas, and described by metes and bounds as follows:

BEGINNING at an iron pin set for a re-entrant corner of the called 119 acre tract and also marking the west corner of this 5.058 acre tract;

THENCE with the fenced northwest line of the called 119 acre tract N 59° 44' 49" E 314.54' to an iron pin set for the north corner of this 5.058 acre tract;

THENCE S 29° 59' 13" E 780.23' to an iron pin set for the east corner of this 5.058 acre tract;

THENCE S 48° 27' 20" W 277.27' to an iron pin set for the south corner of this 5.058 acre tract;

THENCE N 30° 16' 00" W 451.30' to an iron pin set, N 54° 25' 40" E 77.29' to an iron pin set, N 37° 33' 31" W 145.68' to an iron pin set, S 61° 51' 11" W 102.25' to an iron pin set and N 29° 02' 12" W 227.84' to the PLACE OF BEGINNING and containing 5.058 acres of land.

There is hereby conveyed an easement for the purpose of ingress and egress on, over and across the following described property:

FIELD NOTES describing a 40' road easement situated in a tract called 119 acres in a conveyance to Monroe Hillert from Mrs. Bertha Hillert, Vol. 1897, page 93, County Block 5059, Julian Diaz Survey No. 66, A-187, Bexar County, Texas, and described by metes and bounds as follows:

BEGINNING at the west corner of a 4.00 acre tract conveyed out of the above called 119 acres and situated in the northeast R.O.W of F.M. 1518 and the southwest corner of the called 119 acre tract bears S 30° 16' E 596.71';

THENCE with the northeast R.O.W. of F.M. Road 1518 N 30° 16' W 40';

THENCE N 59° 44' E 730.0' to a point in the southwest line of a 5.058 acre tract;

THENCE S 30° 16' E 40' to the north corner of the 4.00 acre tract;

THENCE S 59° 44' W 730.0' with the northwest line of the 4.00 acre tract to the PLACE OF BEGINNING.

**SCHEDULE 6**

**FAIRLEY I PROPERTY**

Being 34.335 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, City of Schertz (1.161 acres), Bexar County, Texas and also being out of a 119 acre tract described in Volume 1463, Page 190 of the Deed Records of Bexar County, Texas and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

*[ Continued on the following page ]*

EXHIBIT "A"

**FIELD NOTES**  
October 26, 2000

BEING 34.335 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, City of Schertz (1.161 acres), Bexar County, Texas and also being out of a 119-acre tract described in Volume 1463, page 190 of the Deed Records of Bexar County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set in the existing south R.O.W. line of Lower Seguin Road for a corner of this tract, said point being N 59°44'32" E, 528.17 feet and S 85°30'00" E, 440.26 feet from the intersection of the southwest line of the above referenced 119-acre tract and the southeast R.O.W. line of Lower Seguin Road;

THENCE, S 85°30'00" E, (Ref. Brg.) 252.82 feet along said south R.O.W. to an iron rod found in same for the most northerly corner of this tract and the most westerly corner of a 20.000 acre tract, surveyed the 28<sup>th</sup> day of June, 2000;

THENCE, S 29°20'12" E, 950.18 feet along the common line with said 20.000 acre tract to an iron rod found for an interior corner of this tract;

THENCE, S 85°30'00" E, 1110.11 feet continuing along the common line with said 20.000 acre tract to an iron rod found for a corner of this tract;

THENCE, S 29°52'34" E along the common fence line with a 15.00 acre tract described in Volume 6409, Page 519 of the Deed Records of Bexar County, Texas passing the corner of same at a computed 183.66 feet and continuing along the common fence line with a 21.58 acre tract described in Volume 7061, Page 586 of the Real Property Records of Bexar County, Texas, a total distance of 844.36 feet to an iron rod found for an angle point of this tract;

THENCE, S 29°30'48" E, 171.58 feet along the common fence line with a 194.101 acre tract described in Volume 5813, Page 450 of the Deed Records of Bexar County, Texas to an iron rod found at a fence corner post for the most easterly corner of this tract and the most easterly corner of said 119-acre tract;

THENCE, S 59°58'17" W, along the common fence line with the remaining portion of a 119-acre tract described in Volume 1897, Page 93 of the Deed Records of Bexar County, Texas passing the corner of same at a computed 491.83 feet and continuing along the common fence line with a 5.058 acre tract described in Volume 1124, Page 225 of the Deed Records of Bexar County, Texas a total distance of 960.64 feet to an iron rod set in same for the most southerly corner of this tract;

THENCE, N 29°20'12" W, 1645.36 feet along the common line with a 40.556 acre tract, surveyed this day, to an iron rod set for an interior corner of this tract;

THENCE, S 60°07'17" W, 180.01 feet along the common line with said 40.556 acre tract to an iron rod set for a corner of this tract;

THENCE, N 29°20'12" W, 1092.95 feet along the common line with said 40.556 acre tract to the POINT OF BEGINNING and containing 34.335 acres of land, more or less.

Note: Plat also prepared this day.

J. M. Butz, Jr.  
Registered Professional Land Surveyor  
No. 2024

FN00-185.D



**Save and except any portion of the above-described property that was annexed by the City of Schertz, Texas pursuant to City of Schertz Ordinance No. 11-A-09.**

**SCHEDULE 7**  
**FAIRLEY II PROPERTY**

Being 40.556 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, City of Schertz, (0.166 acre), Bexar County, Texas and also being out of a 119-acre tract described in Volume 1463, Page 190 of the Deed Records of Bexar County, Texas and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

*[ Continued on the following page ]*

EXHIBIT "A"

FIELD NOTES  
October 26, 2000

BEING 40.556 acres of land, more or less, out of the Julian Diaz Survey No. 66, Abstract 187, County Block 5059, City of Schertz (0.166 acre), Bexar County, Texas and also being out of a 119-acre tract described in Volume 1463, Page 190 of the Deed Records of Bexar County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set in the existing south R.O.W. line of Lower Seguin Road for a corner of this tract, said point being N 59°44'32" E, 528.17 feet and S 85°30'00" E, 404.14 feet from the intersection of the southwest line of the above referenced 119-acre tract and the southeast R.O.W. line of Lower Seguin Road;

THENCE, S 85°30'00" E, (Ref. Brg.) 36.12 feet along said south R.O.W. line to an iron rod set in same for the most northerly corner of this tract;

THENCE, S 29°20'12" E, 1092.95 feet along the common line with a 34.335 acre tract, surveyed this day, to an iron rod set for an interior corner of this tract;

THENCE, S 60°07'17" W, 180.01 feet continuing along the common line with said 34.335 acre tract to an iron rod set for a corner of this tract;

THENCE, S 29°20'12" E, 1645.36 feet continuing along the common line with said 34.335 acre tract to an iron rod set for the most easterly corner of this tract;

THENCE, S 59°58'17" W, 116.85 feet along the common fence line a 5.058 acre tract described in Volume 1124, Page 225 of the Deed Records of Bexar County, Texas to an iron rod found for an angle point of this tract;

THENCE, S 60°06'39" W, along the common fence line with a 5.058 acre tract described in Volume 1227, Page 768 of the Deed Records of Bexar County, Texas passing an iron rod found for a corner of same at 729.75 feet and continuing along the common fence line with a 5.058 acre tract described in Volume 1163, Page 655 of the Deed Records of Bexar County, Texas a total distance of 928.77 feet to a fence corner post for the most southerly corner of this tract and the most southerly corner of said 119-acre tract;

THENCE, N 29°52'43" W, along the common line with the remaining portion of a 119-acre tract described in Volume 1897, Page 93 of the Deed Records of Bexar County, Texas passing a fence corner post for a corner of same at 52.36 feet and continuing along the common line with a 16.86 acre tract described in Volume 2975, Page 149 of the Deed Records of Bexar County, Texas passing an iron rod found for a corner of same at 1060.49 feet, and continuing along the common line of Lot 1 of Fey Subdivision as recorded in Volume 9539, Page 43 of the Deed and Plat Records of Bexar County, Texas passing an iron rod found for a corner of same at 1249.38 feet and continuing along the common line of Lot 2 of said Fey Subdivision passing an iron rod found for a corner of same at 1438.11 feet and continuing along the common line with a 3.00 acre tract described in Volume 6979, Page 1428 of the Real Property Records of Bexar County, Texas passing an iron rod found for a corner of same at 1626.73 feet and continuing along the common line with a 3.00 acre tract described in Volume 6870, Page 1173 of the Real Property Records of Bexar County, Texas a total distance of 1645.76 feet to an iron rod set in same for the most westerly corner of this tract;

THENCE, N 60°07'17" E, along the common line with a 12.754 acre tract, surveyed this day, passing an iron rod set for a corner of same at 414.80 feet and continuing along the common line of a 12.754 acre tract also surveyed this day, a total distance of 851.17 feet to an iron rod set for an interior corner of this tract;

THENCE, N 29°20'12" W, 1113.34 feet along the common line with said 12.754 acre tract to the POINT OF BEGINNING and containing 40.556 acres of land, more or less.

Note: Plat also prepared this day.

J. M. Butz, Jr.  
Registered Professional Land Surveyor  
No. 2024

FN00-185.C





**Save and except any portion of the above-described property that was annexed by the City of Schertz, Texas pursuant to City of Schertz Ordinance No. 11-A-09.**

**SCHEDULE 8**  
**FERNANDEZ PROPERTY**

The following three parcels of land:

1. Tract One - a 2.00 acre tract of land owned by Rosendo Zambrano Fernandez and Sally Fedor, which is more particularly described below.
2. Tract Two - a 38.611 acre tract of land owned by Rosendo Zambrano Fernandez, which is more particularly described below.
3. Tract Three – A 3.49 acre tract of land owned by Rosendo Zambrano, Sally Zambrano, and Yolanda Zambrano Fernandez, which is more particularly described below.

Tract One

A 2.00 ACRE TRACT OF LAND OUT OF A CALLED 40.611 ACRE TRACT (40.5604 ACRES PER FIELD) ACCORDING TO THE DEED THEREOF RECORDED IN VOLUME 7530, PAGE 972, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS; SAID 40.611 ACRE TRACT BEING 4.208 ACRES OF LAND OUT OF THE WM. BRACKEN SURVEY NO. 65, 17.238 ACRES OF LAND OUT OF THE JULIAN DIAZ SURVEY NO. 66, AND 19.165 ACRES OF LAND OUT OF THE F. RODRIGUEZ SURVEY NO. 84, BEXAR COUNTY, TEXAS; SAID 2.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" WHICH IS ATTACHED TO THIS INSTRUMENT AND MADE A PART OF IT BY REFERENCE FOR ALL PURPOSES.

TOGETHER WITH A 20' INGRESS AND EGRESS EASEMENT OUT OF A CALLED 40.611 ACRE TRACT (40.5604 ACRES PER FIELD) ACCORDING TO THE DEED THEREOF RECORDED IN VOLUME 7530, PAGE 972, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS; SAID 40.611 ACRE TRACT BEING 4.208 ACRES OF LAND OUT OF THE WM. BRACKEN SURVEY NO. 65, 17.238 ACRES OF LAND OUT OF THE JULIAN DIAZ SURVEY NO. 66, AND 19.165 ACRES OF LAND OUT OF THE F. RODRIGUEZ SURVEY NO. 84, BEXAR COUNTY, TEXAS; SAID 20' INGRESS AND EGRESS EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" WHICH IS ATTACHED TO THIS INSTRUMENT AND MADE A PART OF IT BY REFERENCE FOR ALL PURPOSES.

**EXHIBIT "A"**  
**PAGE 1 OF 2**

**LEGAL DESCRIPTION**

**BEING** a 2.000 acre tract out of a 40.611 acres of land more or less (40.5604 Acres field), recorded in Volume 7530, Page 972, Real Property Records of Bexar County, Texas, and being originally out of the Francisco Rodriguez Survey No. 84, Abstract No. 609, the William Bracken Survey No. 65, Abstract No. 48, the Julian Diaz Survey No. 66, Abstract No. 187, Bexar County, Texas, said 2.000 acre tract being more particularly described as follows:

**COMMENCING:** from a 1/2" iron pin found on the northwest right-of-way line of Lower Seguin Road (60 feet wide) for the south corner of said 40.611 acre tract and also being the most southerly eastern corner of a 15.792 acre tract of land recorded in Volume 2384, Page 392, Real Property Records of said County; said pin also being along said right-of-way line N.60°00'00"E., 350.15 feet from a 1/2" iron pin found for the south corner of said 15.792 acre tract;

**THENCE:** N.28°07'53"W., departing said right-of-way line along the common line of said 15.792 acre tract and said 40.611 acre tract, a distance of 1,717.94 feet (Call: N.28°19'W., 1,719.26 feet) to a 1/2" iron pin set (with a yellow cap marked "Dye Ent, SA Tx") for the west corner of said 40.611 acre tract, and N.74°43'50"E., into said 40.611 acre tract, a distance of 743.44 feet to a 1/2" iron pin set (with a yellow cap marked "Dye Ent, SA Tx") for the west corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE:** N.62°56'22"E., a distance of 295.16 feet to a 1/2" iron pin set (with a yellow cap marked "Dye Ent, SA Tx") for the north corner of the herein described tract;

**THENCE:** S.27°03'38"E., a distance of 295.16 feet to a 1/2" iron pin set (with a yellow cap marked "Dye Ent, SA Tx") for the east corner of the herein described tract;

**THENCE:** S.62°56'22"W., a distance of 295.16 feet to a 1/2" iron pin set (with a yellow cap marked "Dye Ent, SA Tx") for the south corner of the herein described tract;

**THENCE:** N.27°03'38"W., a distance of 295.16 feet to the **POINT OF BEGINNING** and containing 2.000 acres, more or less.