



Control Number: 49272



Item Number: 18

Addendum StartPage: 0

B & L Tschirhart, Ltd.  
P.O. Box 255  
Castroville, TX 78009

RECEIVED  
2019 JUL 31 AM 9:37  
PUBLIC UTILITY COMMISSION  
FILING CLERK

July 29, 2019

Public Utility Commission of Texas  
Central Records  
1701 N Congress, PO Box 13326  
Austin, TX 78711-3326

**Regarding: Yancey Water Supply Corporation Docket No. 49272**

To Whom it May Concern:

In regards to Docket No. 49272 concerning the Yancey Water Supply Corporation, I, Todd Tschirhart, representing the B & L Tschirhart, Ltd. landowners of the attached described property in Medina County, hereby choose to **OPT OUT** and/or intervene in the proposed CCN plan proposed by Yancey Water Supply Corporation.

There are several Jagge family members with Ranches surrounded by several CCNs (see enclosed map) and since the Eastern Edge of Medina County is rapidly increasing with Growth and Development it is of special interest to the B & L Tschirhart, Ltd. landowners to be informed about the roadway egress and ingress surrounding the said properties; which will determine the future of the Jagge Properties and who will best service these ranches with water & sewer services.

It is for these reasons that the B & L Tschirhart, Ltd. would like to request a thoroughfare plan for the Eastern side of Medina County to better assist the Jagge landowners and their families in making suitable decisions regarding water & sewer service in the future.

Sincerely,

Todd Tschirhart

Enclosures:

Survey Map of property  
Metes and bounds description of property  
Map of surrounding CCNs

COPY

PARTITION DEED

STATE OF TEXAS           §  
                                  §     **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF MEDINA       §

This instrument is executed this the 22 day of September, 2006 by Charles J. Haby and Marilyn Y. Haby, hereinafter sometimes referred to as "HABY" and Lynn J. Tschirhart and Beverly A. Tschirhart, hereinafter sometimes referred to as "TSCHIRHART".

**WHEREAS**, CHARLES J. HABY AND MARILYN Y. HABY AND LYNN J. TSCHIRHART AND BEVERLY A. TSCHIRHART are the owners of the property described as follows:

2,245.815 acres of land located in Bexar and Medina Counties, being all of a 366.855 acre tract of land described in a Gift Deed to Lynn J. Tschirhart and Charles J. Haby, et ux from Floyd F. Haby, et ux, dated January 9, 1987, as recorded in Volume 50 on Page 527 and in Volume 50 on Page 530 of the Official Public Records of Medina County, Texas; all of that certain 1642.00 acres of land, more or less, described as Tract I in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and dated February 1, 1991, as recorded in Volume 5007 on Page 581 and in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas; all of that certain 128.501 acres of land, more or less, described as Tract I, all of that certain 128.125 acres, more or less, described as Tract II; and all of that certain 0.500 acre of land, more or less, described as Tract III in a Gift Deed to Charles J. Haby, et ux, and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated March 1, 1989, as recorded in Volume 99 on Page 811 and in Volume 99 on Page 815 of the aforementioned Official Public Records; and,

**WHEREAS**, HABY and TSCHIRHART desire to partition the property into shares whereby each party shall hold, possess, enjoy and own his or her or their property free from any claim of the other party; and,

**WHEREAS**, HABY purchased and owns an undivided 100 acres of the above described property, being 100 acres out of a 366.855 acre tract out of Survey No. 111, G. Cassias, original Grantee, and Survey No. 395, Mary E. Gage, original Grantee, as described in deed dated February 11, 1965, from Ellen Marie Ricks and D. W. Ricks to Floyd F. Haby and Freddie T. Haby, recorded in Volume 205, Page 288 of the Deed Records of Medina County, Texas, and as described in a Memorandum dated November 16, 1965, regarding such purchase executed by Floyd F. Haby and Freddie T. Haby, as recorded in Volume 210, Page 170 of the Deed Records of Medina County, Texas, thereby entitling HABY to receive approximately 100 acres more than TSCHIRHART in this partition;

**NOW, THEREFORE**, The Parties to this agreement agree as follows:

1. That we, CHARLES J. HABY and MARILYN Y. HABY, for and in consideration of the covenants contained in and the conveyance made in this instrument, have GRANTED, CONFIRMED, and CONVEYED, and by these presents do GRANT, CONFIRM, and CONVEY to LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART, whose address is 514 Hwy. 90 E, Castroville, Medina County, Texas 78009, as their sole and separate

property, all of our right, title, and interest in and to the property described as follows:

**TRACT 1:**

1072.021 acres of land situated about 19 miles N 82 degrees E of Hondo, in Medina County, Texas, being 202.737 acres in Bexar County and 869.284 acres in Medina County, being 605.417 acres out of Survey No. 112, Abstract No. 1279 (Bexar County), Abstract No. 1256 (Medina County), Graviel Casias, original Grantee, 465.345 acres out of Survey No. 395, Abstract No. 1277 (Medina County) Mary E. Gage, original Grantee, and 1.259 acres out of Survey No. 41 1/4, Abstract No. 1253 (Medina County), J.S. Collard, original Grantee, being a portion of that certain 1642.000 acres of land, more or less, described as Tract I in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and in Volume 5007 on Page 581 and in Volume 5007 on Page 586 of the Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

**TRACT 2:**

1.775 acres of land situated about 20.1 miles N 85 degrees E of Hondo in Medina and Bexar Counties, out of Survey No. 15 1/4, Abstract No. 1464 (Medina County), Abstract No. 1009 (Bexar County), J.W. Howard, original Grantee, being that same property called 1.737 acres, more or less, and described as Tract II in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and dated February 1, 1991, as recorded in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part hereof for all purposes.

It is the intention of the parties to this instrument that LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART, shall hold, possess, enjoy, and own Tract 1 and Tract 2 free from any claim of CHARLES J. HABY and MARILYN Y. HABY.

TO HAVE AND TO HOLD Tract 1 and Tract 2, together with all and singular the rights and appurtenances belonging in any way to Tract 1 and Tract 2, to LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART, their heirs, personal representatives, successors, and assigns forever, and CHARLES J. HABY and MARILYN Y. HABY bind themselves and their heirs, personal representatives, successors, and assigns to warrant and forever defend all and singular Tract 1 and Tract 2 to LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART, their heirs, personal representatives, successors, and assigns against every person lawfully claiming or to claim all or any part of Tract 1 and Tract 2.

That we, LYNN J. TSCHIRHART AND BEVERLY A. TSCHIRHART, for and in consideration of the covenants contained in and the conveyance made in this instrument, have GRANTED, CONFIRMED, and CONVEYED, and by these presents do GRANT, CONFIRM, and CONVEY to CHARLES J. HABY and MARILYN Y. HABY whose address is 520 Hwy. 90 E, Medina County, Texas 78009, as their sole and separate property, all of our right,

title, and interest in and to the property described as follows:

**TRACT 3:**

1172.019 acres of land situated about 19 miles N 82 degrees E of Hondo in Medina County, Texas, being 277.571 acres out of Survey No. 41 ½, Abstract No. 1239, M.A.C. Wilson, original Grantee, 323.781 acres out of Survey No. 111, Abstract No. 1255, Graviel Casias, original Grantee, and 570.667 acres out of Survey No. 395, Abstract No. 1277, Mary E. Gage, original Grantee, being all of that certain 366.855 acre tract of land described in a Gift Deed to Lynn J. Tschirhart and Charles J. Haby, et ux from Floyd F. Haby, et ux, dated January 9, 1987, as recorded in Volume 50 on Page 527 and in Volume 50 on Page 530 of the Official Public Records of Medina County, Texas, a portion of that certain 1642.000 acres of land, more or less, described as Tract I in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and dated February 1, 1991, as recorded in Volume 5007 on Page 581 and in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas, all of that certain 128.501 acres of land, more or less, described as Tract I, all of that certain 128.125 acres, more or less, described as Tract II, and all of that certain 0.500 acre of land, more or less, described as Tract III in a Gift Deed to Charles J. Haby, et ux, and Lynn J. Tschirhart, et ux, from Floyd F. Haby, et ux, dated March 1, 1989, as recorded in Volume 99 on Page 811 and in Volume 99 on Page 815 of the aforementioned Official Public Records and being more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part hereof for all purposes.

It is the intention of the parties to this instrument that CHARLES J. HABY and MARILYN Y. HABY shall hold, possess, enjoy, and own Tract 3 free of any claim of LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART.

TO HAVE AND TO HOLD Tract 3, together with all and singular the rights and appurtenances belonging in any way to Tract 3 to CHARLES J. HABY and MARILYN Y. HABY, their heirs, personal representatives, successors, and assigns forever, and LYNN J. TSCHIRHART and BEVERLY A. TSCHIRHART bind themselves and their heirs, personal representatives, successors, and assigns to warrant and forever defend all and singular Tract 3 to CHARLES J. HABY and MARILYN Y. HABY and their heirs, personal representatives, successors, and assigns against every person lawfully claiming or to claim all or any part of Tract 3.

The parties to this partition deed acknowledge that an undivided 100 acres out of that certain 366.855 acre tract of land described in Deed of Gift dated January 9, 1987, from Floyd F. Haby et ux, to Lynn J. Tschirhart et ux and Charles J. Haby, et ux, recorded in Volume 50, Page 527 of the Official Public Records of Medina County, Texas, and being a part of the above described Tract 3, was separately owned by Charles J. Haby and Marilyn Y. Haby, having been purchased by Charles J. Haby and Marilyn Y. Haby at the time Floyd F. Haby, et ux purchased the remaining undivided 266.855 acres in said 366.855 acre tract.

Each conveyance described herein is made and accepted subject to any easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, other than liens and conveyances, that affect the property; taxes for the

current year, the payment of which the respective Grantee assumes.

Charles J. Haby  
Charles J. Haby

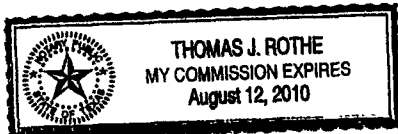
Marilyn Y. Haby  
Marilyn Y. Haby

Lynn J. Tschirhart  
Lynn J. Tschirhart

Beverly A. Tschirhart  
Beverly A. Tschirhart

**ACKNOWLEDGMENT**

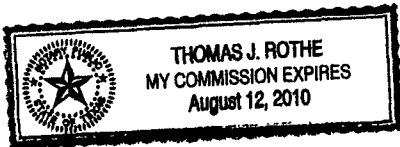
Acknowledged before me this the 22 day of Sept.,  
2006, by Charles J. Haby.



[Signature]  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

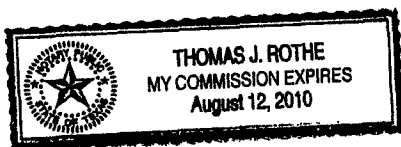
Acknowledged before me this the 22 day of Sept.,  
2006, by Marilyn Y. Haby.



[Signature]  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

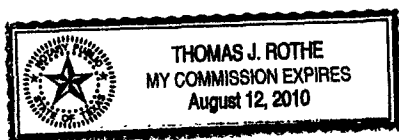
Acknowledged before me this the 22 day of Sept.,  
2006, by Lynn J. Tschirhart.



[Signature]  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

Acknowledged before me this the 22 day of Sept.,  
2006, by Beverly A. Tschirhart.



[Signature]  
Notary Public, State of Texas

PREPARED IN OFFICE OF and  
AFTER RECORDING RETURN TO:  
Thomas J. Rothe  
Attorney at Law  
1510 Avenue M #101  
Hondo, Texas 78861

THE STATE OF TEXAS  
COUNTY OF MEDINA  
COUNTY OF BEXAR

PREPARED FOR: Charles J. Haby, et ux and  
Lynn J. Tschirhart, et ux

FIELD NOTES TO DESCRIBE

A survey of 1.775 acres of land situated about 20.1 miles N 85° E of Hondo in Medina and Bexar Counties, Texas, out of Survey No. 15 ¼, Abstract No. 1464 (Medina County), Abstract No. 1009 (Bexar County), J. W. Howard, original Grantee, being that same property called 1.737 acres, more or less, and described as Tract II in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and dated February 1, 1991, as recorded in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At a 4" diameter pipe corner post on a recognized North line of said Survey No. 15 ¼, the recognized lower South line of Survey No. 112, Abstract No. 1279 (Bexar County), Abstract No. 1256 (Medina County), Graviel Casias, original Grantee, and the lower South line of a certain 1072.021 acre tract of land, this day surveyed, for the Northeast corner of that certain 16.144 acre tract of land described in a deed to Derek R. Griggs, et ux and Dennis Hans, et ux from Harley J. Hutzler, et ux, dated April 30, 2001, as recorded in Volume 407 on Page 999 of the aforementioned Official Public Records of Medina County, Texas, from which a recognized exterior corner of said Survey No. 15 ¼ and the recognized Northeast corner of Survey No. 41 ¼, Abstract No. 1253 (Medina County), J. S. Collard, original Grantee, bears S 89-32-49 W 145.59 feet;

THENCE: N 82-27-52 E 30.38 feet to a 3" diameter pipe corner post on the occupied West line of that certain 111.849 acre tract of land described in an Executor's Deed to Lorie Lehmberg Howard from Allene L. Knoupp, Independent Executrix of the Estate of Clinton L. Lehmberg, Deceased, dated October 6, 1993, as recorded in Volume 5833 on Page 298 of the aforementioned Official Public Records of Real Property of Bexar County, Texas, for the lower Southeast corner of said 1072.021 acre tract of land and the Northeast corner of this survey;

THENCE: Along fence and the occupied West line of said 111.849 acre tract of land, S 00-14-28 W at 535.85 feet pass 5.00 feet East of a 12" x 12" concrete County Line marker No. 9, continuing a total distance of 1296.02 feet to a corner post for an angle point and S 00-33-32 W 1242.32 feet to a 5/8" iron pin set in fence on the North line of that certain 37.641 acre tract of land described in a deed to Denise C. Etter Ramirez from Walter J. Etter, et ux, dated December 30, 1987, as recorded in Volume 73 on Page 227 of the Official Public Records of Medina County, Texas, and in Volume 4233 on Page 685 of the aforementioned Official Public Records of Real Property of Bexar County, Texas, for the Southwest corner of said 111.849 acre tract of land and the Southeast corner of this survey;

THENCE: In part along the North line of said 37.641 acre tract of land, N 89-27-48 W 30.00 feet to a ½" iron pipe found by a steel "T" post for an angle point in the East line of that certain 65.188 acre tract of land described in a deed to Harley J. Hutzler from Ernest Henry Hutzler, dated August 17, 1982, as recorded in Volume 317 on Page 1007 of the Deed Records of Medina County, Texas;

THENCE: Along an East line of said 65.188 acre tract of land and the East line of that certain 1.22560 acre tract of land described in a deed to Harley J.

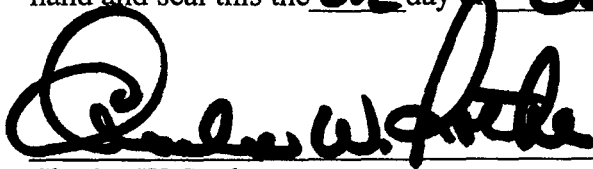
Hutzler, et ux from Ernest Hutzler, et ux, dated March 18, 1975, as recorded in Volume 265 on Page 121 of the aforementioned Medina County Deed Records, N 00-35-01 E 351.97 feet to a ½" iron pipe found for the Northeast corner of said 1.22560 acre tract of land, an exterior corner of said 65.188 acre tract of land, and an angle point of this survey;

THENCE: Along fence and the East line of said 65.188 acre tract of land, N 00-31-01 E 878.35 feet to a 6" diameter cedar post for an angle point and N 00-10-28 E 706.90 feet to a 5/8" iron pin set by an 8" diameter cedar corner post for the Southeast corner of said 16.144 acre tract of land and an angle point of this survey;

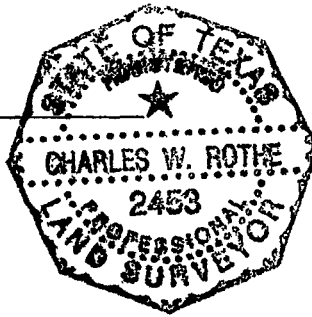
THENCE: Along fence and the East line of said 16.144 acre tract of land, N 00-21-51 E 596.86 feet to the POINT OF BEGINNING.

The bearings are relative to Geodetic North as taken from GPS Observations.

I certify that the foregoing field note description was prepared from an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 27<sup>th</sup> day of October, 2003.



Charles W. Rothe  
Registered Professional Surveyor No. 2453  
1705 Avenue K, P. O. Box 426  
Hondo, Texas 78861  
Ph. (830) 426-3005  
FAX (830) 426-8160





THE STATE OF TEXAS  
COUNTY OF MEDINA  
COUNTY OF BEXAR

PREPARED FOR: Charles J. Haby, et ux and  
Lynn J. Tschirhart, et ux

FIELD NOTES TO DESCRIBE

A survey of 1172.019 acres of land situated about 19 miles N 82° E of Hondo in Medina County, Texas, being 277.571 acres out of Survey No. 41 ½, Abstract No. 1239, M.A.C. Wilson, original Grantee, 323.781 acres out of Survey No. 111, Abstract No. 1255, Graviel Casias, original Grantee, and 570.667 acres out of Survey No. 395, Abstract No. 1277, Mary E. Gage, original Grantee, being all of that certain ~~366.855~~ <sup>366.855</sup> acre tract of land described in a Gift Deed to Lynn J. Tschirhart and Charles J. Haby, et ux from Floyd F. Haby, et ux, dated January 9, 1987, as recorded in Volume 50 on Page 527 and in Volume 50 on Page 530 of the Official Public Records of Medina County, Texas, a portion of that certain 1642.000 acres of land, more or less, described as Tract I in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and dated February 1, 1991, as recorded in Volume 5007 on Page 581 and in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas, all of that certain 128.501 acres of land, more or less, described as Tract I, all of that certain 128.125 acres, more or less, described as Tract II, and all of that certain 0.500 acre of land, more or less, described as Tract III in a Gift Deed to Charles J. Haby, et ux, and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated March 1, 1989, as recorded in Volume 99 on Page 811 and in Volume 99 on Page 815 of the aforementioned Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING: At a 5/8" iron pin found by a 6" diameter cedar corner post on the recognized North line of said Survey No. 41 ½ for a recognized exterior corner on the West line of said Survey No. 111, the recognized Southeast corner of Survey No. 39, Abstract No. 943, Maria L. Torres, original Grantee, the Southeast corner of that certain 281.792 acre tract of land described in a deed to Estrella Investments, L.L.C. dba Star Ranch Properties of Texas from MJM Joint Venture, dated June 2, 2003, as recorded in Volume 489 on Page 788 of the said Official Public Records, the Southeast corner of Lot 11 of Star Oaks Ranch Subdivision, Unit Two (unrecorded) and an interior corner of this survey;

THENCE: Along fence, the recognized upper West line of said Survey No. 111, the recognized East line of said Survey No. 39, and the East line of said Star Oaks Ranch Subdivision, Unit Two, N 00-06-14 W 1621.77 feet to a 5/8" iron pin set by a 6" diameter creosote corner post for an angle point and N 00-43-35 W 1078.91 feet to a ½" iron pin found by a 10" diameter creosote corner post for the Northeast corner of Lot 7 of Star Oaks Ranch Subdivision, Unit One, a subdivision as shown on a plat thereof recorded in Volume 9 on Pages 1-3 of the Plat Records of Medina County, Texas, the Southeast corner of that certain 93.29 acre tract of land described in a deed to 471 Land, Inc. from Patricia R. Haby, dated January 24, 2003, as recorded in Volume 472 on Page 615 of the said Official Public Records, and an angle point of this survey;

THENCE: Along fence, the recognized upper West line of said Survey No. 111, the recognized East line of said Survey No. 39, and the East line of said 93.29 acre tract of land, N 00-39-12 W 378.01 feet to a ½" iron pin found by an 8" diameter creosote corner post for the Northeast corner of said 93.29 acre tract of land, the Southeast corner of that certain 399.656 acre tract of land, more or less, described in a Quitclaim Deed to Walter C. Haby from Cornelia Irene Haby, dated October 24, 2002, as recorded in Volume 462 on Page 7 of the said Official Public Records, and an angle point

of this survey;

- THENCE: Along fence, the recognized upper West line of said Survey No. 111, the recognized East line of said Survey No. 39, and the East line of said 399.656 acre tract of land, more or less, N 00-39-23 W 570.73 feet to a ½" iron pin found by a 12" diameter creosote post for an angle point, N 00-24-58 W 1149.31 feet to a ½" iron pin found by a 10" diameter mesquite post for an angle point, and N 58-33-26 E 80.60 feet to a ½" iron pin found by a 10" diameter creosote corner post, the recognized North line of said Survey No. 111, the recognized South line of Survey No. 38, Abstract No. 5, Gabriel Arreola, original Grantee, for the Southwest corner of that certain 164.88 acre tract of land described in the Last Will and Testament of Leo B. McLaughlin to Agness Fayee McLaughlin, dated April 19, 1989, as recorded in Volume 80 on Page 404 of the Probate Records of Medina County, Texas, and the upper Northwest corner of this survey;
- THENCE: Along fence, the recognized North line of said Survey No. 111, the recognized North line of said Survey No. 395, the recognized South line of said Survey No. 38, and the South line of said 164.88 acre tract of land, N 89-35-29 E 4862.77 feet to a 10" diameter creosote post for the lower Northwest corner of that certain 366.855 acre tract of land described in a deed to Maurine Doyle Grooms, Custodian from Mabel B. Suehs, dated July 17, 1992, as recorded in Volume 174 on Page 54 of the said Official Public Records, and the Northeast corner of this survey;
- THENCE: Along the lower West line of said 366.855 acre tract of land, S 00-10-28 E 3240.31 feet to an axle found 1 foot North of fence for the Southwest corner of said 366.855 acre tract of land and an interior corner of this survey;
- THENCE: Generally along fence and the South line of said 366.855 acre tract of land, N 89-47-30 E 692.93 feet to a 5/8" iron pin set for the lower Northwest corner of a certain 1072.021 acre tract of land, this day surveyed, and an exterior corner of this survey;
- THENCE: Along the lower West line of said 1072.021 acre tract of land, S 01-41-21 W 4732.13 feet to a 5/8" iron pin set in fence on the North line of that certain 137.11 acre tract of land described in a deed to Herbert G. and Edna L. Weiblen from Olga Weiblen, dated January 6, 1958, as recorded in Volume 220 on Page 82 of the Deed Records of Medina County, Texas, for the Southwest corner of said 1072.021 acre tract of land and the Southeast corner of this survey;
- THENCE: Along fence and the North line of said 137.11 acre tract of land, S 89-46-54 W 1131.84 feet to a 1" diameter iron pipe found by corner post for the Northwest corner of said 137.11 acre tract of land, the Northeast corner of a certain adjoining 137.11 acre tract of land described in a deed to Arthur Weiblen, et ux from Fritz H. Weiblen, et ux, dated October 1, 1964, as recorded in Volume 203 on Page 401 of the aforementioned Deed Records, and an angle point of this survey;
- THENCE: Along fence and the North line of said Arthur Weiblen, et ux, 137.11 acre tract of land, S 89-35-37 W 1204.55 feet to a 5/8" iron pin found by a 2" diameter pipe corner post for the Northwest corner of said 137.11 acre tract of land, the Northeast corner of

that certain 42.024 acre tract of land described in a deed to Hal P. King from Catherine Porter King, dated October 4, 1989, as recorded in Volume 112 on Page 643 of the aforementioned Official Public Records, and an angle point of this survey;

THENCE: Along fence, the North line of said 42.024 acre tract of land, and the North line of that certain 34.999 acre tract of land described in a deed to Catherine Porter King from Hal P. King, dated October 4, 1989, as recorded in Volume 112 on Page 639 of the said Official Public Records, S 89-03-24 W 2103.62 feet to a 6" diameter cedar corner post on the recognized East line of said Survey No. 41 ½ for the Northwest corner of said 34.999 acre tract of land, the Northeast corner of that certain 183.25 acre tract of land described as Tract No. 3 in a deed to Robert L. Burell, Jr. from Oscar W. Suehs, et ux, et al, dated December 7, 1964, as recorded in Volume 204 on Page 517 of the said Deed Records, and an angle point of this survey;

THENCE: Along fence and the upper North line of said 183.25 acre tract of land, S 89-09-21 W 291.76 feet to a 5/8" iron pin set by a 6" diameter cedar corner post for an exterior corner in the North line of said 183.25 acre tract of land and an interior corner of this survey;

THENCE: Along fence and a West line of said 183.25 acre tract of land, S 03-29-33 W 74.23 feet to a 4" diameter pipe corner post on the recognized South line of said Survey No. 41 ½ for an interior corner of said 183.25 acre tract of land and an exterior corner of this survey;

THENCE: Along the lower North line of said 183.25 acre tract of land and the North line of that certain 874.57 acre tract of land described as Tract No. 1 in the aforementioned deed to Robert L. Burell, Jr., N 89-36-31 W 3403.05 feet to a 5/8" iron pin found by corner post for the Southeast corner of that certain 84.17 acre tract of land described as First Tract in a deed to Stanley J. Jagge from Sterley Jagge, et ux, et al, dated October 31, 1969, as recorded in Volume 228 on Page 383 of the said Deed Records, for the Southwest corner of this survey;

THENCE: Along fence and the East line of said 84.17 acre tract of land, N 00-39-13 E 1274.49 feet to a 5/8" iron pin found by an 8" diameter cedar corner post for an exterior corner of said 84.17 acre tract of land and an interior corner of this survey;

THENCE: Along fence and an interior North line of said 84.17 acre tract of land, N 85-13-30 W 339.12 feet to an 8" diameter cedar corner post for an angle point and N 89-52-31 W 351.75 feet to a 5/8" iron pin found by a 6" diameter cedar post for an interior corner of said 84.17 acre tract of land and an exterior corner of this survey;

THENCE: Along fence and an interior East and Southeast line of said 84.17 acre tract of land, N 04-55-13 E 79.61 feet to a 5/8" iron pin found by a 6" diameter cedar post for an angle point and N 41-27-16 E 503.95 feet to a 5/8" iron pin found by a 6" diameter cedar corner post on the upper South line of that certain 133.385 acre tract of land described as Tract 1 in a Partition Deed to Twain J. Jagge, et al from Stanley B. Jagge, dated November 21, 1995, as recorded in Volume 261 on Page 541 of the said Official Public Records, for an interior corner of said 84.17 acre tract of land and an exterior corner of this survey;

THENCE: Along fence and the upper South line of said 133.385 acre tract of land, S 89-37-05 E 122.42 feet to a 5/8" iron pin found by a 6"


diameter cedar post for an angle point and S 72-08-51 E 106.69 feet to a 5/8" iron pin found by a 10" diameter cedar corner post for the upper Southeast corner of said 133.385 acre tract of land and an interior corner of this survey;

THENCE: Along fence and the East line of said 133.385 acre tract of land, N 00-42-20 E 1421.71 feet to a 5/8" iron pin found by a 6" diameter cedar corner post on the recognized North line of said Survey No. 41 ½, the recognized South line of said Survey No. 39, and the South line of Lot 18 of said Star Oaks Ranch Subdivision, Unit Two, for the Northeast corner of said 133.385 acre tract of land and the lower Northwest corner of this survey;

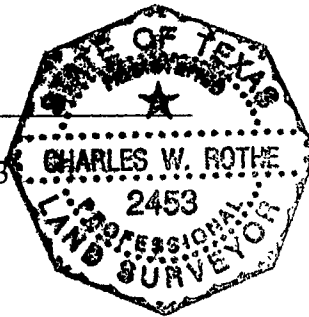
THENCE: Along fence, the recognized North line of said Survey No. 41 ½, the recognized South line of said Survey No. 39, and the South line of said Star Oaks Ranch Subdivision, Unit Two, S 89-27-21 E 3511.63 feet to the POINT OF BEGINNING.

The bearings are relative to Geodetic North as taken from GPS Observations.

I certify that the foregoing field note description was prepared from an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 23<sup>rd</sup> day of October, 2003.



Charles W. Rothe  
Registered Professional Surveyor No. 2453  
1705 Avenue K, P. O. Box 426  
Hondo, Texas 78861  
Ph. (830) 426-3005  
FAX (830) 426-8160



THE STATE OF TEXAS  
COUNTY OF MEDINA  
COUNTY OF BEXAR

PREPARED FOR: Charles J. Haby, et ux and  
Lynn J. Tschirhart, et ux

FIELD NOTES TO DESCRIBE

A survey of 1072.021 acres of land situated about 19 miles N 82° E of Hondo, in Medina County, Texas, being 202.737 acres in Bexar County and 869.284 acres in Medina County, being 605.417 acres out of Survey No. 112, Abstract No. 1279 (Bexar County), Abstract No. 1256 (Medina County), Graviel Casias, original Grantee, 465.345 acres out of Survey No. 395, Abstract No. 1277 (Medina County) Mary E. Gage, original Grantee, and 1.259 acres out of Survey No. 41 ¼, Abstract No. 1253 (Medina County), J. S. Collard, original Grantee, being a portion of that certain 1642.000 acres of land, more or less, described as Tract I in a Gift Deed to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux from Floyd F. Haby, et ux, dated January 7, 1994, as recorded in Volume 212 on Page 1018 and in Volume 212 on Page 1022 of the Official Public Records of Medina County, Texas, and in Volume 5007 on Page 581 and in Volume 5007 on Page 586 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At a 1" iron pipe found by an 8" diameter cedar corner post for the recognized Northwest corner of said Survey No. 112, the recognized Southwest corner of Survey No. 6, Abstract No. 1001 (Bexar County), Abstract No. 1447 (Medina County), Eliza Davis, original Grantee, the Southwest corner of that certain 555.0 acre tract of land described in a deed to Texas Research and Technology Foundation from The Trustees of the Texas Research and Technology Trust, dated August 16, 1993, as recorded in Volume 202 on Page 450 of the Official Public Records of Medina County, Texas, and the upper Northwest corner of this survey;

THENCE: Along fence, the recognized North line of said Survey No. 112, the recognized upper South line of said Survey No. 6, and the South line of said 555.0 acre tract of land, S 89-53-03 E at 2646.34 feet pass the Bexar-Medina County Line, continuing a total distance of 2957.86 feet to a 6" diameter cedar post for an angle point and S 89-50-53 E 1977.86 feet to a 1" diameter iron pipe found by a 10" diameter cedar corner post on the West line of that certain 851.66 acre tract of land described in a deed to Louis Scott Felder from 8343 BL San Antonio Ltd., dated June 20, 1994, as recorded in Volume 6118 on Page 599 of the aforementioned Official Public Records of Real Property for the recognized Northeast corner of said Survey No. 112, a recognized interior corner of said Survey No. 6, the Southeast corner of said 555.0 acre tract of land, and the Northeast corner of this survey;

THENCE: Along fence, the recognized East line of said Survey No. 112, the recognized lower West line of said Survey No. 6, and the West line of said 851.66 acre tract of land, S 00-00-26 W 350.86 feet to a 1" diameter iron pipe found by a 10" diameter cedar corner post on the North line of that certain 181.992 acre tract of land described in a deed to Bruce Bengel from Pioneer Home Builders, Inc., dated February 9, 1990, as recorded in Volume 4756 on Page 407 of the said Official Public Records of Real Property, for the Southwest corner of said 851.66 acre tract of land and an exterior corner of this survey;

THENCE: Along the North line of said 181.992 acre tract of land, N 89-28-15 W 319.15 feet to a 3" diameter pipe corner post for the Northwest corner of said 181.992 acre tract of land and an interior corner of this survey;

THENCE: Along fence and the West line of said 181.992 acre tract of land, S 01-10-24 W 1033.65 feet to a 3" diameter pipe post for an angle point and S 00-09-03 W 1857.81 feet to a 24" diameter live oak tree for the

Northwest corner of that certain 52 acres of land, more or less, described as Third Tract in a deed to Marlin Mechler, et ux from Howard Mechler, et ux, dated September 21, 1968, as recorded in Volume 6039 on Page 537 of the Deed and Plat Records of Bexar County, Texas, the Southwest corner of said 181.992 acre tract of land and an angle point of this survey;

THENCE: Along the West line of said 52 acres of land, more or less, S 00-26-43 E 570.94 feet to a 5/8" iron pin set by a 6" diameter cedar corner post on the recognized upper South line of said Survey No. 112, the recognized upper North line of Survey No. 15 1/4, Abstract No. 1009 (Bexar County), Abstract No. 1464 (Medina County), J. W. Howard, original Grantee, for the Northeast corner of that certain 111.849 acre tract of land described in a Gift Deed to Raymond W. Tschirhart, et al from Elsie J. Tschirhart, dated December 27, 1990, as recorded in Volume 4972 on Page 1657 of the said Official Public Records of Real Property, and the upper Southeast corner of this survey;

THENCE: Along fence, the recognized upper South line of said Survey No. 112, the recognized upper North line of said Survey No. 15 1/4, and the North line of said 111.849 acre tract of land, N 89-51-21 W at 2284.47 feet pass the Bexar-Medina County Line S 00-00-13 W 926.27 feet from a 12" x 12" concrete County Line Marker #10, continuing a total distance of 2316.48 feet to a 3" diameter pipe corner post for a recognized interior corner of said Survey No. 112, the recognized upper Northwest corner of said Survey No. 15 1/4, the Northwest corner of said 111.849 acre tract of land, and an interior corner of this survey;

THENCE: Along fence, in part along the recognized middle East line of said Survey No. 112, in part along the recognized upper West line of said Survey No. 15 1/4, along the West line of said 111.849 acre tract of land, and along the occupied West line of that certain adjoining 111.849 acre tract of land described in an Executor's Deed to Lorie Lehmberg Howard from Allene L. Knaupp, Independent Executrix of the Estate of Clinton L. Lehmberg, Deceased, dated October 6, 1993, as recorded in Volume 5833 on Page 298 of the said Official Public Records of Real Property, the following courses:

S 00-15-44 W 724.79 feet to a 3" diameter pipe corner post for the upper Southwest corner of the Raymond W. Tschirhart, et al 111.849 acre tract of land and the Northwest corner of said Lorie Lehmberg Howard 111.849 acre tract of land and an angle point of this survey;

S 00-17-29 W 598.80 feet to a 3" diameter pipe post for an angle point;

S 02-43-22 E 220.24 feet to a 3" diameter pipe post for an angle point;

S 00-47-02 E 331.76 feet to a 3" diameter pipe post for an angle point;

S 00-03-22 W 1877.04 feet to a 3" diameter corner post for an angle point;

S 40-39-49 E 49.84 feet to a 3" diameter pipe post for an angle point; and

S 00-21-41 W 45.33 feet to a 3" diameter pipe corner post for the Northeast corner of a certain 1.775 acre tract of land, this day surveyed, said 1.775 acre tract of land being that same property called 1.737 acres, more or less, described as Tract II in the aforementioned Deeds to Charles J. Haby, et ux and Lynn J. Tschirhart, et ux and the lower Southeast corner of this survey;

THENCE: Along the North line of said 1.775 acre tract of land, S 82-27-52 W 30.38 feet to a 4" diameter pipe corner post for the Northwest corner of said 1.775 acre tract of land, the Northeast corner of that certain 16.144 acre tract of land described in a deed to Derek R. Griggs, et ux and Dennis Hans, et ux from Harley J. Hutzler, et ux, dated April 30, 2001, as recorded in Volume 407 on Page 999 of the aforementioned Official Public Records of Medina County, Texas, and an angle point of this survey;

THENCE: Along fence and the North line of said 16.144 acre tract of land, the following courses:

S 85-25-34 W 54.66 feet to a 5/8" iron pin found by an 8" diameter cedar post for an angle point;

S 85-47-16 W 169.73 feet to a 12" diameter live oak tree for an angle point;

N 88-49-09 W 189.13 feet to a 5/8" iron pin found by an 8" diameter cedar post for an angle point; and

S 89-02-21 W 748.89 feet to a 4" diameter pipe corner post for the Northwest corner of said 16.144 acre tract of land, the Northeast corner of that certain 161.58 acres of land described in two tracts of 72 1/4 acres (First Tract) and 89 1/3 acres (Second Tract) in a deed to Darlene Bippert Boehme, et vir from Emil C. Bippert, et ux, dated April 24, 1975, as recorded in Volume 266 on Page 1 of the Deed Records of Medina County, Texas, and an angle point of this survey;

THENCE: Along fence and the North line of said 161.58 acre tract of land, the following courses:

N 88-08-59 W 221.94 feet to a 3" diameter pipe post for an angle point;

S 89-25-13 W 1123.85 feet to a 3" diameter pipe post for an angle point;

S 89-43-50 W 318.05 feet to a 3" diameter pipe post for an angle point; and

S 83-36-43 W 198.58 feet to a 5/8" iron pin found by a 3" diameter pipe corner post for the Northwest corner of said 161.58 acre tract of land, the Northeast corner of Lot 1A of the resubdivision of Santleben Stagecoach Hills Subdivision, a subdivision as shown on a plat thereof recorded in Volume 4 on Page 21 of the Plat Records of Medina County, Texas, the Northwest corner of said 161.58 acre tract of land, and an angle point of this survey;

THENCE: Along fence and the North line of said Lot 1A, S 89-22-54 W 618.67 feet to a 3" diameter pipe corner post for the Northwest corner of said Lot 1A, the Northeast corner of Lot 2 of said resubdivision of

Santleben Stagecoach Hills Subdivision, and an angle point of this survey;

THENCE: Along fence, the North line of said Lot 2, and the North line of Lot 3 of said resubdivision of Santleben Stagecoach Hills Subdivision, N 89-55-48 W 1228.61 feet to a ½" iron pin found by a 6" diameter pipe corner post for the Northwest corner of said Lot 3, the Northeast corner of Lot 4 of said resubdivision of Santleben Stagecoach Hills Subdivision, and an angle point of this survey;

THENCE: Along fence, the North line of said Lot 4, and the North line of that certain 116.479 acre tract of land described in a deed to John F. Bailey from Hugo Stolte, Jr., et al, dated September 13, 1978, as recorded in Volume 284 on Page 656 of the Deed Records of Medina County, Texas, S 89-39-37 W at 615.30 feet pass the Northwest corner of said Lot 4 and the Northeast corner of said 116.479 acre tract of land, continuing a total distance of 1286.75 feet to a 5/8" iron pin set by a 10" diameter cedar corner post for an angle point and N 89-56-09 W 594.90 feet to a 6" diameter pipe corner post for the Northwest corner of said 116.479 acre tract of land, the Northeast corner of that certain 137.11 acre tract of land described in a deed to Herbert G. and Edna L. Weiblen from Olga Weiblen, dated January 6, 1968, as recorded in Volume 220 on Page 82 of the Deed Records of Medina County, Texas, and an angle point of this survey;

THENCE: Along the North line of said 137.11 acre tract of land, S 89-46-54 W 333.72 feet to a 5/8" iron pin set for the Southeast corner of a certain 1172.019 acre tract of land, this day surveyed, and the Southwest corner of this survey;

THENCE: Along the lower East line of said 1172.019 acre tract of land, N 10-41-21 E 4732.13 feet to a 5/8" iron pin set in fence on the South line of that certain 366.855 acre tract of land described in a deed to Maurine Doyle Grooms, Custodian, from Mabel B. Suehs, dated July 17, 1992, as recorded in Volume 174 on Page 54 of the Official Public Records of Medina County, Texas, for an exterior corner in the East line of said 1172.019 acre tract of land and the lower Northwest corner of this survey;

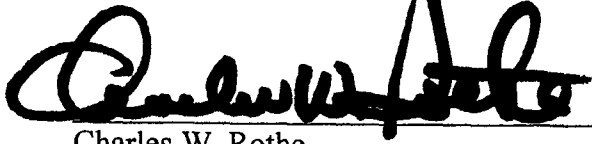
THENCE: Along fence and the South line of said 366.855 acre tract of land, N 89-47-30 E 929.14 feet to a 5/8" iron pin set by an 8" diameter cedar corner post for an angle point and N 89-41-05 E 2998.70 feet to a 5/8" iron pin set by a 10" diameter cedar corner post on the recognized West line of said Survey No. 112 and the recognized East line of said Survey No. 395 for the Southeast corner of said 366.855 acre tract of land and an interior corner of this survey;

THENCE: Along fence, the recognized West line of said Survey No. 112, the recognized East line of said Survey No. 395, and the East line of said 366.855 acre tract of land, N 00-08-32 W 3051.73 feet to the POINT OF BEGINNING.

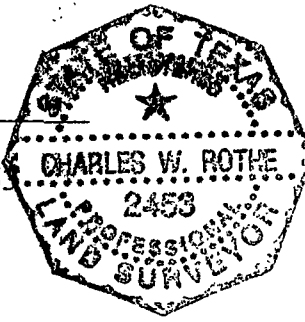
The bearings are relative to Geodetic North as taken from GPS Observations.

I certify that the foregoing field note description was prepared from an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 23<sup>rd</sup> day of October, 2003.

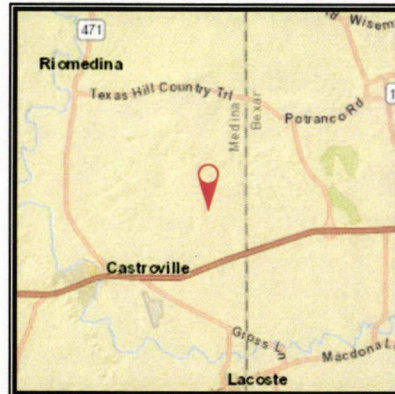




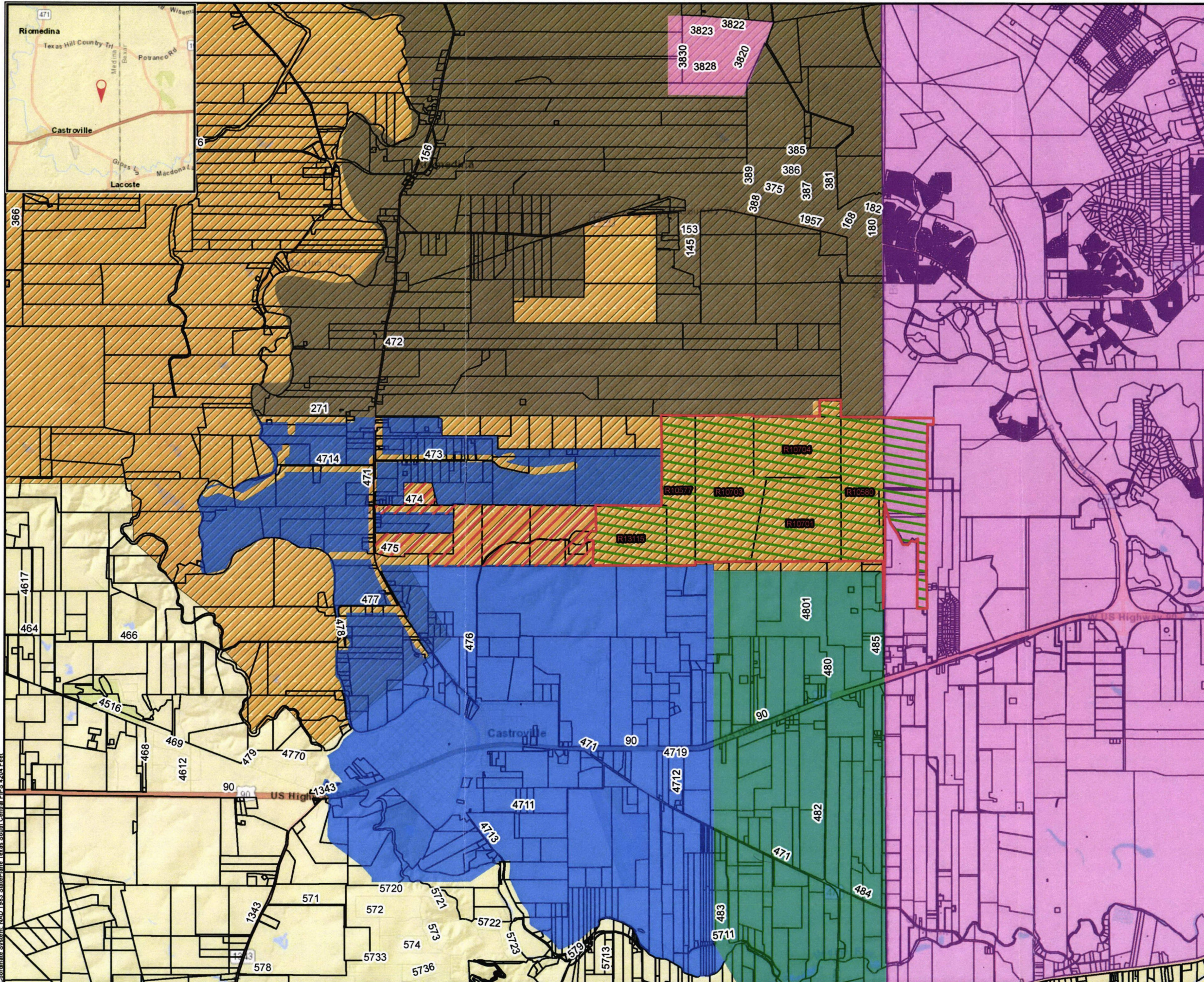
Charles W. Rothe  
Registered Professional Surveyor No. 2453  
1705 Avenue K, P. O. Box 426  
Hondo, Texas 78861  
Ph. (830) 426-3005  
FAX (830) 426-8160









- OTHER JAGGE FAMILIES IN PROTEST
- OLD JAGGE RANCH
- CITY OF CASTROVILLE CCN
- CITY OF LA COSTE CCN
- SAN ANTONIO WATER SYSTEM CCN
- YANCEY EXISTING CCN
- MEDINA COUNTY PARCELS 2015
- YANCEY PROPOSED CCN
- BEXAR COUNTY PARCELS 2016





**CCN COVERAGE EXHIBIT**  
**YANCEY EXISTING CCN**  
PROJECT NAME: Old Jagge Ranch  
PROJECT NO.: 99999  
DRAWN BY: Jacob Edlund  
CHECKED BY: Russell Persyn  
RESPEC • 1105 LORENZO STREET • CASTROVILLE, TEXAS 78009  
TBPE FIRM NO. F-17502 • [WWW.RESPEC.COM](http://WWW.RESPEC.COM)  
1 IN. = 5,000 FT.  **E01**

Coordinate System: NAD 1983 StatePlane Texas South Central FIPS 4204 Feet



**OVERSIZED DOCUMENT(S)**

**TO VIEW**

**OVERSIZED DOCUMENT(S)**

**PLEASE GO TO**

**CENTRAL RECORDS**

**(512) 936-7180**