

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS
CONSENTING TO THE CREATION, AND INCLUSION OF
LAND WITHIN PARK PLACE MUNICIPAL UTILITY DISTRICT
OF GUADALUPE COUNTY**

WHEREAS, the City of New Braunfels, Texas (the "City") has received a request for its consent to the creation of, and inclusion of land within, a municipal utility district (the "District") in the extraterritorial jurisdiction of the City pursuant to Section 54.016, Texas Water Code and Section 42.042, Texas Local Government Code; and

WHEREAS, pursuant to Texas Water Code, Section 54.016, and Texas Local Government Code, Section 42.042, land within the extraterritorial jurisdiction of a city may not be included within a district without the written consent of such city;

WHEREAS, the City has received a Petition for Consent to the Creation of a Municipal Utility District and inclusion of a Property of real property encompassing approximately 70.817 acres being more particularly described by metes and bounds in Exhibit "A" and delineated in Exhibit "B" attached hereto (the "Land") into the boundaries of the District;

WHEREAS, all of the Land is located within the extraterritorial jurisdiction of the City; and,

WHEREAS, the City Council of the City of New Braunfels desires to grant its written consent to the creation of the District and the inclusion of the Land within the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF NEW BRAUNFELS, TEXAS, THAT:**

Section 1. The City of New Braunfels, Texas hereby consents to the creation of the District and inclusion of the Land within the District in accordance with Section 54.016, Texas Water Code, and Section 42.042 of the Texas Local Government Code.

Section 2. As a condition of the City's consent to the creation of the District and inclusion of Land within the District, the following conditions shall apply:

1. The District may issue bonds for any purpose authorized by law, including but not limited to the purchase, construction, acquisition, repair extension and improvement of land, easements, works, improvements, plants, equipment, appliances, and other facilities which are authorized by law and necessary to:
 - a. Provide a water supply for municipal uses, domestic uses, and commercial purposes;
 - b. Collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid or composite state;
 - c. Conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operating expenses during construction and interest during construction; and
 - d. Design, acquire, construct, finance, operate, or maintain a road or any improvement in aid of the road if the power to acquire roads is granted to the District pursuant to Section 54.234 of the Texas Water Code.
 - e. To provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

Section 3. This Resolution shall become effective from and after the date of its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2024.

NEIL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

EXHIBIT "A"

Metes and Bounds Description of the Land



290 S. Castell Avenue, Ste. 100
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PARK PLACE MUNICIPAL UTILITY DISTRICT METES AND BOUNDS DESCRIPTION FOR A 70.817 ACRE TRACT OF LAND

Being a 70.817 acre tract of land out of the Sarah DeWitt Survey No. 48, Abstract No. 103, and the J.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, being comprised of the following six tracts:

1. The residue of a 179.75 acre tract, Conveyed to O Union Wine Rd, LLC, recorded in Document No. 202199007490, Official Public Records, Guadalupe County, Texas.
2. A called 0.010 of an acre tract, Tract 1, described in Document No. 202399002383, Official Public Records, Guadalupe County, Texas.
3. A called 0.093 of an acre tract, Tract 2, described in Document No. 202399002383, Official Public Records, Guadalupe County, Texas.
4. A called 0.007 of an acre tract, Tract 3, described in Document No. 202399002383, Official Public Records, Guadalupe County, Texas.
5. A called 0.003 of an acre tract, Tract 4, described in Document No. 202399002383, Official Public Records, Guadalupe County, Texas.
6. A called 0.137 of an acre tract, Tract 5, described in Document No. 202399002383, Official Public Records, Guadalupe County, Texas.

Said 70.817 acre tract being more fully described as follows:

BEGINNING at a found 1/2" iron pin in the Northeast line of the residue of a called 128 acre tract, conveyed to Zipp Heritage Properties, recorded in Document No. 2021992179, Official Public Records, Guadalupe County, Texas, same being the Westernmost Northern corner of a called 193.397 acre tract, recorded in Document No. 202199023875, Official Public Records, Guadalupe County, Texas, and a Southwestern corner of the said 179.75 acre residue tract;

THENCE with Northeast line of said residue of a called 128 acre tract and the Southwestern line of said 179.75 acre residue tract, N 52°45'34" W, a distance of 912.10 feet to a found 1/2" iron pin with cap "HMT" for a corner in the Southeast right of way line W. Zipp Road, a 30' wide right of way dedication (no road in place at time of survey) recorded in New Braunfels Sports Complex Plat, Volume 9, Pages 618-623, Map and Plat Records, Guadalupe County, Texas, same point being the North corner of said 128 acre tract, the Westernmost corner of said 179.75 acre residue tract, and the West corner of the herein described tract;

THENCE with the said 30' R.O.W. dedication for Zipp Road and the Northwest line of said 179.75 acre residue tract, N 44°16'48" E, a distance of 1218.19 feet to a found 60D nail in the top of a wood fence post for a corner of said Southeast right of way line W. Zipp Road, and a Northwest corner of the herein described tract;

THENCE continuing with the Southeast right of way line W. Zipp Road and the Northwest line of said 179.75 acre residue tract, N 44°19'44" E, a distance of 194.70 feet to a point for the West corner of a called 0.010 of an acre tract, "Tract 1", recorded in Document No. 202399002383, Official Public Records, Guadalupe County, Texas, same point being the North corner of the 179.75 acre residue tract, and a corner of the herein described tract;

THENCE along the Northwest line of said 0.010 of an acre tract and the Southeast right of way line of W. Zipp Road, N 44°20'02" E, a distance of 15.00 feet to a set 1/2" iron pin with cap "HMT" for the North corner of said 0.010 acre tract, lying in the South right of way line of W. Zipp Road dedicated by Park Place, Unit 1B, recorded in Volume 10, Pages 88-89, Map and Plat Records, Guadalupe County, Texas, for a corner of the herein described tract;



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THENCE across the South right of way line of W. Zipp Road and the Northeast line of said 0.010 of an acre tract, S 45°40'16" E, a distance of 30.09 feet to a found 1/2" iron pin with cap "HMT" for a corner in the Northwest line of Lot 905, Block 9, Park Place, Unit 1B, for the East corner of said 0.010 of an acre tract, and a corner of the herein described tract;

THENCE with the Southeast line of said 0.010 of an acre tract and the Northwest line of Lot 905, S 44°18'23" W, a distance of 15.00 feet to a found 1/2" iron pin with cap "HMT" for the South corner of said 0.010 of an acre tract, same point being the Southwest corner of Lot 905, a North corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the North line of said 179.75 acre residue tract and the Southwest line of Park Place, Unit 1B, the following five (5) calls:

1. S 45°40'16" E, a distance of 14.90 feet to a found 1/2" iron pin with cap "HMT" for a corner;
2. S 36°16'25" E, a distance of 65.50 feet to a found 1/2" iron pin with cap "HMT" for a corner;
3. S 49°31'51" E, a distance of 77.91 feet to a found 1/2" iron pin with cap "HMT" for a corner;
4. S 66°11'40" E, a distance of 56.63 feet to a found 1/2" iron pin with cap "HMT" for a corner;
5. S 78°25'16" E, a distance of 90.20 feet to a found 1/2" iron pin with cap "HMT" for a West corner of a called 0.093 of an acre tract of land, "Tract 2", recorded in Document No. 202399002383, Official Public Records, Guadalupe County, Texas, same point being a South corner of Lot 5, Block 9, Park Place, Unit 1B, and a corner of the herein described tract;

THENCE with the North line of said 0.093 of an acre tract of land and the Southwest line of Park Place, Unit 1B, the following five (5) calls:

1. S 61°01'10" E, a distance of 33.59 feet to a found 1/2" iron pin with cap "HMT" for a corner;
2. S 78°25'16" E, a distance of 79.89 feet to a found 1/2" iron pin with cap "HMT" for a corner;
3. S 74°00'15" E, a distance of 43.49 feet to a found 1/2" iron pin with cap "HMT" for a corner;
4. S 54°07'31" E, a distance of 43.34 feet to a found 1/2" iron pin with cap "HMT" for a corner;
5. S 19°12'09" W, a distance of 45.89 feet to a found 1/2" iron pin with cap "HMT" for a Southeast corner of said 0.093 of an acre tract, same point being the West corner of Lot 12, Block 9, Park Place, Unit 1B, a Northern corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the North line of said 179.75 acre residue tract and the Southwest line of Park Place, Unit 1B, the following three (3) calls:

1. S 29°09'36" E, a distance of 36.46 feet to a found 1/2" iron pin with cap "HMT" for a corner;
2. S 11°00'51" E, a distance of 68.23 feet to a found 1/2" iron pin with cap "HMT" for a corner;
3. S 09°50'20" W, a distance of 24.70 feet to a found 1/2" iron pin with cap "HMT" for the Northwest corner of Lot 15, Block 9, Park Place, Unit 1B, same point being the North corner, of a called 0.007 of an acre tract, "Tract 3", recorded in Document No. 202399002383, Official Public Records, Guadalupe County, Texas, a Northern corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the East line of said 0.007 of an acre tract and the Southwest line of Park Place, Unit 1B, the following two (2) calls:

1. S 05°53'08" E, a distance of 40.15 found 1/2" iron pin with cap "HMT" for a corner;
2. S 10°54'09" E, passing the South corner of said 0.007 of an acre tract, lying in the Southwest line of Lot 16, Block 9, at a distance of 30.82 feet, passing a point for the North corner of a called 0.003 of an acre tract of



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land, "Tract 4", recorded in Document No. 202399002383, Official Public Records, Guadalupe County, Texas, at a distance of 110.28 feet, continuing with the Southwest line Park Place, Unit 1B and the East line of said 0.003 of an acre tract, a total distance of 131.90 feet to a found 1/2" iron pin with cap "HMT" for the East corner of said 0.003 of an acre tract of land, same point being the South corner of Lot 18 and the Northernmost West corner of Lot 19, Block 9, Pak Place, Unit 1B, and a corner of the herein described tract;

THENCE with the East line of said 0.003 of an acre tract and the West line of Lot 19, S 01°39'59" W, a distance of 56.88 feet to a found 1/2" iron pin with cap "HMT" for the Southwest corner of Lot 19, same point being the South corner of said 0.003 of an acre tract, a northern corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the South line of Park Place, Unit 1B, and the North line of said 179.75 acre residue tract, the following ten (10) calls:

1. S 04°11'43" W, a distance of 536.58 feet to a point for a corner;
2. S 85°54'27" E, a distance of 44.24 feet to a point for a corner, and the beginning of a curve;
3. Along the arc of a curve to the right, having a radius of 50.00 feet, an arc length of 68.38 feet, and a chord bearing and distance of N 40°55'01" E, 63.17 feet to a point for a corner, and the beginning of a reverse curve;
4. Along the arc of a curve to the left, having a radius of 15.00 feet, an arc length of 10.18 feet, and a chord bearing and distance of N 60°39'34" E, 9.98 feet to a point for a corner;
5. N 41°13'27" E, a distance of 425.05 feet to a found 1/2" iron pin with cap "HMT" for a corner;
6. S 48°46'33" E, crossing Havisham Pass, a distance of 50.00 feet to a found 1/2" iron pin with cap "HMT" for a corner;
7. N 41°13'27" E, a distance of 10.00 feet to a found 1/2" iron pin with cap "HMT" for a corner, and the beginning of a curve, at the intersection of Havisham Pass and Hobbiton Way;
8. Along the arc of a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing and distance of N 86°13'27" E, 21.21 feet to a found 1/2" iron pin with cap "HMT" for a corner;
9. S 48°46'33" E, a distance of 40.00 feet to a found 1/2" iron pin with cap "HMT" for a corner;
10. N 41°13'27" E, crossing Hobbiton Way, a distance of 50.00 feet to a found 1/2" iron pin with cap "HMT" for a Southeast corner of Hobbiton Way, same point being the South corner of a called 0.137 of an acre tract of land, "Tract 5", recorded in Document No. 202399002383, Official Public Records, Guadalupe County, Texas, a Northern corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the Southeast right of way line of Hobbiton Way, the Northwest line of said 0.137 of an acre tract, continuing with the Southeast right of way line of Havisham Pass, the following three (3) calls:

1. N 48°46'33" W, a distance of 35.00 feet to a found 1/2" iron pin with cap "HMT" for a corner, and the beginning of curve;
2. Along the arc of a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing and distance of N 03°46'33" W, 21.21 to a found 1/2" iron pin with cap "HMT" for a corner;
3. N 41°13'27" E, a distance of 105.00 feet to a found 1/2" iron pin with cap "HMT" in the Southeast right of way line of Havisham Pass, for the North corner of said 0.137 of an acre tract, same point being the West corner of Lot 1, Block 11, Park Place, Unit 1B, and a corner of the herein described tract;

THENCE departing the Southeast right of way line of Havisham Pass, with the Southwest line of said Lot 1, Block 11, and the Northeast line of said 0.137 of an acre tract, S 48°46'33" E, a distance of 50.00 feet to a found 1/2" iron pin with cap "HMT" for the South corner of said Lot 1, Block 11, the Northeast corner of said 0.137 of an acre tract, a North corner of said 179.75 acre residue tract, and a corner of the herein described tract;

THENCE with the North line of said 179.75 acre residue tract and the Southeast line of Park Place, Unit 1B, the following four (4) calls:

1. N 41°13'27" E, passing both Clarisse Street and Danforth Streets, a distance of 460.00 feet to a found 1/2" iron pin with cap "HMT" for a corner;
2. N 48°46'33" W, a distance of 35.00 feet to a found 1/2" iron pin with cap "HMT" for a corner, and the beginning of a curve;
3. Along the arc of a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing and distance of N 03°46'33" W, 21.21 feet to a found 1/2" iron pin with cap "HMT" for a corner;
4. N 41°13'27" E, passing the East corner of said Havisham Pass, same point being a Southwestern corner of a called 36.631 acre tract of land recorded in Document No. 202199044617, Official Public Records, Guadalupe County, Texas, at 80.00 feet, continuing a total distance of 90.00 feet to a set 1/2" iron pin with cap "HMT" for a North corner of said 179.75 acre residue tract, a Southwest corner of said 36.631 acre tract, and a corner of the herein described tract, and the beginning of a curve;

THENCE with the Southwest line of said 36.631 acre tract and the North line of said 179.75 acre residue tract, the following two (2) calls:

1. Along the arc of a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing and distance of N 86°13'27" E, 21.21 feet to a set 1/2" iron pin with cap "HMT" for a corner;
2. S 48°46'33" E, a distance of 1077.97 feet to a set 1/2" iron pin with cap "HMT" in the Southwest line of said 36.631 acre tract, for a Northern corner of a called 63.449 acre tract of land recorded in Document No. 202399006736, Official Public Records, Guadalupe County, Texas, same point being an East corner of said 179.75 acre residue tract, and a corner of the herein described tract, from which a found 1/2" iron pin with cap "HMT" for the South corner of said 36.631 acre tract bears S 48°46'33" E, 15.82 feet;

THENCE departing the Southwest line of said 36.631 acre tract, continuing with the Northwest line of said 63.449 acre tract and the South line of said 179.75 acre residue tract, the following sixteen (16) calls:

1. S 32°17'28" W, a distance of 57.21 feet to a set 1/2" iron pin with cap "HMT" for a corner;
2. S 16°44'15" W, a distance of 55.26 feet to a set 1/2" iron pin with cap "HMT" for a corner;
3. S 25°45'57" W, a distance of 62.88 feet to a set 1/2" iron pin with cap "HMT" for a corner;
4. S 39°27'16" W, a distance of 62.93 feet to a set 1/2" iron pin with cap "HMT" for a corner;
5. S 38°05'04" W, a distance of 121.85 feet to a set 1/2" iron pin with cap "HMT" for a corner;
6. S 33°52'18" W, a distance of 77.15 feet to a set 1/2" iron pin with cap "HMT" for a corner;
7. S 20°32'45" W, a distance of 81.87 feet to a set 1/2" iron pin with cap "HMT" for a corner;
8. S 16°49'32" W, a distance of 37.63 feet to a set 1/2" iron pin with cap "HMT" for a corner;
9. S 09°11'08" W, a distance of 209.39 feet to a set 1/2" iron pin with cap "HMT" for a corner;
10. S 01°05'33" E, a distance of 51.79 feet to a set 1/2" iron pin with cap "HMT" for a corner;
11. S 44°19'56" W, a distance of 253.98 feet to a set 1/2" iron pin with cap "HMT" for a corner;
12. S 67°13'41" W, a distance of 168.24 feet to a set 1/2" iron pin with cap "HMT" for a corner;
13. N 69°52'50" W, a distance of 480.41 feet to a set 1/2" iron pin with cap "HMT" for a corner;
14. N 62°46'20" W, a distance of 40.31 feet to a set 1/2" iron pin with cap "HMT" for a corner;
15. N 79°13'07" W, a distance of 107.03 feet to a set 1/2" iron pin with cap "HMT" for a corner;
16. N 86°51'31" W, a distance of 87.44 feet to a set 1/2" iron pin with cap "HMT" in the Northeast line of the aforementioned 193.397 acre tract of land, recorded in Document No. 202199023875, Official Public Records, Guadalupe County, Texas, for a corner of the herein described tract;

THENCE continuing with the South lines of said 179.75 acre residue tract and the North lines of said 193.397 acre tract, the following two (2) calls:

1. N 56°38'35" W, a distance of 958.77 feet to a found 1/2" iron pin (no cap) for a corner;
2. S 45°49'44" W, a distance of 483.32 feet to the POINT OF BEGINNING, containing 70.817 acres of land in Guadalupe County, Texas.



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Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written July 26, 2023, Revised 10/05/2023.

Reference survey of said 70.817 acre tract of land prepared this same date.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §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.



Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

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