

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS  
CONSENTING TO THE CREATION, AND INCLUSION OF  
LAND WITHIN LIBERY TRAILS 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 68.47 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.

\_\_\_\_\_  
NEAL LINNARTZ, Mayor

ATTEST:

\_\_\_\_\_  
GAYLE WILKINSON, City Secretary

## EXHIBIT "A"

### Metes and Bounds Description of the Land



290 S. Castell Avenue, Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

#### METES AND BOUNDS DESCRIPTION FOR A 68.47 ACRE TRACT OF LAND LIBERTY TRAILS M.U.D.

Being a 68.47 acre tract of land located in the I.S. Johnson Survey No. 47, Abstract No. 190, Guadalupe County, Texas, being that same land described as 64.47 acres, recorded in Document No. 202299023305 of the Official Public Records of Guadalupe County, Texas. Said tract formerly known as part of the residue of a called 119.25 acre tract, recorded in Volume 378, Pages 636-638, Deed Records, Guadalupe County, Texas, said 68.47 acre tract of land being more particularly described as follows:

BEGINNING at a wire fence corner post in the Southeast right of way line of Union Wine Road for the North corner of the residue of a called 119.25 acre tract, recorded in Volume 378, Pages 636-638, Deed Records, Guadalupe County, Texas, and a Northern East corner of an approximate 1 acre road taking, to Guadalupe County, Texas, recorded in Volume 167, Page 123, Deed Records, Guadalupe County, Texas;

THENCE departing the Southeast right of way line of Union Wine Road, with the Northeast line of said 119.25 acre tract, S 44°15'11" E, a distance of 52.71 feet to a found ½" iron pin with cap "2033 B&A" for the West corner of a called 73.643 acre tract, "Exhibit A", recorded in Volume 4122, Pages 538-544, Official Public Records, Guadalupe County, Texas, same point lying in the Northeast line of said 119.25 acre tract, for a corner of the herein described tract;

THENCE with the Northeast line of said residue of a called 119.25 acre tract and the Southwest line of said 73.643 acre tract, S 45°58'10" E, a distance of 1080.29 feet to a set ½" iron pin with cap "HMT" for the West corner of a called 1.60 acre tract recorded in Document No. 201899011991, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 73.643 acre tract, and a Northeast corner of the herein described tract;

THENCE continuing with the Northeast line of said 119.25 acre tract and the Southwest line of said 1.60 acre tract, S 45°15'46" E, a distance of 251.10 feet to a found ½" iron pin with cap "TX Landmark Surveying" for the West corner of a called 0.80 of an acre tract recorded in Document No. 201899011989, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 1.60 acre tract, and a corner of the herein described tract;

THENCE with the Northeast line of said 119.25 acre tract and the Southwest line of said 0.80 of an acre tract, S 45°17'37" E, a distance of 181.28 feet to found ½" iron pin for the West corner of a called 0.42 of an acre tract, "Tract 1", Roaming Fork Subdivision (unrecorded), recorded in Document No. 2015008350, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 0.80 of an acre tract, and a corner of the herein described tract;

THENCE with the Northeast line of said 119.25 acre tract and the Southwest line of said called 0.42 of an acre tract, "Tract 1", S 45°20'14" E, a distance of 93.10 feet to a found ½" iron pin for the West corner of a called 0.469 of an acre tract, "Tract 2", Roaming Fork Subdivision (unrecorded), recorded in Document No. 2014020904, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 0.42 of an acre tract, "Tract 1", and a corner of the herein described tract;



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THENCE with the Northeast line of said 119.25 acre tract and the Southwest line of said called 0.469 of an acre tract, "Tract 2", S 45°05'45" E, a distance of 139.85 feet to a found ½" iron pin for the Southwest corner of a called 0.742 of an acre tract, "Tract 3", Roaming Fork Subdivision (unrecorded), recorded in Volume 695, Page 612, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 0.469 of an acre tract, "Tract 2", and a corner of the herein described tract;

THENCE with the Northeast line of said 119.25 acre tract and the Southwest line of said 0.742 of an acre tract, "Tract 3", S 45°22'49" E, a distance of 135.76 feet to a found ½" iron pin for the Southwest corner of a called 10.00 acre tract recorded in Document No. 202199013281, Official Public Records, Guadalupe County, Texas, same point being the South corner of said 0.742 of an acre tract, "Tract 3", and a corner of the herein described tract;

THENCE with the Northeast line of said 119.25 acre tract and the South line of said 10.00 acre tract, S 44°56'31" E, a distance of 278.06 feet to a found 60D nail in a 6" wooden fence post for a Northwest corner of Lot 21, Green Pastures, recorded in Volume 8, Pages 462-463, Map and Plat Records, Guadalupe County, Texas, same point being the South corner of said 10.00 acre tract, the East corner of said 119.25 acre tract, and a corner of the herein described tract;

THENCE with the Southeast line of said 119.25 acre tract and the Northwest line of Lot 21, S 44°07'49" W, a distance of 23.68 feet to a found ½" iron pin with cap "HMT" for the West corner of Lot 21, same point being the North corner of Lot 22, and a corner of the herein described tract;

THENCE with the Southeast line of said 119.25 acre tract and the Northwest line of said Lot 22, S 43°56'06" W, a distance of 313.28 feet to a found ½" iron pin for a North corner of a called 168.784 acre tract, "Exhibit A", recorded in Volume 2274, Pages 382-392, Official Public Records, Guadalupe County, Texas, same point being the West corner of Lot 22, and a corner of the herein described tract;

THENCE continuing with the Southeast line of said 119.25 acre tract and the North line of said 168.784 acre tract, "Exhibit A", S 43°56'26" W, a distance of 1704.93 feet to a set ½" iron pin with cap "HMT" for the South corner of the herein described tract, also being the Southeast corner of a called 50.00 acre tract, recorded in Document No. 202299023317 of the Official Public Records of Guadalupe County, Texas, from which a found cotton spindle for the South corner of said 119.25 acre tract bears S 43°56'26" W, 200.00 feet;

THENCE departing the Southeast line of said 119.25 acre tract and the North line of said 168.784 acre tract, continuing with the East line of said 50.00 acre tract and the West line of said 68.47 acre tract, the following four (4) calls:

1. N 04°52'32" W, a distance of 761.97 feet to a point in Long Creek for a corner;
2. N 45°57'15" W, a distance of 683.84 feet to a set ½" iron pin with cap "HMT" for a corner;
3. N 44°18'01" E, a distance of 681.52 feet to a set ½" iron pin with cap "HMT" for a corner;
4. N 45°57'38" W, a distance of 1039.31 feet to a set ½" iron pin with cap "HMT" in the aforementioned Southeast right of way line of Union Wine Road, for the Northwest corner of





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said 68.47 acre tract and the Northeast corner of said 50.00 acre tract, from which a found fence corner post for a Northwest corner of said 119.25 acre tract bears S 44°58'11" W, 24.03 feet;

THENCE with the Southeast right of way line of Union Wine Road and the Northwest line of said 68.47 acre and 119.25 acre tracts, the following two (2) calls:

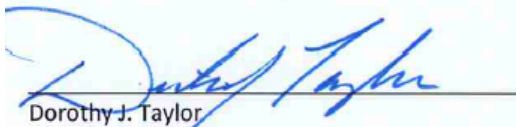
1. N 44°58'11" E, a distance of 642.02 feet to a wire fence corner post for a corner, and the beginning of a curve;
2. Along a fence generally following the arc of a curve to the right, having a radius of 931.23 feet, an arc length of 244.15 feet and a chord bearing and distance of N 60°22'08" E, 243.45 feet to the POINT OF BEGINNING, containing 68.47 acres of land in Guadalupe County, Texas.

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

Written November 28, 2023. Revised 11/30/2023 Name change.

Reference survey of said 68.47 acre tract of land prepared this same date.

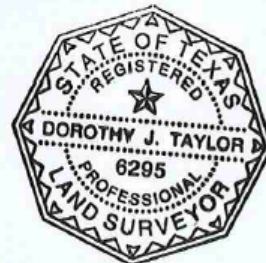
THIS DOCUMENT WAS PREPARED UNDER 22 TAC §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

  
 Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

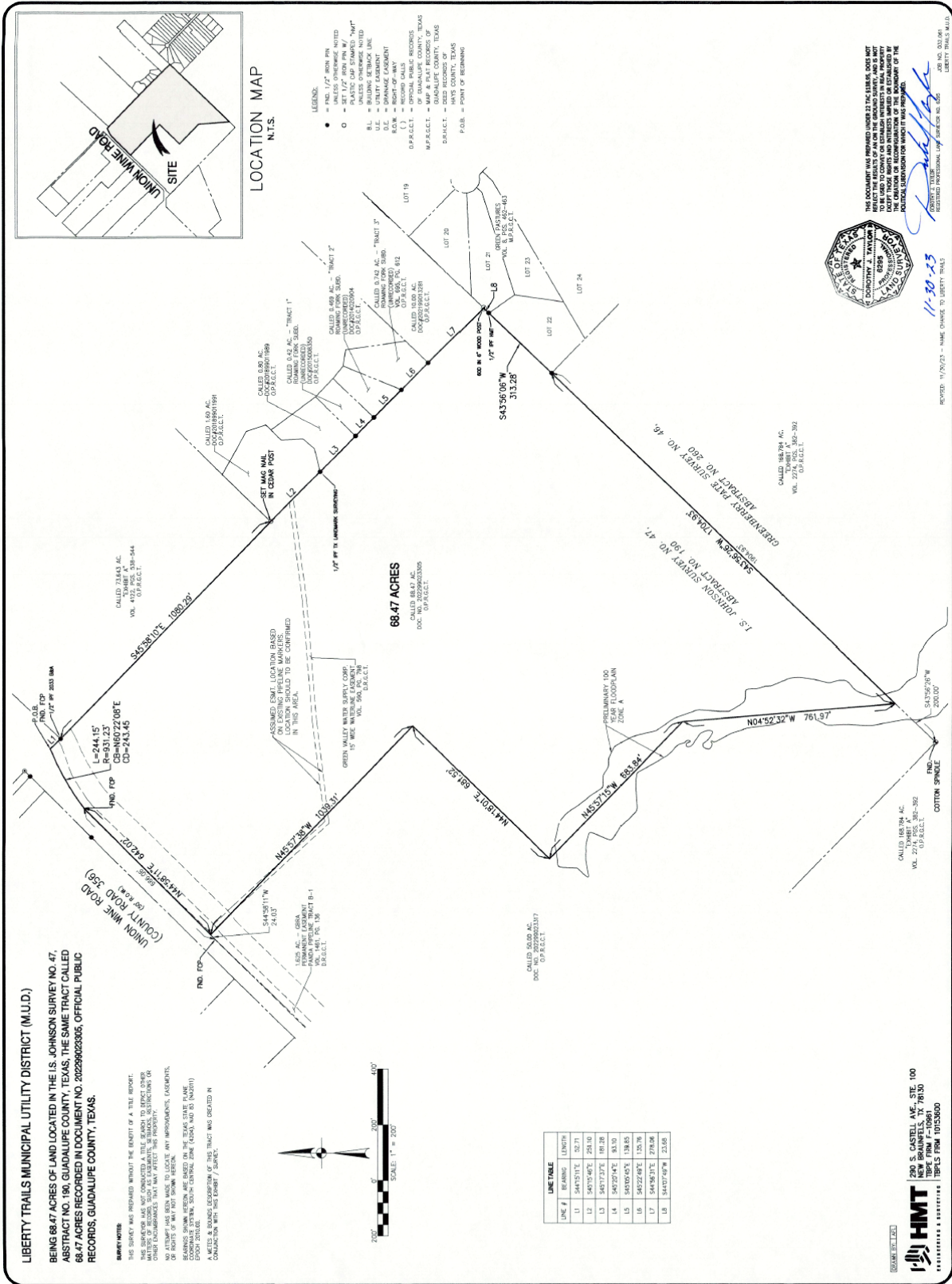
11-30-23

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# EXHIBIT "B"

## Survey of the Land

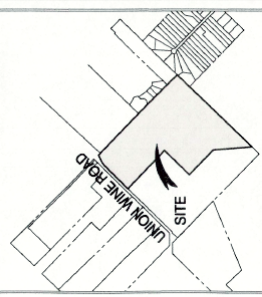


**LIBERTY TRAILS MUNICIPAL UTILITY DISTRICT (M.U.D.)**  
 BEING 68.47 ACRES OF LAND LOCATED IN THE I.S. JOHNSON SURVEY NO. 47,  
 ABSTRACT NO. 190, GUADALUPE COUNTY, TEXAS, THE SAME TRACT CALLED  
 68.47 ACRES RECORDED IN DOCUMENT NO. 20229923305, OFFICIAL PUBLIC  
 RECORDS, GUADALUPE COUNTY, TEXAS.

**SURVEY NOTES**  
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.  
 THE SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO REVEAL OTHER  
 RIGHTS OR INTERESTS THAT MAY AFFECT THIS PROPERTY. THE SURVEYOR  
 HAS BEEN ADVISED THAT THERE ARE NO OTHER SURVEYS, RECORDS, OR  
 OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.  
 NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS,  
 OR RIGHTS OF WAY NOT SHOWN HEREON.  
 THE SURVEYOR HAS BEEN ADVISED THAT THE TRACT IS PART OF THE  
 COORDINATE SYSTEM, ZONE 16N, UTM, DATUM: NAD 83, AND IS (MAY BE)  
 A PART OF A RANGE OR SECTION OF THIS TRACT WAS CREATED IN  
 CONNECTION WITH THIS SURVEY.



LINE #	BEARING	LENGTH
11	S44°35'31\"/>	
12	S45°05'46\"/>	
13	S45°17'27\"/>	
14	S45°20'47\"/>	
15	S45°05'45\"/>	
16	S45°22'49\"/>	
17	S44°58'37\"/>	
18	S44°07'49\"/>	



**LEGEND:**  
 • = 1/4\"/>

• = 1/4\"/>
 ○ = SET 1/2\"/>
 BL = BUILDING TRACK LINE  
 D.L. = DRAINAGE LAYOUT  
 R.C.W. = RIGHT-OF-WAY  
 L.L. = LOTS  
 O.P.P.A.C.T. = OFFICIAL PUBLIC RECORDS  
 M.P.A.C.T. = MAP RECORDS OF  
 P.O.B. = POINT OF BEGINNING



THE DOCUMENT WAS PREPARED UNDER 22 TAC 61.066. DOES NOT  
 GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED  
 HEREIN. THE SURVEYOR HAS BEEN ADVISED THAT THE TRACT IS  
 PART OF THE COORDINATE SYSTEM, ZONE 16N, UTM, DATUM: NAD 83,  
 AND IS (MAY BE) A PART OF A RANGE OR SECTION OF THIS TRACT  
 WAS CREATED IN CONNECTION WITH THIS SURVEY.  
 11-30-23  
 REFER: 11/20/23 - NAME CHANGE TO LIBERTY TRAILS  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 626  
 LIBERTY TRAILS, TEXAS

**HMT**  
 HERRINGTON METRIC SURVEYING  
 200 S. CASTELL AVE. STE. 100  
 NEW BRAUNFELS, TX 78130  
 TEL: 361-771-1091  
 INFO: 361-771-0300