

**AGREEMENT
FOR AN AMENDED AND RESTATED EASEMENT**

THIS AGREEMENT is dated as of _____, 2024, by and between COMAL COUNTY, TEXAS, a political subdivision for the State of Texas (“County”), VERAMENDI PE-FREMANTLE, LLC, a Texas limited liability company (“Veramendi”), and the CITY OF NEW BRAUNFELS, TEXAS, a political subdivision for the State of Texas (“City”), known collectively as “the Parties” for this Agreement.

RECITALS

- A. On June 24, 1969, the Comal County Commissioners Court held a hearing with affected property owners for the Blieders Creek flood control project. On July 11, 1969, the Commissioners Court took action to begin the process of acquiring the necessary easements to proceed with the construction of a flood control project hereinafter known as the “Blieders Creek Flood Retarding Structure” or “Floodwater Retarding Structure No. 3,” in an effort to provide flood control protection for the downstream areas, especially in the City of New Braunfels as decided by an election of voters in Comal County in 1958.
- B. The Commissioners Court of Comal County purchased from multiple landowners easement rights in order to construct Floodwater Regarding Structure No. 3.
- C. In 1970, the County acquired an easement over certain real property from the then owners of the land Joyce Word Borchers and husband, William H. Borchers, Individually and as Trustees for the use and benefit of their minor children, Mary Marcia Borchers and Georgia Bonner Borchers, of Comal County, Texas; and Timothy Dean Word, Jr., and wife Suzanne Zachary Word, Individually and as Trustees for the use and benefit of their minor children, Timothy Dean Word, III, Forrest Roark Word, Patrick Zachary Word, Bryan Carl Word and Mary Amber Word, of Bexar County, Texas, Grantors (the “Original Landowners”), which was recorded as Volume 179 Page 689 of the Real Property Records of Comal County (the “Original Easement”), attached hereto and incorporated herein as Exhibit “1”;
- D. Veramendi has succeeded to all of the property that is encumbered by the County’s Original Easement from WORD-BORCHERS RANCH REAL ESTATE LIMITED PARTNERSHIP, a Texas limited partnership (“Word”).
- E. On February 25, 2013, a Development Agreement (the “Development Agreement”) was executed between the CITY OF NEW BRAUNFELS and WORD-BORCHERS RANCH JOINT VENTURE for a proposed mixed-use Development to be known as Veramendi.
- F. The County and Veramendi desire to amend the Original Easement and enter into an Amended and Restated Easement Agreement to modify and supplement the Original Easement (the “Amended and Restated Easement”). Said modification

will include an exchange between the parties of interest in real property pursuant to Texas Local Government Code Section 263.006.

- G. The purpose of this Agreement is to state and clarify the key points that are contained in the Amended and Restated Easement and will be recorded with the Amended and Restatement Easement in the Real Property Records of Comal County.

AGREEMENT

The County, Veramendi, and City shall execute simultaneous with this Agreement an Amended and Restated Easement that contains the following terms:

1. **Amendment and Restatement of Original Easement.** The Original Easement will be amended and restated and recorded in the Real Property Records of Comal County with this Agreement as the Amended and Restated Easement.

2. **Exchange of Property.** Pursuant to Texas Local Government Code Section 263.006, the County is releasing from the Original Easement approximately 3.7 acres of land, hereinafter referred to as Tract Three detailed and more specifically described by metes and bounds and map in Exhibit 2 attached hereto and incorporated herein, for Veramendi to use for the construction of a major thoroughfare Hill Country Drive and related purposes. In exchange for this land, the County is receiving from Veramendi an easement over approximately 54 acres of land referred to as Tract Two detailed and more specifically described by metes and bounds and map in Exhibit 3, attached hereto and incorporated herein, adjoining the Original Easement for the uses described below.

3. **Authorized Use by Comal County within Tracts One and Two.** The Amended and Restated Easement and this Agreement shall preserve the same rights and obligations of the parties with respect to the Floodwater Retarding Structure No. 3 (the "Existing Dam") as is contained in the language of Original Easement regarding the rights and obligations of the landowner and the County following completion of the original dam structure. The Amended and Restated Easement shall establish the clear right of the County to construct an expanded spillway, modify or make improvements to the existing structure in any manner within the area more specifically described by metes and bounds and map of the Amended and Restated Easement filed in the Real Property Records as Tract One in Exhibit 4, attached hereto and incorporated herein, and Tract Two in Exhibit 3. Additionally, the County has the right to inspect, maintain, operate or alter said structure(s). As a party to this Agreement, the City hereby acknowledges the right of the County to construct an expanded spillway, modify or make improvements to the existing structure in any manner within the above-mentioned area. The Amended and Restated Easement shall provide that any such expansion or construction must be performed in accordance with all applicable laws and may only commence following receipt of all necessary governmental approvals. Veramendi and its successors shall not be responsible for changes, modifications, expansions or improvements made by Comal County to the Floodwater Retarding Structure No. 3 to include any spillway expansion or any resulting change to the 100 year floodplain. Veramendi and its successors shall retain the same underlying property rights

as established by this Easement in the Amended and Restated Easement as it retained under the Original Easement.

4. **Access by County.** The Access Easement granted to the County pursuant to the Original Easement depicted on Exhibit 1 shall remain in effect in the Amended and Restated Easement until such time Veramendi or their successor develops access providing the County with a comparable alternative route from Hueco Springs Loop Road/River Road to the northern boundary of Tract One, being near the northern point of the existing Floodwater Retarding Structure No. 3.

5. **Authorized Use by Veramendi Within Tract One.** The Original Easement allows for Veramendi or its successors to use the land encumbered by the easement so long as said use is not inconsistent nor interferes with the purposes of the easement. The Amended and Restated Easement and this Agreement are meant to clarify said allowable uses. The City's execution of this Agreement and the Amended and Restated Easement shall memorialize the City consent to the provisions of this paragraph. Consequently, the parties hereby acknowledge and agree that the following uses within Tract One, downstream from the Existing Dam and Spillway are authorized (collectively, the "Permitted Tract One Uses"): (a) any improvements at or below grade, (b) water quality facilities, (c) paved or unpaved trails, or paths, (d) park benches and picnic tables, (e) improvements customarily associated with parks such as playscapes, frisbee golf, wayfinding signage, and trash cans or (f) safety, drainage or park maintenance related improvements, such as guard rails, culverts associated with trails or driveways. However, an improvement in Tract One within the regulatory floodplain remains subject to the designated authority for regulating floodplain development activity. The County shall not be responsible or liable for any damage to any improvement made by Veramendi or its successors within Tract One of the Amended and Restated Easement. The County retains the right to require Veramendi or its successors to remove any improvements, at no cost to the County, placed in Tract One within the Amended and Restatement Easement should the County make future improvements or expansions to the Existing Dam or spillway within the area of the Amended and Restated Easement. The Amended and Restated Easement shall prohibit the construction of buildings (including restrooms) and HOA facilities other than the Permitted Tract One Uses within Tract One.

6. **Authorized Use by Veramendi Within Tract Two.** The parties further acknowledge and agree that the following uses within Tract Two are authorized: (a) any improvements at or below grade, (b) water quality facilities, (c) paved or unpaved trails, paths or driveways, (d) park benches and picnic tables, (e) improvements customarily associated with parks such as playscapes, frisbee golf, wayfinding signage, or (f) safety, drainage or park maintenance related improvements, such as guard rails along bike paths, culverts associated with trails or driveways, and trash cans. However, any improvement in Tract Two within the regulatory floodplain remains subject to the designated authority for regulating floodplain development activity. The County shall not be responsible or liable for any damage to any improvement made by Veramendi or its successors within Tract Two of the Amended and Restated Easement. The County may remove any improvements, at the County's sole cost, placed within Tract Two of the Amended and Restated Easement should the County make

future improvements or expansions to the Existing Dam or spillway that require such removal for safety purposes.

7. **Location of Regional Park 2.** The County acknowledges that Veramendi has entered into certain obligations to the City under the Development Agreement including the construction of a certain Regional Park 2 (as further described in the Development Agreement and its Veramendi Design and Development Control Document) in or around Tract One and Tract Two. The main portion of Regional Park 2 will be located in Park Option A or Park Option B as depicted on Exhibit 7 and shall otherwise be in conformance with above mentioned agreements. Both Park Option A and Park Option B are located outside Tract Two and the County shall have no rights of approval regarding the final selection of the site or development within such sites. The City has executed this agreement to evidence its agreement that the majority of Regional Park 2 and Regional Park 2 Improvements may be located within the locations depicted in Park Option A or Park Option B and such location and acreage (which acreage may be allocated among Park Option A, Park Option B and those areas within Tracts One and Two subject to the limitations detailed above) shall satisfy the location and acreage requirements of the Development Agreement (with further City approvals being limited to the design of the Regional Park 2 and location of Regional Park 2 Improvements on such site(s)). However, any improvements within the regulatory floodplain remains subject to the designated authority for regulating floodplain development activity.

8. **Hill Country Drive.** The parties have agreed to an amendment of the boundaries of the Original Easement described in this Agreement and the Amended and Restated Easement to allow for the proposed alignment of Hill Country Drive, a designated major thoroughfare for Veramendi. Veramendi shall construct Hill Country Drive, as further detailed and depicted in Exhibit 5, attached hereto and incorporated herein, to meet the requirements of the City of New Braunfels. The proposed culvert structure between Navarro St. and Bowie Rd. on the proposed Hill Country Drive shall be constructed to the full width of the proposed 4-lane divided roadway section. Veramendi shall construct roadway armoring as depicted in Exhibit 5. Veramendi shall obtain flood plain development permits from the designated authority for regulating floodplain development activity for the installation of said culvert structure. As required, Veramendi shall obtain a Conditional Letter of Map Revision for said culvert structure and, as required, obtain Letters of Map Revision for said culvert structure. During the period of above referenced Development Agreement, Veramendi or its assign shall be responsible for maintenance for the portion of Hill Country Drive that adjoins the Amended and Restated Easement as depicted in Exhibit 5. The foregoing does not change Veramendi's obligation to construct Hill Country Drive also known as Roadway A as set forth in the Development Agreement and Exhibits.

9. **Future Roadway D.** The Amended and Restated Easement shall allow the construction of Roadway D including a bridged section of public roadway, together with associated utilities, earthworks and street connections across Tract One as generally depicted in Exhibit 6. Veramendi shall construct Roadway D, as depicted on Exhibit 6, and in compliance with the requirements of the City of New Braunfels. To the extent required by law, Veramendi shall obtain flood plain development permits from the designated authority for regulating floodplain development activity.

10. **Immunity.** No provision of this agreement shall affect or waive any sovereign or governmental immunity available to the County and the City and/or their elected officials, officers, employees and agents under Federal or Texas law nor waive any defenses or remedies at law available to the County and/or its elected officials, officers, employees and agents under Federal or Texas law.

11. **Venue.** This agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws principles. Exclusive venue shall be in a court of competent jurisdiction in Comal County, Texas.

12. **Entire Agreement.** This agreement constitutes the entire agreement of the Parties and supersedes any and all prior negotiations, correspondence, understandings, and agreements between the Parties respecting the subject matter hereof. Neither this agreement nor any of its terms may be changed or modified, waived, or terminated (unless as otherwise provided hereunder) except by an instrument in writing signed by an authorized representative of the Party against whom the enforcement of the change, waiver, or termination is sought.

13. **Severability.** If a court of competent jurisdiction determines that any term of this agreement is invalid or unenforceable to any extent under applicable law, the remainder of this agreement (and the application of this agreement to other circumstances) shall not be affected thereby, and each remaining term shall be valid and enforceable to the fullest extent permitted by law.

“IN WITNESS WHEREOF, this Agreement shall become effective as of the date of the last properly authorized signature.”

[Counterpart Signature Pages Follow]

COUNTERPART SIGNATURE PAGE TO AGREEMENT

COMAL COUNTY

By: _____

Name: Sherman Krause

Title: Comal County Judge

Date: _____

Address for Notice:

100 Main Plaza

New Braunfels, Texas 78130

(830)221-1100

krause@co.comal.tx.us

With Copy to:

Comal County Criminal District Attorney

199 Main Plaza, Suite 2007

New Braunfels, Texas 78130

(830)221-1300

tharpj@co.comal.tx.us

COUNTERPART SIGNATURE PAGE TO AGREEMENT

VERAMENDI PE – FREMANTLE, LLC, a Texas
limited liability company

By: Veramendi Development Co, LLC, its Manager

Peter James, President

Date: _____

Address for Notice:
387 West Mill Street, Suite 108
New Braunfels, Texas 78130
Attn: Peter James, President
Phone No.:
peter@asaproperties.us.com

COUNTERPART SIGNATURE PAGE TO AGREEMENT

CITY OF NEW BRAUNFELS

By: _____

Name: Robert Camareno

Title: New Braunfels City Manager

Date: _____

Address for Notice:

550 Landa Street

New Braunfels, Texas 78130

(830)221-4000

Email: _____

With Copy to:

City Attorney

550 Landa Street

New Braunfels, Texas 78130

(830)221-4000

Email: _____

Exhibit 1

Original Easement

E A S E M E N T JOYCE WORD BORCHERS ET AL
TO COUNTY OF COMAL.THE STATE OF TEXAS
COUNTY OF COMALI
I
KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned, Joyce Word Borchers and husband, William H. Borchers, Individually and as Trustees for the use and benefit of their minor children, Mary Marcia Borchers and Georgia Bonner Borchers, of Comal County, Texas; and Timothy Dean Word, Jr., and wife, Suzanne Zachry Word, Individually and as Trustees for the use and benefit of their minor children, Timothy Dean Word, III, Forrest Roark Word, Patrick Zachry Word, Bryan Carl Word and Mary Amber Word, of Bexar County, Texas, hereinafter called Grantors, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release unto Comal County of the State of Texas, its successors and assigns, hereinafter called Grantee, an easement for the limited purpose of construction, alteration, operation, maintenance and inspection of a structure entitled "Floodwater Retarding Structure No. 3, and related works, Comal River Watershed" for the flowage of any waters in, over, upon or through such works of improvements; for the temporary detention of any waters that are impounded, stored or detained by such works of improvements; and for the diversion of flowage of any waters to, from, on, over or upon the herein described land that is caused by or results from construction of the works of improvements; it being specifically agreed that said works of improvements will be located on the portion of the property which is described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes, which portion is a part of the property over which an easement is herein granted; it being understood that upon completion of said structure, the only purpose for this easement will be for temporary detention and flowage purposes and for the alteration, operation, maintenance and inspection of said works of improvements.

Said easement to be in, over and upon the following described land situated in the County of Comal, State of Texas, to-wit:

82.406 acres of land, more or less, out of the J.M. Veramendi Survey No. 2, Comal County, Texas, same being out of that certain first tract of 2086 acres of land out of 2,491.249 acres of land conveyed by Dean Word and wife, Eunice Word to William H. Borchers and wife, Joyce Word Borchers, Individually and/or as Trustees for the use and benefit of Mary Marcia Borchers and Georgia Bonner Borchers, Minors; and Timothy Dean Word, Jr., and wife, Suzanne Zachry Word, Individually and/or as Trustees for the use and benefit of Timothy Dean Word, III, Forrest Roark Word, Patrick Zachry Word, Bryan Carl Word and Mary Amber Word by deeds dated April 15, 1961, February 21, 1963, December 31, 1965, December 31, 1965, December 31, 1965, January 27, 1966, January 27, 1966, January 17, 1967, January 17, 1967, August 23, 1967, August 23, 1967, December 30, 1968 and December 30, 1968, recorded in Volumes 123, 132, 133, 147, 147, 147, 147, 147, 153, 153, 157, 157, 167 and 167 at Pages 210, 292, 461, 329, 331, 327, 563, 566, 351, 349, 185, 187, 92 and 80, respectively, of the Deed Records of Comal County, Texas, which 82.406 acre tract of land, more or less, being described in two (2) parcels or parts as follows:

PARCEL A--PART I

82.351 acres of land, more or less, same being out of the above 2086 acre tract of land and being more particularly described by metes and bounds as follows:

FROM the West corner of the above described Timothy Word and Joyce Word Borchers 2,491.249 acre tract, THENCE N. 54° 04' E. 2,218.8 feet with the fence to an iron post in the West line of the Blieders Creek Flowage Easement, set for the West corner of the herein described 82.351 acre flowage easement;

THENCE with the fence, the Northwest line of the said 2,491.249 acre tract, N. 54° 06' E. 2,792.4 feet to an iron post set for the North corner of this 82.351 acre flowage easement;

THENCE with the North and South line of the said Blieders Creek Flowage Easement, the North and South line of this 82.351 acre tract as follows: S. 70° 02' E. 90.9 feet, S. 10° 29' W. 595.5 feet, S. 30° 21' W. 839.9 feet, S. 64° 26' E. 535.2 feet, S. 25° 36' W. 100.0 feet, S. 65° 45' E. 249.9 feet, S. 81° 37' E. 502.2 feet, S. 81° 37' E. 450.25 feet, N. 79° 24' E. 549.4 feet, N. 84° 16' E. 217.0 feet, S. 63° 55' E. 268.5 feet, N. 67° 58' E. 452.5 feet, N. 70° 34' E. 154.6 feet, N. 19° 05' E. 278.9 feet, N. 38° 04' E. 95.2 feet, S. 74° 15' E. 128.1 feet, S. 2° 48' W. 116.9 feet, S. 25° 58' W. 349.7 feet, S. 52° 06' W. 222.9 feet, S. 74° 43' W. 372.1 feet, S. 86° 16' W. 370.0 feet, S. 58° 37' W. 168.0 feet, S. 72° 47' W. 334.9 feet, S. 85° 55' W. 373.0 feet, N. 84° 27' W. 268.4 feet, N. 82° 24' W. 325.3 feet, N. 81° 19' W. 299.6 feet, S. 75° 56' W. 414.1 feet, S. 25° 36' W. 149.9 feet, N. 62° 59' W. 1,509.2 feet, S. 63° 14' W. 173.7 feet, S. 88° 00' W. 258.9 feet, S. 47° 59' W. 212.7 feet, S. 26° 01' W. 264.0 feet, S. 78° 34' W. 214.2 feet, and N. 0° 47' W. 325.7 feet to the place of beginning.

PARCEL B--PART II

0.055 of an acre of land, more or less, same being out of the above described 2086 acre tract of land and being more particularly described by metes and bounds as follows:

FROM the West corner of the above described Timothy Word and Joyce Word Borchers 2,491.249 acre tract, THENCE N. 54° 04' E. 386.4 feet to an iron post in the South line of the Blieders Creek Flowage Easement, set for the West corner and POINT OF BEGINNING of the herein described 0.055 of an acre flowage easement tract;

THENCE with the fence, the Northwest line of the said 2,491.249 acre tract, N. 54° 04' E. 91.3 feet to an iron post in the Southeast line of the Blieders Creek Flowage Easement, set for the Northeast corner of this 0.055 of an acre flowage easement tract;

THENCE with the Southeast and Southwest line of this 0.055 of an acre flowage easement tract, S. 9° 59' W. 76.0 feet and N. 70° 40' W. 64.4 feet to the place of beginning.

And, involving or affecting 82.406 acres, more or less, of the above described land.

1. This easement includes the right of ingress and egress at any time over and upon the above described land and over adjoining lands of Grantors along usable access routes designated by Grantors.
2. There is reserved to the Grantors, their heirs and assigns, the right and privilege to use the above described land of the Grantors at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privileges herein granted.
3. The rights and privileges herein granted are subject to all easements, rights-of-way, mineral reservations or other rights now outstanding in third parties.
4. The Grantee is responsible for operating and maintaining the above described works of improvement.
5. Only Grantee, its agents, representatives, or licensees shall have the right to control the level of water impounded by the above described works of improvement.
6. The works of improvement will be constructed primarily of native earthen material, including rock and rock fragments taken from construction site, sediment pool area and from barrow areas. Said sediment pool area and barrow areas being depicted on the land rights map attached hereto and marked as Exhibit "A". It is herewith specifically understood and agreed that no barrow material of the Grantors herein will be used in the construction of the works of improvement other than that material taken from the designated construction site, or sediment pool and barrow areas depicted on said attached Exhibit "A".
7. This easement includes the right of Grantee's construction agent to use, during initial construction or later alteration, repair or maintenance of the works of improvement, such portion of the above described land as needed for a construction supply and equipment operations and maintenance work site headquarters.
8. Further, it is agreed as follows:
 - a. Grantors' remaining mineral estate, consisting of all oil, gas, fluid or other gaseous minerals, shale, gypsum, calcite and limestone but not exclusive of other unnamed minerals, shall be subject and subordinate to the easement and for the purposes as hereinabove stated for which same is being acquired by Grantee herein; however, it is further agreed that Grantors will continue to own all of said minerals and subsurface materials (whether minerals or otherwise) and that they shall have the right to explore for and mine same so long as such does not interfere with the use of said property for the purposes herein granted; or, in the event that Grantors should provide for an alternate flowage easement to that herein granted which will

serve the purposes for which this easement is granted, then, and in such event, Grantors shall be permitted to explore for said minerals and subsurface materials on any portion of said flowage easement area except for that actually within the dam structure and the permanent pool area, but such exploration may be conducted within the dam structure area and the permanent pool area by directional drilling from without the boundaries of said dam structure area and permanent pool area. However, such directional drilling and mining under the dam structure shall be only for liquid, fluid or gaseous minerals.

- b. Grantors shall continue to own the remainder interest in said property, and that such will be subject only to the easement for the purposes herein granted.
- c. No use other than that expressly mentioned herein shall be made of said easement by Grantee hereof, its successors and assigns, although Grantors may make such use as they desire and deem appropriate so long as it is not inconsistent with, nor interferes with, the use of such easement for the purposes herein granted.
- d. In the event Grantee, its successors or assigns, fails to use said easement for the purposes herein described within a period of ten (10) years from date hereof, or if the structure is not placed thereon within ten (10) years from date hereof, Grantors, their heirs or assigns, shall have and are hereby granted the option to repurchase the easement and all other rights and interests herein granted for the same price or cash consideration being paid by Grantee to Grantors herein.
- e. In the event of a cessation of operations or the purposes for which this easement is granted after construction or other operations have been begun by Grantee, its successors or assigns, the Grantors, their heirs and assigns, upon Grantee's desire to sell same, shall have the right of first option to repurchase said easement from Grantee, its successors and assigns, and Grantee agrees for itself, its successors and assigns, to give the Grantors, their heirs and assigns, the right of first option to repurchase said easement, said purchase to be on the basis of market value as established at the time of the exercise of said option. Said market value, if not agreed upon, to be established by the appraisal process utilizing the services of a professional real estate appraiser.
- f. No recreational area shall be placed upon said easement by Grantee, its successors or assigns, however, the Grantors, their heirs, successors and assigns, may create private recreational areas or make such other use of the property as they see fit so long as same does not interfere with the purposes for which this easement is granted.
- g. The Grantors, their heirs, successors and assigns, shall have the right of ingress and egress through the property over which the easement is granted as well as to and from the works of improvement and structure area at any and all times and may use same for agricultural and livestock purposes and other purposes not inconsistent with those for which this easement is granted.
- h. After initial construction of said works of improvement have been completed, the Grantors, their heirs, agents or assigns, may lock the gate provided for the ingress and egress of the Grantee herein, but said Grantors, their heirs, agents or assigns, shall provide Grantee at all times with a key to said lock and enable the Grantee to have a continuous means of ingress and egress through said

locked gate by the use of said key as provided. Grantee will hold Grantors, their heirs or assigns, harmless as to all damages to property, as well as injuries or death to any person, or persons, resulting from Grantee's operations, including those caused by future construction, repair, inspection or other operations and will also pay all fees and expenses related to same, provided that Grantee, its successors and assigns, shall not be liable for acts of Grantors, their heirs, assigns, employees, agents or invitees and further provided that Grantee, its successors and assigns, shall not be liable for injuries or damages to Grantors, their heirs or assigns, occasioned by said Grantors, their heirs or assigns, use and enjoyment of the above described land and/or facilities placed thereon by the Grantee which results from the negligence of Grantors, their heirs and assigns.

The Grantee joins herein for the purpose of its agreeing to the terms, conditions and provisions stated herein.

This agreement shall be binding upon the heirs, successors and assigns of the undersigned Grantors and of the successors in office and assigns of Grantee.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the above described land of the Grantors, with the rights, privileges and appurtenances thereto belonging or in anywise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantors have executed this instrument on the 26th day of June, A.D., 1970.

Joyce Word Borchers William H. Borchers
JOYCE WORD BORCHERS, Individually and as Trustee for the use and benefit of Mary Marcia Borchers and Georgia Bonner Borchers, Minors WILLIAM H. BORCHERS, Individually and as Trustee for the use and benefit of Mary Marcia Borchers and Georgia Bonner Borchers, Minors

Timothy Dean Word, Jr. Suzanne Zachry Word
TIMOTHY DEAN WORD, JR., Individually and as Trustee for the use and benefit of Timothy Dean Word, III, Forrest Roark Word, Patrick Zachry Word, Bryan Carl Word and Mary Amber Word, Minors SUZANNE ZACHRY WORD, Individually and as Trustee for the use and benefit of Timothy Dean Word, III, Forrest Roark Word, Patrick Zachry Word, Bryan Carl Word, Mary Amber Word, Minors

COMAL COUNTY

BY:

Alvin B. Welsh
ALVIN B. WELSH, Judge of the County Court of Comal County, Texas

Ad. J. Schaefer
AD. J. SCHAEFER, Comal County Commissioner of Precinct No. 1

Hilmar C. Stratemann
HILMAR C. STRATEMANN, Comal County Commissioner of Precinct No. 2

Fred Uecker
 FRED UECKER, Comal County Commissioner of Precinct No. 3

John Karbach
 JOHN KARBACH, Comal County Commissioner of Precinct No. 4

THE STATE OF TEXAS

X

COUNTY OF COMAL

X

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared WILLIAM H. BORCHERS and wife, JOYCE WORD BORCHERS, both Individually and as Trustees for the use and benefit of MARY MARCIA BORCHERS and GEORGIA BONNER BORCHERS, Minors, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 26TH day of JUNE,
 A.D., 1970.

Richard D. Dicks
 NOTARY PUBLIC IN AND FOR COMAL COUNTY,
 TEXAS

THE STATE OF TEXAS

X

COUNTY OF BEXAR

X

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared TIMOTHY DEAN WORD, JR., and wife, SUZANNE ZACHRY WORD, both Individually and as Trustees for the use and benefit of TIMOTHY DEAN WORD, III, FORREST ROARK WORD, PATRICK ZACHRY WORD, BRYAN CARL WORD and MARY AMBER WORD, Minors, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 30 day of June,
 A.D., 1970.

Ray E. Johnston
 NOTARY PUBLIC IN AND FOR BEXAR COUNTY,
 TEXAS
 ROY E. JOHNSTON
 Notary Public, Bexar County, Texas

THE STATE OF TEXAS
COUNTY OF COMAL

I
I

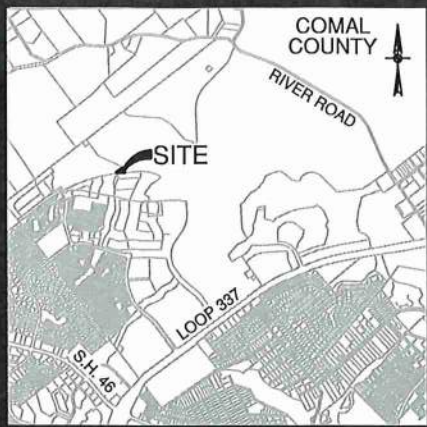
BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared ALVIN B. WELSCH, Judge of the County Court of Comal County, AD. J. SCHAEFER, Comal County Commissioner of Precinct No. 1, HILMAR C. STRATEMANN, Comal County Commissioner of Precinct No. 2, FRED UECKER, Comal County Commissioner of Precinct No. 3, and JOHN KARBACH, Comal County Commissioner of Precinct No. 4, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 26 day of July,
A.D., 1970.


Hilmar C. Stratemann
NOTARY PUBLIC IN AND FOR COMAL COUNTY,
TEXAS

Exhibit 2

Tract 3 Description



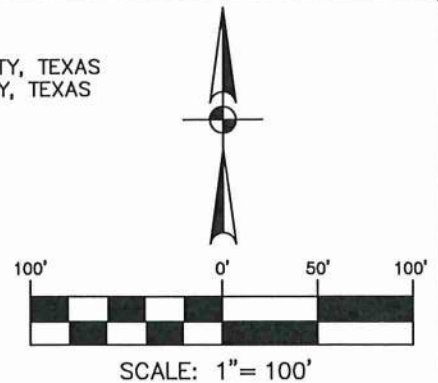
LOCATION MAP
NOT-TO-SCALE

LEGEND:

DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SYMBOL LEGEND

FOUND $\frac{1}{2}$ " I.R. (PD)
(UNLESS OTHERWISE NOTED)

EASEMENT
0.736 OF
AN ACRE
(32,046 SQUARE FEET
MORE OR LESS)

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3

REMAINING PORTION
100.462 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO.
202006029110, O.P.R.

REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

30.422 ACRES
VERAMENDI
PE-EMERALD, LLC
DOC. NO.
202206035304, O.P.R.

VERAMENDI
PRECINCT 14 UNIT 4
DOC. NO. 202206023127 M.P.R.
BLOCK 55

LOT 900

LOT 1

LOT 2

LYNDON STREET
(52' R.O.W.)



PAPE-DAWSON
ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

CURVE TABLE

CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	5065.00'	1°44'58"	N82°40'57"E	154.65'	154.65'

REVISED: OCTOBER 16, 2023
OCTOBER 4, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 0.736 of an acre, or 32,046 square feet more or less, easement located on the remaining portion of the 100.462 acre tract described in instrument to Veramendi PE-Fremantle, LLC in Document No. 202006029110 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 0.736 of an acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson" on an east line of said 100.462 acre tract and at the northwest corner of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records;

THENCE: S 06°26'34" E, along and with an east line of said 100.462 acre tract and a west line of said 30.422 acre tract, a distance of 130.00 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson" on the north line of Lot 900, Block 55, Veramendi Precinct 14, Unit 4 recorded in Document No. 202206023127 in the Map and Plat Records of Comal County, Texas, at an angle point of said 100.462 acre tract and a southwest corner of said 30.422 acre tract;

THENCE: S 83°33'26" W, along and with the north line of said Lot 900, a distance of 64.62 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson", at a northwest corner of said Lot 900;

THENCE: S 50°58'22" W, along and with a northwest line of said Lot 900, a distance of 45.73 feet to a point;

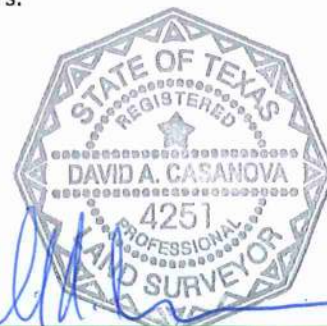
THENCE: Departing a northwest line of said Lot 900, over and across said 100.462 acre tract the following bearings and distances:

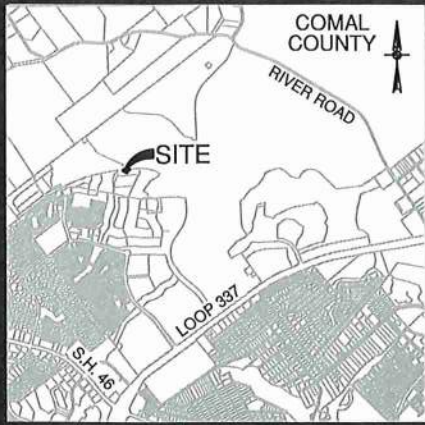
N 63°16'01" W, a distance of 278.26 feet to a point;

Northeasterly, along a non-tangent curve to the right, said curve having a radius of 5065.00 feet, a central angle of 01°44'58", a chord bearing and distance of N 82°40'57" E, 154.65 feet, for an arc length of 154.65 feet to a point;

N 83°33'26" E, a distance of 181.44 feet to the POINT OF BEGINNING and containing 0.736 of an acre in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

PREPARED BY: Pape-Dawson Engineers
DATE: October 4, 2023 (Revised: October 16, 2023)
JOB NO. 30001-74
DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 0.736 AC.docx





LOCATION MAP
NOT-TO-SCALE

LEGEND:

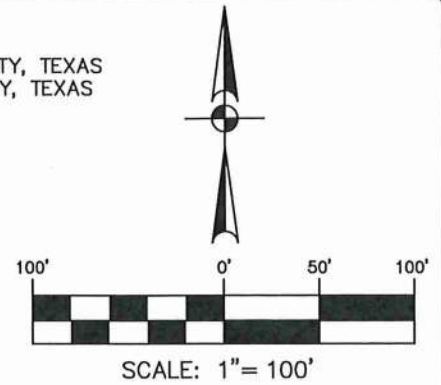
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

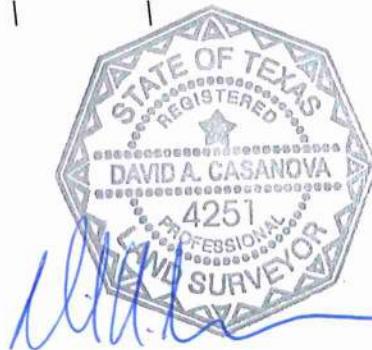
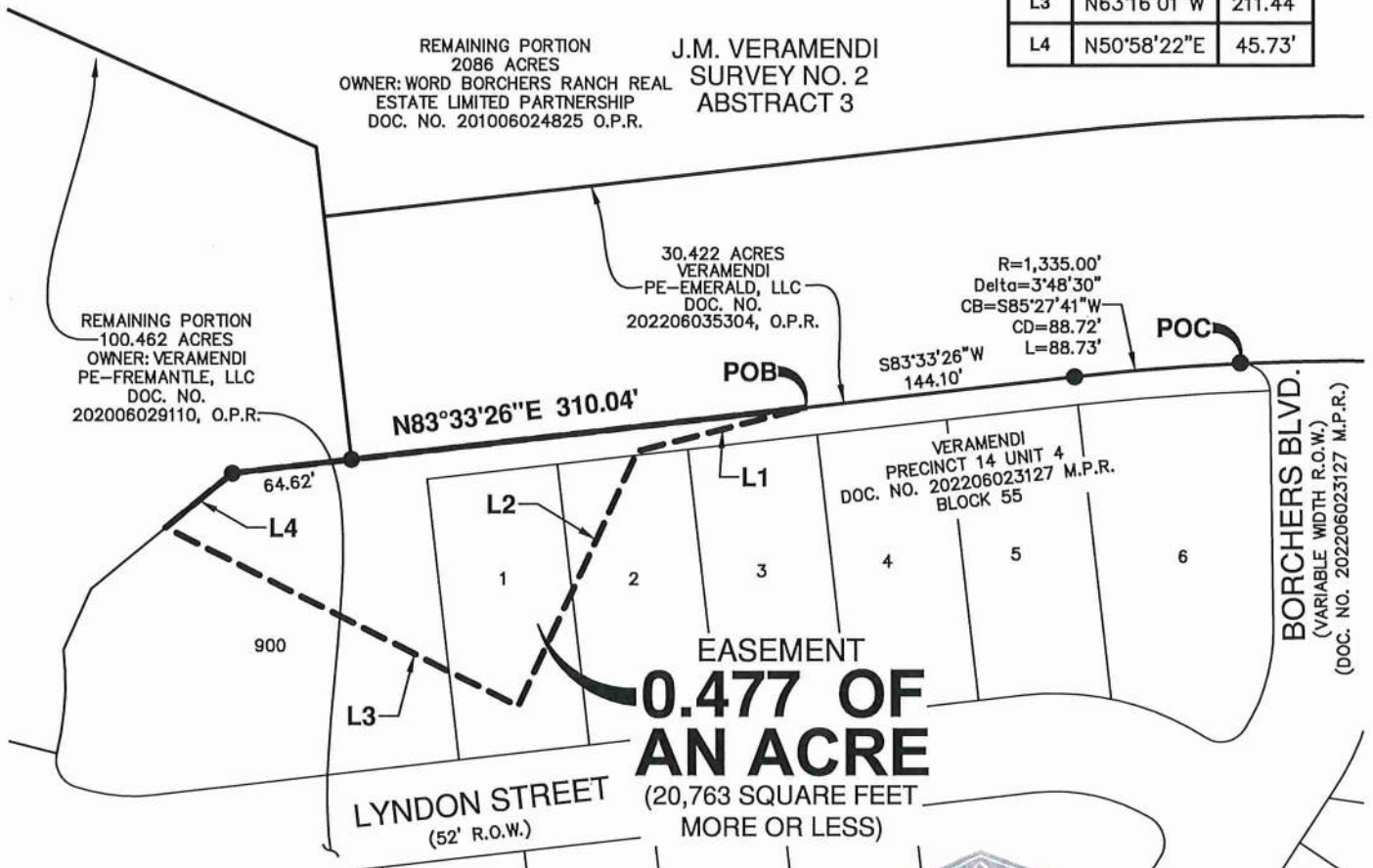
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

● FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)



LINE TABLE		
LINE	BEARING	LENGTH
L1	S75°38'59"W	93.59'
L2	S25°18'59"W	149.90'
L3	N63°16'01"W	211.44'
L4	N50°58'22"E	45.73'



2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: OCTOBER 16, 2023
OCTOBER 4, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 0.477 of an acre, or 20,763 square feet more or less, easement located on Lot 1, Lot 2 and Lot 900 all of Block 55, Veramendi Precinct 14, Unit 4 recorded in Document No. 202206023127 in the Map and Plat Records of Comal County, Texas, and further described as being a portion of the 100.462 acre tract described in instrument to Veramendi PE-Fremantle, LLC in Document No. 202006029110 in the Official Public Records of Comal County, Texas. Said 0.477 of an acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson" on the west right-of-way line of Borchers Boulevard, a variable width right-of-way dedicated in Document No. 202206023127 in said Map and Plat Records and a south line of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records, at angle point of said Lot 900;

THENCE: Along and with the north line of said Lot 900 and a south line of said 30.422 acre tract, the following bearings and distances:

Southwesterly, along a non-tangent curve to the left, said curve having a radius of 1335.00 feet, a central angle of $03^{\circ}48'30''$, a chord bearing and distance of $S\ 85^{\circ}27'41''\ W$, 88.72 feet for and arc length of the 88.73 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson";

$S\ 83^{\circ}33'26''\ W$, a distance of 144.10 feet to the POINT OF BEGINNING of the herein described easement;

THENCE: Departing the south line of said 30.422 acre tract and the north line of said Lot 900, over and across said Block 55, the following bearings and distances:

$S\ 75^{\circ}38'59''\ W$, a distance of 93.59 feet to a point;

$S\ 25^{\circ}18'59''\ W$, a distance of 149.90 feet to a point;

$N\ 63^{\circ}16'01''\ W$, a distance of 211.44 feet to a point on the northwest line of said Lot 900;

THENCE: $N\ 50^{\circ}58'22''\ E$, along and with the northwest line of said Lot 900, a distance of 45.73 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson", at a northwest corner of said Lot 900;

THENCE: N 83°33'26" E, along and with the north line of said Lot 900, at a distance of 64.62 feet passing a found ½" iron rod with a yellow cap marked "Pape-Dawson", at a southwest corner of said 30.422 acre tract and an angle point of said 104.462 acre tract, continuing along and with the north line of said Lot 900 and a south line of said 30.422 acre tract, a total distance of 310.04 feet to the POINT OF BEGINNING and containing 0.477 of an acre in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

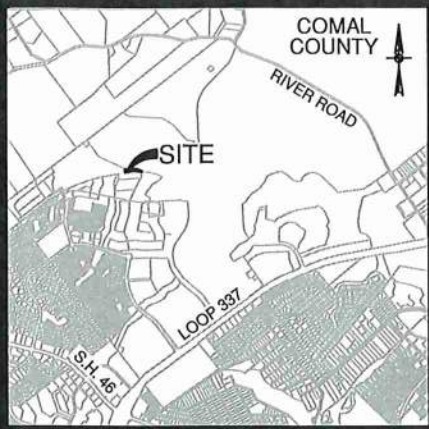
PREPARED BY: Pape-Dawson Engineers

DATE: October 4, 2023 (Revised: October 16, 2023)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 0.477 AC.docx





LOCATION MAP
NOT-TO-SCALE

LEGEND:

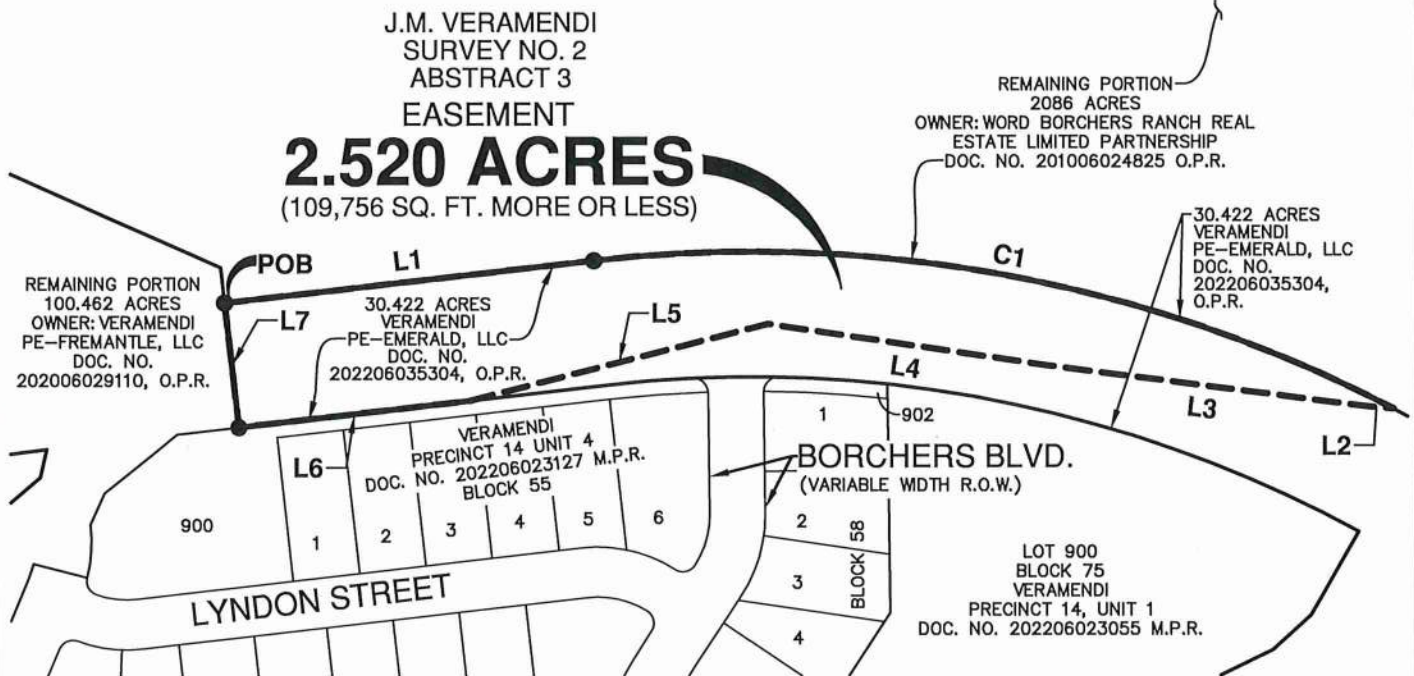
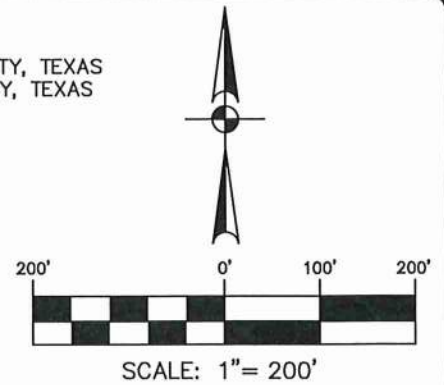
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

FOUND $\frac{1}{2}$ " I.R. (PD)
(UNLESS OTHERWISE NOTED)



LINE TABLE		
LINE	BEARING	LENGTH
L1	N83°33'26"E	389.52'
L2	N84°44'01"W	36.56'
L3	N82°41'01"W	325.30'
L4	N81°36'01"W	299.60'
L5	S75°38'59"W	320.51'
L6	S83°33'26"W	245.41'
L7	N06°26'34"W	130.00'



CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1465.00'	33°47'18"	S79°32'55"E	851.47'	863.94'

PAPE-DAWSON ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600

REVISED: OCTOBER 16, 2023
OCTOBER 4, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 2.520 acre, or 109,756 square feet more or less, easement located on the 30.422 acre tract described in instrument to Veramendi PE-Emerald, LLC in Document No. 202206035304 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 2.520 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on an east line of the 100.462 acre tract described in Document No. 202006029110 in said Official Public Records, at the northwest corner of said 30.422 acre tract;

THENCE: Along and with a north line of said 30.422 acre tract, the following bearings and distances:

N 83°33'26" E, a distance of 389.52 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson",

Southeasterly, along a tangent curve to the right, said curve having a radius of 1465.00 feet, a central angle of 33°47'18", a chord bearing and distance of S 79°32'55" E, 851.47 feet, for an arc length of 863.94 feet to a point;

THENCE: Over and across said 30.422 acre tract, the following bearings and distances:

N 84°44'01" W, a distance of 36.56 feet to a point;

N 82°41'01" W, a distance of 325.30 feet to a point;

N 81°36'01" W, a distance of 299.60 feet to a point;

S 75°38'59" W, a distance of 320.51 feet to a point on a south line of said 30.422 acre tract and the north line of Lot 900, Block 55, Veramendi Precinct 14, Unit 4 recorded in Document No. 202206023127 in the Map and Plat Records of Comal County, Texas;

THENCE: S 83°33'26" W, along and with a south line of said 30.422 acre tract and the north line of said Lot 900, a distance of 245.41 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson", at a southwest corner of said 30.422 acre tract and an angle point of said 100.462 acre tract;

Job No. 30001-74

2.520 Acres

Page 2 of 2

THENCE: N 06°26'34" W, along and with a west line of said 30.422 acre tract and an east line of said 100.462 acre tract, a distance of 130.00 feet to the POINT OF BEGINNING and containing 2.520 acres Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

PREPARED BY: Pape-Dawson Engineers

DATE: October 4, 2023 (Revised: October 16, 2023)

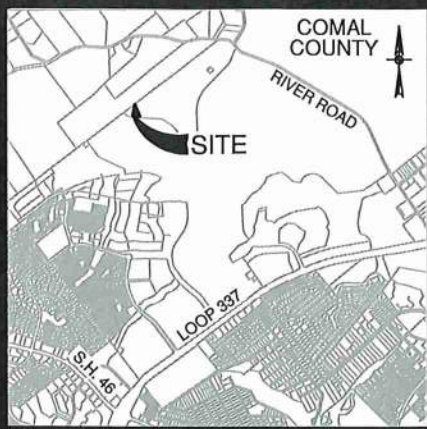
JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 2.520 AC.docx



Exhibit 3

Tract 2 Description



LOCATION MAP
NOT-TO-SCALE

LEGEND:

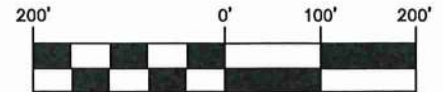
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

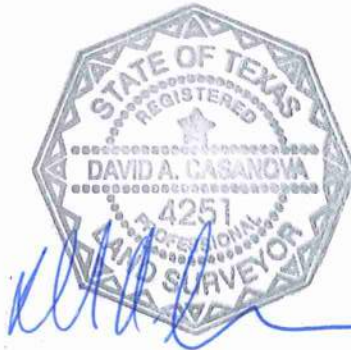
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

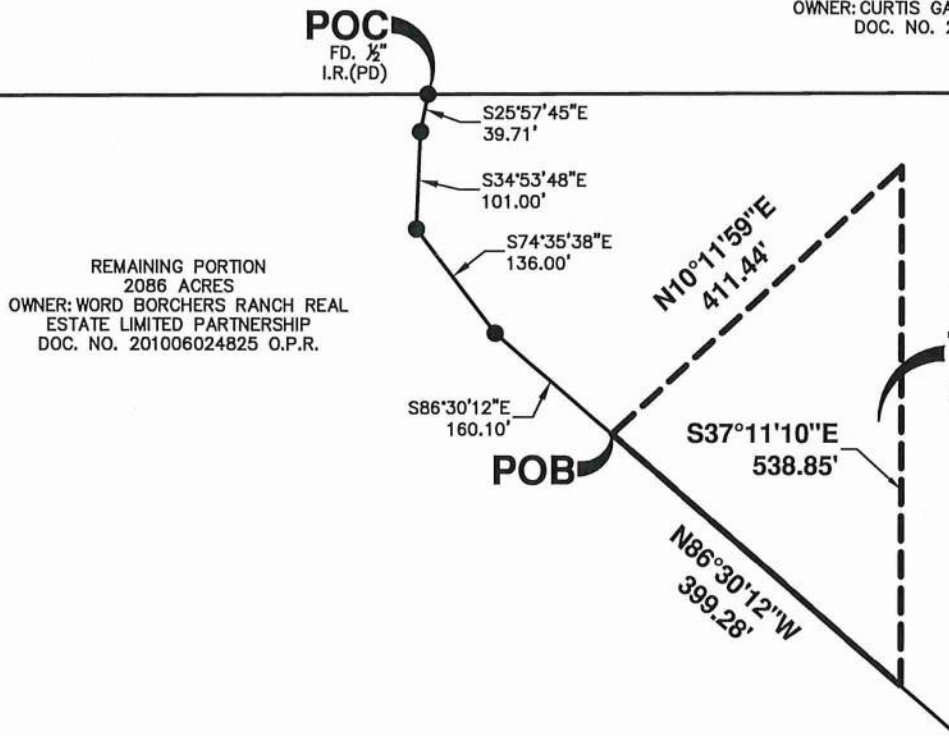
FOUND $\frac{1}{2}$ " I.R. (PD)
(UNLESS OTHERWISE NOTED)



SCALE: 1" = 200'



90.440 ACRES
OWNER: CURTIS GARCIA AND VALERIA GARCIA
DOC. NO. 202006011891 O.P.R.



REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3
EASEMENT
1.873 ACRES
(81,579 SQ. FT. MORE OR LESS)

100.456 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO. 202006029110 O.P.R.



2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: OCTOBER 16, 2023
SEPTEMBER 18, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 1.873 acre, or 81,579 square feet more or less, easement located on the 100.456 acre tract described in instrument to Veramendi PE-Fremantle, LLC in Document No. 202006029110 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 1.873 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson" on the southeast line of the 90.440 acre tract described in Document No. 202006011891 in said Official Public Records and the northwest line of the 2086 acre tract described in Document No. 201006024825 in said Official Public Records, at the west corner of said 100.456 acre tract;

THENCE: Departing the northwest line of said 2086 acre tract and the southeast line of said 90.440 acre tract, along and with the southwest line of said 100.456 acre tract, the following bearings and distances:

S 25°57'45" E, a distance of 39.71 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson";

S 34°53'48" E, a distance of 101.00 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson";

S 74°35'38" E, a distance of 136.00 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap marked "Pape-Dawson";

S 86°30'12" E, a distance of 160.10 feet to the POINT OF BEGINNING of the herein described easement;

THENCE: Over and across said 100.456 acre tract, the following bearings and distances:

N 10°11'59" E, a distance of 411.44 feet to a point;

S 37°11'10" E, a distance of 538.85 feet to a point on the southwest line of said 100.456 acre tract;

Job No.:30001-74

1.873 Acres

Page 2 of 2

THENCE: N 86°30'12" W, along and with the southwest line of said 100.456 acre tract, a distance of 399.28 feet to the POINT OF BEGINNING and containing 1.873 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

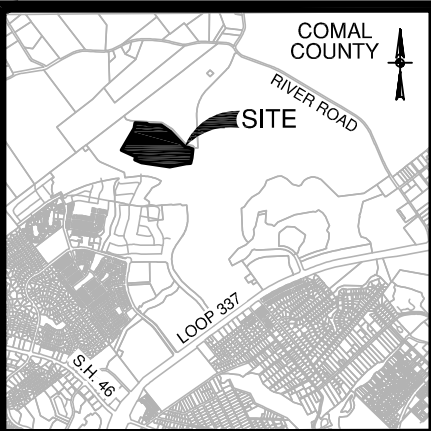
PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: October 16, 2023)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 1.873 AC.docx





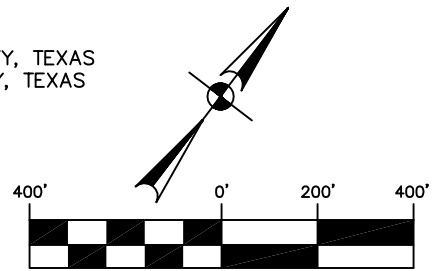
LOCATION MAP
NOT-TO-SCALE

LEGEND:

DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 400'

SYMBOL LEGEND

FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)

POC
FD. 1/2"
I.R.(PD)

90.440 ACRES
OWNER: CURTIS GARCIA AND VALERIA GARCIA
DOC. NO. 202006011891 O.P.R.

S25°57'45"E
39.71'
S34°53'48"E
101.00'
S74°35'38"E
136.00'

100.456 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO.
202006029110 O.P.R.

S86°30'12"E
160.10'
L17

POB

L1

L2

L3

L4

L5

L6

L7

L8

C1

L9

L10

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3
EASEMENT

52.735 ACRES
(2,297,146 SQ. FT. MORE OR LESS)

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO.
202206035304 O.P.R.

L14

L13

107.154 ACRES
VERAMENDI PE -
FREMANTLE, LLC
DOC. NO. 202306039983 O.P.R.

L12

VERAMENDI
PRECINCT 14 UNIT 4
DOC. NO.
202206023127 M.P.R.

LOT 900
BLOCK 75
VERAMENDI
PRECINCT 14 UNIT 1
DOC. NO.
202206023055 M.P.R.

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304, O.P.R.

30.422 ACRES
OWNER:
VERAMENDI
PE-EMERALD, LLC
DOC. NO.
202206035304, O.P.R.

LINE TABLE

LINE	BEARING	LENGTH
L1	S86°30'12"E	399.28'
L2	S37°11'10"E	51.91'
L3	S88°17'10"E	439.57'
L4	S55°55'47"E	370.71'
L5	S43°11'35"E	645.74'
L6	S55°45'04"E	71.37'
L7	S77°01'08"E	105.00'
L8	S70°40'29"E	155.93'
L9	S13°58'11"W	189.13'
L10	S83°58'59"W	149.38'
L11	S79°06'59"W	549.40'
L12	N81°54'01"W	952.45'
L13	N66°02'01"W	249.90'
L14	N25°18'59"E	100.00'
L15	N64°43'01"W	535.20'
L16	N30°03'59"E	839.90'
L17	N10°11'59"E	184.06'

CURVE TABLE

CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1150.00'	14°26'39"	S06°44'51"W	289.14'	289.91'

SHEET 1 OF 1

SEPTEMBER 18, 2023 (REVISED: FEBRUARY 16, 2024) JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 52.735 acre, or 2,297,146 square feet more or less, easement located on the 107.154 acre tract described in instrument to Veramendi PE – Fremantle, LLC in Document No. 202306039983 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 52.735 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on the southeast line of the 90.440 acre tract described in Document No. 202006011891 in said Official Public Records, at the north corner of said 107.154 acre tract and the west corner of the 100.456 acre tract described in Document No. 202006029110 in said Official Public Records;

THENCE: Along and with the northeast line of said 107.154 acre tract and the southwest line of said 100.456 acre tract, the following bearings and distances:

S 25°57'45" E, a distance of 39.71 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 34°53'48" E, a distance of 101.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 74°35'38" E, a distance of 136.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 86°30'12" E, a distance of 160.10 feet to the POINT OF BEGINNING of the herein described easement;

THENCE: S 86°30'12" E, continuing along and with the northeast line of said 107.154 acre tract and southwest line of said 100.456 acre tract, a distance of 399.28 feet to a point;

THENCE: Departing the northeast line of said 107.154 acre tract and southwest line of said 100.456 acre tract, over and across said 107.154 acre tract, the following bearings and distances:

S 37°11'10" E, a distance of 51.91 feet to a point;

S 88°17'10" E, a distance of 439.57 feet to a point;

S 55°55'47" E, a distance of 370.71 feet to a point;

S 43°11'35" E, a distance of 645.74 feet to a point;

S 55°45'04" E, a distance of 71.37 feet to a point;

S 77°01'08" E, a distance of 105.00 feet to a point;

S 70°40'29" E, a distance of 155.93 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson", at the northeast corner of said 107.154 acre tract, an angle point of said 100.456 acre tract and an angle point of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records;

THENCE: Along and with the east line of said 107.154 acre tract and a west line of said 30.422 acre tract, the following bearings and distances:

Southwesterly, along a non-tangent curve to the right, said curve having a radius of 1150.00 feet, a central angle of 14°26'39", a chord bearing and distance of S 06°44'51" W, 289.14 feet, for an arc length of 289.91 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 13°58'11" W, a distance of 189.13 feet to a point;

THENCE: Departing the east line of said 107.154 acre tract and a west line of said 30.422 acre tract, over and across said 107.154 acre tract, the following bearings and distances:

S 83°58'59" W, a distance of 149.38 feet to a point;

S 79°06'59" W, a distance of 549.40 feet to a point;

N 81°54'01" W, a distance of 952.45 feet to a point;

N 66°02'01" W, a distance of 249.90 feet to a point;

N 25°18'59" E, a distance of 100.00 feet to a point;

N 64°43'01" W, a distance of 535.20 feet to a point;

N 30°03'59" E, a distance of 839.90 feet to a point;

N 10°11'59" E, a distance of 184.06 feet to the POINT OF BEGINNING and containing 52.735 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: February 16, 2024)

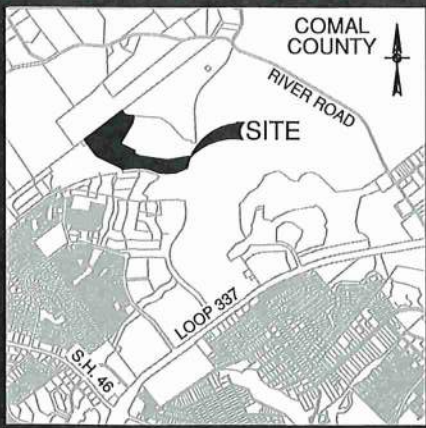
JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESEL 52.735 AC.docx



Exhibit 4

Tract 1 Description



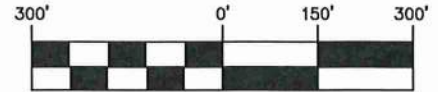
LOCATION MAP
NOT-TO-SCALE

LEGEND:

DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 300'

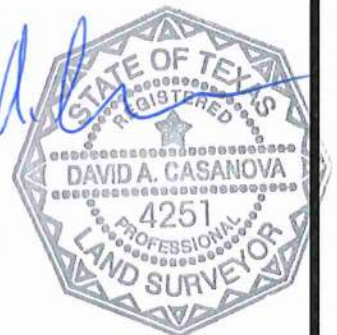
SYMBOL LEGEND

FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)

90.440 ACRES
OWNER: CURTIS GARCIA
AND VALERIA GARCIA
DOC. NO. 202006011891 O.P.R.

POB
FD. 1/2"
I.R. (PD)

0.517 ACRE
COMAL COUNTY WATER IMPROVEMENT
DISTRICT NO. 1D DIRECTORS LOT
DOC. NO. 202206003505 O.P.R.
DOC. NO. 202206003506 O.P.R.
DOC. NO. 202206003507 O.P.R.
DOC. NO. 202206003508 O.P.R.
DOC. NO. 202206003509 O.P.R.



REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS
RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO.
202206035304
O.P.R.

VERAMENDI
PRECINCT 14 UNIT 4
DOC. NO.
202206023127 M.P.R.

REMAINING
PORTION
255.715 ACRES
OWNER: VERAMENDI
PE-BRISBANE, LLC
DOC. NO.
201706013192
O.P.R.

VERAMENDI
PRECINCT 15A UNIT 4
DOC. NO.
202206007239 M.P.R.

EASEMENT
14.544 ACRES
(633,522 SQ. FT. MORE OR LESS)
J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3
REMAINING PORTION
100.462 ACRES
OWNER: VERAMENDI PE-FREMANTLE, LLC
DOC. NO. 202006029110 O.P.R.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S06°26'34"E	37.00'
L2	S83°33'26"W	181.44'
L3	S25°43'59"W	264.00'
L4	S78°16'59"W	214.20'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	5065.00'	1°44'58"	S82°40'57"W	154.65'	154.65'

PAPE-DAWSON
ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: OCTOBER 16, 2023
SEPTEMBER 18, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 14.544 acre, or 633,522 square feet more or less, easement located on the remaining portion of the 100.462 acre tract described in instrument to Veramendi PE-Fremantle, LLC in Document No. 202006029110 in the Official Public Records of Comal County, Texas, and the 0.517 acre tract described as Comal County Water Improvement District No. 1D Directors Lot in Document No. 202206003505, Document No. 202206003506, Document No. 202206003507, Document No. 202206003508 and in Document No. 202206003509 all in said Official Public Records, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 14.544 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on the northwest line of the 2086 acre tract described in Document No. 201006024825 in said Official Public Records, the southeast line of the 90.440 acre tract described in Document No. 202006011891 in said Official Public Records and the north corner of said 0.517 acre tract;

THENCE: S 37°29'54" E, departing the northwest line of said 2086 acre tract and the southeast line of said 90.440 acre tract, along and with the northeast line of said 0.517 acre tract and a northeast line of said 100.462 acre tract, a distance of 615.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

THENCE: Along and with a northeast line of said 100.462 acre tract, the following bearings and distances:

S 52°33'09" E, a distance of 100.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 66°12'08" E, a distance of 849.64 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

THENCE: S 06°26'34" E, along and with an east line of said 100.462 acre tract, a distance of 37.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson", at the northwest corner of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records;

THENCE: Over and across said 100.462 acre tract, the following bearings and distances:

S 83°33'26" W, a distance of 181.44 feet to a point;

Southwesterly, along a tangent curve to the left, said curve having a radius of 5065.00 feet, a central angle of 01°44'58", a chord bearing and distance of S 82°40'57" W, 154.65 feet, for an arc length of 154.65 feet to a point;

N 63°16'01" W, a distance of 1019.50 feet to a point;

S 62°56'59" W, a distance of 173.70 feet to a point;

S 87°42'59" W, a distance of 258.90 feet to a point;

S 47°41'59" W, a distance of 212.70 feet to a point;

S 25°43'59" W, a distance of 264.00 feet to a point;

S 78°16'59" W, a distance of 214.20 feet to a point;

N 01°04'01" W, a distance of 325.49 feet to a point on the northwest line of said 100.462 acre tract and the southeast line of the 159.8 acre tract described in Document No. 200306002739 in said Official Public Records;

THENCE: N 52°30'31" E, along and with the northwest line of said 100.462 acre tract and the southeast line of said 159.8 acre tract, a distance of 738.96 feet to a found 1/4" iron rod at an angle point of said 100.462 acre tract, an east corner of said 159.8 acre tract and the south corner of said 90.440 acre tract;

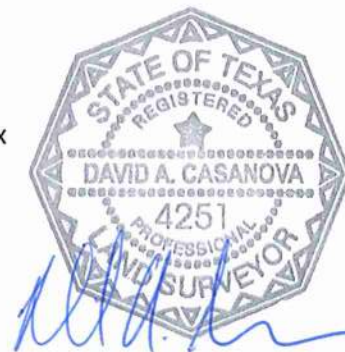
THENCE: N 52°30'06" E, along and with the northwest line of said 100.462 acre tract and the southeast line of said 90.440 acre tract, a distance of 408.00 feet to the POINT OF BEGINNING and containing 14.544 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

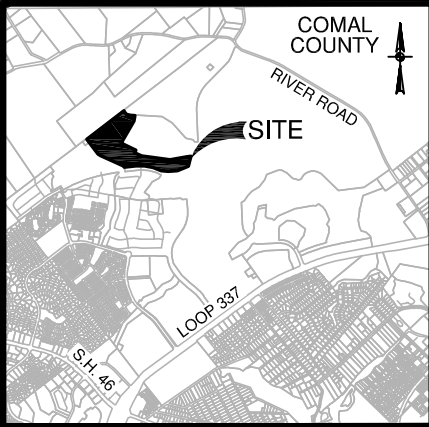
PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: October 16, 2023)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 14.544 AC.docx





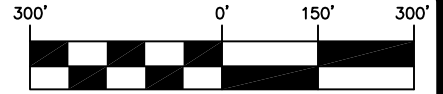
LOCATION MAP
NOT-TO-SCALE

LEGEND:

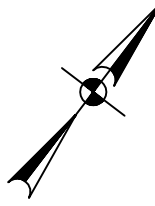
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 300'



SYMBOL LEGEND

FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)

90.440 ACRES
OWNER: CURTIS GARCIA AND VALERIA GARCIA
DOC. NO. 202006011891 O.P.R.

POB

FD. 1/2"
I.R. (PD)

L1

L2

L3

100.456 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO. 202006029110
O.P.R.

0.517 ACRE
DOC. NO. 202206003509 O.P.R.

N37°29'54"W
615.00'

N52°30'06"E 1545.67'

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3

EASEMENT

53.092 ACRES

(2,312,706 SQ. FT. MORE OR LESS)

107.154 ACRES
VERAMENDI PE -
FREMANTLE, LLC
DOC. NO. 202306039983 O.P.R.

S86°30'12"E
160.10'

S10°11'59"W
184.06'

N52°33'09"W
100.00'

S30°03'59"W
839.90'

S64°43'01"E
535.20'

REMAINING PORTION
100.462 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO. 202006029110 O.P.R.

N66°12'08"W
849.64'

S25°18'59"W
100.00'

S66°02'01"E
249.90'

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304 O.P.R.

L10

L9

REMAINING PORTION
255.715 ACRES
OWNER: VERAMENDI
PE-BRISBANE, LLC
DOC. NO. 201706013192
O.P.R.

VERAMENDI
PRECINCT 14 UNIT 4
DOC. NO. 202206023127 M.P.R.

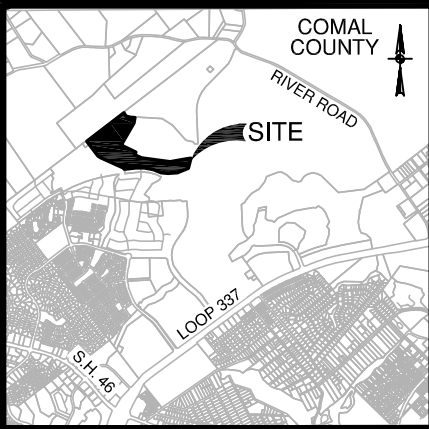
MATCHLINE - SEE SHEET 2

**PAPE-DAWSON
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: FEBRUARY 16, 2024
SEPTEMBER 18, 2023

SHEET 1 OF 2
JOB No.: 30001-74



LOCATION MAP
NOT-TO-SCALE

LEGEND:

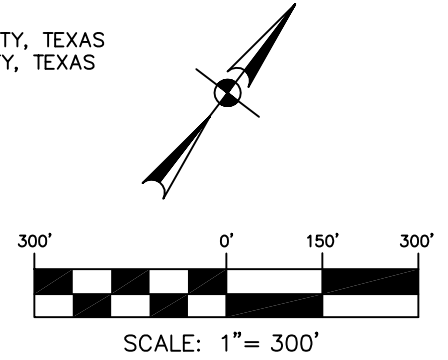
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

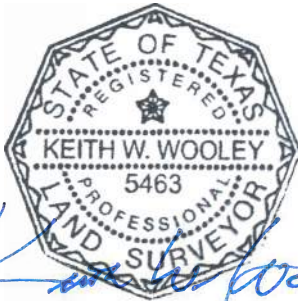
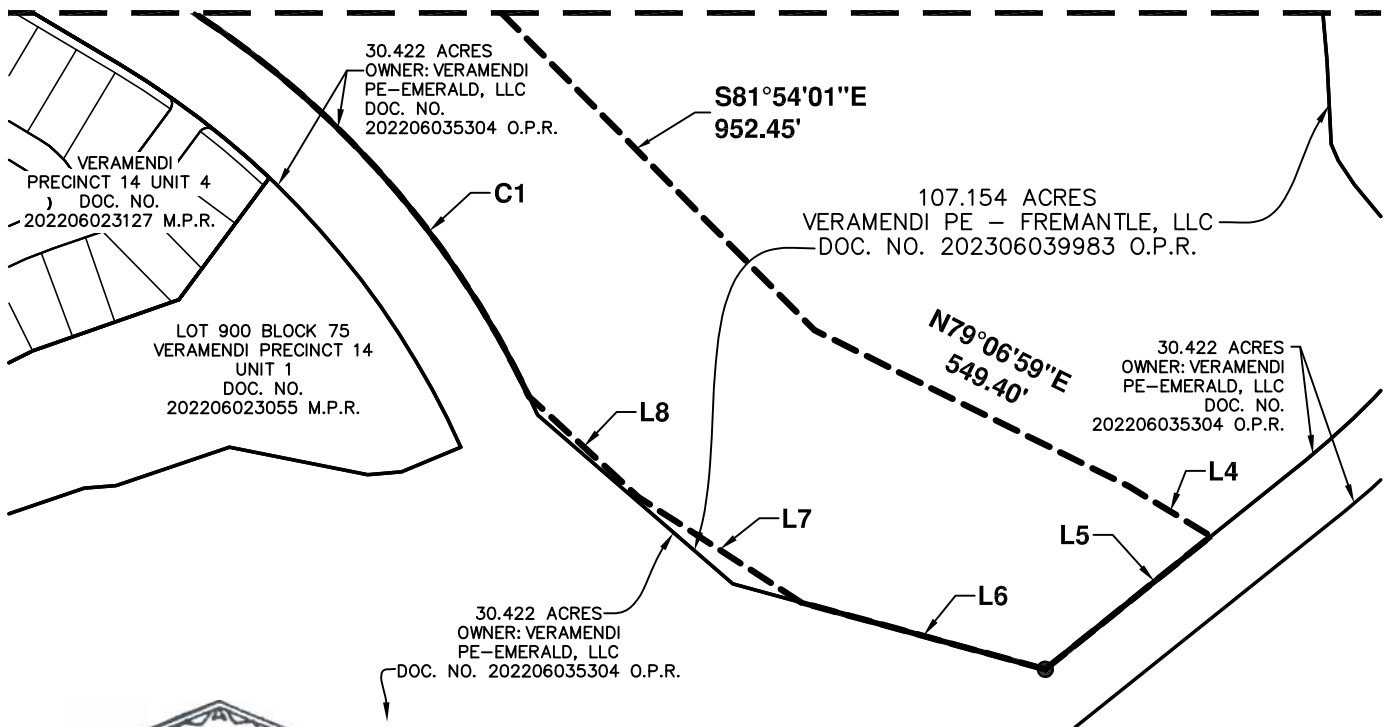
- THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
- THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)



MATCHLINE - SEE SHEET 1



02/16/2024

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S25°57'45"E	39.71'	L6	S67°59'39"W	395.64'
L2	S34°53'48"E	101.00'	L7	S85°37'59"W	302.87'
L3	S74°35'38"E	136.00'	L8	N84°44'01"W	231.84'
L4	N83°58'59"E	149.38'	L9	S83°33'26"W	389.52'
L5	S13°58'11"W	332.01'	L10	N06°26'34"W	37.00'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1465.00'	33°47'18"	N79°32'55"W	851.47'	863.94'

PAPE-DAWSON ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: FEBRUARY 16, 2024
SEPTEMBER 18, 2023

SHEET 2 OF 2
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 53.092 acre, or 2,312,706 square feet more or less, easement located on the 107.154 acre tract described in instrument to Veramendi PE – Fremantle, LLC in Document No. 202306039983 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 53.092 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on the southeast line of the 90.440 acre tract described in Document No. 202006011891 in said Official Public Records, at the north corner of said 107.154 acre tract and the west corner of the 100.456 acre tract described in Document No. 202006029110 in said Official Public Records;

THENCE: Along and with the northeast line of said 107.154 acre tract and the southwest line of said 100.456 acre tract, the following bearings and distances:

S 25°57'45" E, a distance of 39.71 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 34°53'48" E, a distance of 101.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 74°35'38" E, a distance of 136.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 86°30'12" E, a distance of 160.10 feet to a point;

THENCE: Departing the southwest line of said 100.456 acre tract, over and across said 107.154 acre tract, the following bearings and distances:

S 10°11'59" W, a distance of 184.06 feet to a point;

S 30°03'59" W, a distance of 839.90 feet to a point;

S 64°43'01" E, a distance of 535.20 feet to a point;

S 25°18'59" W, a distance of 100.00 feet to a point;

S 66°02'01" E, a distance of 249.90 feet to a point;

S 81°54'01" E, a distance of 952.45 feet to a point;

N 79°06'59" E, a distance of 549.40 feet to a point;

N 83°58'59" E, a distance of 149.38 feet to a point on the east line of said 107.154 acre tract and a west line of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records;

THENCE: S 13°58'11" W, along and with the east line of said 107.154 acre and a west line of said 30.422 acre tract, a distance of 332.01 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson", at the southeast corner of said 107.154 acre tract and an angle point of said 30.422 acre tract;

THENCE: S 67°59'39" W, along and with the south line of said 107.154 acre tract and the north line of said 30.422 acre tract, a distance of 395.64 feet to a point;

THENCE: Departing the south line of said 107.154 acre tract and the north line of said 30.422 acre tract, over and across said 107.154 acre tract, the following bearings and distances:

S 85°37'59" W, a distance of 302.87 feet to a point;

N 84°44'01" W, a distance of 231.84 feet to a point on the south line of said 107.154 acre tract and the north line of said 30.422 acre tract;

THENCE: Along and with the south line of said 107.154 acre tract and the north line of said 30.422 acre tract, the following bearings and distances:

Northwesterly, along a non-tangent curve to the left, said curve having a radius of 1465.00 feet, a central angle of 33°47'18", a chord bearing and distance of N 79°32'55" W, 851.47 feet, for an arc length of 863.94 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 83°33'26" W, a distance of 389.52 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" on a northeast line of the 100.462 acre tract described in Document No. 202006029110 in said Official Public Records, at the southwest corner of said 107.154 acre tract and the northwest corner of said 30.422 acre tract;

THENCE: Along and with the southwest line of said 107.154 acre tract and the northeast line of said 100.462 acre tract, the following bearings and distance:

N 06°26'34" W, a distance of 37.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 66°12'08" W, a distance of 849.64 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 52°33'09" W, a distance of 100.00 feet to a found ½" iron rod with a yellow cap marked Pape-Dawson";

THENCE: N 37°29'54" W, along and with the northeast line of said 100.462 acre tract and the northeast line of the 0.517 acre tract described in Document No. 202206003509 in said Official Public Records and continuing along and with the southwest line of said 107.154 acre tract, a distance of 615.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" on the southeast line of said 90.440 acre tract, at the west corner of said 107.154 acre tract and the north corner of said 0.517 acre tract;

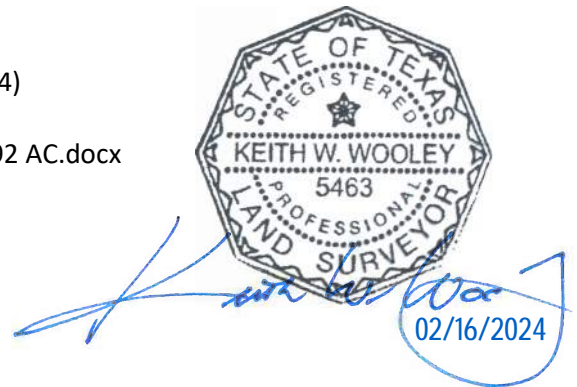
THENCE: N 52°30'06" E, along and with the northwest line of said 107.154 acre tract and the southeast line of said 90.440 acre tract, a distance of 1545.67 feet to the POINT OF BEGINNING and containing 53.092 acres in Comal County, Texas. Said easement being described in conjunction with an easement prepared under job number 30001-74 by Pape-Dawson Engineers.

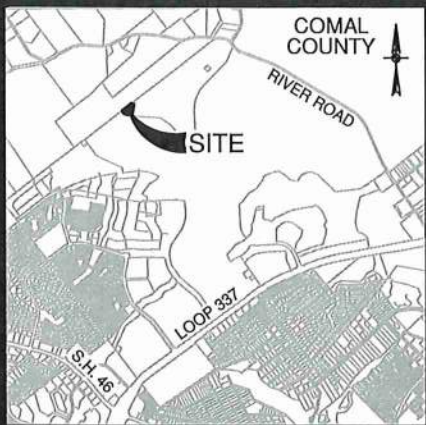
PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: February 16, 2024)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESEL 53.092 AC.docx





LOCATION MAP
NOT-TO-SCALE

LEGEND:

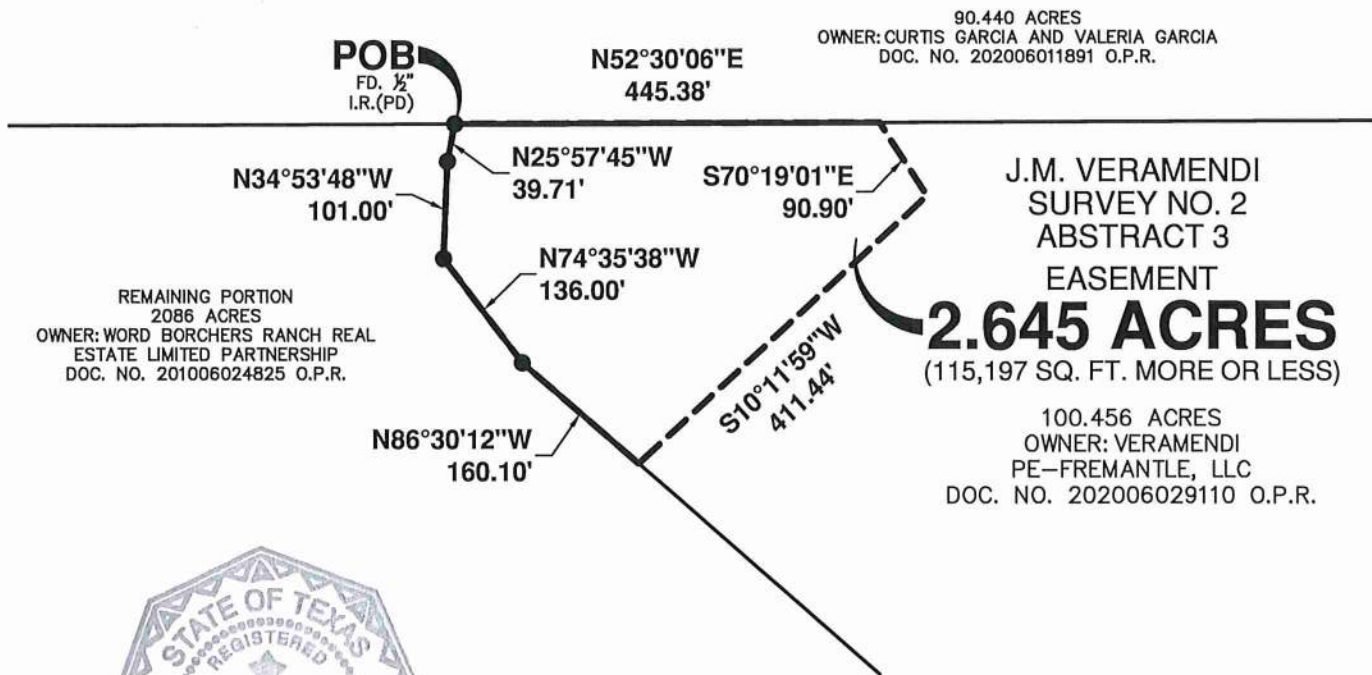
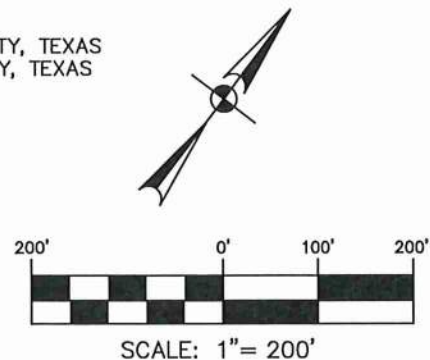
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

● FOUND $\frac{1}{2}$ " I.R. (PD)
(UNLESS OTHERWISE NOTED)



REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

90.440 ACRES
OWNER: CURTIS GARCIA AND VALERIA GARCIA
DOC. NO. 202006011891 O.P.R.

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3
EASEMENT

2.645 ACRES
(115,197 SQ. FT. MORE OR LESS)

100.456 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO. 202006029110 O.P.R.



2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: OCTOBER 16, 2023
SEPTEMBER 18, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 2.645 acre, or 115,197 square feet more or less, easement located on the 100.456 acre tract described in instrument to Veramendi PE-Fremantle, LLC in Document No. 202006029110 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 2.645 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on the southeast line of the 90.440 acre tract described in Document No. 202006011891 in said Official Public Records and the northwest line of the 2086 acre tract described in Document No. 201006024825 in said Official Public Records, at the west corner of said 100.456 acre tract;

THENCE: N 52°30'06" E, along and with the northwest line of said 100.456 acre tract and the southeast line of said 90.440 acre tract, a distance of 445.38 feet to a point;

THENCE: Departing the southeast line of said 90.440 acre tract, over and across said 100.456 acre tract, the following bearings and distances:

S 70°19'01" E, a distance of 90.90 feet to a point;

S 10°11'59" W, a distance of 411.44 feet to a point on the southwest line of said 100.456 acre tract;

THENCE: Along and with the southwest line of said 100.456 acre tract, the following bearings and distances:

N 86°30'12" W, a distance of 160.10 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 74°35'38" W, a distance of 136.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 34°53'48" W, a distance of 101.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

Job No.:30001-74

2.645 Acres

Page 2 of 2

N 25°57'45" W, a distance of 39.71 feet to the POINT OF BEGINNING and containing 2.645 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

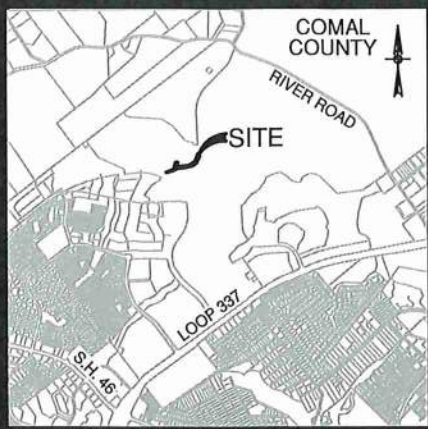
PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: October 16, 2023)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 2.645 AC.docx





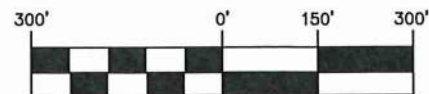
LOCATION MAP
NOT-TO-SCALE

LEGEND:

DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 300'

SYMBOL LEGEND

FOUND 1/2" I.R. (PD)
(UNLESS OTHERWISE NOTED)

**J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3**

REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

100.456 ACRES
OWNER: VERAMENDI
PE-FREMANTLE, LLC
DOC. NO. 202006029110
O.P.R.

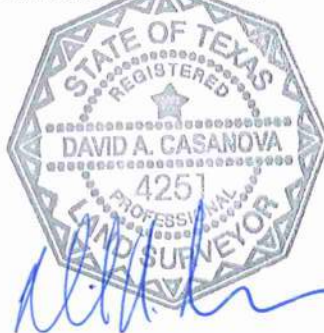
30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304 O.P.R.

REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. NO. 201006024825 O.P.R.

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304
O.P.R.

**EASEMENT
4.008 ACRES**
(174,592 SQ. FT. MORE OR LESS)

224.440 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304 O.P.R.



LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S79°03'11"E	94.87'	L13	S51°48'59"W	222.90'
L2	N85°13'53"E	85.17'	L14	S74°25'59"W	372.10'
L3	N80°35'27"E	428.70'	L15	S85°58'59"W	370.00'
L4	N56°47'21"E	238.31'	L16	S58°19'59"W	168.00'
L5	N40°47'55"E	131.62'	L17	S72°29'59"W	334.90'
L6	N27°06'30"E	96.94'	L18	S85°37'59"W	70.13'
L7	N16°14'49"E	72.36'	L19	N67°59'39"E	395.64'
L8	N23°02'10"E	174.32'	L20	N13°58'11"E	332.01'
L9	N13°26'33"E	11.64'	L21	N83°58'59"E	67.62'
L10	S74°32'01"E	67.18'	L22	S64°12'01"E	37.25'
L11	S02°30'59"W	116.90'	L23	S13°58'11"W	175.66'
L12	S25°40'59"W	349.70'			

**PAPE-DAWSON
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

REVISED: OCTOBER 16, 2023
SEPTEMBER 18, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 4.008 acre, or 174,592 square feet more or less, easement located on the 30.422 acre tract and the 224.440 acre tract both described in instrument to Veramendi PE-Emerald, LLC in Document No. 202206035304 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 4.008 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on an east line of said 30.422 acre tract, at the northwest corner of said 224.440 acre tract;

THENCE: Along and with the north line of said 224.440 acre tract, the following bearings and distances:

S 79°03'11" E, a distance of 94.87 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 85°13'53" E, a distance of 85.17 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 80°35'27" E, a distance of 428.70 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 56°47'21" E, a distance of 238.31 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 40°47'55" E, a distance of 131.62 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 27°06'30" E, a distance of 96.94 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 16°14'49" E, a distance of 72.36 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 23°02'10" E, a distance of 174.32 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 13°26'33" E, a distance of 11.64 feet to a point

THENCE: Departing the north line of said 224.440 acre tract, over and across said 224.440 acre tract, the following bearings and distances:

S 74°32'01" E, a distance of 67.18 feet to a point;

S 02°30'59" W, a distance of 116.90 feet to a point;

S 25°40'59" W, a distance of 349.70 feet to a point;

S 51°48'59" W, a distance of 222.90 feet to a point;

S 74°25'59" W, a distance of 372.10 feet to a point;

S 85°58'59" W, a distance of 370.00 feet to a point;

THENCE: S 58°19'59" W, at a distance of 70.80 feet passing a west line of said 224.440 acre tract and an east line of said 30.422 acre tract, continuing over and across said 30.422 acre tract, a total distance of 168.00 feet to a point;

THENCE: Continuing over and across said 30.422 acre tract, the following bearings and distances:

S 72°29'59" W, a distance of 334.90 feet to a point;

S 85°37'59" W, a distance of 70.13 feet to a point on a north line of said 30.422 acre tract;

THENCE: N 67°59'39" E, along and with a north line of said 30.422 acre tract, a distance of 395.64 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

THENCE: N 13°58'11" E, along and with a west line of said 30.422 acre tract, a distance of 332.01 feet to a point;

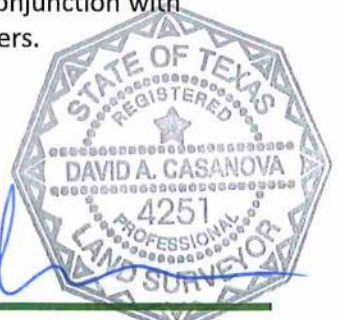
THENCE: Departing a west line of said 30.422 acre tract, over and across said 30.422 acre tract, the following bearings and distances:

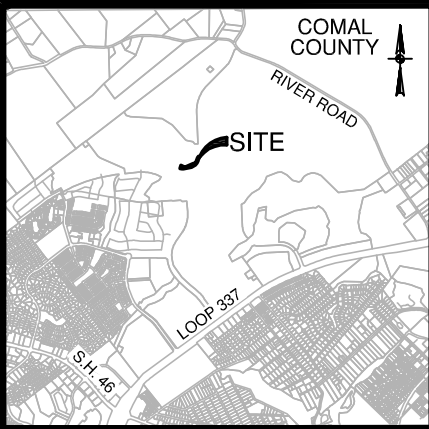
N 83°58'59" E, a distance of 67.62 feet to a point;

S 64°12'01" E, a distance of 37.25 feet to a point on an east line of said 30.422 acre tract and a west line of said 224.440 acre tract;

THENCE: S 13°58'11" W, along and with an east line of said 30.422 acre tract and a west line of said 224.440 acre tract, a distance of 175.66 feet to the POINT OF BEGINNING and containing 4.008 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

PREPARED BY: Pape-Dawson Engineers
DATE: September 18, 2023 (Revised: October 16, 2023)
JOB NO. 30001-74
DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 4.008 AC.docx





LOCATION MAP
NOT-TO-SCALE

LEGEND:

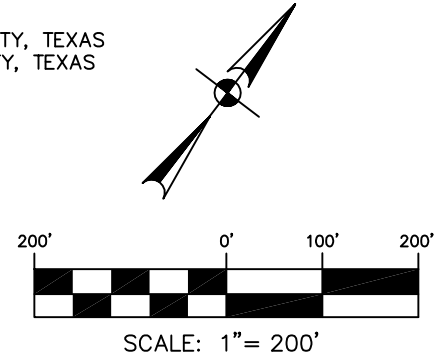
DR DEED RECORDS OF COMAL COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
FD FOUND
IR IRON ROD

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 30001-74 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

SYMBOL LEGEND

● FOUND ½" I.R. (PD)
(UNLESS OTHERWISE NOTED)



SCALE: 1" = 200'

107.154 ACRES
VERAMENDI PE -
FREMANTLE, LLC
DOC. NO. 202306039983 O.P.R.

REMAINING PORTION
2086 ACRES
OWNER: WORD BORCHERS RANCH REAL
ESTATE LIMITED PARTNERSHIP
DOC. 201006024825, O.P.R.

30.422 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO.
202206035304, O.P.R.

J.M. VERAMENDI
SURVEY NO. 2
ABSTRACT 3

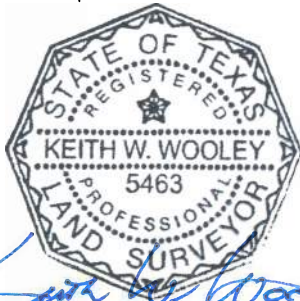
11.962 ACRES
VERAMENDI PE -
FREMANTLE, LLC
DOC. NO. 202306039983 O.P.R.

EASEMENT

2.949 ACRES
(128,463 SQ. FT. MORE OR LESS)

POB
FD. ½"
I.R.(PD)

224.440 ACRES
OWNER: VERAMENDI
PE-EMERALD, LLC
DOC. NO. 202206035304 O.P.R.



02/16/2024

**PAPE-DAWSON
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N13°58'11"E	175.66'	L9	S23°02'10"W	174.32'
L2	S64°12'01"E	231.25'	L10	S16°14'49"W	72.36'
L3	N67°40'59"E	452.50'	L11	S27°06'30"W	96.94'
L4	N70°16'59"E	154.60'	L12	S40°47'55"W	131.62'
L5	N18°47'59"E	278.90'	L13	S56°47'21"W	238.31'
L6	N37°46'59"E	95.20'	L14	S80°35'27"W	428.70'
L7	S74°32'01"E	60.92'	L15	S85°13'53"W	85.17'
L8	S13°26'33"W	11.64'	L16	N79°03'11"W	94.87'

REVISED: FEBRUARY 16, 2024
SEPTEMBER 18, 2023

SHEET 1 OF 1
JOB No.: 30001-74

METES AND BOUNDS DESCRIPTION
FOR AN
EASEMENT

A 2.949 acre, or 128,463 square feet more or less, easement located on the 11.962 acre tract described in instrument to Veramendi PE – Fremantle, LLC in Document No. 202306039983 in the Official Public Records of Comal County, Texas, in the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 2.949 acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a yellow cap marked "Pape-Dawson" on an east line of the 30.422 acre tract described in Document No. 202206035304 in said Official Public Records, at the southwest corner of said 11.962 acre tract and the northwest corner of the 224.440 acre tract described in Document No. 202206035304 in said Official Public Records;

THENCE: N 13°58'11" E, along and with the west line of said 11.962 acre tract and an east line of said 30.422 acre tract, a distance of 175.66 feet to a point;

THENCE: Departing the west line of said 11.962 acre tract and an east line of said 30.422 acre tract, over and across said 11.962 acre tract, the following bearings and distances:

S 64°12'01" E, a distance of 231.25 feet to a point;

N 67°40'59" E, a distance of 452.50 feet to a point;

N 70°16'59" E, a distance of 154.60 feet to a point;

N 18°47'59" E, a distance of 278.90 feet to a point;

N 37°46'59" E, a distance of 95.20 feet to a point;

S 74°32'01" E, a distance of 60.92 feet to a point on the south line of said 11.962 acre tract and the north line of said 224.440 acre tract;

THENCE: Along and with the south line of the 11.962 acre tract and the north line of said 224.440 acre tract, the following bearings and distances:

S 13°26'33" W, a distance of 11.64 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 23°02'10" W, a distance of 174.32 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 16°14'49" W, a distance of 72.36 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 27°06'30" W, a distance of 96.94 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 40°47'55" W, a distance of 131.62 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 56°47'21" W, a distance of 238.31 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 80°35'27" W, a distance of 428.70 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

S 85°13'53" W, a distance of 85.17 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

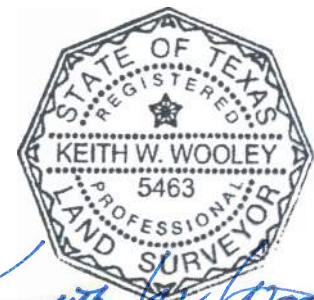
N 79°03'11" W, a distance of 94.87 feet to the POINT OF BEGINNING and containing 2.949 acres in Comal County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 30001-74 by Pape-Dawson Engineers.

PREPARED BY: Pape-Dawson Engineers

DATE: September 18, 2023 (Revised: February 16, 2024)

JOB NO. 30001-74

DOC. ID. N:\CIVIL\30001-74\WORD\30001-74 ESFL 2.949 AC.docx



Keith W. Wooley
02/16/2024

Exhibit 5

Hill Country Drive Depiction



Exhibit 6

Roadway D Depiction

MEMO

TO: ASA Properties

DATE: 8/16/2023

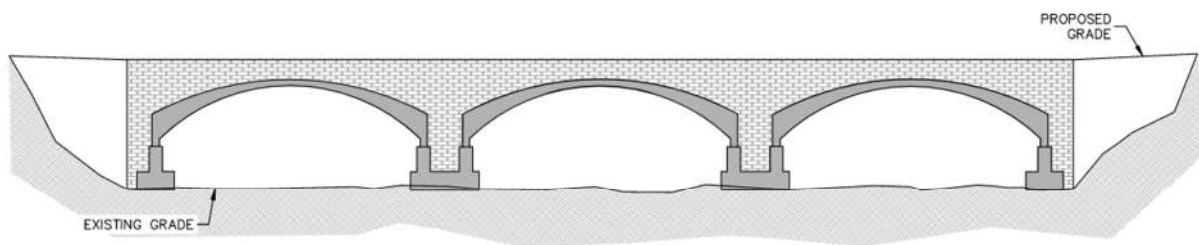
PROJECT: Veramendi

PROJECT NO.: 30001-64

RE: Veramendi – Flowage Easement

This memo summarizes the design requirements for the future Roadway D drainage crossing of the flowage easement within the Veramendi development.

- The future crossing is anticipated to be a bridge across the flowage easement. A typical bridge elevation and limits have been included herein.
- Crossing will be designed for the 100-year design ultimate development storm event.
- Crossing will be designed so that the 100-year design storm water surface elevation is below the roadway.
- Roadway D, and its associated infrastructure, will be designed and constructed in accordance with:
 - Veramendi Development and Design Control Document (DDCD)
 - City of New Braunfels Drainage and Erosion Control Design Manual
 - FEMA regulations



ROADWAY D BRIDGE ELEVATION

NOT TO SCALE

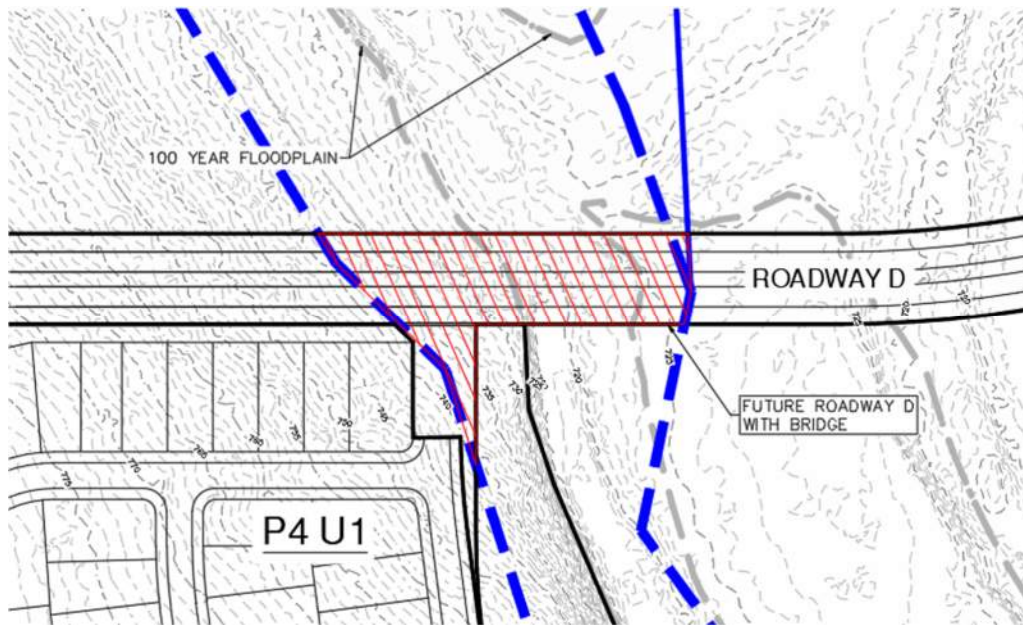
NOTE: SUBJECT TO FINAL DESIGN, CROSSING TO BE DESIGNED FOR THE 100-YR
ULTIMATE DEVELOPMENT STORM EVENT AND FEMA REGULATIONS

MEMO

Veramendi Flowage Easement Options

8/16/2023

Page 2 of 2



END OF MEMO

File: P:\300\01\64\Word\Memos\230626 - Flowage Easement Options.docx

Exhibit 7
Regional Park Options

