

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING ORDINANCE NO. 2024-90 THAT DESIGNATED REINVESTMENT ZONE NO. 2024-01 FOR TAX ABATEMENT PURPOSES, BY CORRECTING THE PROPERTY DESCRIPTION IN EXHIBIT A, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels unanimously approved Ordinance No. 2024-90 on November 25, 2024; and

WHEREAS, pursuant to Section 312.201 of the Texas Tax Code, Ordinance No. 2024-90 designated Reinvestment Zone 2024-01; and

WHEREAS, property within Reinvestment Zone 2024-01 became eligible for commercial-industrial tax abatements effective January 1, 2025; and

WHEREAS, a clerical error was recently discovered in which an incorrect metes and bounds document was attached to the original ordinance as “Exhibit A”; and

WHEREAS, a required step in the creation of a Reinvestment Zone is to run a public hearing notice in the newspaper detailing the address, acreage, and/or boundaries of the proposed zone; and

WHEREAS, the correct acreage (“47.497”) and address (“approximately 440 Kohlenberg Road, New Braunfels, TX”) was included in the newspaper ad which ran in the November 2-3, 2024, Herald-Zeitung publication; and

WHEREAS, the correct “Exhibit A” is included in this ordinance amendment and is attached as follows.

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

SECTION 1: That this amending ordinance, correcting the property description detailed in the attached “Exhibit A,” is hereby approved.

SECTION 2: The property within Reinvestment Zone No. 2024-01 and detailed on that attached “Exhibit A” is still eligible for commercial-industrial tax abatement, as effective on January 1, 2025.

SECTION 3: All provisions of the ordinances of the City of New Braunfels in conflict with the provisions of this Ordinance shall be repealed, and all other provisions of the ordinances of the City of New Braunfels not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4: Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or a part or provision thereof other than the part thereof found to be unconstitutional, illegal, or invalid.

SECTION 5: This Ordinance shall take effect immediately from and after the second and final reading, signatures required by the City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading on 15 September 2025.

PASSED AND APPROVED: Second and final reading on 22 September 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA ACEVEDO, CITY ATTORNEY



LOCATION MAP - NTS

LAND AREA

47.497 ACRES

ALTA/ACSM LAND TITLE SURVEY

BEING A 47.497 ACRE TRACT OF LAND SITUATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, AND BEING OUT OF THAT CERTAIN 92.49 ACRE TRACT DESCRIBED IN DOCUMENT NO. 200306025956, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

Exhibit A

TITLE DESCRIPTION

BEING A 47.497 ACRE TRACT OF LAND SITUATED IN THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, OUT OF THAT CERTAIN 92.49 ACRE TRACT, DESCRIBED IN DOCUMENT NO. 200306025956, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS, SAID 47.497 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "SHERWOOD SURVEYING ON THE SOUTHWESTERLY LINE OF KOHLENBERG LANE, COMMON WITH THE NORTHEASTERLY LINE OF SAID 92.49 ACRE TRACT AND BEING LOCATED N 44° 38' 59" W, A DISTANCE OF 347.78 FEET FROM A 8" FENCE CORNER POST FOR A NORTHERLY CORNER OF THE FREDERICK FRUEHOLT TRACT, AN EXECUTOR'S DEED RECORDED IN DOCUMENT NO. 201306045302, OFFICIAL PUBLIC RECORDS, COMAL COUNTY TEXAS AND THE EASTERLY CORNER OF THE 92.49 ACRE TRACT FOR THE EASTERLY CORNER AND **POINT OF BEGINNING** OF THIS TRACT;

THENCE, S 42° 41' 47" W, INTO AND ACROSS SAID 92.49 ACRE TRACT, A DISTANCE OF 1378.63 FEET TO A 1/4" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "SHERWOOD SURVEYING ON THE SOUTHWESTERLY LINE OF SAID 92.49 ACRE TRACT COMMON WITH A NORTHERLY INTERIOR LINE OF SAID FREDERICK FRUEHOLT TRACT FOR THE SOUTHERLY CORNER OF THIS TRACT;

THENCE, N 44° 41' 49" W, ALONG SAID COMMON LINE, A DISTANCE OF 1532.99, TO A 1/4" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "SHERWOOD SURVEYING FOR THE WESTERLY CORNER OF THIS TRACT;

THENCE, N 45° 18' 11" E, INTO AND ACROSS SAID 92.49 ACRE TRACT, A DISTANCE OF 1378.42 FEET TO A 1/4" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "SHERWOOD SURVEYING ON THE SOUTHWESTERLY LINE OF SAID KOHLENBERG LANE, COMMON WITH THE NORTHEASTERLY LINE OF SAID 92.49 ACRE TRACT, FOR THE NORTHERLY CORNER OF THIS TRACT;

THENCE, S 44° 38' 59" E, ALONG THE SOUTHWESTERLY LINE OF KOHLENBERG LANE, COMMON WITH THE NORTHEASTERLY LINE OF SAID 92.49 ACRE TRACT, A DISTANCE OF 1470.29 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 47.497 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S NOTES

1. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
2. NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES COMPLETED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION AND NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
3. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
4. PROPERTY HAS DIRECT PHYSICAL PUBLIC ACCESS TO U.S. HIGHWAY 35 AND KOHLENBERG AVENUE.
5. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS; ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.

SCHEDULE 'B' ITEMS

NOTES CORRESPONDING TO SCHEDULE 'B' ITEM 10:

- (E) VOL. 56, PG. 183 DEED RECORDS OF COMAL COUNTY, TEXAS. - RIGHT OF WAY GRANT TO TEXAS PIPELINE COMPANY - SUBJECT TO - BLANKET TYPE
- (F) VOL. 68, PG. 447 DEED RECORDS OF COMAL COUNTY, TEXAS. EASEMENT AND RIGHT OF WAY TO SAN ANTONIO PUBLIC SERVICE - SUBJECT TO - BLANKET TYPE
- (G) CHANNEL EASEMENT TO STATE OF TEXAS VOL. 106, PG. 292 DEED RECORDS OF COMAL COUNTY, TEXAS. SHOWN - DOES NOT AFFECT SUBJECT PROPERTY
- (H) UNITED GAS PIPE LINE COMPANY VOL. 116, PG. 422. DEED RECORDS OF COMAL COUNTY, TEXAS. SHOWN - SUBJECT TO - BLANKET TYPE
- (I) UNITED GAS PIPELINE VOL. 119, PG. 572 DEED RECORDS OF COMAL COUNTY, TEXAS, AFFECTED BY THE ASSIGNMENT IN VOLUME 171, PAGE 419. SHOWN
- (J) EASEMENT GRANTED TO NEW BRAUNFELS UTILITIES, RECORDED IN DOCUMENT NO. 201506001927- SHOWN

BASIS OF ELEVATION

NAVD88

BASIS OF BEARINGS

BASIS OF BEARING IS NAD83
TEXAS STATE PLANE COORDINATE SYSTEM,
SOUTH CENTRAL ZONE

ZONING INFORMATION

SITE RESTRICTION:
ZONE - APD-AGRICULTURAL/PRE-DEVELOPMENT
DISTRICT

SETBACKS
FRONT - 25 FEET
SIDE - 10 FOOT SIDE
15 FOOT SIDE WITH COINCIDING ADJACENT SIDE LOT LINES
25 FOOT SIDE WITH COINCIDING ADJACENT REAR LOT LINES

REAR - 30 FOOT
HEIGHT - 35 FEET

All site restrictions were obtained per CITY OF NEW BRAUNFELS CODE OF ORDINANCES SECTION 144-3.4

FLOOD INFORMATION

THE TRACT SHOWN HEREON LIES WITHIN ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON MAP NO. 48091C0460F, DATED SEPTEMBER 2, 2009, FOR COMAL COUNTY, TEXAS. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NORTH ARROW / SCALE

0 100 200 400
SCALE (FEET)

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- CONTROLLING MONUMENT
- BENCHMARK
- CONCRETE MONUMENT
- POWER POLE
- WIRE FENCE

SURVEYOR CERTIFICATION

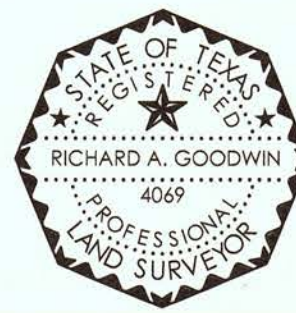
TO: PARTIES INVOLVED IN FIRST NATIONAL TITLE INSURANCE COMPANY COMMITMENT, GF NO. FAH19001855, EFFECTIVE DATE MARCH 8, 2019, ISSUED MARCH 14, 2019, AND LYNN K. WOHLFAHRT.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA/NSPS, (EFFECTIVE FEBRUARY 23, 2016) AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(B), 7(A), 8, 11(A), 13, AND 14.

THE FIELD WORK WAS COMPLETED ON OCTOBER 23, 2019

DATE OF PLAT OR MAP: OCTOBER 24, 2019

RICHARD A. GOODWIN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4069
6477 FM 311, P.O. BOX 982 SPRING BRANCH, TEXAS 78070
PHONE# (830) 228-5446
FAX# (830) 885-2170



REVISIONS

SHERWOOD SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
5677 FM 311, BOX 982 SPRING BRANCH, TEXAS 78070
PHONE # (830) 228-5788
FAX # (830) 885-2170
TBPUS FIRM # 1004200

CONTINENTAL AUTOMOTIVE SYSTEMS

ALTA/ACSM LAND TITLE SURVEY
A.M. ESNAURIZAR SURVEY
COMAL COUNTY, TEXAS
47.794 ACRES

DESIGNED BY: RAG

CHECKED BY: CE

DRAWN BY: RAG

JOB: 19RPLSM059

DATE: OCT. 24, 2019

SCALE: 1" = 200'

SHEET: 1

OF 1