

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING THE ACQUISITION IN FEE SIMPLE AND BY TEMPORARY CONSTRUCTION EASEMENT OF TRACTS OF LAND GENERALLY DEPICTED IN EXHIBITS “A”, “B” AND “C”, WHICH IS ATTACHED HERETO AND IS INCORPORATED HEREIN FOR ALL PURPOSES, AS PART OF THE KOHLENBERG ROAD IMPROVEMENTS PROJECT. SUCH ACQUISITIONS ARE NECESSARY TO ADVANCE AND ACHIEVE THE PUBLIC USES OF IMPROVING PEDESTRIAN SAFETY AND ADA ACCESSIBILITY BY PROVIDING SIDEWALKS ON BOTH SIDES OF THE ROAD; PROVIDING CONNECTIVITY TO MULTIPLE RESIDENTIAL AND COMMERCIAL AREAS; AND BUILDING ROAD IMPROVEMENTS TO ALLEVIATE TRAFFIC CONGESTION. THIS RESOLUTION AUTHORIZES THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE THE NECESSARY LAND RIGHTS TO THE EXTENT NEGOTIATIONS ARE UNSUCCESSFUL.

WHEREAS, the City of New Braunfels, Texas (“City”) has determined that a tract of privately owned land described in **Exhibits “A”, “B” and “C”** must be acquired in fee simple interest and a Temporary Construction Easement, for the construction of the Kohlenberg Road Improvements Project (the “Project”); and

WHEREAS, the acquisition of such property is necessary to complete the Project, to advance and achieve the public uses of improving pedestrian safety and ADA accessibility by providing sidewalks on both sides of the road; providing connectivity to multiple residential and commercial areas; and building road improvements to alleviate traffic congestion; and

WHEREAS, the Project is in the best interest of the health, safety, and welfare of the public;

WHEREAS, the City has been unable to acquire said land by negotiation and/or further negotiations may become futile, and therefore, the City may be compelled to exercise its power of eminent domain; and

WHEREAS, relating to the acquisition of such land, it may be necessary for the City or one of its agents or contractors to enter upon the property to investigate and survey the needed land so that they may be defined and described with specificity for inclusion in any deed, easement, or, if necessary, as part of any filings to institute proceedings in eminent domain to acquire the necessary land.

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

SECTION 1.

The above caption and recitals are incorporated herein for all purposes.

SECTION 2.

The City Council declares a public use and necessity for the City of New Braunfels to acquire fee simple interest of the properties described in **Exhibit “A” and Exhibit “C”**. And to acquire a temporary construction easement as described in **Exhibit “B”**, for the improvements needed for the Project.

SECTION 3.

The City Council declares that the acquisition of such property is necessary to complete the Project, which has the public uses of improving pedestrian safety and ADA accessibility by providing sidewalks on both sides of the road; providing connectivity to multiple residential and commercial areas; and building road improvements to alleviate traffic congestion.

The City Council authorizes the utilization of the power of eminent domain to acquire the necessary land located in the City of New Braunfels, to the extent that the City is unable to acquire said land by negotiation and/or further negotiations with the landowner become futile.

SECTION 4.

The City Council authorizes its authorized officers or their designees and retained attorneys, to create, execute, and deliver such further documents, instruments, certificates, opinions, consents, pleadings, and other papers, for and on behalf of the City, and to do and cause to be done such further acts and things as may be necessary, appropriate, or advisable to effect the intent of this Resolution, including, but not limited to (a) filing temporary injunctions or other causes of action necessary to obtain access to the property impacted by the acquisitions; (b) performing lineal surveys for metes and bounds purposes and conducting archaeological, species and environmental walk-throughs, inspections and/or testing (including obtaining water and soil samples, if necessary), as required by applicable state and federal laws (collectively the “Preliminary Surveys”), appraising, designing, planning, obtaining title information, and specifying the preparation, location, and routing or re-rerouting of the Project should such become necessary for any reason; (c) entering into good-faith negotiations with the landowner to make bona fide offer for the property; (d) appraising the property; (e) causing eminent domain proceedings to be filed should the bona-fide offer and good-faith negotiations fail; and (f) obtaining, or causing to be applied for and obtained, surety bonds as may be necessary or desirable regarding any eminent domain proceedings hereinabove authorized or any injunctive proceedings necessary or related to or as a condition precedent to any such eminent domain proceedings. Such documents, instruments, certificates, opinions, consents, pleadings, and other papers, and any amendments, supplements, or modifications thereto shall be in such form and contain such terms

and conditions, whether material or non-material, as such officers, or any of them, shall deem necessary, appropriate, or advisable, and all that such officers, their designees, employees, and retained attorneys have done or may do under or by reason of this and any foregoing resolutions are hereby approved, confirmed, and ratified. The City Council finds that it is in the best interest to obtain the fee simple interest (or an easement where necessary) from whomever holds legal and equitable title as identified according to the procedure adopted through this Resolution and if necessary, the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 5.

The determination of necessity to exercise the power of eminent domain in this matter is made according to reason and judgment with due regard and consideration of the relevant facts, circumstances, and alternatives, and the knowledge, which existed at this time. Therefore, the City, acting by and through its contractual eminent domain attorneys, is hereby directed and authorized to institute and prosecute to conclusion all necessary proceedings in eminent domain to condemn the land described herein and to acquire such interest in land if the City is unable to acquire such through negotiation, and to take any other legal action necessary or incidental to such acquisition or eminent domain proceeding to investigate, survey, specify, define, and secure the necessary property right.

All acts and proceedings done or initiated by the employees, agents, and attorneys of the City for the acquisition of such land are hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates of such acts and proceedings, with and in regard to the grantors from whom such land is being purchased or acquired.

SECTION 6.

Severability: If any provision, section, subsection, sentence, clause, or phrase of this Resolution, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the Commissioners Court in adopting this Resolution that no portion hereof, or provisions, or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

SECTION 7.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this the _____ day of _____, 2026.

Neal Linnartz, Mayor

ATTEST:

Gayle Wilkinson
City Secretary



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "A"

FIELD NOTES FOR PARCEL 1 – LYNN WOHLFAHRT KOHLENBERG ROAD R.O.W. 1.034 Acres (45,040 Square Foot)

Being a 1.034 acre (45,040square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 1.034 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found TxDOT DM Type II monument in the existing intersection of the southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW) and the south cutback line of the southeast ROW line of Interstate 35;

THENCE with a curve to the right having a radius of 779.00 feet and a central angle of $13^{\circ}35'05''$, the chord bears $S\ 51^{\circ}45'07''\ E$ – 184.27 feet, for an arc distance of 184.70 feet to a second found TxDOT DM Type II monument;

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 131.12 feet to a set 5/8 iron rod with aluminum cap stamped "TxDOT ROW" for the **POINT OF BEGINNING**;

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 420.62 feet to third TxDOT DM Type II monument;

THENCE $S\ 51^{\circ}27'50''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 99.88 feet to a found TxDOT Type I concrete monument;

THENCE $S\ 44^{\circ}38'41''\ E$, continuing with the existing southwest ROW of line Kohlenberg Road, for a distance of 261.70 feet to a set $\frac{1}{2}''$ iron rod with KCI plastic cap at the east corner of this description;

THENCE $S\ 45^{\circ}19'10''\ W$ with the southeast line of the before mentioned remainder, pass at 8.00 feet a found $\frac{1}{2}''$ iron rod at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas, continue on for a total distance of 71.15 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW", a second found $\frac{1}{2}''$ iron rod found at the west corner of Lot 1, Block 1, bears $S\ 45^{\circ}19'10''\ W$ – 1307.72 feet;

THENCE N 44°36'02" W through the 92.49 acre tract for a distance of 631.20 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW";

THENCE N 24°07'15" W, continuing through the 92.49 acre tract for a distance of 160.52 feet to the **POINT OF BEGINNING**, and containing 1.034 acres (45,040 square foot) of land, more or less

- Bearings source is between the 1/2" iron rods found on the northwest line of Lot 1, Block 1 described above, and shown as N 45°19'10" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies."

Date: *August 29, 2025*

Gary B. Neill

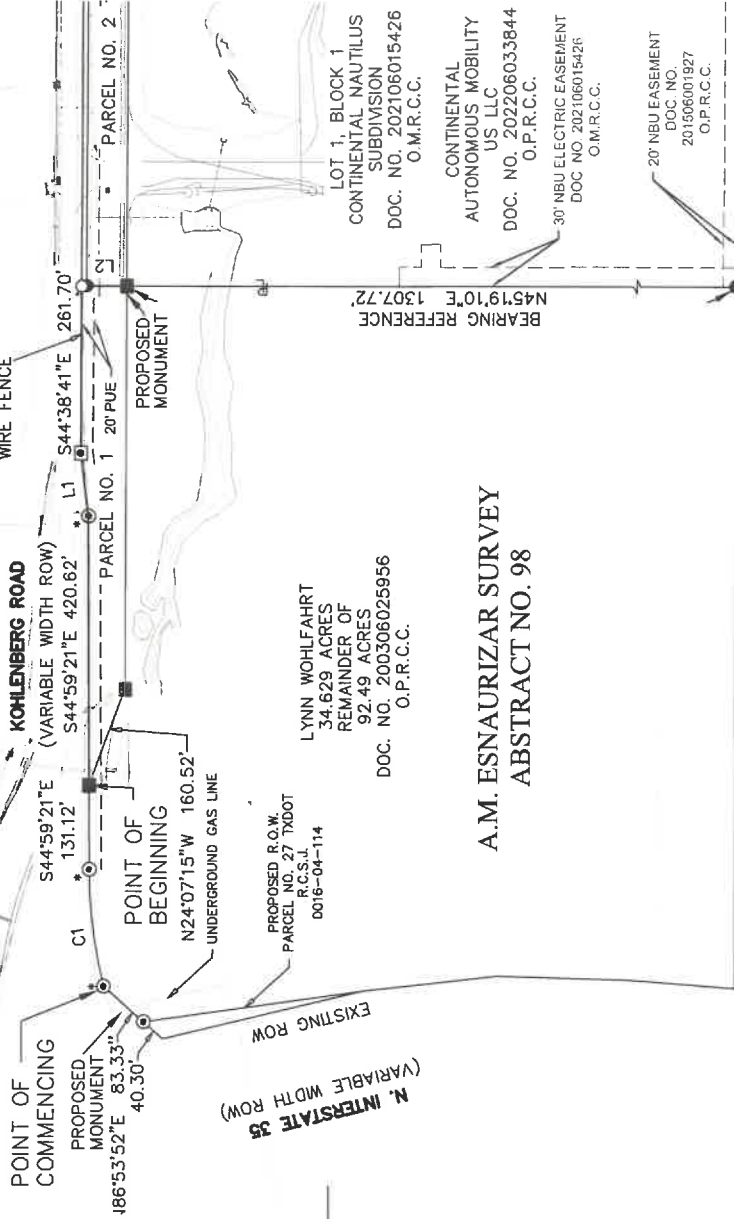
Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65



Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

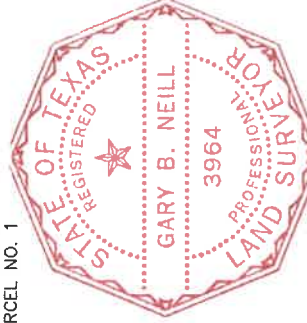
LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.

CONTINENTAL
AUTONOMOUS MOBILITY
US LLC
DOC. NO. 202206033844
O.P.R.C.C.

30' NB/ELECTRIC EASEMENT
DOC NO 202106015426
O.M.R.C.C.

20' NB/EASEMENT
DOC. NO.
201506001927
O.P.R.C.C.

PARENT TRACT INSET FOR
PARCEL NO. 1



I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.

Gary B. Neill 08/19/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD BEARING
C1	779.00'	184.70'	S51°45'07"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

REVISIONS		
REV	DATE	DESCRIPTION
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W.

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83). ALL COORDINATES SHOWN ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SCALE FACTOR OF 1.00014.
- FIELD SURVEYS WERE COMPLETED IN JULY 3, 2024. MONUMENTS SET OCTOBER 14, 2024
- SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
- REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1,034 45,040		33.595

KCI TECHNOLOGIES, INC.
2306 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
(210) 641-4449
REGISTRATION #10971 / #10194345

PARCEL PLAT
SHOWING
PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY
PAGE 1 OF 1
SCALE: 1" = 300'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	779.00'	184.70'	13°35'05"

MATCH LINE SEE SHEET 2 OF 3

KOHLBERG ROAD

(VARIABLE WIDTH ROW)

S44°59'21"E 131.12'

EXISTING ROW

UG

20' PUE

C1

UNDERGROUND GAS LINE

WIRE FENCE

POINT OF COMMENCING

50'

SCALE: 1" = 50'
ON 8 1/2"x11"

N. INTERSTATE 35
(VARIABLE WIDTH ROW)

PROPOSED R.O.W.
PARCEL NO. 27 TXD01
R.C.S.J.
0016-04-114

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
- O.M.R.C.C. - OFFICIAL MAP RECORDS
- COMAL COUNTY
- D.R.C.C. - DEED RECORDS
- COMAL COUNTY
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG. - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

REVISIONS		
REV	DATE	DESCRIPTION
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W

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I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.



Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1.034		33.595
	45,040		

KCI TECHNOLOGIES, INC.
2806 W. BITESS ROAD
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-1499
FAX: (210) 641-1444
REGISTRATION #10871 / #10184345

PARCEL PLAT
SHOWING

PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY

MATCH LINE SEE SHEET 1 OF 3

MATCH LINE SEE SHEET 3 OF 3

KOHLBERG (VARIABLE WIDTH ROW)
ROAD

S44°59'21"E 420.62'

PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

PROPOSED ROW

N44°36'02"W 631.20'

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'

REVISIONS		
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W

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LEGEND

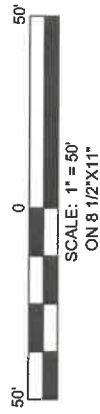
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- EXISTING R.O.W. LINE
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- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- UG. - UNDERGROUND GAS
- PBX - ELECTRIC PULL BOX

- 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- TXDOT ROW MARKER FOUND (DM TYPE II)
- TXDOT ROW MARKER FOUND (DM TYPE III)
- TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
- 1/2" IRON ROD SET WITH KCI CAP



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964



AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
34.629	1.034		33.595
	45,040		

KCI TECHNOLOGIES, INC.
2805 W. BITTERS ROAD
SAN ANTONIO, TEXAS 78248
REGISTRATION #10872 / #1018448

PARCEL PLAT
SHOWING

PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY

MATCH LINE SEE SHEET 1 OF 3

HLENBERG ROAD

(VARIABLE WIDTH ROW)

EXISTING ROW S44°38'41"E 261.70' METAL SIGN •

20' PUE

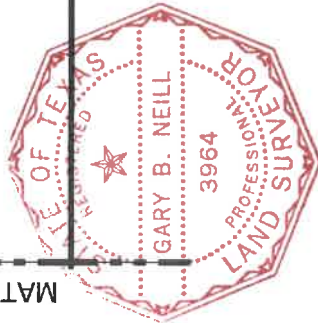
PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

N44°36'02"W 631.20' PROPOSED ROW

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.
CONTINENTAL AUTONOMOUS
MOBILITY US LLC
DOC. NO. 202206033844
O.P.R.C.C.



REVISIONS		
REV 1:	01/16/2025	LAST NAME
REV 2:	08/19/2025	PARCEL R.O.W.

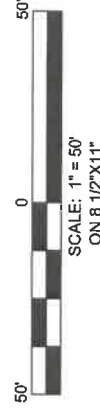
LEGEND

- PROPOSED R.O.W. LINE
EXISTING R.O.W. LINE
PROPERTY LINE
SURVEY LINE
FENCE LINE
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D.R.C.C. - DEED RECORDS
S.L. - SUBDIVISION LINE
U.E. - UTILITY EASEMENT
S.B.L. - SETBACK LINE
UG - UNDERGROUND GAS
PBX - ELECTRIC PULL BOX
■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP
STAMPED "TXDOT R.O.W." SET,
UNLESS OTHERWISE NOTED.
⊙ = TXDOT ROW MARKER FOUND (DM TYPE II)
⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)
□ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
● = 1/2" IRON ROD FOUND UNLESS OTHERWISE
DESCRIBED AS NOTED
⊙ = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

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LINE TABLE		
LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'



AREA TABLE (ACRES)

EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	
		LEFT	RIGHT
34.629	1,034 45,040		33,595
KCI TECHNOLOGIES, INC. 2808 W. BITTERS ROAD SAN ANTONIO, TEXAS 78248 FAX (210) 841-8440 REGISTRATION #F-10973 / F10104465			

PARCEL PLAT
SHOWING

PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY

I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.

Gary B. Neill 08/29/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "B"

FIELD NOTES FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 1 – LYNN WOHLFAHRT KOHLENBERG ROAD R.O.W. 0.581 Acres (25,301 Square Foot)

Being a 0.581 acre (25,301 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 0.581 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found TxDOT DM Type II monument in the existing intersection of the southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW) and the south cutback line of the southeast ROW line of Interstate 35;

THENCE with a curve to the right having a radius of 779.00 feet and a central angle of $13^{\circ}35'05''$, the chord bears $S\ 51^{\circ}45'07''\ E$ – 184.27 feet, for an arc distance of 184.70 feet to a second found TxDOT DM Type II monument;

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 131.12 feet to a set $5/8''$ iron rod with aluminum cap stamped "TxDOT ROW";

THENCE $S\ 44^{\circ}59'21''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 420.62 feet to a third TxDOT DM Type II monument;

THENCE $S\ 51^{\circ}27'50''\ E$, continuing with the existing southwest ROW line of Kohlenberg Road, for a distance of 99.88 feet to a found TxDOT Type I concrete monument;

THENCE $S\ 44^{\circ}38'41''\ E$, continuing with the existing southwest ROW of line Kohlenberg Road, for a distance of 261.70 feet to a set $1/2''$ iron rod with KCI plastic cap at the east corner of a 1.034 acre proposed right-of way take out of the above described 92.49 acre tract;

THENCE S 45°19'10" W with the southeast line of the before mentioned remainder, pass at 8.00 feet a found ½" iron rod at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.C.C.) of Comal County, Texas, continue on for a total distance of 71.15 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW", for the **POINT OF BEGINNING** of this description; from which, a second found ½" iron rod found at the west corner of Lot 1, Block 1, bears S 45°19'10" W – 1307.72 feet;

THENCE S 45°19'10" W continuing with the southeast line of the above-mentioned remainder, for a distance of 39.58 feet to a point;

THENCE N 44°36'02" W through the 92.49 acre for a distance of 631.19 feet to point;

THENCE N 45°18'29" E for a distance of 40.59 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW";

THENCE S 44°36'02" E for a distance of 631.20 feet to the **POINT OF BEGINNING**, and containing 0.581 acres (25,301 square foot) of land, more or less.

- Bearings source is between the ½" iron rods found on the northwest line of Lot 1, Block 1 described above, and shown as N 45°19'10" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies."

Date: *August 29, 2025*

Gary B Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65



Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

A.M. ESNAURIZAR SURVEY

ABSTRACT NO. 98



300'
0
300'
SCALE: 1" = 300'
ON 8 1/2" X 11"

LEGEND

PROPOSED TEMPORARY
CONSTRUCTION EASEMENT (T.C.E.)
EXISTING R.O.W. LINE
PROPERTY LINE
SURVEY LINE
FENCE LINE

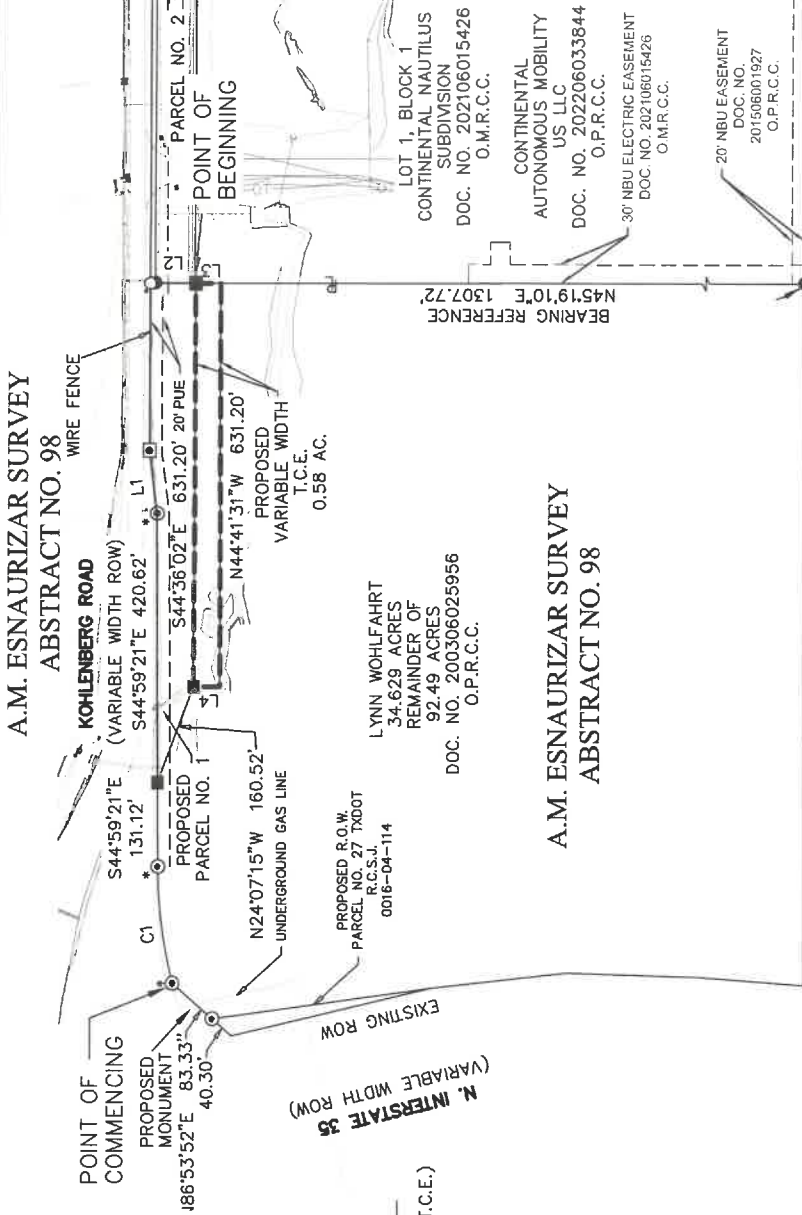
O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY
D.R.C.C. - DEED RECORDS
COMAL COUNTY

S.L. - SUBDIVISION LINE
U.E. - UTILITY EASEMENT
S.B.L. - SETBACK LINE
A.E. - AERIAL EASEMENT
D.E. - DRAINAGE EASEMENT
I.R. - IRON ROD
I.P. - IRON PIPE

■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP
STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
○ = TXDOT ROW MARKER FOUND (DM TYPE II)
⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)
□ = TXDOT ROW MARKER FOUND (CONC MON TYPE I)
● = 1/2" IRON ROD FOUND UNLESS OTHERWISE
DESCRIBED AS NOTED
⊙ = 1/2" IRON ROD SET WITH KCI CAP

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83). ALL COORDINATES SHOWN ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SCALE FACTOR OF 1.00014.
- FIELD SURVEYS WERE COMPLETED IN JULY 3, 2024. MONUMENTS SET OCTOBER 14, 2024
- SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
- REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.



A.M. ESNAURIZAR SURVEY

ABSTRACT NO. 98

PARENT TRACT INSET FOR
PARCEL NO. 1



LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	779.00'	184.70'	13°35'05"	S51°45'07"E	184.27'



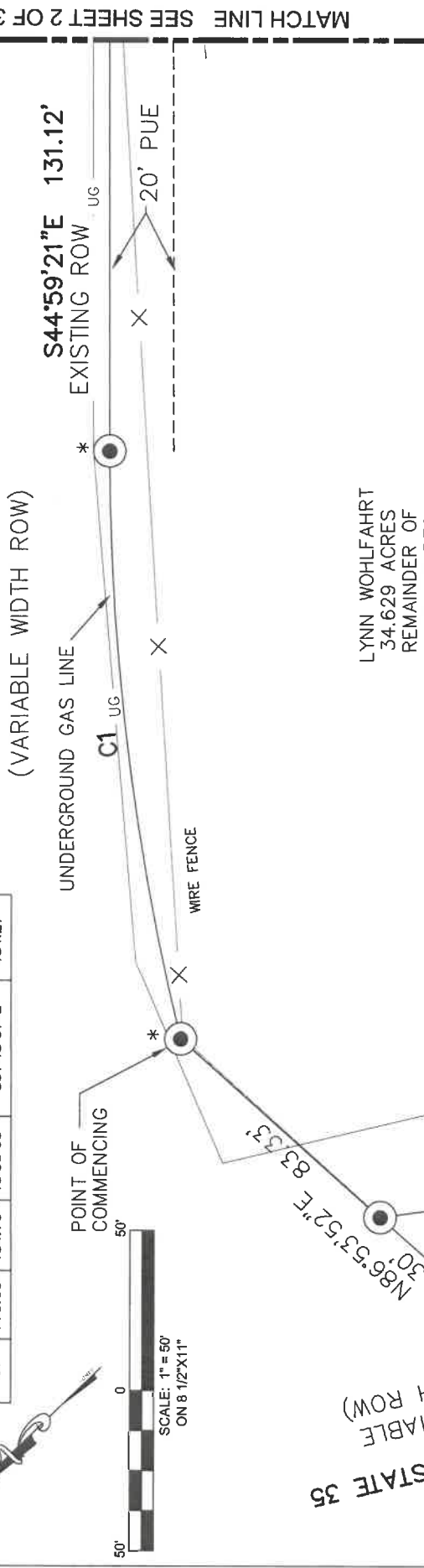
KCI TECHNOLOGIES, INC.
2608 W. BATTERS ROAD
SUITE 100
PHOENIX, AZ 85029
PHONE: (602) 841-6446
FAX: (602) 841-6446
REGISTRATION #11097 / R0104445

PARCEL PLAT

0.581 AC. (23,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLBERG ROAD
COMAL COUNTY

Gary B. Neill 08/19/2025
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD BEARING
C1	779.00'	184.70'	S51°45'07"E
			184.27'



N. INTERSTATE 35
(VARIABLE WIDTH ROW)

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
DOC. NO. 200306025956
O.P.R.C.C.
A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

- LEGEND
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
 - EXISTING R.O.W. LINE
 - PROPERTY LINE
 - SURVEY LINE
 - FENCE LINE
 - O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
 - O.M.R.C.C. - OFFICIAL MAP RECORDS
 - COMAL COUNTY
 - COMAL COUNTY
 - D.R.C.C. - DEED RECORDS
 - COMAL COUNTY
 - S.L. - SUBDIVISION LINE
 - U.E. - UTILITY EASEMENT
 - S.B.L. - SETBACK LINE
 - UG. - UNDERGROUND GAS
 - PBX - ELECTRIC PULL BOX

LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B. Neill
DATE 08/19/2015
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

NOTES:

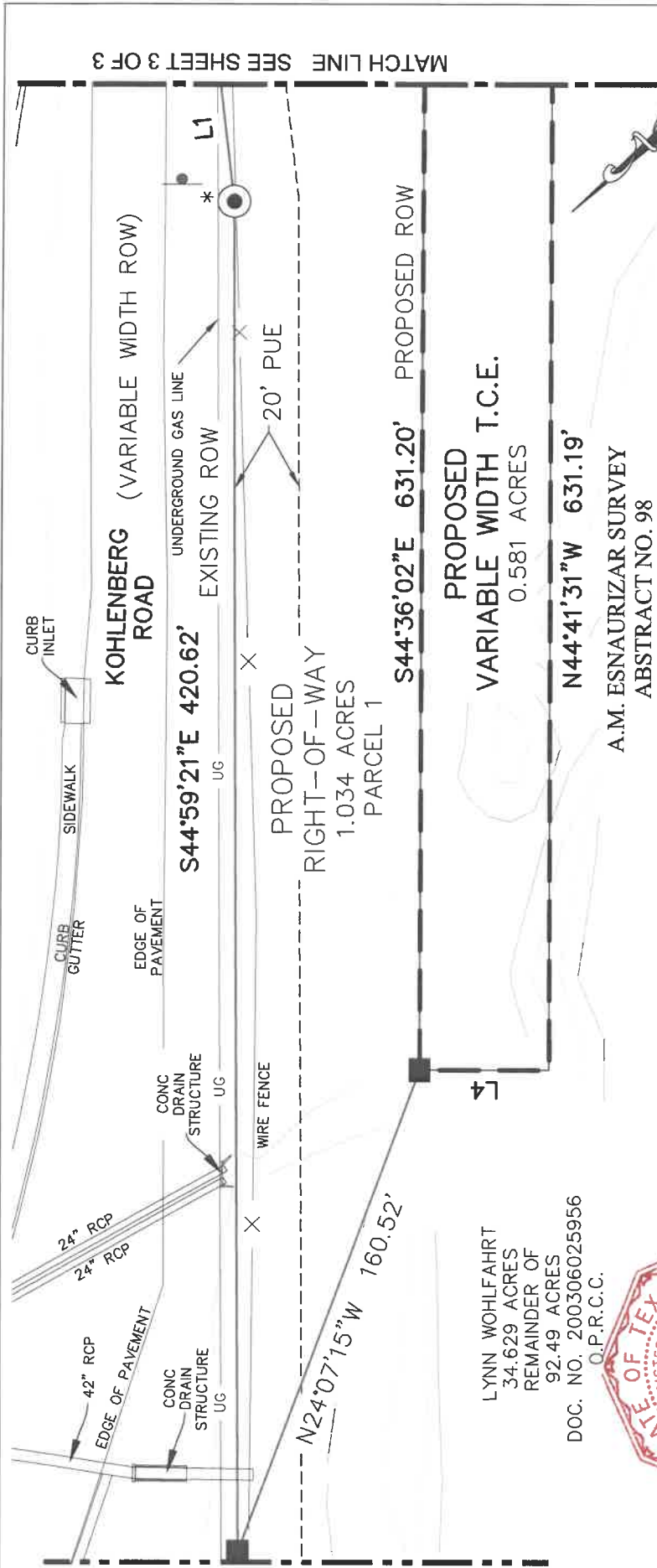
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KCI TECHNOLOGIES, INC.
209 W. BITTERS ROAD
SARASOTA, FL 34236
PHONE (941) 554-4940
REGISTRATION #1-1073 / 1018465

PARCEL PLAT
0.581 AC. (25,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY
PAGE 1 OF 3
SCALE: 1:50

SEE SHEET 1 OF 3

SEE SHEET 3 OF 3



PROPOSED
VARIABLE WIDTH T.C.E.
0.581 ACRES

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

LYNN WOHLFAHRT
34.629 ACRES
REMAINDER OF
92.49 ACRES
O.P.R.C.C.

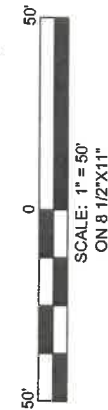
DOC. NO. 200306025956
O.P.R.C.C.



LEGEND

PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)	
---	EXISTING R.O.W. LINE
---	PROPERTY LINE
---	SURVEY LINE
---	FENCE LINE
---	O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
---	O.M.R.C.C. - OFFICIAL MAP RECORDS
---	D.R.C.C. - DEED RECORDS
---	S.L. - SUBDIVISION LINE
---	U.E. - UTILITY EASEMENT
---	S.B.L. - SETBACK LINE
---	UG. - UNDERGROUND GAS
---	PBX - ELECTRIC PULL BOX
---	5/8-INCH IRON ROD WITH ALUMINUM CAP
---	STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
---	TXDOT ROW MARKER FOUND (DM TYPE II)
---	TXDOT ROW MARKER FOUND (DM TYPE III)
---	TXDOT ROW MARKER FOUND (CONC MON TYPE I)
---	1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED
---	1/2" IRON ROD SET WITH KCI CAP

LINE TABLE	
LINE	BEARING
L1	S51°27'50"E
L2	S45°19'10"W
L3	S45°19'10"W
L4	N45°18'29"E



NOTES:

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I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Gary B. Neill 03-19-2025

GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964



KCI TECHNOLOGIES, INC.

2009 W. BITTERS ROAD
SUITE 100
PLANO, TEXAS 75074
PHONE (214) 844-9999
FAX (214) 844-4400
REGISTRATION #1-10572 / #10184345

PARCEL PLAT

SHOWING
0.581 AC. (25,301 SQ. FT.)
TEMPORARY
CONSTRUCTION
EASEMENT PARCEL NO. 1
KOHLENBERG ROAD
COMAL COUNTY

PAGE 2 OF 3

SCALE: 1:50

MATCH LINE SEE SHEET 1 OF 3

KOHLBERG ROAD

(VARIABLE WIDTH ROW)

EXISTING ROW S44°38'41"E 261.70' METAL SIGN

20' PUE

PROPOSED
RIGHT-OF-WAY
1.034 ACRES
PARCEL 1

S44°36'02"E 631.20' PROPOSED ROW

PROPOSED
VARIABLE WIDTH T.C.E.
0.581 ACRES

LYNN WOHLFAHRT
34.629 ACRES REMAINDER OF
92.49 ACRES DOC. NO. 200306025956 O.P.R.C.C.
A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98

N44°41'31"W 631.19'

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.
CONTINENTAL AUTONOMOUS
MOBILITY US LLC
DOC. NO. 202206033844
O.P.R.C.C.

LEGEND

PROPOSED TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

LINE	BEARING	LENGTH
L1	S51°27'50"E	99.88'
L2	S45°19'10"W	71.15'
L3	S45°19'10"W	39.58'
L4	N45°18'29"E	40.59'

EXISTING R.O.W. LINE
PROPERTY LINE
SURVEY LINE
FENCE LINE
O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY

- NOTES:
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D.R.C.C. - DEED RECORDS
COMAL COUNTY

S.L. - SUBDIVISION LINE
U.E. - UTILITY EASEMENT
S.B.L. - SETBACK LINE
UG. - UNDERGROUND GAS

PBX - ELECTRIC PULL BOX

■ = 5/8-INCH IRON ROD WITH ALUMINUM CAP
STAMPED "TXDOT R.O.W. SET",
UNLESS OTHERWISE NOTED.

⊙ = TXDOT ROW MARKER FOUND (DM TYPE II)

⊙ = TXDOT ROW MARKER FOUND (DM TYPE III)

● = 1/2" IRON ROD FOUND UNLESS OTHERWISE DESCRIBED AS NOTED

⊙ = 1/2" IRON ROD SET WITH KCI CAP

I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.

Gary B. Neill 08-29-2025

GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

DATE



KCI TECHNOLOGIES, INC.

2809 W. BETERS ROAD
SUITE 100
PHOENIX, AZ 85029
PHONE: (602) 841-9999
FAX: (602) 841-9940
REGISTRATION #10977 / #1019445

PARCEL PLAT

SHOWING
0.581 AC. (25,301 SQ. FT.)

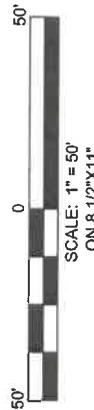
TEMPORARY
CONSTRUCTION

EASEMENT PARCEL NO. 1

KOHLBERG ROAD
COMAL COUNTY

PAGE 3 OF 3

SCALE: 1:50





ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

2806 W. Bitters Road, Suite 218 • San Antonio, Texas 78248 • Phone (210) 641-9999

Exhibit "C"
FIELD NOTES
FOR
PARCEL 3 – LYNN WOHLFAHRT
KOHLBERG ROAD R.O.W.
0.576 Acres (25,077 Square Foot)

Being a 0.576 acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas; said 0.576 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at ½" iron rod with Sherwood cap found in the existing southwest right-of-way (ROW) line of Kohlenberg Road (variable width ROW); a second found ½" iron rod with Sherwood cap at the north corner of Lot 1, Block 1 of the Continental Nautilus Subdivision as shown on the plat recorded in Document No. 202106015426 of the Official Map Records (O.M.R.) of Comal County, Texas bears S 42°42'02" W – 8.00 feet;

THENCE S 44°38'41" E, with said southwest ROW line of Kohlenberg Road, for a distance of 347.78 feet to a set ½" iron rod with KCI plastic cap at the east corner of this description;

THENCE S 45°02'10" W with the southeast line of the remainder tract for a distance of 72.55 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" for the south corner of this description;

THENCE N 44°36'02" W through the remainder tract for a distance of 344.83 feet to a set 5/8" iron rod with aluminum cap stamped "TxDOT ROW" on the southeast line of Lot 1, Block 1; a found 1/2" iron rod at the south corner of said lot bears S 42°42'02" W – 1306.42 feet;

THENCE N 42°42'02" E, with said southeast line for a distance of 73.26 feet to the **POINT OF BEGINNING**, and containing 0.576 acres (25,077 square foot) of land, more or less

- Bearings source is between the first and last two ½" iron rods described above found on the southeast line of Lot 1, Block 1, and shown as S 42°42'02" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone (4203).

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Engineers and Land Surveyors according to an actual survey made on the ground by employees of KCI Technologies.”

Date: *October 23, 2024*

Gary B Neill

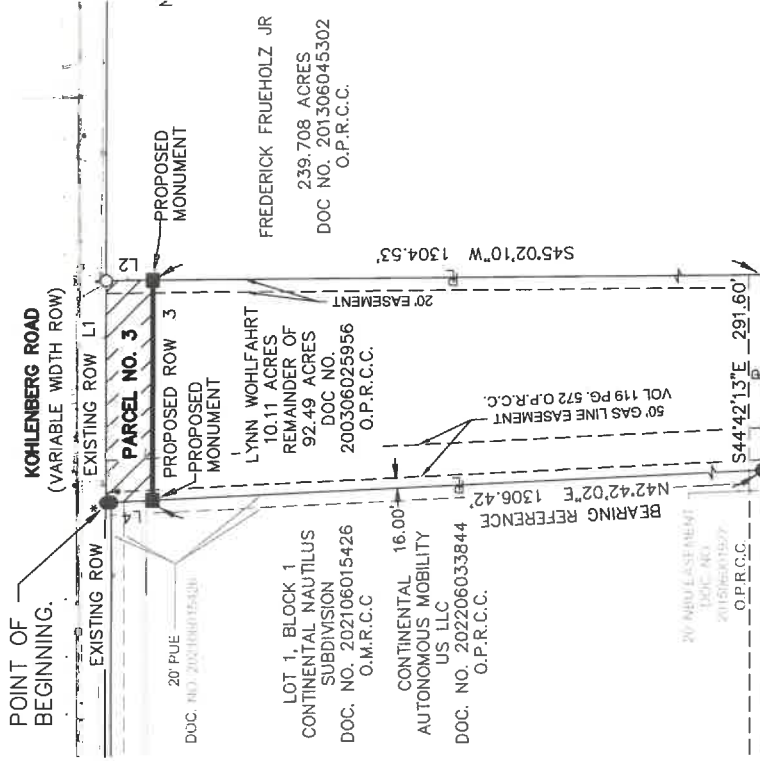
Gary B. Neill
R.P.L.S. #3964
Firm No. 101943-65



Warning: Only those copies with the Signature and Seal in red should be relied upon.

CONB Kohlenberg
Project Number: 45E0619602
00002476_00004.004

A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98



LINE TABLE		
LINE	BEARING	LENGTH
L1	S44°38'41"E	347.78'
L2	S45°02'10"W	72.55'
L3	N44°36'02"W	344.83'
L4	N42°42'02"E	72.36'

PARENT TRACT INSET FOR
PARCEL NO. 3

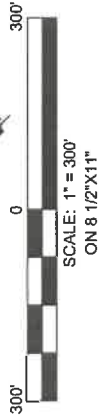
AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	
10.11	0.576	9.534	
	25,077		

KCI TECHNOLOGIES, INC. 2006 W. BIFTERS ROAD SAN ANTONIO, TEXAS 78248 PHONE: (210) 84-4999 FAX: (210) 84-4998 REGISTRATION #10673 / 10194345	
PARCEL PLAT SHOWING	
PARCEL NO. 3 KOHLENBERG ROAD COMAL COUNTY	
PAGE 3 OF 4	SCALE: 1:300



I HEREBY CERTIFY THAT THIS SURVEY
WAS PERFORMED ON THE GROUND UNDER
MY SUPERVISION AND THAT THIS PARCEL
PLAT REPRESENTS THE FACTS AS FOUND
AT THE TIME OF THE SURVEY.

Gary B. Neill 10/23/2024
DATE
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964



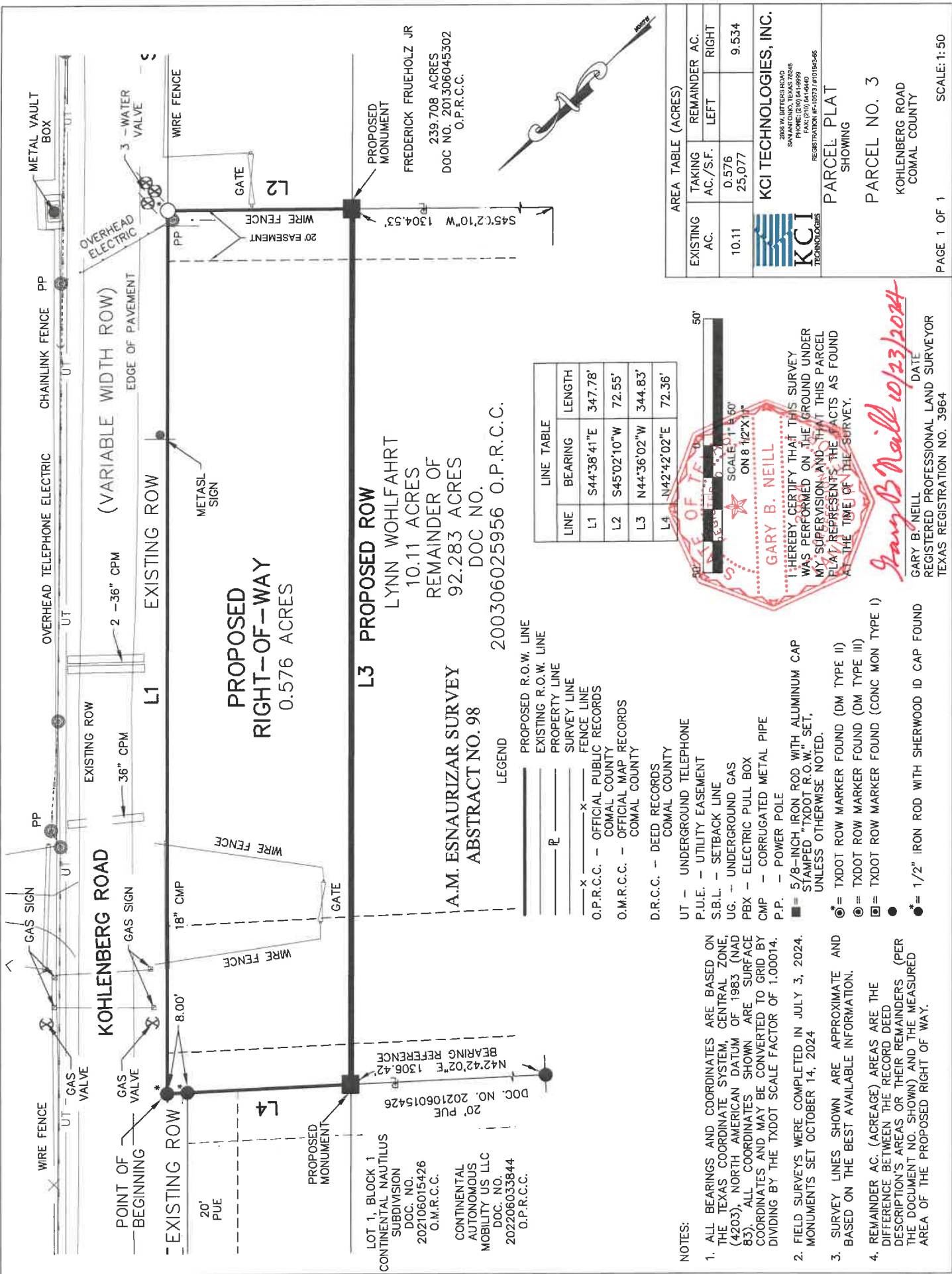
LEGEND

- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- FENCE LINE
- O.P.R.C.C. - OFFICIAL PUBLIC RECORDS
COMAL COUNTY
- O.M.R.C.C. - OFFICIAL MAP RECORDS
COMAL COUNTY
- D.R.C.C. - DEED RECORDS
COMAL COUNTY
- S.L. - SUBDIVISION LINE
- U.E. - UTILITY EASEMENT
- S.B.L. - SETBACK LINE
- A.E. - AERIAL EASEMENT
- D.E. - DRAINAGE EASEMENT
- I.R. - IRON ROD
- I.P. - IRON PIPE

- 5/8-INCH IRON ROD WITH ALUMINUM CAP
STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
- TXDOT ROW MARKER FOUND (DM TYPE II)
- TXDOT ROW MARKER FOUND (DM TYPE III)
- TXDOT ROW MARKER FOUND (CONC MON TYPE I)
- 1/2" IRON ROD FOUND UNLESS OTHERWISE
DESCRIBED AS NOTED
- 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND
- 1/2" IRON ROD SET WITH KCI CAP

NOTES:

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AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	RIGHT
10.11	0.576	9.534	
	25,077		

KCI TECHNOLOGIES, INC.
2806 W. Bitters Road
San Antonio, Texas 78248
Phone: (210) 841-9999
Fax: (210) 841-9999
REGISTRATION NO. 007371019426

PARCEL PLAT SHOWING	
PARCEL NO. 3	
KOHLEBERG ROAD	
COMAL COUNTY	

PAGE 1 OF 1
SCALE: 1:50

LINE	BEARING	LENGTH
L1	S44°38'41"E	347.78'
L2	S45°02'10"W	72.55'
L3	N44°36'02"W	344.83'
L4	N42°42'02"E	72.36'

DATE: 10/23/2024
GARY B. NEILL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3964

1. HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

PROPOSED RIGHT-OF-WAY
0.576 ACRES

L3 PROPOSED ROW
LYNN WOHLFAHRT
10.11 ACRES
REMAINDER OF
92.283 ACRES
DOC NO. 200306025956 O.P.R.C.C.

L4 PROPOSED ROW
A.M. ESNAURIZAR SURVEY
ABSTRACT NO. 98
DOC NO. 200306025956 O.P.R.C.C.

- LEGEND**
- PROPOSED R.O.W. LINE
 - EXISTING R.O.W. LINE
 - PROPERTY LINE
 - SURVEY LINE
 - FENCE LINE
 - UT - UNDERGROUND TELEPHONE
 - P.U.E. - UTILITY EASEMENT
 - S.B.L. - SETBACK LINE
 - UG. - UNDERGROUND GAS
 - PBX - ELECTRIC PULL BOX
 - CMP - CORRUGATED METAL PIPE
 - P.P. - POWER POLE
 - 5/8-INCH IRON ROD WITH ALUMINUM CAP STAMPED "TXDOT R.O.W." SET, UNLESS OTHERWISE NOTED.
 - TXDOT ROW MARKER FOUND (DM TYPE I)
 - TXDOT ROW MARKER FOUND (DM TYPE II)
 - TXDOT ROW MARKER FOUND (CONC MON TYPE I)
 - 1/2" IRON ROD WITH SHERWOOD ID CAP FOUND

- NOTES:**
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 - SURVEY LINES SHOWN ARE APPROXIMATE AND BASED ON THE BEST AVAILABLE INFORMATION.
 - REMAINDER AC. (ACREAGE) AREAS ARE THE DIFFERENCE BETWEEN THE RECORD DEED DESCRIPTION'S AREAS OR THEIR REMAINDERS (PER THE DOCUMENT NO. SHOWN) AND THE MEASURED AREA OF THE PROPOSED RIGHT OF WAY.

LOT 1, BLOCK 1
CONTINENTAL NAUTILUS
SUBDIVISION
DOC. NO. 202106015426
O.M.R.C.C.

CONTINENTAL
AUTONOMOUS
MOBILITY US LLC
DOC. NO. 202206033844
O.P.R.C.C.