



COMAL COUNTY

ENGINEER'S OFFICE

October 17, 2024

VIA ELECTRONIC Mail at mgreene@newbraunfels.gov

Re: Altgelt Lane, Request for Disannexation of Approximately 3.00 acres

Dear Mr. Greene:

We are requesting the City's disannexation of approximately 3.00 acres fronting Altgelt Lane (the "Land," depicted in Exhibit A hereto). This disannexation is consistent with Section 1.04 of the City's Charter.

The County will be constructing a new bridge over the Dry Comal Creek at Altgelt Lane. By disannexing this land, the county road and bridge will be located outside the limits of the City of New Braunfels and will allow the County to maintain this County Road after the construction project is complete.

The County agrees to waive any refund under Section 43.148. Texas Local Government Code.

Please find attached the following:

- Copy of the property deed(s) showing ownership by Comal County
- Metes and bounds description of the subject property
- DWG file of the subject property

Thank you for your assistance in bringing this to the City for consideration.

If you have any questions or need additional information, please contact our office.

Sincerely,

Robert Boyd, P.E.
Comal County Engineer

attachments a/s

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

COUNTY OF COMAL §
 § **SPECIAL WARRANTY DEED**
STATE OF TEXAS §

Effective Date: June 5, 2024

Grantor (collectively): Diamond EAW Holdings, L.L.C., a Texas Limited Company

Grantor's Mailing Address: P.O. Box 2109
San Marcos, Texas 78667

Grantee: Comal County, Texas

Grantee's Mailing Address: 150 N. Seguin Ave
New Braunfels, Comal County, Texas 78130

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements): BEING a 2.34 acre (102,085 square feet) tract of land out of the J.M. Veramendi Two League Survey No. 1, Abstract No. 2, and being part of a called 12.585 acre tract and a 17.588 acre tract described in deed to Diamond EAW Holdings, LLC as recorded in Document No.'s 201806001780 and 201706046871 of the Official Public Records, Comal County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the current year, the payment of which Grantee assumes; the consequences of past or future changes in the location and/or direction of the Dry Comal Creek, which forms the boundary of the land insured herein caused by the forces of erosion, accretion or avulsion

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, claiming by, through or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED TO BE EFFECTIVE AS OF THE EFFECTIVE DATE.

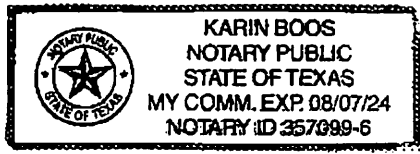
GRANTOR:
Diamond EAW Holdings, L.L.C., a Texas limited liability company

By: John R. Weisman
Print Name: John R. Weisman
Print Title: Its Vice President

STATE OF TEXAS)
COUNTY OF Comal

This instrument was acknowledged before me on the 5 day of June, 2024 by John R. Weisman, the Vice President of Diamond EAW Holdings, L.L.C. on behalf of said limited liability company.

Karin Boos
Notary Public, State of Texas



Commission No.: _____

My commission expires: _____

EXHIBIT "A"

2.34 AC (102,085 SQ. FT.) TRACT

BEING, a 2.34 acre (102,085 square feet) tract of land out of the J.M. Veramendi Two League Survey No. 1, Abstract No. 2, and being part of a called 12.585 acre tract and a 17.588 acre tract described in deed to Diamond EAW Holdings, LLC as recorded in Document No's. 201806001780 and 201706046871 of the Official Public Records, Comal County, Texas, (O.P.R.C.C.TX.) and being more particularly described as follows;

COMMENCING at a 1/2-inch iron rod found on the northeast right-of-way line of Altgelt Lane marking the south corner of said 17.588 acre tract and being on the northwest right-of-way of Union Pacific Railroad;

THENCE, North 56°21'05" West, a distance of 31.26 feet along the northeast right-of-way of said Altgelt Lane and the southwest line of said 17.588 acre tract to a 1/2-inch iron rod stamped "TRIHYDRO" set marking the most southerly southeast corner of the herein described 2.34 acre tract and the **POINT OF BEGINNING**;

THENCE, along the northeast right-of-way line of said Altgelt Lane and the southwest line of said 17.588 acre tract the following two (2) courses and distances:

1. North 56°21'05" West, a distance of 247.23 feet to a 1/2-inch iron rod stamped "RPLS 4907" for angle point, and
2. North 59°53'05" West, passing at a distance of 600.24 feet a 1/2-inch iron rod stamped "RPLS 4907" found and continuing for a total distance of 700.30 feet to a calculated point on the southeasterly line of said 12.585 acre tract for corner being the west corner of said 17.588 acre tract;

THENCE, along the southeasterly line of said 12.585 acre tract and with the meanders of the centerline of Dry Comal Creek the following three (3) courses and distances:

1. South 20°21'09" West, a distance of 56.60 feet to a calculated angle point,
2. South 38°00'44" West, at a distance of 4.28 feet passing the north corner of a called 19 acre tract as described in deed to Armando Martinez and Maria Martinez as recorded in Document No. 202106021649 O.P.R.C.C.TX. and continuing a distance of 78.49 feet to a calculated angle point, and
3. South 55°33'22" West, a distance of 118.18 feet along the northwest line of said 19 acre tract to a calculated angle point;

THENCE, along the northeasterly right-of-way line of said Altgelt Lane and southwesterly line of said 12.585 acre tract the following seven (7) courses and distances:

1. North 42°01'35" West, passing at a distance of 25.36 feet a 1/2-inch iron rod found and continuing for a total distance of 95.02 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point,
2. North 30°53'20" West, a distance of 75.02 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point,
3. North 24°23'52" West, a distance of 117.20 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point,
4. North 16°58'07" West, a distance of 104.55 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point,
5. North 15°33'00" West, a distance of 243.94 feet to a 1/2-inch iron rod found for corner,
6. North 49°10'57" East, a distance of 8.91 feet to a 1/2-inch iron rod found for corner, and
7. North 15°41'30" West, a distance of 75.89 feet to a 1/2-inch iron rod found marking the northwesterly corner of said 12.585 acre tract same being the southeasterly corner of a called 40.315 acre tract described in deed to Brauntex Materials Inc. and recorded in Document No. 201706002810 O.P.R.C.C.TX.;

THENCE, North 50°32'39" East, a distance of 19.98 feet along the common line of said 12.585 acre tract and said 40.315 acre tract to a 1/2-inch iron rod stamped "TRIHIDRO" set;

THENCE, along the proposed northeast right-of-way line of said Altgelt Lane over and across said 12.585 acre tract and said 17.588 acre tract the following five (5) courses and distances:

1. South 23°38'54" East, a distance of 89.99 feet to a 1/2-inch iron rod stamped "TRIHIDRO" set for angle point,
2. along the proposed northeast right-of-way line of said Altgelt Lane with a curve to the left that has a central angle of 36°27'10", a radius of 760.00 feet, an arc distance of 483.53 feet, and a chord that bears south 42°02'06" east a distance of 475.42 feet to a 1/2-inch iron rod stamped "TRIHIDRO" set;
3. South 60°25'19" East, a distance of 597.10 feet to a 1/2-inch iron rod stamped "TRIHIDRO" set for angle point,
4. South 54°22'22" East, a distance of 166.60 feet to a 1/2-inch iron rod stamped "TRIHIDRO" set for angle point,

5. South 55°14'56" East, a distance of 258.91 feet to the **POINT OF BEGINNING**, and containing 2.34 ac (102,085 square feet). The basis of bearing for this description is the Texas State Plane Coordinate System Grid, South Central Zone (FIPS 4204) (NAD'83). All distances are on the grid and shown in U.S. Survey feet.

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
06/06/2024 02:32:09 PM
MARY 5 Pages(s)
202406017120

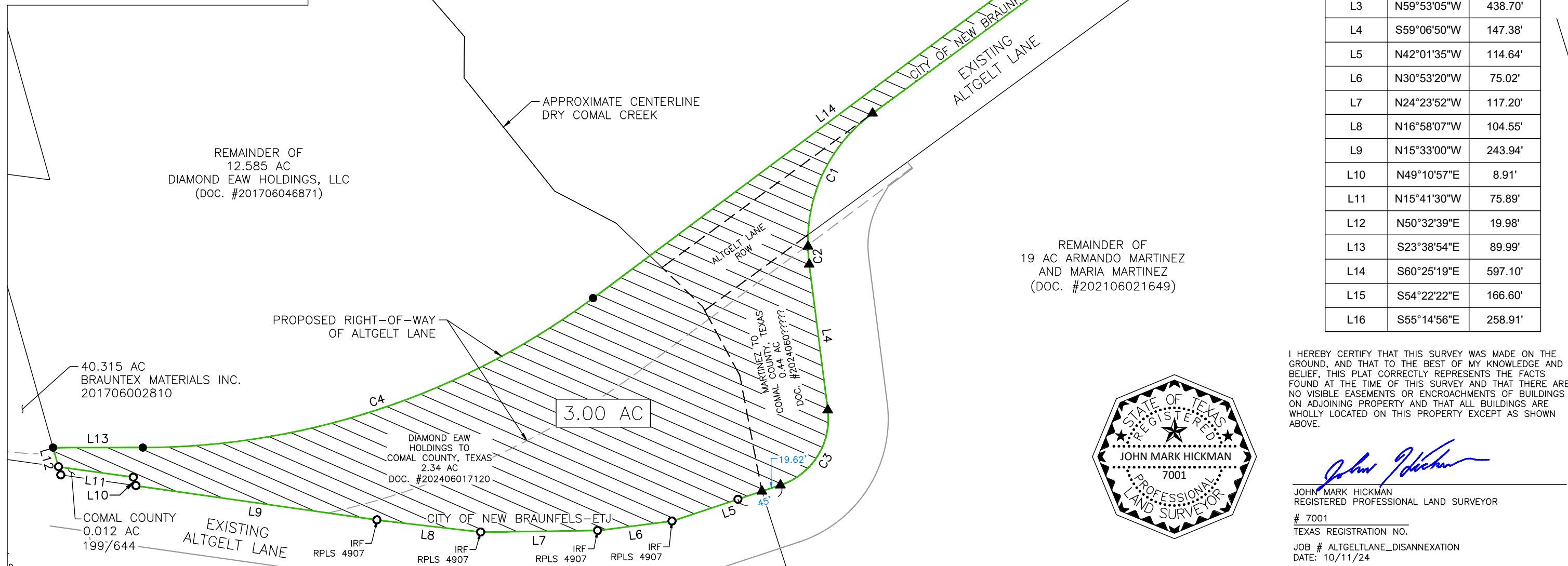


Bobbie Koepf

EXHIBIT A



VICINITY MAP



CURVE TABLE					
CURVE NO.	ARC DIS	RADIUS	DELTA ANG	CHORD BNG	CHORD DIS
C1	154.31'	158.42'	55°48'29"	N87°47'20"W	148.28'
C2	18.10'	150.00'	6°54'54"	S62°34'17"W	18.09'
C3	96.35'	70.00'	78°51'35"	N81°27'22"W	88.92'
C4	483.53'	760.00'	36°27'10"	S42°02'06"E	475.42'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N56°21'05"W	31.26'
L2	N56°21'05"W	247.23'
L3	N59°53'05"W	438.70'
L4	S59°06'50"W	147.38'
L5	N42°01'35"W	114.64'
L6	N30°53'20"W	75.02'
L7	N24°23'52"W	117.20'
L8	N16°58'07"W	104.55'
L9	N15°33'00"W	243.94'
L10	N49°10'57"E	8.91'
L11	N15°41'30"W	75.89'
L12	N50°32'39"E	19.98'
L13	S23°38'54"E	89.99'
L14	S60°25'19"E	597.10'
L15	S54°22'22"E	166.60'
L16	S55°14'56"E	258.91'



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

John Mark Hickman
 JOHN MARK HICKMAN
 REGISTERED PROFESSIONAL LAND SURVEYOR
 # 7001
 TEXAS REGISTRATION NO.
 JOB # ALTGELTLANE_DISANNEXTION
 DATE: 10/11/24

EXHIBIT
A
 3 OF 3

PREPARED FOR:
**CITY OF NEW BRAUNFELS
 ALGELT LANE
 DISANNEXTION**

BEING A 3.00 ACRE (130,469 SQUARE FEET) TRACT OF LAND OUT OF THE J.M. VERAMENDI TWO LEAGUE SURVEY NO. 1, ABSTRACT NO. 2, AND BEING A PORTION OF A CALLED 2.34 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY AS RECORDED IN DOCUMENT NO. 202406017120 OF THE OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS, (O.P.R.C.C.T.X.) AND BEING A PORTION OF A CALLED 0.44 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY RECORDED IN DOCUMENT NO. 202406030951, O.P.R.C.C.T.X.

NOTE: ALL BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM GRID, SOUTH CENTRAL ZONE (FIPS 4204) (NAD'83), AS DETERMINED BY THE GLOBAL POSITIONING SYSTEM (GPS). ALL DISTANCES ARE SHOWN IN U.S. SURVEY FEET.

LEGEND:

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET (TRIHYDRO)
- ▲ CALCULATED POINT
- POINT OF BEGINNING
- POINT OF COMMENCING
- PROPOSED DISANNEXTION
- - - PROPOSED RIGHT-OF-WAY

DRAWN BY: PME
 CHECKED BY: JMH
 DATE: 10/11/2024
 SCALE: AS SHOWN
 FILE: ALTGELTLANE_DISANNEXTION



EXHIBIT B
TRIHYDRO CORPORATION
1672 INDEPENDENCE DRIVE, SUITE 315 * NEW BRAUNFELS, TX. 78130
PHONE (830) 626-3588
JHICKMAN@TRIHYDRO.COM
TBPELS FIRM REGISTRATION #10194320

3.00 AC (130,469 SQ. FT.) TRACT

BEING, a 3.00 acre (130,469 square feet) tract of land out of the J.M. Veramendi Two League Survey No. 1, Abstract No. 2, and being a portion of a called 2.34 acre tract described in deed to Comal County as recorded in Document No. 202406017120 of the Official Public Records, Comal County, Texas, (O.P.R.C.C.TX.) and being a portion of a called 0.44 acre tract described in deed to Comal County recorded in Document No. 202406030951, O.P.R.C.C.TX. and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod found on the northeast right-of-way line of Altgelt Lane marking the south corner of the remainder of a called 17.588 acre tract described in deed to Diamond EAW Holdings, LLC recorded in Document 201806001780, O.P.R.C.C.TX., and being on the northwest right-of-way of Union Pacific Railroad;

THENCE, North 56°21'05" West, a distance of 31.26 feet along said northeast right-of-way line of Altgelt Lane and the southwest line of said 17.588 acre tract to a 1/2-inch iron rod stamped "TRIHYDRO" set marking the most southerly southeast corner of a said 2.34 acre tract being the most southerly southeast corner of the herein described 3.00 acre tract and the **POINT OF BEGINNING**;

THENCE, along said northeast right-of-way line of Altgelt Lane and the southwest line of said 2.34 acre tract the following three (3) courses and distances:

1. North 56°21'05" West, a distance of 247.23 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point;
2. North 59°53'05" West, a distance of 438.70 feet to a calculated point, said point being the beginning of a curve to the left; and
3. Leaving the southwest line of said 2.34 acre tract over and across a portion of said Altgelt Lane, also over and across the north line of said 0.44 acre tract along said curve to the left, through a central angle of 55°48'29", having a radius of 158.42 feet, an arc distance of 154.31 feet, a chord bearing of North 87°47'20" West, a chord distance of 148.28 feet to a calculated point on the apparent said northeast right-of-way line of Altgelt Lane and an interior angle point on the south line of said 0.44 acre tract, said point being the beginning of a curve to the left;

THENCE, continuing along said apparent northeast right-of-way line of Altgelt Lane and the south line of said 0.44 acre tract the following three (3) courses and distances:

1. Along said curve to the left, through a central angle of 06°54'54", having a radius of 150.00 feet, an arc distance of 18.10 feet, a chord bearing of South 62°34'17" West, a chord distance of 18.09 feet to a calculated point;
2. South 59°06'50" West, at a distance of 147.38 feet to a calculated angle point, said point being the beginning of a curve to the right; and
3. Along said curve to the right, through a central angle of 78°51'35", having a radius of 70.00 feet, an arc distance of 96.35 feet, a chord bearing of North 81°27'22" West, a chord distance of 88.92 feet to a calculated point on said northeast right-of-way line of Altgelt Lane and the south line of said 0.44 acre tract;

THENCE, North 42°01'35" West, passing at a distance of 19.62 feet a calculated point marking the west corner of said 0.44 acre tract, same being an angle point on the south line of said 2.34 acre tract, being in the approximate centerline of Dry Comal Creek, passing at a distance of 45.00 feet a 1/2-inch iron rod found and continuing for a total distance of 114.64 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point on said northeast right-of-way line of Altgelt Lane and the southwest line of said 2.34 acre tract;

CONTINUED ON FOLLOWING PAGE


EXHIBIT A 1 OF 3	BEING A 3.00 ACRE (130,469 SQUARE FEET) TRACT OF LAND OUT OF THE J.M. VERAMENDI TWO LEAGUE SURVEY NO. 1, ABSTRACT NO. 2, AND BEING A PORTION OF A CALLED 2.34 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY AS RECORDED IN DOCUMENT NO. 202406017120 OF THE OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS, (O.P.R.C.C.TX.) AND BEING A PORTION OF A CALLED 0.44 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY RECORDED IN DOCUMENT NO. 202406030951, O.P.R.C.C.TX.	<u>PREPARED FOR:</u> CITY OF NEW BRAUNFELS ALGELT LANE DISANNEXATION	<u>DRAWN BY:</u> PME	<u>PREPARED BY:</u>  <small>New Braunfels Branch Office Texas Survey Firm 10194320 1672 Independence Dr., Ste 315 New Braunfels, Texas 78132 (P) 830/626.0337 (F) 830/626.3601</small>
			<u>CHECKED BY:</u> JMH	
			<u>DATE:</u> 10/11/2024	
			<u>SCALE:</u> NONE	
			<u>FILE:</u> ALTGELTLANE_DISANNEXATION	

EXHIBIT B

TRIHYDRO CORPORATION
1672 INDEPENDENCE DRIVE, SUITE 315 * NEW BRAUNFELS, TX. 78130
PHONE (830) 626-3588
JHICKMAN@TRIHYDRO.COM
TBPELS FIRM REGISTRATION #10194320

3.00 AC (130,469 SQ. FT.) TRACT

THENCE, continuing along said northeasterly right-of-way line of Altgelt Lane and the south line of said 2.34 acre tract the following seven (7) courses and distances:

1. North 30°53'20" West, a distance of 75.02 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point;
2. North 24°23'52" West, a distance of 117.20 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point;
3. North 16°58'07" West, a distance of 104.55 feet to a 1/2-inch iron rod stamped "RPLS 4907" found for angle point;
4. North 15°33'00" West, a distance of 243.94 feet to a 1/2-inch iron rod found for corner;
5. North 49°10'57" East, a distance of 8.91 feet to a 1/2-inch iron rod found for corner; and
6. North 15°41'30" West, a distance of 75.89 feet to a 1/2-inch iron rod found marking the northwesterly corner of said 2.34 acre tract, same being the southeasterly corner of a called 40.315 acre tract described in deed to Brauntex Materials Inc. and recorded in Document No. 201706002810, O.P.R.C.C.TX.;

THENCE, North 50°32'39" East, a distance of 19.98 feet along the common line of said 2.34 acre tract and said 40.315 acre tract to a 1/2-inch iron rod stamped "TRIHYDRO" set marking the north corner of said 2.34 acre tract and the west corner of the remainder of a called 12.585 acre tract described in deed to Diamond EAW Holdings, LLC recorded in Document No. 201706046871, O.P.R.C.C.TX.;

THENCE, along the proposed northeast right-of-way line of said Altgelt Lane, leaving the southeast line of said 40.315 acre tract, along the common line of said 2.34 acre tract and the remainder of said 12.585 acre tract and remainder of said 17.588 acre tract the following five (5) courses and distances:

1. South 23°38'54" East, a distance of 89.99 feet to a 1/2-inch iron rod stamped "TRIHYDRO" set for angle point,
2. Along a curve to the left that has a central angle of 36°27'10", a radius of 760.00 feet, an arc distance of 483.53 feet, and a chord that bears South 42°02'06" East a chord distance of 475.42 feet to a 1/2-inch iron rod stamped "TRIHYDRO" set;
3. South 60°25'19" East, a distance of 597.10 feet to a 1/2-inch iron rod stamped "TRIHYDRO" set for angle point,
4. South 54°22'22" East, a distance of 166.60 feet to a 1/2-inch iron rod stamped "TRIHYDRO" set for angle point,
5. South 55°14'56" East, a distance of 258.91 feet to the **POINT OF BEGINNING**, and containing 3.00 acres (130,469 square feet). The basis of bearing for this description is the Texas State Plane Coordinate System Grid, South Central Zone (FIPS 4204) (NAD'83). All distances are on the grid and shown in U.S. Survey feet.




John Mark Hickman, RPLS 7001
Job No.: 0093X-001-0010
DATE: 10/11/2024



EXHIBIT A 2 OF 3	BEING A 3.00 ACRE (130,469 SQUARE FEET) TRACT OF LAND OUT OF THE J.M. VERAMENDI TWO LEAGUE SURVEY NO. 1, ABSTRACT NO. 2, AND BEING A PORTION OF A CALLED 2.34 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY AS RECORDED IN DOCUMENT NO. 202406017120 OF THE OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS, (O.P.R.C.C.TX.) AND BEING A PORTION OF A CALLED 0.44 ACRE TRACT DESCRIBED IN DEED TO COMAL COUNTY RECORDED IN DOCUMENT NO. 202406030951, O.P.R.C.C.TX.	PREPARED FOR: CITY OF NEW BRAUNFELS ALGELT LANE DISANNEXTION	DRAWN BY: PME	PREPARED BY:  New Braunfels Branch Office Texas Survey Firm 10194320 1672 Independence Dr., Ste 315 New Braunfels, Texas 78132 (P) 830/626.0337 (F) 830/626.3601
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