ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 28.868 ACRES CONSISTING OF: APPROXIMATELY A 14-ACRE TRACT OF LAND; A 12-ACRE TRACT OF LAND; A 0.74-ACRE TRACT OF LAND OUT OF THE A.M. ESNAURIZAR ELEVEN LEAGUE GRANT, SURVEY NO. 1, ABSTRACT NO. 1, COMAL COUNTY, TEXAS; LOTS 1-9, BLOCK 1, MILLTOWN SUBDIVISION; LOTS 1, 2, 5 AND 6, BLOCK 2, MILLTOWN SUBDIVISION; AND, LOT 1, RIVER MILL POWER HOUSE AND DAM SUBDIVISION, ADDRESSED AS OR LOCATED AT 601 RUSK STREET, 555 PORTER STREET, 477 E. FAUST STREET, THE NORTHEAST CORNER OF RUSK STREET AND CHURCH HILL DRIVE, EAST SIDE OF PORTER STREET BETWEENRUSK STREET AND CONSOLIDATED, THE SOUTHWEST CORNER OF PORTER STREET AND CONSOLIDATED, AND THE NORTHEAST CORNER OF PORTER STREET AND MCKENNA AVENUE, FROM "M-2" HEAVY INDUSTRIAL DISTRICT TO "MU-B" HIGH INTENSITY MIXED-USE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the "MU-B" High Intensity Mixed-Use District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 28.868 acres consisting of approximately a 14-acre tract of land, a 12-acre tract of land and a 0.74-acre tract of land out of the A.M. Esnaurizar Eleven League Grant, Survey No. 1, Abstract No. 1, Comal County, Texas, Lots 1-9, Block 1, Milltown Subdivision, Lots 1, 2, 5 and 6, Block 2, Milltown Subdivision and Lot 1, River Mill Power House and Dam Subdivision, addressed as or located at 601 Rusk Street, 555 Porter Street, 477 E. Faust Street, the northeast corner of Rusk Street and Church Hill Drive, east side of Porter Street between Rusk Street and Consolidated, the southwest corner of Porter Street and Consolidated, and the northeast corner of Porter Street and

Mckenna Avenue, from “M-2” Heavy Industrial District to “MU-B” High Intensity Mixed-Use District, **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “M-12” Heavy Industrial District to “MU-B” High Intensity Mixed-Use District:

> Approximately 28.868 acres consisting of approximately a 14-acre tract of land, a 12-acre tract of land and a 0.74-acre tract of land out of the A.M. Esnaurizar Eleven League Grant, Survey No. 1, Abstract No. 1, Comal County, Texas, Lots 1-9, Block 1, Milltown Subdivision, Lots 1, 2, 5 and 6, Block 2, Milltown Subdivision and Lot 1, River Mill Power House and Dam Subdivision, addressed as or located at 601 Rusk Street, 555 Porter Street, 477 E. Faust Street, the northeast corner of Rusk Street and Church Hill Drive, east side of Porter Street between Rusk Street and Consolidated, the southwest corner of Porter Street and Consolidated, and the northeast corner of Porter Street and Mckenna Avenue, as described in Exhibit “A” and delineated in Exhibit “B” attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 13th day of December, 2021.

PASSED AND APPROVED: Second reading this 10th day of January, 2021.

CITY OF NEW BRAUNFELS

_____

RUSTY BROCKMAN, Mayor

ATTEST:

_____

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

_____

VALERIA M. ACEVEDO, City Attorney

D·A·MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
0.745 OF AN ACRE TRACT OF LAND
"ZONING"

BEING a 0.745 of an acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, in the City of New Braunfels, Comal County, Texas, being that same certain called 0.745 of an acre tract of land (Tract 5), as conveyed to DRT-PMP Land, LLC, and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 0.745 of an acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northeasterly Right-of-Way (R.O.W.) line of Rusk Street (a 60' wide R.O.W.), being the most Westerly Southwest corner of a called 0.476 of an acre tract of land, as conveyed to Lone Ranger Capital Investments, LLC, and recorded in Document No. 202006032621, of the Official Public Records of Comal County, Texas, and being the most Southerly corner of said 0.745 of an acre tract of land and this herein described tract of land;

THENCE with the Northeasterly R.O.W. line of said Rusk Street, and with the Southwesterly line of said 0.745 of an acre tract of land, N 45° 37' 50" W, a distance of 131.06 feet to a point at the Southerly end of a cutback line between the Northeasterly R.O.W. line of said Rusk Street and the Southeasterly R.O.W. line of Churchill Drive, and being a Southwesterly corner of said 0.745 of an acre tract of land and this herein described tract of land;

THENCE with the cutback line between the Northeasterly R.O.W. line of said Rusk Street and the Southeasterly R.O.W. line of said Churchill Drive, and with a Southwesterly line of said 0.745 of an acre tract of land, N 11° 18' 29" W, a distance of 31.01 feet to a point at the Northerly end of said cutback line, and being the most Westerly corner of said 0.745 of an acre tract of land and this herein described tract of land;

THENCE with the Southeasterly R.O.W. line of said Churchill Drive, and with the Northwesterly line of said 0.745 of an acre tract of land, N 39° 04' 30" E, a distance of 183.18 feet to a point in the Southeasterly R.O.W. line of said Churchill Drive, being the most Westerly Northwest corner of a called portion of a 0.8 of an acre tract of land, as conveyed to Guadalupe Amaro Partnership, and recorded in Document No. 202006058856, of the Official Public Records of Comal County, Texas, and being the most Northerly corner of said 0.745 of an acre tract of land and this herein described tract of land;

THENCE departing the Southeasterly R.O.W. line of said Churchill Drive, and with the common line between said 0.745 of an acre tract of land and said portion of a 0.8 of an acre tract of land, S 45° 26' 03" E, a distance of 172.32 feet to a point in the Northwesterly line of a called 0.150 of an acre tract of land (Tract II), as conveyed to Lone Ranger Capital Investments, LLC, and recorded in Document No. 202006023786, of the Official Public Records of Comal County, Texas, same being the most Northerly corner of aforementioned 0.476 of an acre tract of land, and being the most Easterly corner of said 0.745 of an acre tract of land and this herein described tract of land;

THENCE with the Northwesterly lines of said 0.150 of an acre tract of land and said 0.476 of an acre tract of land, and with the Southeasterly line of said 0.745 of an acre tract of land, S 44° 00' 32" W, a distance of 199.29 feet to the POINT OF BEGINNING and containing 0.745 of an acre of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Drew A. Mawyer
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MOE475- TRACT 1- 0.745 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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PROFESSIONAL
LAND SURVEYOR

2

D·A·MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
14.255 ACRE TRACT OF LAND
"ZONING"

BEING a 14.255 acre tract of land situated in the Henry Foster Survey No. 34, Abstract No. 154, in the City of New Braunfels, Comal County, Texas, being that same certain called 14.240 acre tract of land, as conveyed to DRT-PMP Land, LLC, and recorded in Document No. 201706034425, of the Official Public Records of Comal County, Texas, and said 14.255 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Northwesterly Right-of-Way (R.O.W.) of the Union Pacific Railroad (a 100' wide R.O.W.) and the Southwesterly R.O.W. line of Rusk Street (a 60' wide R.O.W.), being at the beginning of a non-tangent curve to the right, and being the most Easterly corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE departing said intersection, with the Northwesterly R.O.W. line of said Union Pacific Railroad, and with said curve to the right, having an arc length of 592.61 feet, a radius of 1,884.96 feet, a delta angle of 18° 00' 47", a tangent length of 298.77 feet, and a chord bearing and distance of S 53° 36' 01" W, 590.17 feet to a point in the Northwesterly R.O.W. line of said Union Pacific Railroad, and being a Southeasterly corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE continuing with the Northwesterly R.O.W. line of said Union Pacific Railroad, and with the Southeasterly line of said 14.240 acre tract of land, S 60° 29' 00" W, a distance of 374.24 feet to a point at the intersection of the Northwesterly R.O.W. line of said Union Pacific Railroad and the Northeasterly line of the Guadalupe River, and being the most Southerly Southwest corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE departing the Northwesterly R.O.W. line of said Union Pacific Railroad, and with the Northerly lines of the Guadalupe River, the following courses:

N 38° 12' 50" W, a distance of 78.28 feet to a point for a Southwesterly corner;

N 67° 51' 20" W, a distance of 28.49 feet to a point for a Southwesterly corner;

N 60° 57' 42" W, a distance of 144.42 feet to a point for a Southwesterly corner;

N 73° 09' 20" W, a distance of 113.38 feet to a point for a Southwesterly corner;

N 78° 45' 50" W, a distance of 104.73 feet to a point for a Southwesterly corner;

THENCE continuing with the Northerly line of the Guadalupe River, and with the Southwesterly line of said 14.240 acre tract of land, N 86° 45' 26" W, a distance of 101.56 feet to a point at the intersection of the Northerly line of said Guadalupe River and the Southeasterly line of the apparent Broadway Street R.O.W., and being the most Westerly Southwest corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE departing the Northerly line of said Guadalupe River, with the Southeasterly line of the apparent Broadway Street R.O.W., and with the Northwesterly line of said 14.240 acre tract of land, N 44° 15' 43" E, a distance of 1,053.83

feet to a point in the Southeasterly line of said apparent Broadway Street R.O.W., being the most Westerly corner of a called 0.098 of an acre tract of land, as conveyed to the City of New Braunfels, Texas, and recorded in Document No. 201306001921, of the Official Public Records of Comal County, Texas, and being a Northerly corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE departing the Southeasterly line of said apparent Broadway Street R.O.W., and with the common line between said 14.240 acre tract of land and said 0.098 of an acre tract of land, N 88° 28' 24" E, a distance of 131.29 feet to a point in the Southwesterly R.O.W. line of aforementioned Rusk Street, being the most Easterly corner of said 0.098 of an acre tract of land, and being the most Northerly corner of said 14.240 acre tract of land and this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said Rusk Street, and with the Northeasterly line of said 14.240 acre tract of land, S 46° 29' 20" E, a distance of 617.26 feet to the POINT OF BEGINNING, and containing 14.255 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

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MOE475- TRACT 2- 14.255 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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PROFESSIONAL
LAND SURVEYOR

D·A·MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
11.763 ACRE TRACT OF LAND
"ZONING"

BEING an 11.763 acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, in the City of New Braunfels, Comal County, Texas, being that same certain called 11.790 acre tract of land (Tract 2), as conveyed to DRT-PMP Land, LLC, and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 11.763 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Southeasterly Right-of-Way (R.O.W.) line of the Union Pacific Railroad (a 100' wide R.O.W.) and the Southwesterly R.O.W. line of Rusk Street (a 60' wide R.O.W.), and being the most Northerly Northeast corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing said intersection, with the Southwesterly R.O.W. line of said Rusk Street, and with the Northeasterly line of said 11.790 acre tract of land, S 45° 19' 17" E, a distance of 439.65 feet to a point at the intersection of the Southwesterly R.O.W. line of said Rusk Street and the Northwesterly R.O.W. line of Porter Street (a 60' wide R.O.W.), and being the most Easterly Northeast corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing said intersection, with the Northwesterly R.O.W. line of said Porter Street, and with the Southeasterly line of said 11.790 acre tract of land, S 43° 53' 33" W, a distance of 866.54 feet to a point at the intersection of the Northwesterly R.O.W. line of said Porter Street and the Northwesterly R.O.W. line of Faust Street Bridge, and being a Southerly corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing said intersection, with the Northwesterly line of said Faust Street Bridge, and with the Southerly line of said 11.790 acre tract of land, S 78° 00' 44" W, a distance of 85.67 feet to a point in the Northwesterly R.O.W. line of said Faust Street Bridge, and being a Southerly corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE continuing with the Northwesterly R.O.W. line of said Faust Street Bridge, and with the Southerly line of said 11.790 acre tract of land, S 77° 29' 52" W, a distance of 237.00 feet to a point at the intersection of the Northwesterly R.O.W. line of said Faust Street Bridge and the Northeasterly line of the Guadalupe River, and being the most Southerly Southwest corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing the Northwesterly R.O.W. line of said Faust Street Bridge, with the Northeasterly line of said Guadalupe River, and with the Southwesterly line of said 11.790 acre tract of land, N 01° 38' 56" W, a distance of 121.30 feet to a point in the Northeasterly line of said Guadalupe River, and being a Southwesterly corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE continuing with the Northeasterly line of said Guadalupe River, and with the Southwesterly line of said 11.790 acre tract of land, N 14° 22' 52" E, a distance of 103.92 feet to a point in the Northeasterly line of said Guadalupe River, being a Southeasterly corner of Lot 1, River Mill Power House and Dam Subdivision, as recorded in Document No. 200806029517, of the Map and Plat Records of Comal County, Texas, and being a Southwesterly corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing the Northeasterly line of said Guadalupe River, and with the common line between said 11.790 acre tract of land and said Lot 1, the following courses:

N 72° 19' 15" E, a distance of 70.41 feet to a point for a Southwesterly interior corner;

N 17° 28' 17" W, a distance of 68.00 feet to a point for a Southwesterly interior corner;

THENCE continuing with the common line between said 11.790 acre tract of land and said Lot 1, S 72° 19' 15" W, a distance of 74.67 feet to a point in the Northeasterly line of said Guadalupe River, being a Northeasterly corner of said Lot 1, and being a Southwesterly corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE with the Northeasterly lines of said Guadalupe River, and with the Southwesterly lines of said 11.790 acre tract of land, the following courses:

N 26° 44' 13" W, a distance of 27.39 feet to a point for a Southwesterly corner;

N 71° 36' 30" W, a distance of 97.97 feet to a point for a Southwesterly corner;

N 36° 47' 20" W, a distance of 148.33 feet to a point for a Southwesterly corner;

THENCE continuing with the Northeasterly line of said Guadalupe River, and with the Southwesterly line of said 11.790 acre tract of land, N 38° 39' 44" W, a distance of 5.21 feet to a point at the intersection of the Northeasterly line of said Guadalupe River and the Southeasterly R.O.W. line of aforementioned Union Pacific Railroad, and being the most Westerly Southwest corner of said 11.790 acre tract of land and this herein described tract of land;

THENCE departing the Northeasterly line of said Guadalupe River, with the Southeasterly R.O.W. line of said Union Pacific Railroad, and with the Northwesterly lines of said 11.790 acre tract of land, the following courses:

N 62° 24' 47" E, a distance of 12.42 feet to a point for a Northwesterly corner;

N 60° 34' 27" E, a distance of 334.93 feet to a point at the beginning of a non-tangent curve to the left, and being a Northwesterly corner;

THENCE continuing with the Southeasterly R.O.W. line of said Union Pacific Railroad, with the Northwesterly line of said 11.790 acre tract of land, and with said curve to the left, having an arc length of 623.90 feet, a radius of 1,984.96 feet, a delta angle of 18° 00' 32", a tangent length of 314.55 feet, and a chord bearing and distance of N 53° 36' 17" E, 621.34 feet to the POINT OF BEGINNING, and containing 11.763 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

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MOE475- TRACT 3- 11.763 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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PROFESSIONAL
LAND SURVEYOR

2

D★A★MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
1.459 ACRE TRACT OF LAND
"ZONING"

BEING a 1.459 acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, in the City of New Braunfels, Comal County, Texas, being all of Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 1, Milltown Subdivision, as recorded in Volume 67, Page 419, of the Official Public Records of Comal County, Texas, as conveyed to DRT-PMP Land, LLC (Tract 8), and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 1.459 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Southeasterly Right-of-Way (R.O.W.) line of Porter Street (a 60' wide R.O.W.) and the Southwesterly R.O.W. line of Rusk Street (a 60' wide R.O.W.), and being the most Northerly corner of said Lot 9 and this herein described tract of land;

THENCE departing said intersection, with the Southwesterly R.O.W. line of said Rusk Street, and with the Northeasterly line of said Lot 9, S 45° 19' 17" E, a distance of 140.00 feet to a point at the intersection of the Southwesterly R.O.W. line of said Rusk Street and the Northwesterly R.O.W. line of a 20' wide Alley, being the most Easterly Southeast corner of said Lot 9, and being the most Easterly Northeast corner of this herein described tract of land;

THENCE departing said intersection, with the Northwesterly R.O.W. line of said 20' wide Alley, and with the Southeasterly lines of said Lots 1 through 9, S 43° 53' 33" W, a distance of 454.00 feet to a point at the intersection of the Northwesterly R.O.W. line of said 20' wide Alley and the Northeasterly R.O.W. line of Consolidated Avenue (a 60' wide R.O.W.), being the most Southerly Southeast corner of said Lot 1, and being the most Southerly Southwest corner of this herein described tract of land;

THENCE departing said intersection, with the Northeasterly R.O.W. line of said Consolidated Avenue, and with the Southwesterly line of said Lot 1, N 45° 19' 17" W, a distance of 140.00 feet to a point at the intersection of the Northeasterly R.O.W. line of said Consolidated Avenue and the Southeasterly R.O.W. line of said Porter Street, being the most Westerly Northwest corner of said Lot 1, and being the most Westerly Southwest corner of this herein described tract of land;

THENCE departing said intersection, with the Southeasterly R.O.W. line of said Porter Street, and with the Northwesterly lines of said Lots 1 through 9, N 43° 53' 33" E, a distance of 454.00 feet to the POINT OF BEGINNING, and containing 1.459 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

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MOE475- TRACT 4- 1.459 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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PROFESSIONAL
LAND SURVEYOR

D·A·MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
0.321 OF AN ACRE TRACT OF LAND
"ZONING"

BEING a 0.321 of an acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, in the City of New Braunfels, Comal County, Texas, being all of Lots 5 and 6, Block 2, Milltown Subdivision, as recorded in Volume 67, Page 419, of the Official Public Records of Comal County, Texas, as conveyed to DRT-PMP Land, LLC (Tract 7), and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 0.321 of an acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Southeasterly Right-of-Way (R.O.W.) line of Porter Street (a 60' wide R.O.W.) and the Southwesterly R.O.W. line of Consolidated Avenue (a 60' wide R.O.W.), and being the most Northerly corner of said Lot 6 and this herein described tract of land;

THENCE departing said intersection, with the Southwesterly R.O.W. line of said Consolidated Avenue, and with the Northeasterly line of said Lot 6, S 45° 19' 17" E, a distance of 140.00 feet to a point at the intersection of the Southwesterly R.O.W. line of said Consolidated Avenue and the Northwesterly R.O.W. line of a 20' wide Alley, being the most Easterly Southeast corner of said Lot 6, and being the most Easterly corner of this herein described tract of land;

THENCE departing said intersection, with the Northwesterly R.O.W. line of said 20' wide Alley, and with the Southeasterly lines of said Lots 5 and 6, S 43° 53' 33" W, a distance of 100.00 feet to a point in the Northwesterly R.O.W. line of said 20' wide Alley, being the most Easterly corner of Lot 4, Block 2, of said Milltown Subdivision, same being the most Southerly corner of said Lot 5, and being the most Southerly Southeast corner of this herein described tract of land;

THENCE departing the Northwesterly R.O.W. line of said 20' wide Alley, and with the common line between said Lot 4 and said Lot 5, N 45° 19' 17" W, a distance of 140.00 feet to a point in the Southeasterly R.O.W. line of said Porter Street, being the most Northerly corner of said Lot 4, and being the most Westerly corner of said Lot 5 and this herein described tract of land;

THENCE with the Southeasterly R.O.W. line of said Porter Street, and with the Northwesterly lines of said Lots 5 and 6, N 43° 53' 33" E, a distance of 100.00 feet to the POINT OF BEGINNING, and containing 0.321 of an acre of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

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MOE475- TRACT 5- 0.321 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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PROFESSIONAL
LAND SURVEYOR

1

D★A★MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
0.321 OF AN ACRE TRACT OF LAND
"ZONING"

BEING a 0.321 of an acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, in the City of New Braunfels, Comal County, Texas, being all of Lots 1 and 2, Block 2, Milltown Subdivision, as recorded in Volume 67, Page 419, of the Official Public Records of Comal County, Texas, as conveyed to DRT-PMP Land, LLC (Tract 6), and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 0.321 of an acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the intersection of the Southeasterly Right-of-Way (R.O.W.) line of Porter Street (a 60' wide R.O.W.) and the Northeasterly R.O.W. line of McKennaAvenue (a 60' wide R.O.W.), and being the most Westerly corner of said Lot 1 and this herein described tract of land;

THENCE departing said intersection, with the Southeasterly R.O.W. line of said Porter Street, and with the Northwesterly lines of said Lots 1 and 2, N 43° 53' 33" E, a distance of 99.99 feet to a point in the Southeasterly R.O.W. line of said Porter Street, being the most Westerly corner of Lot 3, Block 2, of said Milltown Subdivision, and being the most Northerly corner of said Lot 2 and this herein described tract of land;

THENCE departing the Southeasterly R.O.W. line of said Porter Street, and with the common line between said Lot 3 and said Lot 2, S 45° 19' 17" E, a distance of 140.00 feet to a point in the Northwesterly R.O.W. line of a 20' wide Alley, being the most Southerly corner of said Lot 3, and being the most Easterly corner of said Lot 2 and this herein described tract of land;

THENCE with the Northwesterly R.O.W. line of said 20' wide Alley, and with the Southeasterly lines of said Lots 1 and 2, S 43° 53' 33" W, a distance of 99.99 feet to a point at the intersection of the Northwesterly R.O.W. line of said 20' wide Alley and the Northeasterly R.O.W. line of said McKenna Avenue, and being the most Southerly corner of said Lot 1 and this herein described tract of land;

THENCE departing said intersection, with the Northeasterly R.O.W. line of said McKenna Avenue, and with the Southwesterly line of said Lot 1, N 45° 19' 17" W, a distance of 140.00 feet to the POINT OF BEGINNING, and containing 0.321 of an acre of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
MOE475- TRACT 6- 0.321 AC- ZONING

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
5348
PROFESSIONAL
LAND SURVEYOR

D.A.MAWYER
LAND SURVEYING

METES AND BOUNDS DESCRIPTION
FOR A
0.325 OF AN ACRE TRACT OF LAND
"ZONING"

BEING a 0.325 of an acre tract of land situated in the A.M. Esnaurizar Survey No. 1, Abstract No. 98, and the John Thompson Survey No. 21, Abstract No. 608, in the City of New Braunfels, Comal County, Texas, being all of Lot 1, River Mill Power House and Dam Subdivision, as recorded in Document No. 200806029517, of the Map and Plat Records of Comal County, Texas, as conveyed to DRT-PMP Land, LLC, and recorded in Document No. 201606029905, of the Official Public Records of Comal County, Texas, and said 0.325 of an acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point for a Southwesterly interior corner of a called 11.790 acre tract of land (Tract 2), as conveyed to DRT-PMP Land, LLC, and recorded in said Document No. 201606029905, of the Official Public Records of Comal County, Texas, and being the most Easterly Southeast corner of said Lot 1 and this herein described tract of land;

THENCE with the common line between said Lot 1 and said 11.790 acre tract of land, S 72° 19' 15" W, a distance of 70.41 feet to a point for a Southwesterly corner of said 11.790 acre tract of land, being in the Northeasterly line of the Guadalupe River, and being a Southeasterly corner of said Lot 1 and this herein described tract of land;

THENCE departing the common corner between said Lot 1 and said 11.790 acre tract of land, with the Northeasterly line of said Guadalupe River, and with a Southeasterly line of said Lot 1, N 14° 22' 52" E, a distance of 11.21 feet to a point in the Northeasterly line of said Guadalupe River, and being a Southeasterly interior corner of said Lot 1 and this herein described tract of land;

THENCE departing the Northeasterly line of said Guadalupe River, with the Southeasterly lines of said Lot 1, and across and through said Guadalupe River, the following courses:

S 72° 19' 15" W, a distance of 49.22 feet to a point for a Southeasterly corner;

N 17° 40' 45" W, a distance of 8.53 feet to a point for a Southeasterly corner;

THENCE continuing across and through said Guadalupe River, and with the Southerly line of said Lot 1, S 72° 49' 51" W, a distance of 266.32 feet to a point in the Southwesterly line of said Guadalupe River, and being a Southwesterly interior corner of said Lot 1 and this herein described tract of land;

THENCE with the Southwesterly line of said Guadalupe River, and with a Southwesterly line of said Lot 1, S 22° 43' 27" E, a distance of 12.29 feet to a point in the Southwesterly line of said Guadalupe River, and being a Southwesterly corner of said Lot 1 and this herein described tract of land;

THENCE departing the Southwesterly line of said Guadalupe River, and with a Southwesterly line of said Lot 1, S 72° 29' 41" W, a distance of 27.05 feet to a point in the Northeasterly line of Lot 4A, Palm Beach Subdivision, as recorded in Volume 68, Page 190, of the Official Public Records of Comal County, Texas, and being the most Southerly Southwest corner of said Lot 1 and this herein described tract of land;

THENCE with the Northeasterly lines of Lots 4A and 3A, of said Palm Beach Subdivision, and with the Southwesterly line of said Lot 1, N 20° 15' 19" W, a distance of 44.00 feet to a point in the Northeasterly line of said Lot 3A, and being the most Westerly Southwest corner of said Lot 1 and this herein described tract of land;

THENCE departing the Northeasterly line of said Lot 3A, and with a Northwesterly line of said Lot 1, N 72° 29' 41" E, a distance of 25.14 feet to a point in the Southwesterly line of said Guadalupe River, and being a Northwesterly corner of said Lot 1 and this herein described tract of land;

THENCE with the Southwesterly line of said Guadalupe River, and with a Northwesterly line of said Lot 1, S 22° 43' 27" E, a distance of 8.73 feet to a point in the Southwesterly line of said Guadalupe River, and being a Northwesterly interior corner of said Lot 1 and this herein described trat of land;

THENCE departing the Southwesterly line of said Guadalupe River, with the Northerly lines of said Lot 1, and across and through said Guadalupe River, the following courses:

N 72° 49' 51" E, a distance of 268.36 feet to a point for a Northeasterly interior corner;

N 17° 40' 45" W, a distance of 15.96 feet to a point for a Northeasterly corner;

THENCE continuing across and through said Guadalupe River, and with a Northeasterly line of said Lot 1, N 72° 19' 15" E, a distance of 41.01 feet to a point in the Northeasterly line of said Guadalupe River, and being a Northeasterly corner of said Lot 1 and this herein described tract of land;

THENCE with the Northeasterly line of said Guadalupe River, and with a Northeasterly line of said Lot 1, N 26° 44' 13" W, a distance of 11.14 feet to a point in the Northeasterly line of said Guadalupe River, being a Southwesterly corner of aforementioned 11.790 acre tract of land, and being a Northeasterly corner of said Lot 1 and this herein described tract of land;

THENCE departing the Northeasterly line of said Guadalupe River, and with the common line between said Lot 1 and said 11.790 acre tract of land, N 72° 19' 15" E, a distance of 74.67 feet to a point for a Southwesterly interior corner of said 11.790 acre tract of land, and being the most Northerly Northeast corner of said Lot 1 and this herein described tract of land;

THENCE continuing with the common line between said Lot 1 and said 11.790 acre tract of land, S 17° 28' 17" E, a distance of 68.00 feet to the POINT OF BEGINNING, and containing 0.325 of an acre of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

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MOE475- TRACT 7- 0.325 AC- ZONING

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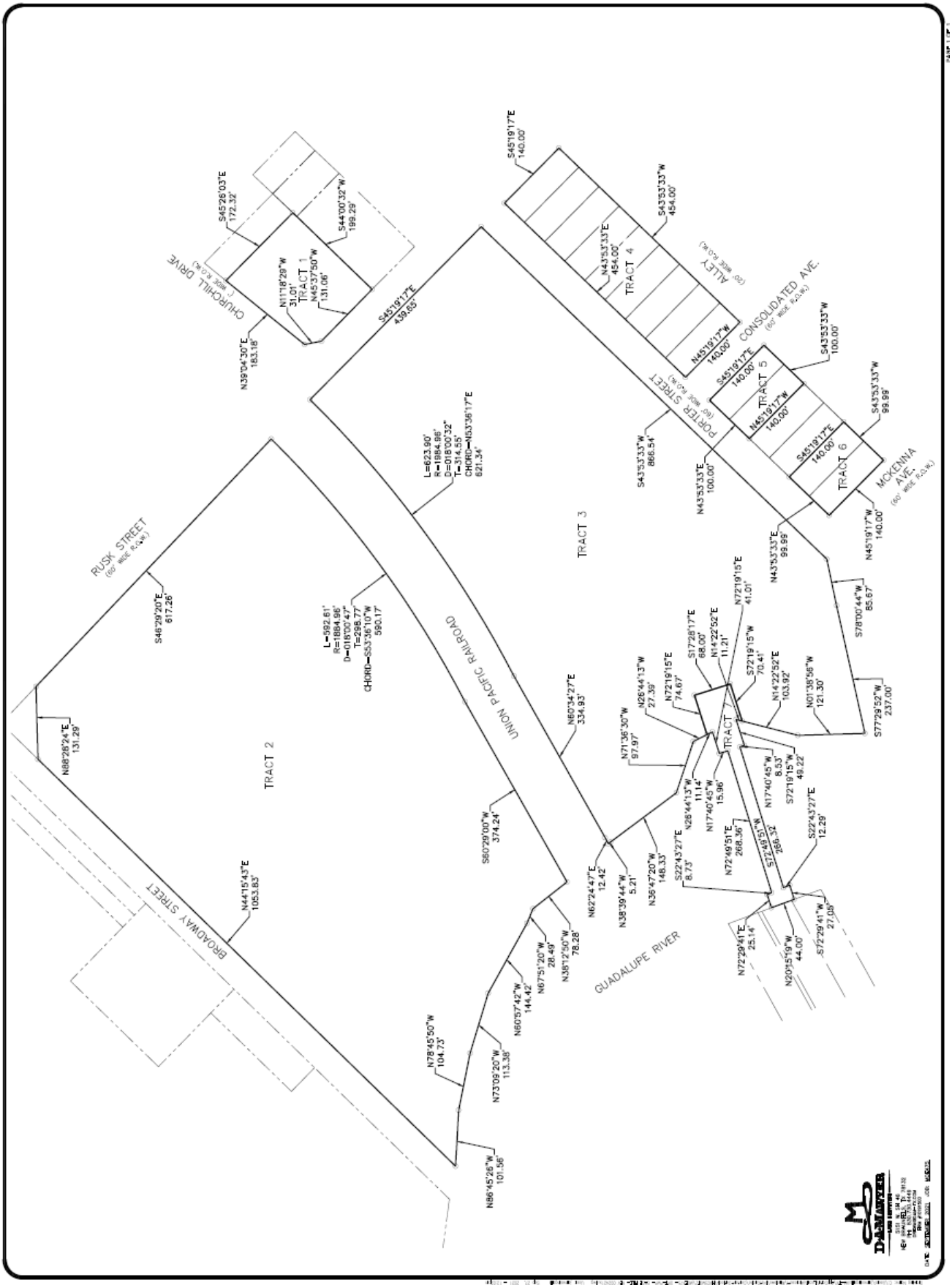
RUSK STREET
(60' WIDE R.O.W.)
BROADWAY STREET
CHURCHILL DRIVE
(60' WIDE R.O.W.)
UNION PACIFIC RAILROAD
GUADALUPE RIVER
POPPER STREET
(60' WIDE R.O.W.)
CONSOLIDATED AVE.
(60' WIDE R.O.W.)
ALLEY
(20' WIDE R.O.W.)
MCKENNA AVE.
(60' WIDE R.O.W.)
TRACT 1
TRACT 2
TRACT 3
TRACT 4
TRACT 5
TRACT 6
TRACT 7
S48°29'20"E
617.26'
N88°28'24"E
131.29'
N44°15'43"E
1053.83'
N78°45'50"W
104.73'
N73°09'20"W
113.38'
N60°57'42"W
144.42'
N67°51'20"W
28.49'
N38°12'50"W
78.28'
N86°45'26"W
101.56'
S60°29'00"W
374.24'
N62°24'47"E
12.42'
N38°39'44"W
5.21'
N36°47'20"W
148.33'
S22°43'27"E
8.73'
N26°44'13"W
11.14'
N17°40'45"W
15.96'
N72°49'51"E
268.36'
S72°49'57"W
266.32'
N17°40'45"W
8.53'
S72°19'15"W
49.22'
S22°43'27"E
12.29'
N72°29'41"E
25.14'
N20°15'19"W
44.00'
S72°29'41"W
27.08'
N86°34'27"E
334.93'
L=623.90'
R=1984.86'
D=018°00'32"
T=314.55'
CHORD=N53°36'17"E
621.34'
L=592.61'
R=1884.96'
D=018°00'47"
T=298.77'
CHORD=S53°36'10"W
590.17'
N71°36'30"W
97.97'
N26°44'13"W
27.39'
N72°19'15"E
74.67'
S17°28'17"E
68.00'
N14°22'52"E
11.21'
N72°19'15"E
41.01'
S72°19'15"W
70.41'
N14°22'52"E
103.92'
N01°38'58"W
121.30'
S77°29'52"W
237.00'
S78°00'44"W
85.67'
N45°19'17"W
140.00'
N43°33'33"E
99.99'
N43°33'33"E
100.00'
S43°33'33"W
866.54'
S43°33'33"W
99.99'
S43°33'33"W
100.00'
S45°19'17"E
439.65'
N39°04'30"E
183.18'
N11°18'29"W
31.01'
N45°37'50"W
131.06'
S45°26'03"E
172.32'
S44°00'32"W
199.29'
S45°19'17"E
140.00'
N43°33'33"E
454.00'
S43°33'33"W
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140.00'
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140.00'
N45°19'17"W
140.00'
S45°19'17"E
140.00'

EXHIBIT "B"