

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DISANNEXING APPROXIMATELY 62.4 ACRES OF LAND OUT OF THE J.M. VERAMENDI SURVEY NO. 2, ABSTRACT 3, COMAL COUNTY, TEXAS, LOCATED ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF LOOP 337 IN THE CORPORATE LIMITS OF THE CITY; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the city is authorized to disannex territory in accordance with the Texas Local Government Code, Chapter 43 and the City of New Braunfels, Texas home-rule charter, Section 1.04 and by other statutory authority; and

WHEREAS, said territory proposed to be disannexed is subject to the Development Agreement between the City of New Braunfels, Texas and Word-Borchers Ranch Joint Venture for a proposed Mixed Use Development ("Agreement") which was fully executed on February 25, 2013; and was effective when filed of record on July 24, 2015.

WHEREAS, Section 3.6 of the Agreement provides for disannexation of certain real property within the City limits when a sector plan covering that certain real property is approved by City Council.

WHEREAS, the Veramendi Sector Plan 2 which includes the certain property for disannexation was approved by the City Council on February 25, 2019; and

WHEREAS, the owner of the property additionally requested that the 62.4-acre tract be disannexed by the City for subsequent inclusion into the boundaries of the Comal County Water Improvement District No. 1 which is also known as the Veramendi Development; and

WHEREAS, it is the desire of the City of New Braunfels to disannex this 62.4-acre tract of land and the City Council finds said territory is not necessary for City purposes; **now, therefore:**

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

SECTION 1

THAT the following described territory is hereby disannexed from the corporate limits of the city and shall be subsequently included into the boundaries of the Comal County Water Improvement District No. 1 :

62.4 acres of land out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas, located along the northwest right-of-way line of Loop 337, as delineated on Exhibit "A" and described in Exhibit "B" attached.

SECTION 2

THAT the official map and boundaries of the city are hereby amended and revised so as to exclude the area disannexed.

SECTION 3

THAT as the disannexation is requested pursuant to the Agreement and by the property owner on the unimproved and uninhabited 62.4-acre tract, no refund of fees or taxes are owed under Texas Local Government Code Section 43.143.

SECTION 4

THAT the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, a certified copy of this ordinance.

SECTION 5

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

SECTION 6

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 7

THIS ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED: First Reading this the 8th day of July, 2019.

PASSED AND APPROVED: Second and Final Reading this the 22nd day of July, 2019.

CITY OF NEW BRAUNFELS, TEXAS

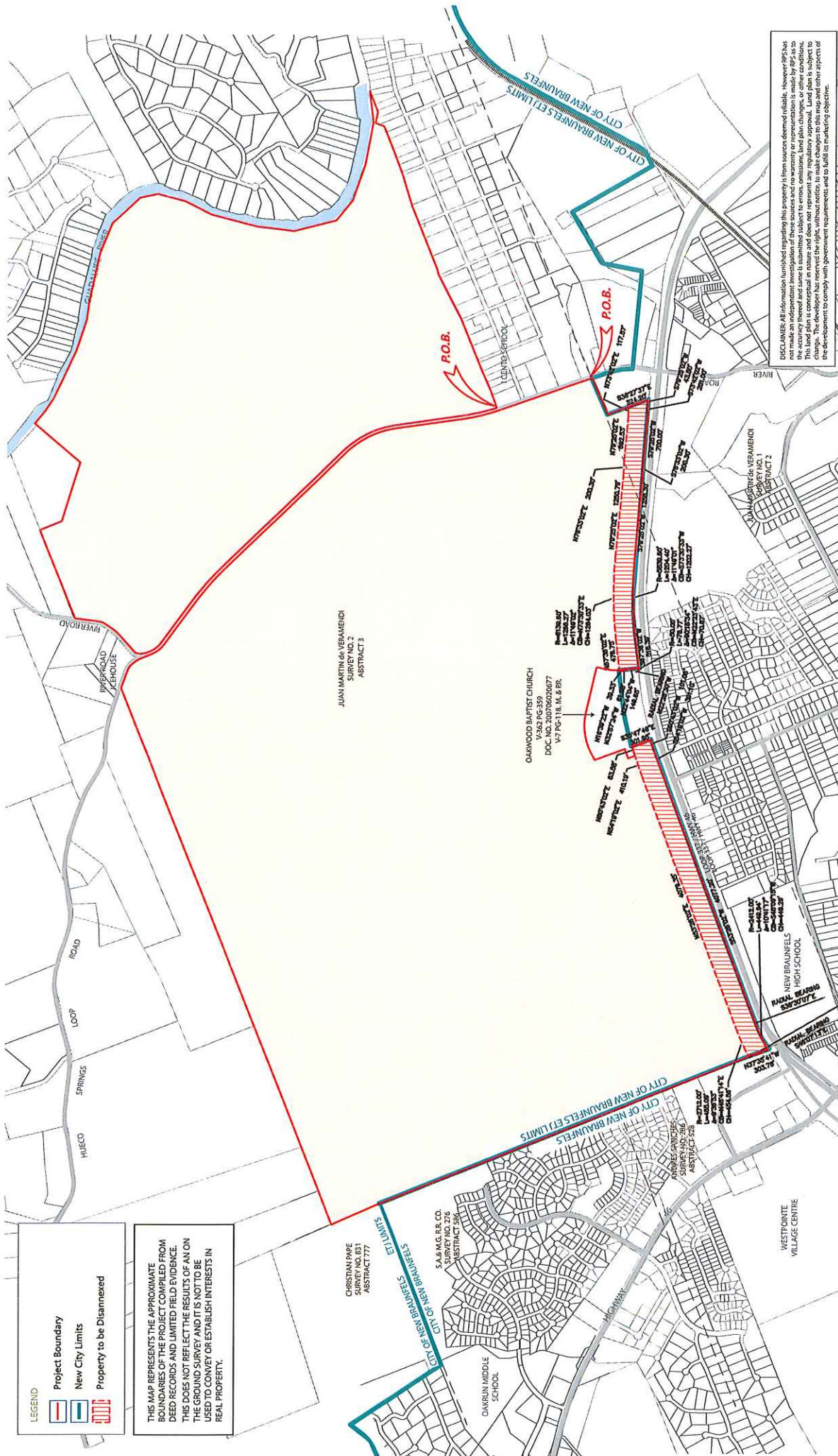
BY: _____
BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney





LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR A
DE-ANEXATION TRACT
CITY OF NEW BRAUNFELS, TEXAS

Being 27.8 acres, more or less, out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 27.8 acres also being a portion of a 2086 acre tract of land described as First Tract in Deed recorded in Volume 167, Pages 80-92 of the Deed Records of Comal County, Texas. Said 27.8 acre tract being more fully described as follows;

BEGINNING: At a point on the northwest right-of-way line of State Highway Loop 337, the southeast corner of the called 17.089 acre tract of land conveyed to Oakwood Baptist Church of New Braunfels, Texas, by Deed Recorded in Document No. 200706020677, of the Official Records of Comal County, Texas;

THENCE: departing the northwest right-of-way line of State Highway Loop 337 and along the common line between said 17.089 acres and the herein described tract, the following bearings and distances:

along a non-tangent curve to the left, said curve having a radial bearing of North 22°28'30" West, a radius of 50.00 feet, a central angle of 90°15'34", a chord bearing and distance of North 22°23'43" East, 70.87 feet, for an arc length of 78.77 feet to a point,

North 22°44'04" West a distance of 149.65 feet to a point,

North 32°57'24" West a distance of 61.98 feet to a point,

North 16°39'22" West a distance of 39.33 feet to a point of intersection with the New Braunfels City Limits line,

THENCE: departing said common line, over and across said 2086 acre tract, along and with the New Braunfels City Limits line, said City Limits line being parallel to and offset 300' from said northwest right-of-way line of State Highway Loop 337 the following bearings and distances:

North 67°36'02" East a distance of 476.75 feet to a point,

Along a tangent curve to the right, said curve having a radius of 6139.60 feet, a central angle of 11°49'02", a chord bearing and distance of North 73°30'33" East, 1264.03 feet, for an arc length of 1266.27 feet to a point,

North 79°25'02" East a distance of 1250.79 feet to a point,

North 76°33'02" East a distance of 200.30 feet to a point,

North 79°25'02" East a distance of 692.53 feet to a point,

North 73°42'02" East a distance of 117.57 feet to a point on the southwest line of a 9.839 acre tract described in Document Number 200406026508 of the Official Records of Comal County, Texas;

THENCE: departing the New Braunfels City Limits line, along and with the common line of said 9.839 acre tract and said 2086 acre tract, South 36°27'37" East a distance of 324.20 feet to a point on the northwest right-of-way line of State Highway Loop 337;

THENCE: along said northwest right-of-way line of State Highway Loop 337, the following bearings and distances:

South 79°25'02" West a distance of 43.50 feet to a point,

South 73°42'02" West a distance of 201.00 feet to a point,

South 79°25'02" West a distance of 700.00 feet to a point,

South 76°33'02" West a distance of 200.30 feet to a point,

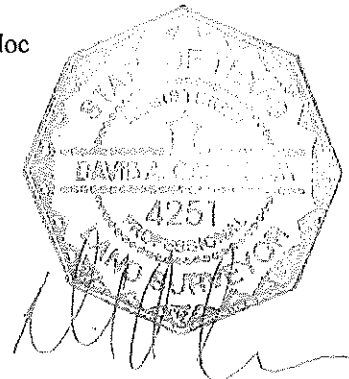
South 79°25'02" West a distance of 1258.30 feet to a point,

along a tangent curve to the left, said curve having a radius of 5839.60 feet, a central angle of 11°49'01", a chord bearing and distance of South 73°30'33" West, 1202.27 feet, for an arc length of 1204.40 feet to a point, and

South 67°36'02" West a distance of 518.39 feet to the POINT OF BEGINNING, and containing 27.8 acres.

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.

PREPARED BY: PAPE DAWSON ENGINEERS, INC.
DATE: March 23, 2012
JOB No.: 9127-10
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LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR A
DE-ANEXATION TRACT
CITY OF NEW BRAUNFELS, TEXAS

Being 34.6 acres, more or less, out of the J.M. Veramendi Survey No. 2, Abstract 3, Comal County, Texas. Said 34.6 acres also being a portion of a 2086 acre tract of land described as First Tract in Deed recorded in Volume 167, Pages 80-92 of the Deed Records of Comal County, Texas. Said 34.6 acre tract being more fully described as follows;

BEGINNING: at a point on the northwest right-of-way line of State Highway Loop 337, being the south most corner of the called 17.089 acre tract of land conveyed to Oakwood Baptist Church of New Braunfels, Texas, by Deed Recorded in Document No. 200706020677, of the Official Records of Comal County, Texas;

THENCE: along the northwest right-of-way line of State Highway Loop 337, the following bearings and distances:

South 60°43'02" West a distance of 101.06 feet to a point,

South 54°19'02" West a distance of 391.10 feet to a point,

South 53°26'02" West a distance of 4077.20 feet to a point,

along a non-tangent curve to the left, said curve having a radial bearing of South 36°30'07" East, a radius of 2412.00 feet, a central angle of 10°41'17", a chord bearing and distance of South 48°09'15" West, 449.29 feet, for an arc length of 449.94 feet to a point on the south line of said 2086 acre tract and of the herein described tract;

THENCE: departing the northwest right-of-way line of State Highway Loop 337, along and with the south line of said 2086 acre tract, North 37°35'41" West a distance of 303.78 feet to a point of intersection with the New Braunfels City Limits line;

THENCE: departing the south line of said 2086 acre tract, over and across said 2086 acre tract, along and with the New Braunfels City Limits line, said City Limits line being parallel to and offset 300' from said northwest right-of-way line of State Highway Loop 337 the following bearings and distances:

along a non-tangent curve to the right, said curve having a radial bearing of South 46°07'13" East, a radius of 2712.00 feet, a central angle of 09°36'53" , a chord bearing and distance of North 48°41'14" East, 454.56 feet, for an arc length of 455.09 feet to a point,

North 53°26'02" East a distance of 4079.35 feet to a point,

North 54°19'02" East a distance of 410.19 feet to a point,

North 60°43'02" East a distance of 83.58 feet to a point on the southwest line of said called 17.089 acre tract,

THENCE: departing the New Braunfels City Limits line, along and with the southwest line of said called 17.089 acre tract, South 35°47'46" East a distance of 301.95 feet to the POINT OF BEGINNING, and containing 34.6 acres.

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PREPARED BY: PAPE DAWSON ENGINEERS, INC.
DATE: March 23, 2012
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