

PETITION FOR CONSENT TO ANNEXATION OF LAND
INTO COMAL COUNTY WATER IMPROVEMENT DISTRICT NO. 1A

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

The undersigned, Veramendi PE-Brisbane, LLC, a Texas limited liability company, Veramendi PE-Fremantle, LLC, a Texas limited liability company, and Word-Borchers Ranch Real Estate Limited Partnership, a Texas limited partnership (collectively, the "Petitioners") being the owners of the property described in Exhibit "A" attached hereto (the "Property"), respectfully petition the City of New Braunfels, Texas (the "City") for its consent to the annexation of the Property into Comal County Water Improvement District No. 1A ("District"). In support of this Petition, the Petitioner would show the following:

I.

The Property sought to be added to the District is described by the metes and bounds descriptions in Exhibit "A" attached hereto and made a part hereof for all purposes.

II.

The Property lies wholly within Comal County, Texas, and not within the boundaries of any incorporated city or town. The Property lies wholly within the exclusive extraterritorial jurisdiction of the City.

III.

The Petitioner is the holder of title to all of the Property as shown by the Comal County Tax Rolls and conveyances of record. With the exception of Security State Bank & Trust and Word Borchers Ranch Real Estate, LP, there are no lienholders on the Property. No one resides on the Property.

IV.

The District was organized, created and established pursuant to an Order Dividing Comal County Water Improvement District No. 1, Establishing Terms of Division, Creating Comal County Master Water Improvement District, Comal County Water Improvement District No. 1A, and Comal County Water Improvement District No. 1B ; And Appointing Directors (the "Order Dividing"), in accordance with pursuant to Senate Bill 2464, 81st Texas Legislature, Regular Session and codified at Chapter 9038, Texas Special District Local Laws Code, effective June 19, 2009, as a conservation and reclamation district created under the and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, of the Texas Constitution, and

operating pursuant to Chapters 49 and 51 of the Texas Water Code, as amended. The District generally is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes of its creation.

V.

The general nature of the work to be done by and within the Property at the present time is the construction, maintenance and operation of a waterworks system for domestic purposes; the construction, maintenance and operation of a sanitary sewer collection system; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction of roads and of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Property is located within an area that is experiencing substantial and sustained residential growth, is urban in nature and is not supplied with adequate water, sanitary sewer, and drainage facilities and roads. The health and welfare of the future inhabitants of the Property require the acquisition and installation of an adequate waterworks, sanitary sewer, and storm drainage system and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Property within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Property is of such a nature that a waterworks system and sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be developed for residential purposes in the foreseeable future.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Property, and it is now estimated by those filing this Petition, from such information as they have at this time, that the ultimate cost of the development contemplated will be approximately \$ 8,434,746.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of New Braunfels, Texas, adopt a resolution giving its written consent to the addition of the Property to the District.

RESPECTFULLY SUBMITTED THIS 2 ^{March} day of ~~February~~, 2021.

PETITIONER:

VERAMENDI PE-BRISBANE, LLC,
a Texas limited liability company

By: ASA PEHCO LLC,
a Texas limited liability company
its Manager

By: [Signature]
Name: PETER R JAMES
Title: PRESIDENT

THE STATE OF TEXAS §
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COUNTY OF Comal §

This instrument was acknowledged before me on the 25th day of February, 2021, by Peter James, President of ASA Pehco LLC, a Texas limited liability company, Manager of Veramendi PE-Brisbane, LLC, a Texas limited liability company, on behalf of said entity.



[Signature]
Notary Public in and for the State of Texas

[SEAL]

PETITIONER:

VERAMENDI PE-FREMANTLE, LLC,
a Texas limited liability company

By: **Veramendi Development Company, LLC,**
a Texas limited liability company
its Manager

By: **ASA Properties LLC,**
a Texas limited liability company
its Manager

By: 
Peter R. James, Manager

THE STATE OF TEXAS §
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COUNTY OF Comal §

This instrument was acknowledged before me on the 2nd day of February, 2021, by Peter R. James, Manager of ASA Properties LLC, a Texas limited liability company, Manager of Veramendi Development Company, LLC, a Texas limited liability company, Manager of Veramendi PE-Fremantle, LLC, a Texas limited liability company, on behalf of said limited liability company.




Notary Public in and for the State of Texas

[SEAL]

PETITIONER:

**WORD-BORCHERS RANCH REAL ESTATE
LIMITED PARTNERSHIP,**

a Texas limited partnership

By: **Word-Borchers Ranch Management
Company, LLC,**
a Texas limited liability company
its General Partner

By: 

Timothy Dean Word, III, Manager

THE STATE OF TEXAS

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COUNTY OF Comal

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This instrument was sworn, subscribed, and acknowledged before me on the 27th day of January, 2021, by Timothy Dean Word, III, Manager of Word-Borchers Ranch Management Company, LLC, a Texas limited liability company, as General Partner of Word-Borchers Ranch Real Estate Limited Partnership, on behalf of said limited liability company and limited partnership.





Notary Public in and for the State of Texas

[SEAL]

PETITIONER:

**WORD-BORCHERS RANCH REAL ESTATE
LIMITED PARTNERSHIP,**
a Texas limited partnership

By: **Word-Borchers Ranch Management
Company, LLC,**
a Texas limited liability company
its General Partner

By: *Amber Word Heisner*
Amber Word Heisner, Manager

THE STATE OF TEXAS §
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COUNTY OF Comal §

This instrument was sworn, subscribed, and acknowledged before me on the 28th day of January, 2021, by Amber Word Heisner, Manager of Word-Borchers Ranch Management Company, LLC, a Texas limited liability company, as General Partner of Word-Borchers Ranch Real Estate Limited Partnership, on behalf of said limited liability company and limited partnership.



Emily Lane
Notary Public in and for the State of Texas

[SEAL]

PETITIONER:

**WORD-BORCHERS RANCH REAL ESTATE
LIMITED PARTNERSHIP,**

a Texas limited partnership

By: **Word-Borchers Ranch Management
Company, LLC,**
a Texas limited liability company
its General Partner

By: *Georgia Borchers Duettra*
Georgia Borchers Duettra, Manager

THE STATE OF ~~NEW MEXICO~~ ^{TEXAS} §
§
COUNTY OF Comal §

This instrument was sworn, subscribed, and acknowledged before me on the 28th day of January, 2021, by Georgia Borchers Duettra, Manager of Word-Borchers Ranch Management Company, LLC, a Texas limited liability company, as General Partner of Word-Borchers Ranch Real Estate Limited Partnership, on behalf of said limited liability company and limited partnership.



Emily Lane
Notary Public in and for the State of ~~New Mexico~~ Texas
My commission expires: 4/7/23

[SEAL]

PETITIONER:

**WORD-BORCHERS RANCH REAL ESTATE
LIMITED PARTNERSHIP,**
a Texas limited partnership

By: **Word-Borchers Ranch Management
Company, LLC,**
a Texas limited liability company
its General Partner

By: Marcia Borchers McGlothlin
Marcia Borchers McGlothlin, Manager

THE STATE OF TEXAS §
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COUNTY OF Comal §

This instrument was sworn, subscribed, and acknowledged before me on the 28th day of January, 2021, by Marcia Borchers McGlothlin, Manager of Word-Borchers Ranch Management Company, LLC, a Texas limited liability company, as General Partner of Word-Borchers Ranch Real Estate Limited Partnership, on behalf of said limited liability company and limited partnership.



Emily Lane
Notary Public in and for the State of Texas

[SEAL]

EXHIBIT "A"



290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS FIRM 10153600

METES AND BOUNDS DESCRIPTION FOR A 56.8 ACRE TRACT OF LAND "ADDITION TO WID 1A"

Being a 56.8 acre tract of land out of the J.M. Veramendi Survey No. 2, Abstract No. 3, Comal County, Texas, being a portion of the remainder of a called 2086 acre tract of land described in Document Number 201006024825, Official Public Records, Comal County, Texas, said 56.8 acre tract of land being more particularly described as follows

COMMENCING at a 1/2" iron pin (w/ cap "HMT") found in the Northeast line of the remainder of a called 218.15 acre tract, described in Volume 244, Page 646, Deed Records, Comal County, Texas, for the West corner of the remainder of a called 255.715 acre tract, described in Document No. 201706013192, Official Public Records, Comal County, Texas;

THENCE with the common line of said remainder of 218.15 acres and said remainder of 2086 acres, the following 2 calls:

1. N 39°19'02" W a distance of 50.02 feet to the POINT OF BEGINNING of the herein described tract;
2. N 39°19'02" W a distance of 15.01 feet to a point for the West corner of the herein described tract;


THENCE over and across said remainder of 2086 acres, the following ten (14) calls:

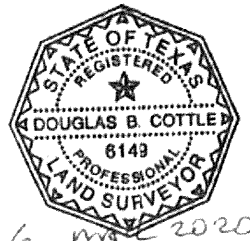
1. N 52°26'23" E a distance of 1178.52 feet to a point for a corner;
2. Along the arc of a curve to the right, having a radius of 1515.00 feet, an arc length of 276.37 feet, a central angle of 10°27'07", and a chord bearing and distance of N 57°39'56" E, 275.99 feet to a point for a corner;
3. N 62°53'30" E a distance of 446.16 feet to a point for a corner;
4. Along a curve to the right, having a radius of 5000.00 feet, an arc length of 1803.42 feet, a central angle of 20°39'56", and a chord bearing and distance of N 73°13'28" E, 1793.66 feet to a point for a corner;
5. N 83°33'26" E a distance of 570.95 feet to a point for a corner;
6. Along a curve to the right, having a radius of 1400.00 feet, an arc length of 1013.70 feet, a central angle of 41°29'11", and a chord bearing and distance of S 75°41'58" E, 991.70 feet to a point for a corner;
7. S 54°57'23" E a distance of 315.68 feet to a point for a corner;
8. Along a curve to the left, having a radius of 1000.00 feet, an arc length of 225.19 feet, a central angle of 12°54'10", and a chord bearing and distance of S 61°24'28" E, 224.72 feet to a point for a corner;
9. S 67°51'33" E a distance of 183.44 feet to a point for a corner;
10. S 21°53'06" W a distance of 322.35 feet to a point for a corner, from which a 1/2" iron pin (w/ cap "HMT") found for an angle point of the remainder of a called 104.40 acre

- tract, described in Document No. 201706024862, Official Public Records, Comal County, Texas, bears S 04°30'00" E a distance of 112.01 feet;
11. S 85°30'00" W a distance of 1124.36 feet to a point for a corner;
 12. Along a curve to the right, having a radius of 1000.00 feet, an arc length of 253.07 feet, a central angle of 14°30'00", and a chord bearing and distance of N 87°15'00" W, 252.40 feet to a point for a corner;
 13. N 80°00'00" W a distance of 1852.63 feet to a point for a corner;
 14. Along a curve to the left, having a radius of 1500.00 feet, an arc length of 1245.13 feet, a central angle of 47°33'38", and a chord bearing and distance of S 76°13'11" W, 1209.69 feet to a point for a corner;
 15. S 52°26'23" W a distance of 1178.08 feet to the POINT OF BEGINNING and containing 56.8 acres of land in Comal County, Texas.

Bearings are based upon the Texas Coordinate System, South Central Zone (4204), NAD 83.

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.


Douglas B. Cottle
Registered Professional Land Surveyor No. 6149



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