

## **RESOLUTION NO. 2021-R \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS ACCEPTING 109.746 ACRES OF LAND OUT OF THE W. J. RAGSDALE A-268 SURVEY AND THE A. M. ESNAURIZAR A-20 SURVEY, LOCATED NEAR THE INTERSECTION OF FM 758 AND SH 123 NORTH, INTO THE CITY OF NEW BRAUNFELS EXTRATERRITORIAL JURISDICTION; PROVIDING FOR NOTICE; PROVIDING OPEN MEETINGS AND OTHER RELATED MATTERS.**

**WHEREAS**, Dennis J. Wilkerson (herein the “petitioner”), being the owner of certain property located within Guadalupe County, Texas, has petitioned the City of New Braunfels, Texas (herein the “City”) a home-rule municipality, for acceptance of said property into the Extraterritorial Jurisdiction (herein the “ETJ”); and

**WHEREAS**, the subject property is adjacent to the existing City of New Braunfels ETJ boundary; and

**WHEREAS**, the subject property is located within the “Secondary Release Area” established by the City of New Braunfels and the City of Seguin in the Interlocal Cooperation Agreement of December, 2018; and

**WHEREAS**, the City has the authority under Section 42.022 of the Texas Local Government Code to accept property into the ETJ at the property owner’s request;

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

### **SECTION 1**

Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

### **SECTION 2**

The City Council of New Braunfels, Texas, hereby accepts the property being approximately 110 acres of land out of the A.M. Esnaurizar A-20 Survey, located near the intersection of FM 758 and SH 123 North, more fully described in the attached Exhibit “A”, into the New Braunfels ETJ.

### **SECTION 3**

Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chap. 551, Tex. Gov’t. Code.

**PASSED, APPROVED AND EFFECTIVE this the 14th day of June, 2021.**

**CITY OF NEW BRAUNFELS**

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**RUSTY BROCKMAN, Mayor**

**ATTEST:**

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**CAITLIN KROBOT, City Secretary**

## EXHIBIT "A"



### METES AND BOUNDS DESCRIPTION FOR A 105.198 ACRE TRACT OF LAND

BEING a 105.198 acre tract of land situated in the John Jones Survey, Abstract No. 189, and the W.J. Ragsdale Survey, Abstract No. 268, in Guadalupe County, Texas, being a portion of the remaining portion of a called 170.699 acre tract of land, as conveyed to Tour Partners, Ltd., and recorded in Document No. 201999000803, of the Official Public Records of Guadalupe County, Texas, and being a portion of a called 40.00 acre tract of land, as conveyed to Tour Partners, Ltd., and recorded in Document No. 201999028005, of the Official Public Records of Guadalupe County, Texas, and said 105.198 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner post found in the Northerly Right-of-Way (R.O.W.) line of F.M. Highway 758 (an 80' wide R.O.W.), being the Southeast corner of said 40.00 acre tract of land, same being the Southwest corner of the remaining portion of said 170.699 acre tract of land, and being a Southerly corner of this herein described tract of land;

THENCE with the Northerly R.O.W. line of said F.M. Highway 758, and with the Southerly line of said 40.00 acre tract of land, S 89° 15' 18" W, a distance of 450.94 feet to a point in the Northerly R.O.W. line of said F.M. Highway 758, being the Southeast corner of a called 60.743 acre tract of land, as conveyed to NB Dean 32, LLC, and recorded in Document No. 202099038349, of the Official Public Records of Guadalupe County, Texas, and being the Southwest corner of said 40.00 acre tract of land and this herein described tract of land;

THENCE departing the Northerly R.O.W. line of said F.M. Highway 758, and with the common line between said 40.00 acre tract of land and said 60.743 acre tract of land, N 01° 42' 55" W, at a distance of 3,775.36 feet passing the Northeast corner of said 60.743 acre tract of land, same being a Northeasterly corner of the remaining portion of a called 123.11 acre tract of land, as conveyed to Barry Jaroszewski, and recorded in Volume 1006, Page 147, of the Official Public Records of Guadalupe County, Texas, and continuing with the common line between said 40.00 acre tract of land and the remaining portion of said 123.11 feet, for a total distance of 3,860.37 feet to a point for the most Northeasterly corner of the remaining portion of said 123.11 acre tract of land, being the Northwest corner of said 40.00 acre tract of land, being in the Southerly line of a called 144.804 acre tract of land, as conveyed to David McCampbell, and recorded in Document No. 201899014062, of the Official Public Records of Guadalupe County, Texas, and being the Northwest corner of this herein described tract of land;

THENCE with the common line between said 40.00 acre tract of land and said 144.804 acre tract of land, N 89° 07' 44" E, a distance of 451.33 feet to a point for the Southeast corner of said 144.804 acre tract of land, being the Northeast corner of said 40.00 acre tract of land, being in the Westerly line of the remaining portion of said 170.699 acre tract of land, and being a Northwesterly interior corner of this herein described tract of land;

THENCE departing the Northeast corner of said 40.00 acre tract of land, and with the common line between the remaining portion of said 170.699 acre tract of land and said 144.804 acre tract of land, N 01° 42' 34" W, a distance of 502.43 feet to a point in the common line between the remaining portion of said 170.699 acre tract of land and said 144.804 acre tract of land, and being a Northwesterly corner of this herein described tract of land;

THENCE departing the common line between the remaining portion of said 170.699 acre tract of land and said 144.804 acre tract of land, and across and through the remaining portion of said 170.699 acre tract of land, N 88° 23' 17" E, a distance of 99.02 feet to a point for the Northwest corner of a called 17.78 acre tract of land, as conveyed to Barry Jaroszewski, and recorded in Document No. 201999028006, of the Official Public Records of Guadalupe County, Texas, being in a Westerly line of the remaining portion of said 170.699 acre tract of land, and being the most Northerly corner of this herein described tract of land;

THENCE with the common line between the remaining portion of said 170.699 acre tract of land and said 17.78 acre tract of land, S 01° 50' 47" E, a distance of 637.18 feet to a point for the Southwest corner of said 17.78 acre tract of land, being a Westerly interior corner of the remaining portion of said 170.699 acre tract of land, and being a Northerly interior corner of this herein described tract of land;

THENCE continuing with the common line between the remaining portion of said 170.699 acre tract of land and said 17.78 acre tract of land, the following courses:

S 66° 10' 17" E, a distance of 753.73 feet to a point for a Northeasterly corner;

N 61° 26' 56" E, a distance of 119.46 feet to a point for a Northeasterly corner;

THENCE continuing with the common line between the remaining portion of said 170.699 acre tract of land and said 17.78 acre tract of land, S 42° 00' 09" E, a distance of 87.99 feet to a point in the Westerly R.O.W. line of State Highway 123 (S.H. 123) (a variable width R.O.W.), being the most Southeasterly corner of said 17.78 acre tract of land, same being a Northeasterly corner of the remaining portion of said 170.699 acre tract of land, being at the beginning of a curve to the left, and being the most Easterly Northeast corner of this herein described tract of land;

THENCE departing the Southeasterly corner of said 17.78 acre tract of land, with the Westerly R.O.W. line of said S.H. 123, same being the Easterly line of the remaining portion of said 170.699 acre tract of land, and with said curve to the left, having an arc length of 974.33 feet, a radius of 2,904.80 feet, a delta angle of 19° 13' 05", a tangent length of 491.78 feet, and a chord bearing and distance of S 07° 10' 46" W, 969.77 feet to a point in the Westerly R.O.W. line of said S.H. 123, and being an Easterly corner of the remaining portion of said 170.699 acre tract of land and this herein described tract of land;

THENCE continuing with the Westerly R.O.W. line of said S.H. 123, and with the Easterly line of the remaining portion of said 170.699 acre tract of land, S 01° 04' 05" E, a distance of 2,120.80 feet to a point in the Westerly R.O.W. line of said S.H. 123, being the Northeast corner of a called 2.044 acre tract of land, as conveyed to 758 Property, LLC, and recorded in Document No. 202099020581, of the Official Public Records of Guadalupe County, Texas, and being the most Easterly Southeast corner of the remaining portion of said 170.699 acre tract of land and this herein described tract of land;

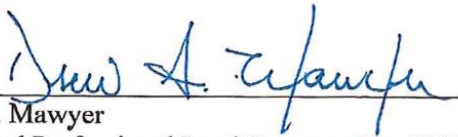
THENCE departing the Westerly R.O.W. line of said S.H. 123, and with the common line between the remaining portion of said 170.699 acre tract of land and said 2.044 acre tract of land, N 89° 42' 25" W, a distance of 279.85 feet to a point for the Northwest corner of said 2.044 acre tract of land, and being a Southeasterly interior corner of the remaining portion of said 170.699 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between the remaining portion of said 170.699 acre tract of land and said 2.044 acre tract of land, S 01° 03' 22" E, a distance of 327.53 feet to a point in the Northerly R.O.W. line of said F.M. Highway 758, being the Southwest corner of said 2.044 acre tract of land, and being the most Southerly Southeast corner of the remaining portion of said 170.699 acre tract of land and this herein described tract of land;

THENCE with the Northerly R.O.W. line of said F.M. Highway 758, and with the Southerly line of the remaining portion of said 170.699 acre tract of land, S 89° 15' 18" W, a distance of 487.20 feet to the POINT OF BEGINNING, and containing 105.198 acres of land, more or less.

"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."

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



Drew A. Mawyer  
Registered Professional Land Surveyor No. 5348  
TBPLS Firm Registration #10191500  
5151 W. SH 46, NEW BRAUNFELS, TX 78132  
MOE441- ZONING 105.198 AC- 042721



OWNER/DEVELOPER  
1200 RIVER RD  
NEW BRAUNFELS, TX 78130

ENGINEER  
JAMES H. HARRIS, P.E., ENGINEER  
1200 RIVER RD  
NEW BRAUNFELS, TX 78130  
(800) 398-7127

D.A. HANVELAND SURVEYING, INC.  
2001 W. 20th St., Suite 100  
NEW BRAUNFELS, TX 78130  
(361) 254-0058

NOTED: SEE PLAT C REF. 2021  
FOR THE SURVEY OF THE  
2021 W. 20th St., Suite 100  
NEW BRAUNFELS, TX 78130  
PLAT C, 2021 W. 20th St., Suite 100  
NEW BRAUNFELS, TX 78130

NB DEAN, LLC  
1200 RIVER RD  
NEW BRAUNFELS, TX 78130

SURVEY EXHIBIT  
DATE: 8/10/2021

ETJ ACCEPTANCE

SHEET  
EX-1 of EX-1

| NO. | DATE | ISSUES AND REVISIONS |
|-----|------|----------------------|
|     |      |                      |
|     |      |                      |
|     |      |                      |



2021 W. 20th St., Suite 100  
NEW BRAUNFELS, TX 78130  
PH: 830-398-7127  
TEPE FIRM F-13351

