

## Legislation Text

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**File #:** 24-665, **Version:** 1

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**PRESENTER:**

Jeff Jewell, Economic and Community Development Director

**SUBJECT:**

Approval of the Modification of Deed between the City of New Braunfels and ADM Milling Co.

**DEPARTMENT:** Economic and Community Development

**COUNCIL DISTRICTS IMPACTED:** 5

**BACKGROUND INFORMATION:**

The ADM Milling Co. property on East San Antonio in downtown New Braunfels is under contract to sell and the parties are trying to clarify language in the original 1881 deed that conveyed the property with a particular interest to the City. In a deed dated July 18, 1881, the City of New Braunfels conveyed a 4.3-acre parcel where the current ADM Milling Co. sits on East San Antonio Street. As part of the consideration, the City required that the buyer at the time (New Braunfels Woolen Manufacturing Company) provide water from a ten-foot property strip on the Comal Riverbank to tanks, cisterns and reservoirs provided by the City for use by the fire department for fire extinguishing purposes. The property was conveyed with the condition that the owner at the time pump water for firefighting purposes to tanks, cisterns and reservoirs provided by the City of New Braunfels and for the city's use.

The deed provides that if the owner of the property - now ADM Milling Co.- failed to comply with the terms of the Deed, it would work as a forfeiture of the original conveyance of the property and revert the property back to the City of New Braunfels. The modified deed language relinquishes the owner's obligations to provide water for the purposes of firefighting and clearly states that the reverter obligation is terminated and no longer in effect. The City's use is obsolete and it does not draw water from the Comal Riverbank for the purposes of fire extinguishing

**ISSUE:**

This item approves the modification of deed language that terminates the ADM Milling Co.'s obligations from 1881 to provide water from the Comal River for firefighting purposes and clarifies that the property does not revert back to the City of New Braunfels when that obligation ceases.

**STRATEGIC PLAN REFERENCE:**

☒Economic Mobility ☐Enhanced Connectivity ☐Community Identity  
☐Organizational Excellence ☐Community Well-Being ☐N/A

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval of the Modification of Deed. The original intent of the property conveyance - water access for firefighting- is no longer needed and the property has been owned and controlled by the owners of the mill property for decades. Clarifying this deed language and the reverter clause is needed for the property to be sold with no questions around title, which would allow it to be redeveloped in the future.