AGENDA
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
JULY 14, 2026 – 6:00 PM

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

1. CALL TO ORDER – 6:00 PM

INVOCATION

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

A. 2026-293 CONSIDER THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JUNE 23, 2026.

Attachments: Minutes.26.0623

B. 2026-266 CONSIDER RESOLUTION NO. 2026-R35; A RESOLUTION APPOINTING THOMAS PRICE TO THE KENDALL APPRAISAL DISTRICT BOARD OF DIRECTORS TO FULFILL THE UNEXPIRED TERM VACATED BY JOHN WOOLARD, WITH THE TERM EXPIRING DECEMBER 31, 2027.

Attachments:
AIS Appraisal Board Appointment
Resolution No. 2026-R35
KAD email
Woolard resignation

C. 2026-161 CONSIDER RESOLUTION NO. 2026-R36; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND KENDALL COUNTY, TEXAS FOR CONSTRUCTION AND FUNDING OF DRAINAGE IMPROVEMENTS PROJECTS.

Attachments:
AIS -Kendall Co Drainge ILA
Resolution No. 2026-R36
ILA Drainage Project

D. 2026-311 CONSIDER RESOLUTION NO. 2026-R37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RESCINDING RESOLUTION NO. 2026-R31 TO CHANGE THE DATE OF THE PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 13.4 ACRES OF LAND LOCATED ALONG THE 31300 BLOCK OF IH-10, BY THE CITY OF BOERNE, TEXAS; SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. (Rescinds the previously scheduled July 28, 2026, public hearing and sets the public hearing for August 25, 2026, at 6:00 p.m. for the proposed annexation.)

Attachments:
AIS - Resolution Accepting Petition 31300 Block IH-10 Commercial Develc
Resolution No. 2026-R37
Aerial Location Map
Future Land Use Map
Zoning Map
Environmental Constraints Map
Annexation Petition & Legal Description
Survey of Annexation Area

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

A. 2026-230 PRESENTATION OF THE FINAL PLAN OF FINANCE TO FUND THE 2026 CAPITAL IMPROVEMENT PLAN AND ECONOMICALLY REFUND DEBT.

Attachments:
AIS Approve Plan of Finance
Boerne 2026 Plan of Finance Presentation 6_23_26

6. RESOLUTIONS:

A. 2026-231 CONSIDER RESOLUTION NO. 2026-R38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE.

Attachments: AIS -Resolution for Notice of Intent to Issue CO Series 2026 (Debt)
Resolution No. 2026-R38

B. 2026-255 CONSIDER RESOLUTION NO. 2026-R39; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT BETWEEN THE CITY OF BOERNE AND INTERMOUNTAIN SLURRY SEAL, INC. FOR THE 2026 STREET PRESERVATION (SLURRY SEAL) PROJECT FOR AN AMOUNT NOT TO EXCEED $196,994.

Attachments: AIS Slurry Seal
Resolution No. 2026-R39
Intermountain Quote 6.15.26 City of Boerne
Slurry Seal Map 2026.07.14

C. 2026-195 CONSIDER RESOLUTION NO. 2026-R40; A RESOLUTION OF THE CITY OF BOERNE AUTHORIZING THE APPLICATION FILING TO THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING UNDER THE WATER SUPPLY AND INFRASTRUCTURE GRANT AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE FOR ALL MATTERS RELATED TO THE APPLICATION AND GRANT ADMINISTRATION.

Attachments: AIS Water Supply & Infrastructure Grant Filing
Resolution No. 2026-R40
TWDB Grant Application

7. CITY MANAGER'S REPORT:

A. 2026-310 PRESENTATION AND DISCUSSION REGARDING THE 2026 BOERNE PARKS SURVEY RESULTS.

8. COMMENTS FROM COUNCIL – No discussion or action may take place.

9. ADJOURNMENT

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 8 day of July, 2026 at 4:00 p.m.

_____

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

MINUTES
REGULAR CITY COUNCIL MEETING
RONALD C. BOWMAN CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
JUNE 23, 2026 – 6:00 PM or immediately following Boerne Public Facility Corporation Meeting

Minutes of the regular called City Council meeting of June 23, 2026.

Present: **6 -** Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Joe Bateman, Council Member Kyle Mickelsen, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

Staff Present: Ben Thatcher, Siria Arreola, Sarah Buckelew, Lori Carroll, Nathan Crane, Emily Derrick, Susan Finch, Lissette Jimenez, Nick Montagno, Mike Raute, Chris Shadrock, Kristy Stark, Chastity Valdes, and Danny Zincke.

Recognized / Registered Guests: Jackie Day and Jack Baker.

1. CALL TO ORDER – 6:00 PM

Mayor Ritchie called the meeting to order at 6:06 p.m.

Mayor Ritchie provided the Invocation and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Jackie Day, 138 Sonrisa spoke regarding her concerns with the city's Parks and Recreation Youth Enrichment Summer Camp Art program specifically the small indoor studio space, one instructor, and outdoor restrooms.

Jack Baker, a resident of Morningside at Menger Springs, stated that he and his wife are new residents of the community and expressed concerns regarding traffic conditions on Upper Balcones Road. He noted that excessive vehicle speeds, trees obstructing visibility of oncoming traffic, and the lack of a shoulder on one side of the roadway have contributed to numerous near-accidents. Mr. Baker suggested reducing the speed limit and installing warning signs to alert motorists to the entrance area.

Mayor Ritchie announced that agenda items 7.A. and 7.B. will be considered before 6.A. and 6.B.

4. CONSENT AGENDA:

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY COUNCIL MEMBER BUNKER, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Bateman, Council Member Mickelsen, Council Member Bunker, and Council Member Macaluso

A. CONSIDER THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JUNE 9, 2026.

THE MINUTES WERE APPROVED.

B. CONSIDER ON SECOND READING ORDINANCE NO. 2026-02; AN ORDINANCE OF THE CITY OF BOERNE TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BOERNE, TEXAS, CHAPTER 2. ARTICLE V. ETHICS, SEC. 2-123 ETHICS REVIEW COMMISSION, C. OFFICERS OF THE COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

THE ORDINANCE WAS APPROVED.

C. CONSIDER RESOLUTION NO. 2026-R34; A RESOLUTION ADOPTING THE 2026 CITY OF BOERNE ROLLING TEN YEAR PLAN.

THE RESOLUTION WAS APPROVED.

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

A. CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2026-03; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BUNKER, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2026-03; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Bateman, Council Member Mickelsen, Council Member Bunker, and Council Member Macaluso

B. CONSIDER ORDINANCE NO. 2026-03; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR GAS SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING ORDINANCE 2023-07, DATED FEBRUARY 28, 2023, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Mayor Ritchie called on Sarah Buckelew, Finance Director, to review the proposed gas rate classifications and rates to be charged for gas service. Director Buckelew reminded the City Council that a comprehensive gas rate study had recently been completed and summarized the key recommended updates. The proposed changes include establishing three customer classes-small, medium, and large-based on meter capacity for both residential and commercial customers, as well as updating the base and volumetric charges to support the new tiered rate structure.

A MOTION WAS MADE BY COUNCIL MEMBER BUNKER, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE ORDINANCE NO. 2026-03; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR GAS SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING ORDINANCE 2023-07, DATED FEBRUARY 28, 2023, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Bateman, Council Member Mickelsen, Council Member Bunker, and Council Member Macaluso

7. OTHER:

A. PRESENTATION ON BUDGET CONSIDERATIONS, PROCESS, AND CALENDAR.

Director Buckelew continued her presentation with an overview of the FY 2027 budget process, key considerations, and the proposed budget calendar. She reviewed the City's budget guiding principles and priorities, noting that one of the primary goals is to keep General Fund operating budget growth below the rate of inflation as measured by the Consumer Price Index (CPI). Director Buckelew discussed the budget requests submitted by departments, which included 98 individual requests and 15 proposed personnel additions. She also reviewed considerations related to the City's Cost of Living Adjustment (COLA) and merit pay policies, as well as the upcoming medical insurance renewal. She provided highlights regarding taxable value growth and the sales tax outlook, noting that staff is projecting approximately 6% growth in sales tax revenue. Director Buckelew also advised that the Kendall Appraisal District (KAD) is expected to present its proposed budget at the next Council meeting. Council discussion followed regarding the status of the proposed Sprouts grocery store development and its potential impact on future sales tax revenues. Assistant City Manager Kristy Stark stated that all necessary permits have been approved and construction is expected to begin soon. She further noted that the developer will comply with the City's tree mitigation requirements and is anticipated to pay more than $500,000 in tree mitigation fees.

B. PRESENTATION OF THE INITIAL PLAN OF FINANCE TO FUND 2026 CAPITAL IMPROVEMENT PLAN AND ECONOMICALLY REFUNDING EXISTING DEBT.

Director Buckelew continued the presentation with an overview of the initial Plan of Finance to fund Capital Improvement Projects (CIP) and to economically refund existing debt. She explained that the proposed financing plan includes three refunding components: the new fire station project and the General Obligation (GO) Series 2016 and Series 2017 bonds. Director Buckelew also provided an update on the status of the new fire station project and reviewed the anticipated financing and project timeline. She noted that the financing has been structured to fit within the City's existing debt service tax rate and no increase to the current interest and sinking tax rate is anticipated as a result of this issuance. During Council discussion, members expressed enthusiasm about the opportunity to reduce interest costs and lower debt service payments through the refunding strategy.

6. RESOLUTIONS:

A. CONSIDER THE UN-TABLING OF RESOLUTION NO. 2026-R33, AS DESCRIBED BELOW. (tabled on 6/09/2025)

A MOTION WAS MADE BY COUNCIL MEMBER BUNKER, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPORVE THE UN-TABLING OF RESOLUTION NO. 2026-R33, AS DESCRIBED BELOW. (TABLED ON 6/09/2025). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Bateman, Council Member Mickelsen, Council Member Bunker, and Council Member Macaluso

B. DISCUSSION AND CONSIDER RESOLUTION NO. 2026-R33; A RESOLUTION NAMING THE NEW COMMUNITY PARK CURRENTLY UNDER CONSTRUCTION AT THE NORTHSIDE COMMUNITY PARK SITE.

Mayor Ritchie called on Assistant City Manager Kristy Stark to present the results of the park naming process. ACM Stark noted that the City Council had

completed the force-ranking exercise the previous week and provided a recap of the naming process, including an overview of how force-ranking was conducted. She then presented the overall rankings.

Mayor Ritchie invited comments from the Council regarding the results.

Mayor Pro-Tem Wolosin stated that names such as "Heritage" and "Commons" are common among many cities and do not reflect what makes Boerne unique. He expressed a preference for a name that highlights Boerne's distinctive character.

Council Member Mickelsen agreed, stating that the park name should be unique to the community.

Council Member Bateman commented that while uniqueness is important, the City should be careful not to select a name that is overly difficult to spell or pronounce. He agreed that the name should reflect Boerne's German heritage and noted that he would have liked to see greater public participation in the naming process. He added that he would be comfortable with any of the names ranked in the top six.

Council Member Bunker stated that he liked the name "Heritage Park" but would prefer incorporating a German element into the name. He also emphasized the importance of verifying the accuracy of any German translation used.

Council Member Macaluso stated that he liked the heritage theme and suggested that it could be combined with a German name. He noted that other features within the park, such as roads and facilities, could be named using some of the other proposed names.

Mayor Ritchie stated that his preferred name was "Volkspark." He commented that it was not necessary to include "Heritage" in the park's title and that heritage-related names could instead be used for roads, amenities, and other features within the park.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2026-R33; A RESOLUTION NAMING THE NEW COMMUNITY PARK CURRENTLY UNDER CONSTRUCTION AT THE NORTHSIDE COMMUNITY PARK SITE, NAMING THE PARK "BOERNE HERITAGE VOLKSPARK". THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Bateman, Council Member Mickelsen, Council Member Bunker, and Council Member Macaluso

8. CITY MANAGER'S REPORT:

A. MONTHLY PROJECTS UPDATE.

Mayor Ritchie called on City Manager Ben Thatcher to review the status of various city projects.

9. COMMENTS FROM COUNCIL – No discussion or action may take place.

Council Member Bateman expressed his appreciation to City staff for their ongoing efforts and responsiveness to community needs. He specifically thanked Director Jimenez, Director Crane, Director Brinkman, Director Carroll, and Mr. Montago for their assistance with special requests, including the removal of a bee hive and sidewalk repairs. He noted that many of the services provided by City staff are often taken for granted and are not frequently discussed during Council meetings, yet they are essential to keeping the City operating smoothly. Council Member Bateman also encouraged everyone to enjoy the upcoming Fourth of July holiday, wishing residents a safe and enjoyable celebration.

Mayor Pro-Tem Wolosin reported on the efforts of NAMIWalks, an initiative of the National Alliance on Mental Illness (NAMI), which is working to establish a Kendall County chapter and increase local mental health advocacy efforts. He noted that the organization is planning a community walk on October 23, beginning at the library, and stated that it would be a valuable organization to have in the community. Mayor Pro-Tem Wolosin also provided an update on the most recent Alamo Area Metropolitan Planning Organization (AAMPO)

meeting. He discussed the appointment of the new Executive Director and noted that the organization is embracing a new vision focused on regional transportation planning and project coordination. He expressed enthusiasm about the new leadership and the increased emphasis on evaluating transportation projects from a regional perspective.

Council Member Mickelsen expressed his appreciation to City staff for their efforts throughout the budget development process and for the productive discussions held with City leadership. He also reflected on the theme of "hearts and minds," recalling the events surrounding the Fourth of July holiday last year and expressing gratitude for the service and commitment of the City's first responders. Council Member Mickelsen specifically thanked public safety personnel for their response to the recent high-water events that occurred a few weeks earlier and for their continued efforts to protect the community. He noted the importance of recognizing and appreciating the work performed by first responders and City staff on behalf of Boerne residents.

Council Member Macaluso reported that he represented the City at the recent Hill Country Alliance meeting. He noted that Ryan Bass delivered an excellent presentation on development challenges. Council Member Macaluso also shared information that he was asked to speak to the graduate program in urban planning and development yesterday at UTSA. This morning he attended a meeting with the Boerne Kendall County Economic Development Corporation and stakeholders regarding the continued expansion of the Alamo Colleges District. He noted that the district serves approximately 90,000 students and is planning to open a new facility near Interstate 10 in the vicinity of the Boerne Airfield, which will provide additional educational opportunities for residents in the region.

Mayor Ritchie expressed appreciation to the community for its support of Das Festival held over the past weekend, noting that the organizing group did an excellent job. He also extended thanks to first responders for their assistance throughout the weekend events. He congratulated the Boerne Little League team for advancing to the next round of competition and expressed support for the middle school girls' flag football tournament. Mayor Ritchie concluded by encouraging residents to find meaningful ways to engage with and give back

to the community during the upcoming Fourth of July holiday, while also emphasizing the importance of celebrating safely.

10. ADJOURNMENT

Mayor Ritchie adjourned the meeting at 7:13 p.m.

Approved:

_____

Mayor

Attest:

_____

City Secretary

	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R35; A RESOLUTION APPOINTING THOMAS PRICE TO THE KENDALL APPRAISAL DISTRICT BOARD OF DIRECTORS TO FULFILL THE UNEXPIRED TERM VACATED BY JOHN WOOLARD, WITH THE TERM EXPIRING DECEMBER 31, 2027.
Contact Person	Ben Thatcher, City Manager
Background Information	John Woolard, the City of Boerne's representative on the Kendall Appraisal District Board of Directors, has submitted his resignation for personal reasons, effective immediately. The Kendall Appraisal District has adopted staggered terms for members of its Board of Directors. Under Section 6.034(i) of the Texas Tax Code, a vacancy on a board using staggered terms is filled by resolution of the governing body of the taxing unit that nominated the departing member. Accordingly, the City Council may appoint a qualified individual to serve the remainder of Mr. Woolard's unexpired term, which expires December 31, 2027. The Kendall Appraisal District plays an important role in the local property tax system by appraising taxable property and preparing appraisal rolls used by the City and other taxing units for budgeting and property tax purposes. Given the complexity of the property appraisal system and the need for effective coordination among the taxing entities within Kendall County, the City sought an appointee with relevant public-sector leadership and financial experience. Dr. Thomas Price has extensive experience in public administration, organizational governance, budgeting, and financial oversight through his service in public education. His experience provides him with an understanding of the relationship among property appraisals, certified taxable values, governmental budgets, and tax-rate decisions. Dr. Price has expressed his willingness to serve as the City's representative. Staff recommends appointing Dr. Thomas Price to the Kendall Appraisal District Board of Directors to fill the unexpired term through December

	31, 2027. Section 6.034(i) of the Texas Tax Code provides: *"If a vacancy occurs on the board of directors of an appraisal district that has adopted staggered terms for board members, the vacancy shall be filled by appointment by resolution of the governing body of the taxing unit that nominated the person whose departure from the board caused the vacancy, and the procedure for filling a vacancy provided by section 6.03 of this code does not apply in that event."*
Strategic Alignment	Fiscal Excellence Providing Financial Stewardship
Financial Considerations	There is no direct financial impact associated with the appointment.
Citizen Input/Board Review	Not applicable.
Legal Review	The appointment process is authorized by Section 6.034(i) of the Texas Tax Code.
Alternative Options	City Council may decline the recommended appointment and appoint another individual who meets the applicable statutory eligibility requirements to serve the remainder of the unexpired term.
Supporting Documents	Resolution No. 2026-R35 Email from KAD John Woolard's resignation letter to the board

RESOLUTION 2026-R35

A RESOLUTION APPOINTING THOMAS PRICE TO THE KENDALL APPRAISAL DISTRICT BOARD OF DIRECTORS TO FULFILL THE UNEXPIRED TERM VACATED BY JOHN WOOLARD, WITH THE TERM EXPIRING DECEMBER 31, 2027

WHEREAS, the Kendall Appraisal District is governed by a board of seven directors; and

WHEREAS, members of the Board of Directors serve staggered two-year terms beginning on January 1 of odd-numbered and even-numbered years; and

WHEREAS, members of the Board of Directors are appointed by the governing bodies of the incorporated cities, towns and school districts that participate in the district and of the County; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

The City of Boerne hereby appoints Thomas Price to the Kendall Appraisal District Board of Directors.

PASSED and APPROVED this the _____day of July 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

Lori Carroll

From: Katherine Nini <katherine.nini@kendallad.org>
Sent: Wednesday, June 10, 2026 11:38 AM
To: Frank Ritchie; Lori Carroll; Sarah Buckelew
Cc: Nelia McNeal; Lanell Pfeiffer; Chris Godsey; john.s.woolard@gmail.com
Subject: Receipt of Intent for Resignation-Director John Woolard
Attachments: Woolard.J-Letter of Resignation.pdf

Importance: High

Good morning,

We have received a formal letter of resignation from your representative currently on the Kendall Appraisal District's Board of Directors, Mr. John Woolard. Attached is a copy of his resignation. The board was advised of his intent at the last Board meeting conducted on Monday June 8th, 2026.

Per TX Tax Code 6.034(i):
"If a vacancy occurs on the board of directors of an appraisal district that has adopted staggered terms for board members, the vacancy shall be filled by appointment by resolution of the governing body of the taxing unit that nominated the person whose departure from the board caused the vacancy, and the procedure for filling a vacancy provided by section 6.03 of this code does not apply in that event."

We were told by Mr. Woolard that you may have a possible candidate for the vacancy on our board. We would require a passed resolution of appointment for the intended member (*remainder of term 2026-2027*) to formally onboard them at a Board of Directors meeting.

Please let me know if you have any questions or concerns regarding this matter. Or you can reach out to our Chief Appraiser Ms. Zapata at your earliest convenience.

Best regards,

Katherine Nini
Administrative Assistant
Kendall Appraisal District
118 Market Ave.
Boerne, TX 78006
(830) 249-8012 ext. 228

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June 4, 2026

Ms. Chris Godsey
Chairman
Board of Directors
Kendall Appraisal District
118 Market Avenue
Boerne, Tx 78006

Re: Resignation from Board of Directors

Dear Ms. Godsey,

Please accept this letter as my formal resignation from my position as a member of the Board of Directors of the Kendall Appraisal District, effective immediately.

After careful consideration, I have decided that it is time for me to step away from my board responsibilities and focus on other commitments. This decision was not made lightly, as I have great respect for the work of the District and the people who contribute to its success.

I would like to express my sincere appreciation to my fellow board members and the Kendall Appraisal District staff. I am confident that the district will continue to serve the citizens and taxing entities of Kendall County with excellence and integrity.

Thank you for the opportunity to serve. I wish the board, staff, and the KAD continued success in the years ahead.

Respectfully,

John Woolard

CC: Nelia McNiel, Chief Appraiser

	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R36; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND KENDALL COUNTY, TEXAS FOR CONSTRUCTION AND FUNDING OF DRAINAGE IMPROVEMENTS PROJECTS.
Contact Person	Jeffrey Carroll – Engineering & Mobility Director
Background Information	The Adler Road Culvert Project involves the design and construction of stormwater improvements to convey flows in Currey Creek and No Name Creek beneath Adler Road. The project is $4.7 million dollar construction project that includes $1.5 million of County American Rescue Plan Act (ARPA) funds through an Interlocal Agreement (ILA) between the City and Kendall County. **This Second Amendment modifies Article II, Section 2.1 of the Original Agreement regarding project completion schedule only, revising the final acceptance date from July 1, 2026 to October 1, 2026** ILA Agreement History: February 2022 – Original ILA executed. Authorized two projects: (1) Adler Road culvert and (2) Old San Antonio Road @ Menger Creek bridge. Total County ARPA contribution not to exceed $1,500,000. • Design funding: $100,00 ($50,000 per project) upon RFQ issuance **[this payment has already been received by City]** • Construction funding: $550,000 (Adler Road) / $850,000 (Old San Antonio Road) • Original completion deadline: July 1, 2026, or six months prior to ARPA return deadline

	August 2024 – First Amendment executed. Removed the Old San Antonio Road / Menger Creek project due to unforeseen issues and consolidated all remaining County ARPA construction funding to the Adler Road Culvert Project at $1,400,000. The City has served as lead agency for design, procurement, and construction management consistent with Article III, Section 3.2 of the Original ILA, with the City Engineer overseeing project compliance with City standards and applicable regulatory requirements. The Adler Road Culvert Project has encountered two categories of delay beyond the City's reasonable control: **Right-of-Way and Easement Acquisition Delays**: Project required acquisition of ROW and easement from 4 private landowners. 3 of 4 parcels were acquired in typical 12-18 month time period, however the remaining 4th parcel took approximately 36 months of negotiations to reach mutually agreeable purchase without the use of eminent domain. The City phased mobilization for the two culvert project locations to allow construction of Currey Creek culvert without delay. With recent acquisition of the 4th parcel now complete the no-name creek portion of the project is underway. **Unforeseen Construction Conditions**: Construction has encountered unanticipated subsurface and site conditions requiring design and field modifications. At the Currey Creek location a hand dug well was uncovered that required unplanned coordination with Texas Historic Commission and Cow Creek Groundwater Authority to properly plug the well. In addition, the project discovered previously undocumented telecom communication lines in the area that required time for design and relocation by the telecom company. The City's requested revised schedule is necessary to prevent noncompliance with previously approved ILA agreement and establish clear contractual milestones accepted by both the City and County. Kendall County Commissioners Court approved the 2nd amendment at their 5/12/26 meeting and now requires City approval.

Strategic Alignment	F1 – Committing to strategic, responsible, and conservative financial management B3 – Providing streamlined and efficient processes
Financial Considerations	This amendment is a schedule modification only. There is no change to the approved funding amounts, cost allocation, or City/County financial obligations under the Original ILA or First Amendment. Per Article IV of the Original ILA, should the project not be completed prior to the ARPA return deadline of December 31, 2026, the County may be required to repay up to $1,400,000 to the U.S. Government, and the City would be obligated to refund those funds to the County.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Resolution No. 2026-R36 Interlocal Agreement

RESOLUTION NO. 2026-R36

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS, AND KENDALL COUNTY, TEXAS, FOR CONSTRUCTION AND FUNDING OF DRAINAGE IMPROVEMENT PROJECTS

WHEREAS, the City of Boerne, Texas (the "City") and Kendall County, Texas (the "County") previously entered into an Interlocal Agreement on February 14, 2022, to facilitate the construction and funding of drainage improvement projects to enhance public safety and protect property from flooding and drainage issues; and

WHEREAS, the parties previously amended the Interlocal Agreement on August 19, 2024, and have identified the need for a second amendment due to unforeseen delays and construction complexities affecting the Adler Road Culvert Project; and

WHEREAS, the City Council finds it in the best interest of the citizens to enter into and manage a second amendment to the interlocal agreement with Kendall County to revise the project schedule and procedures related to project delays while maintaining compliance with applicable federal funding requirements;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

The Amendments are as follows.

Section 1. Article II, Section 2.1(d) is hereby amended and restated in its entirety to establish revised procedures for project delays, consultation between the Parties, federal compliance actions, force majeure, documentation requirements, and updated project milestones for Substantial Completion by September 4, 2026, and Final Acceptance by October 1, 2026.

Section 2. Except as provided herein, all terms and conditions of the Original Agreement, as previously amended, shall remain unchanged.

PASSED, APPROVED and ADOPTED on this the __ day of _____, 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

STATE OF TEXAS §
§
COUNTY OF KENDALL §

SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND KENDALL COUNTY, TEXAS FOR CONSTRUCTION AND FUNDING OF DRAINAGE IMPROVEMENT PROJECTS

THIS SECOND AMENDMENT ("Second Amendment") is made and entered into by and between Kendall County ("County"), a body corporate and politic under the laws of the State of Texas, and the City of Boerne, Texas ("City"), a home-rule municipality situated wholly within the County (hereinafter collectively referred to as "Parties").

WHEREAS, the Parties executed and accepted that certain Interlocal Agreement Between the City Of Boerne, Texas and Kendall County, Texas, for the construction and funding of drainage improvement projects on February 14, 2022 ("Original Agreement"); and

WHEREAS, the Parties executed a First Amendment to the Original Agreement on August 19, 2024 (Resolution No. 2024-R58), which modified Article I, Section 1.1.2 of the Original Agreement by removing the Old San Antonio Road project and increasing the Adler Road culvert construction funding to $1,500,000; and

WHEREAS, the Adler Road Culvert Project (Project 1) has experienced unforeseen delays in right-of-way and easement acquisitions as well as unanticipated construction complexities, including discovery of hand dug well and undocumented telecom lines, that have extended the project schedule beyond the completion date established in Article II, Section 2.1 of the Original Agreement; and

WHEREAS, the Parties desire to amend the Agreement to establish a revised schedule to allow the Adler Road Culvert Project to achieve Substantial Completion and Final Acceptance in a reasonable amount of time while protecting the public health, safety, and welfare; and

WHEREAS, this Amendment has been approved by the Kendall County Commissioners Court and the Boerne City Council;

NOW, THEREFORE, the parties do mutually agree as follows:

Article II: Term of Agreement – Amended

1. Section 2.1(d) of the Original Agreement (as amended by this Second Amendment) is restated in its entirety to read as follows:

(d) Procedure for Delay or Failure to Meet Milestones.

(1) Early Warning Notice. If at any time the City Engineer determines in writing that the Project is reasonably likely to fail to achieve Substantial Completion by September 4, 2026 or Final Acceptance by October 1, 2026, the City Manager shall provide written notice to the County Judge within five (5) business days of such determination. The notice shall state the cause of the anticipated delay, the revised estimated completion date, and the corrective actions being taken or proposed by the City and its contractor.

(2) Consultation. Within fourteen (14) calendar days following the notice required by subsection (1), or, if no early warning notice was given, within five (5) business days following an actual missed milestone, the City Manager and County Judge, together with such staff as each may designate, shall meet to consult on the appropriate course of action. The Parties may agree on a written corrective action plan that may include: a revised project schedule; the procedures and timing for return of unexpended ARPA funds to the County for remittance to the United States Treasury as required by Article IV of the Original Agreement; reallocation of funds within ARPA-eligible categories; and any other measures necessary to comply with applicable federal funding requirements. Any such agreement shall be reduced to writing, signed by the City Manager and County Judge, and reported to

the Boerne City Council and the Kendall County Commissioners Court at the next regularly scheduled meeting of each body. Matters requiring action by either governing body shall be presented for ratification or approval at that meeting.

(3) Federal Compliance Action. If the consultation under subsection (2) does not result in a written agreement, or if a federal compliance deadline is imminent and the consultation cannot be timely completed, either Party may take such action as is necessary to ensure its respective compliance with applicable laws and federal funding requirements, including return of unexpended ARPA funds to the United States Treasury. The Party taking such action shall provide prompt written notice to the other Party stating the action taken and the basis for it. Action taken in good faith under this subsection shall not constitute a breach of this Agreement.

(4) Force Majeure. Neither Party shall be in default under this Agreement for delay or failure to perform caused by acts of God, severe weather, declared emergencies, archaeological or historical discoveries, undisclosed subsurface conditions, third-party utility relocations, or other events beyond the reasonable control of the Parties, provided that the affected Party gives prompt written notice of the event and uses commercially reasonable efforts to mitigate its effects. A force majeure event under this subsection does not extend, toll, or modify any deadline imposed by federal law, regulation, or U.S. Department of the Treasury guidance for the expenditure or return of ARPA funds.

(5) Documentation. The City shall maintain a written record of all notices, corrective action plans, agreements, and unilateral actions taken under this Section 2.1(d), and shall provide copies to the County Auditor and County Judge upon request. Such records shall be retained for the period required by federal ARPA recordkeeping requirements.

2. Except as expressly provided herein, all terms and conditions of the Original Agreement, as previously amended by the First Amendment, shall remain in full force and effect and are incorporated herein by reference.

3. This Second Amendment may be executed in duplicate originals, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same instrument.

EXECUTED IN DUPLICATE ORIGINALS ON THIS _____ DAY OF _____, 2026.

KENDALL COUNTY, TEXAS

Shane Stolarczyk, County Judge

Date: 6/17/26

ATTEST:

Denise Maxwell, County Clerk

APPROVED AS TO FORM:

County General Counsel

CITY OF BOERNE, TEXAS

Ben Thatcher, City Manager

Date: _____

ATTEST:

Lori A. Carroll, City Secretary

APPROVED AS TO FORM:

City Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of $1,500,000.00 to accomplish and pay the obligation of Kendall County under this Agreement.

Corinna Speer, County Auditor

	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RESCINDING RESOLUTION NO. 2026-R31 TO CHANGE THE DATE OF THE PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 13.4 ACRES OF LAND LOCATED ALONG THE 31300 BLOCK OF IH-10, BY THE CITY OF BOERNE, TEXAS; SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING. *(Rescinds the previously scheduled July 28, 2026, public hearing and sets the public hearing for August 25, 2026, at 6:00 p.m. for the proposed annexation.)*
Contact Person	Nathan Crane, AICP; Planning Director (830) 248-1528, ncrane@boerne-tx.gov
Background Information	**BACKGROUND:** The subject property is located within the City's ETJ along the IH-10 corridor and is designated as Auto-Oriented Commercial on the Future Land Use Map. The surrounding area contains a mix of regional commercial and automotive-related uses, including existing dealerships and corridor commercial development. The approximately 13.4-acre annexation area includes multiple parcels associated with existing and proposed automotive-related development along the IH-10 corridor. Portions of the western side of the property currently utilized as Ford of Boerne parking, vehicle display areas, and the existing Ford service building are intended to remain and are not proposed for redevelopment as part of the current SUP request. Concurrently with the annexation request, the applicant has submitted requests to rezone the property from HOL to C3-Community Commercial and a Special Use Permit (SUP) to allow for the development of an automobile dealership and associated commercial improvements. The rezoning and SUP requests are being processed concurrently and will proceed through separate public hearings before the Planning & Zoning Commission and City Council.

	Since the public hearing was originally scheduled, the applicant has requested that it be rescheduled to allow additional time for completion of the concurrent rezoning and Special Use Permit application reviews. Rescheduling the annexation public hearing will allow the related land use applications to proceed in a coordinated manner, provide adequate time for staff review, and ensure that all associated public hearing materials are complete and available for consideration. The concurrent SUP application primarily applies to the eastern portion of the site proposed for redevelopment as an automobile dealership and associated commercial improvements. Additionally, a portion of the property located generally along the northern edge of the site is proposed to accommodate drainage and detention improvements associated with the development. **REQUEST:** 1. This request is to rescind Resolution No. 2026-R31, which previously established a public hearing for July 28, 2026, and adopt a new resolution setting the public hearing for August 25, 2026, at 6:00 p.m. for the proposed annexation of approximately 13.4 acres located along the 31300 Block of IH-10. The revised schedule will provide additional time to complete review of the concurrent rezoning and Special Use Permit applications prior to the annexation public hearing. The annexation process will proceed as follows: a. July 14, 2026 – City Council considers a resolution rescinding Resolution No. 2026-R31 and establishing a new public hearing date. b. August 25, 2026 – City Council conducts the public hearing and considers the first reading of the annexation ordinance. c. September 8, 2026 – City Council considers the second reading and adoption of the annexation ordinance. 2. The request includes seven KCAD parcels under common ownership representation. The subject property is located within the City of Boerne's Extra-Territorial Jurisdiction (ETJ) and is generally contiguous to existing Boerne city limits along portions of the northern and western property boundaries.

	3. In accordance with Section 3.1(I)(1) of the Unified Development Code, the property will be temporarily designated as a Holding (HOL) district until such time as the property is permanently zoned by City Council. **RECOMMENDATION:** Based on the applicant's request for additional time to complete the concurrent rezoning and Special Use Permit applications, staff recommends that the City Council rescind Resolution No. 2026-R31 and establish August 25, 2026, at 6:00 p.m. as the new public hearing date for the proposed annexation. **MOTIONS FOR CONSIDERATION:** The following motions are provided to assist the Council's decision. - I move that the City Council **APPROVE** Resolution No. 2026-R37 rescinding Resolution No. 2026-R31 and establishing August 25, 2026, at 6:00 p.m. as the date, time, and place for the public hearing on the proposed annexation of approximately 13.4 acres located along the 31300 Block of IH-10. - I move that the City Council **DENY** Resolution No. 2026-R37 rescinding Resolution No. 2026-R31 and establishing a new public hearing date for the proposed annexation.
Strategic Alignment	B3: Providing streamlined and efficient processes.
Financial Considerations	N/A
Citizen Input/Board Review	N/A
Legal Review	This action is a statutory requirement for annexation.
Alternative Options	N/A
Supporting Documents	Resolution No. 2026-R37 Aerial Location Map Future Land Use Map Zoning Map Environmental Constraints Map Annexation Petition & Legal Description Survey of Annexation Area

RESOLUTION NO. 2026-R37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, RESCINDING RESOLUTION NO. 2026-R31 TO CHANGE THE DATE OF THE PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 13.4 ACRES OF LAND LOCATED ALONG THE 31300 BLOCK OF IH-10, BY THE CITY OF BOERNE, TEXAS; SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING

WHEREAS, the City Council of the City of Boerne, Texas, has been petitioned for the annexation of approximately 13.4 acres of land in Boerne, Kendall County, Texas; and

WHEREAS, said tract of land is contiguous and adjacent to the City of Boerne, Texas

WHEREAS, the City Council previously adopted Resolution No. 2026-R31 setting a public hearing for July 28, 2026, regarding the proposed annexation; and

WHEREAS, the City Council now desires to rescind Section 1 of Resolution No. 2026-R31 rescheduling the public hearing to August 25, 2026;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1: On the 25th day of August, 2026, at 6:00 p.m., in the Ronald C. Bowman City Council Chambers located at 447 N. Main Street, Boerne, Texas, the City Council will hold a public hearing, giving all interested persons the right to appear and be heard on the proposed annexation by the City of Boerne, Texas, of the following described property, to wit:

> BEING approximately 13.4 acres of land comprised of seven KAD parcels located along the 31300 block of IH-10 within the City of Boerne's Extra-Territorial Jurisdiction, Kendall County, Texas.

Section 2: The Mayor of the City of Boerne is hereby authorized and directed to cause notice of such Public Hearing to be published once in a newspaper having general circulation in the City on or after the 10th day but before the 20th day before the date of said hearing. The notice for each hearing must be posted on the City's Internet website on or after the 10th day but before the 20th day before the date of the hearing and must remain posted until the date of the hearing. (Section 43.063(c) Texas Local Government Code)

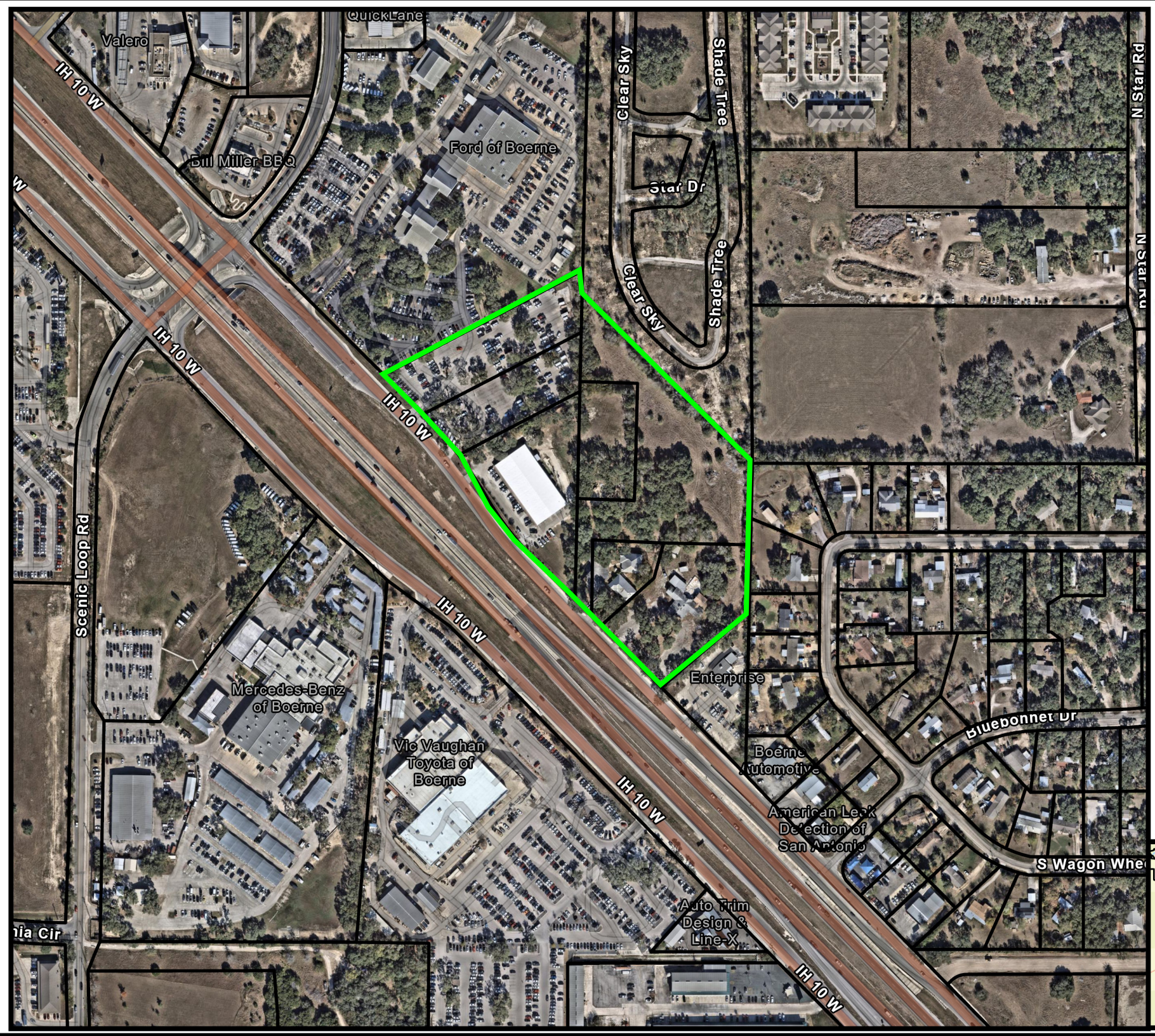
PASSED, APPROVED, and ADOPTED on this the __ day of _____, 2026.

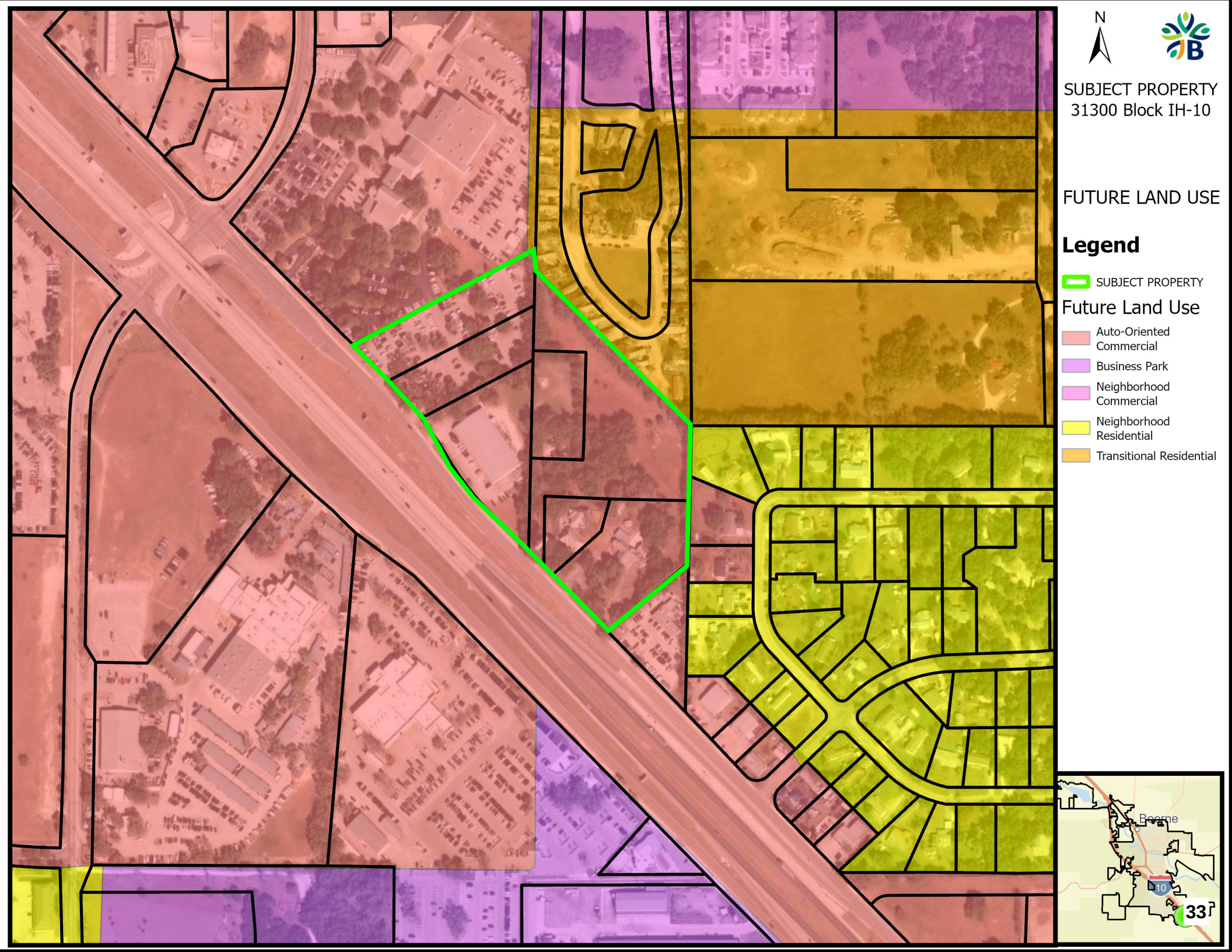
APPROVED:

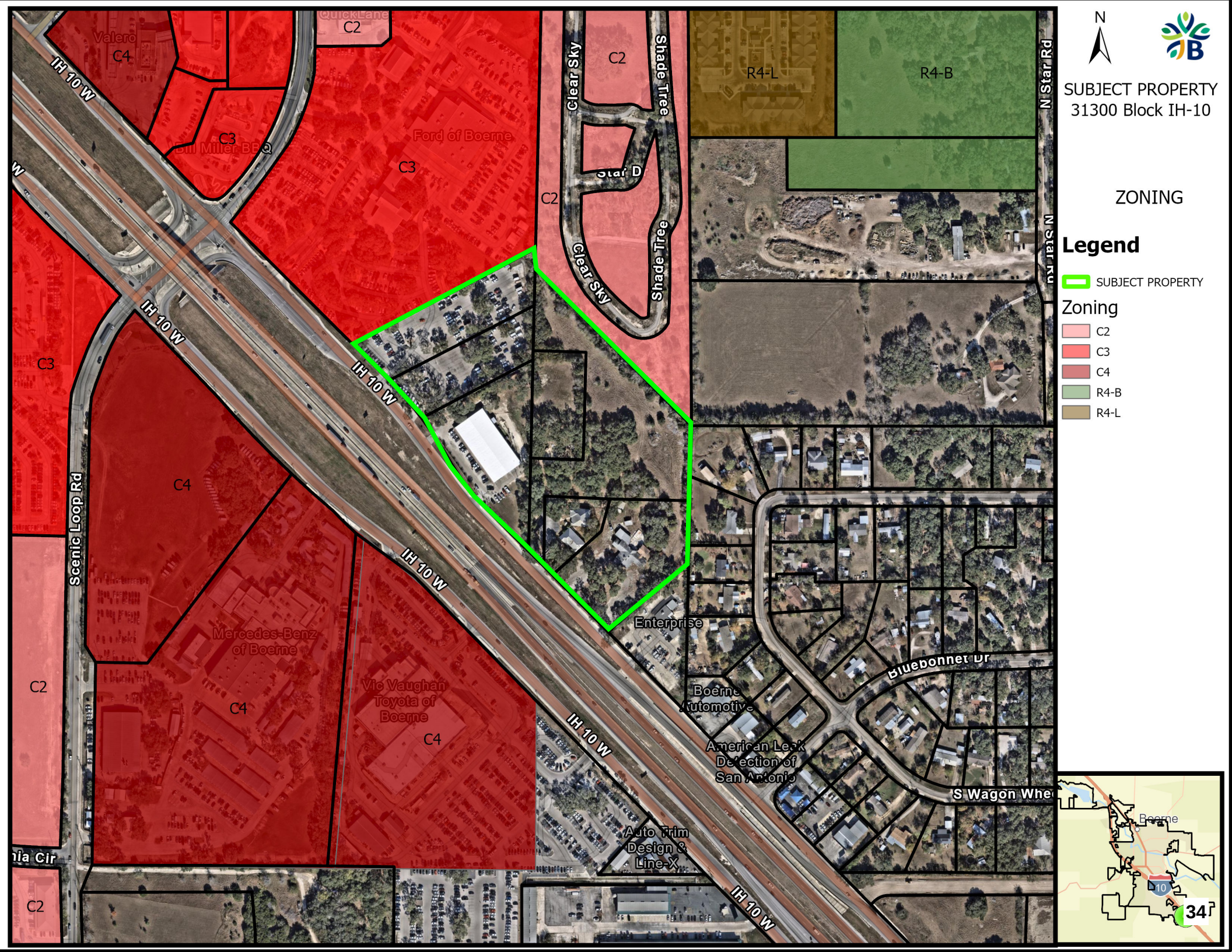
_____
Mayor

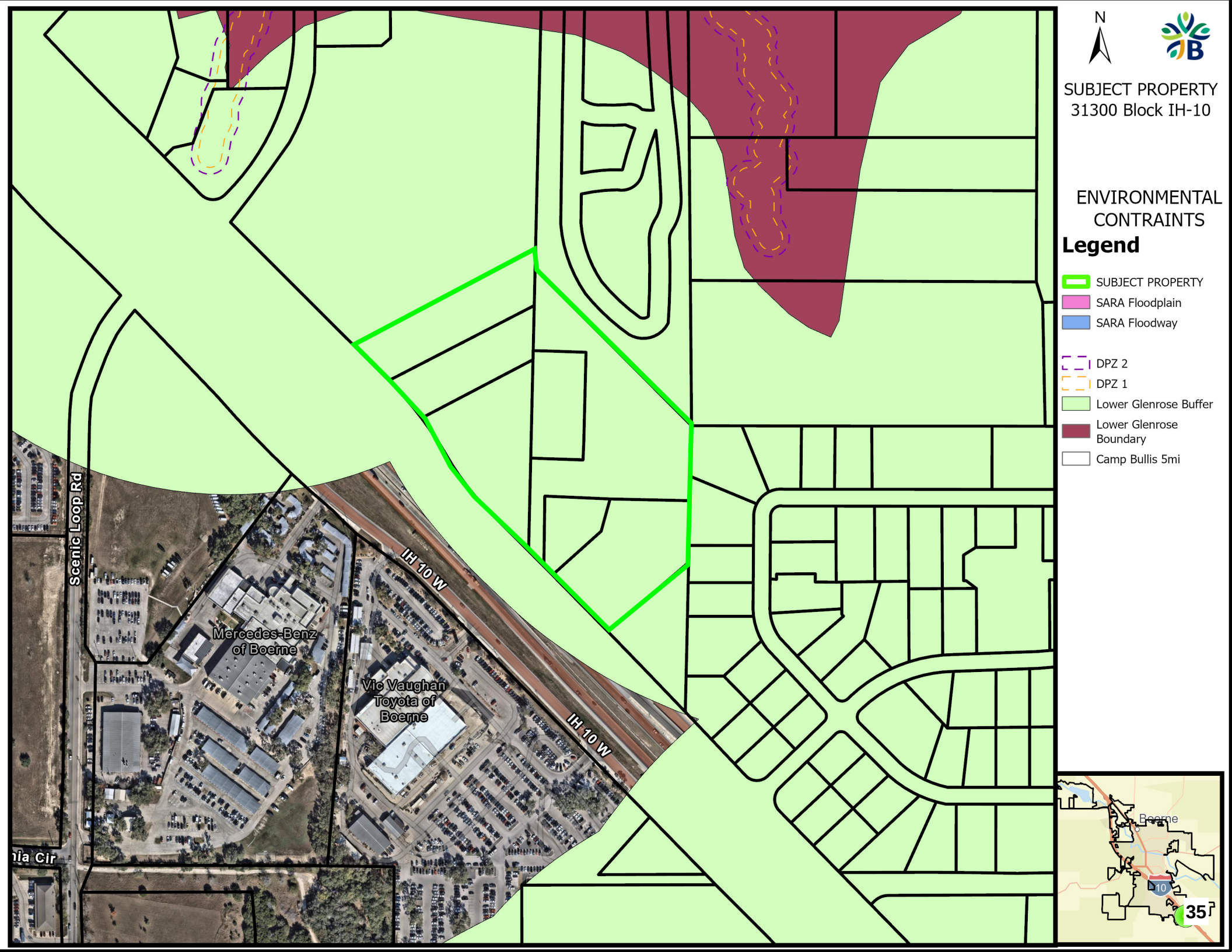
ATTEST:

_____
City Secretary


N
SUBJECT PROPERTY
31300 Block IH-10
Legend
SUBJECT PROPERTY
IH 10 W
Valero
QuickLane
Bill Miller BBQ
Ford of Boerne
Clear Sky
Shade Tree
Star Dr
N Star Rd
Scenic Loop Rd
Mercedes-Benz of Boerne
Vic Vaughan Toyota of Boerne
Enterprise
Bluebonnet Dr
Auto Trim Design & Line-X
S Wagon Whe
Boerne
10
32


N
SUBJECT PROPERTY
31300 Block IH-10
FUTURE LAND USE
Legend
SUBJECT PROPERTY
Future Land Use
Auto-Oriented Commercial
Business Park
Neighborhood Commercial
Neighborhood Residential
Transitional Residential
Boerne
10
33


N
SUBJECT PROPERTY
31300 Block IH-10
ZONING
Legend
SUBJECT PROPERTY
Zoning
C2
C3
C4
R4-B
R4-L
IH 10 W
Scenic Loop Rd
N Star Rd
Clear Sky
Shade Tree
Valero
Bill Miller BBQ
Ford of Boerne
Mercedes-Benz of Boerne
Vic Vaughan Toyota of Boerne
Enterprise
Bluebonnet Dr
Auto Trim Design & Line-X
Boerne
34


N
SUBJECT PROPERTY
31300 Block IH-10
ENVIRONMENTAL CONTRAINTS
Legend
SUBJECT PROPERTY
SARA Floodplain
SARA Floodway
DPZ 2
DPZ 1
Lower Glenrose Buffer
Lower Glenrose Boundary
Camp Bullis 5mi
Scenic Loop Rd
IH 10 W
IH 10 W
Mercedes-Benz of Boerne
Vic Vaughan Toyota of Boerne
Boerne
10
35

KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

ASHLEY FARRIMOND
210.641.5806
ashley@kgftx.com

May 28, 2026

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

RE: Request for the Annexation and Rezoning of Properties, Consisting of Approximately 13.4 Acres, Generally Located along the 31300 Block of IH-10, in the Extraterritorial Jurisdiction ("ETJ") of the City of Boerne ("City"), Kendall County ("County"), Texas.

To whom it may concern:

Our firm represents the owners ("Owners") of the properties generally located along the 31300 block of IH-10 (collectively, the "Subject Property"; *see* **Exhibit "1"**), in the Extraterritorial Jurisdiction ("ETJ") of the City of Boerne ("City"), Kendall County, Texas. In connection with the attached Zoning Change Application (**Exhibit "2"**), we are providing this Letter of Intent for the Owners' request for annexation and zoning of the Subject Property. The Subject Property is currently outside City limits and has not yet been annexed into the City. The signed petition for annexation is attached as **Exhibit "3"**.

Pursuant to the City's Unified Development Code ("UDC") Section 3.1(I)(1), all territory annexed to the City shall be temporarily classified as "HOL" Holding until permanently zoned. The Owners intend to develop and construct a full-service auto dealership ("Project") on a portion of the Subject Property in one phase. The remaining portion will remain as developed serving as the vehicle display and service areas for the existing full-service auto dealership already in the City limits. In connection with the proposed Project, and on behalf of the Owners, we are requesting that the City rezone the entire Subject Property upon annexation, from "HOL" to "C-3" Community Commercial to allow for the existing auto dealership use and the proposed Project. Separately, the Owners we request a Special Use Permit for the development of the proposed Project.

The Subject Property is located along the IH-10 corridor and is surrounded by other properties zoned for Community Commercial use. The City's Master Plan denotes the Subject Property as "Auto-Oriented Commercial", which permits automobile sales and services. The Subject Property is also located within the Scenic Interstate Corridor Overlay District, which regulates building height and setbacks, as well as development standards for properties along IH-10.

The Owners propose to develop a high-quality full-service auto dealership on the Subject Property. The proposed Project is consistent with surrounding land use, as well as the City's future planned use for the Subject Property. Moreover, the Project will comply with all site layout requirements, as established by the UDC and the Scenic Interstate Corridor Overlay District.

In recognition of the residential uses located adjacent to the eastern property boundary, the Owners and Applicant will incorporate appropriate site planning and development measures to minimize impacts associated with the proposed commercial zoning and development operations. Such measures are anticipated to include buffering and screening along the eastern property line and utilization of downward-directed and fully shielded site lighting designed to minimize off-site glare onto adjacent residential properties. In addition, service-related activities and loading areas will be oriented internally within the site to the extent practicable in order to reduce noise impacts on neighboring residential uses. The proposed development will also comply with all applicable City ordinances and regulations pertaining to noise, lighting, landscaping and buffering requirements.

With respect to site access and circulation, access points serving the Subject Property will be coordinated with existing and planned roadway infrastructure and will comply with all applicable City and TxDOT access management requirements. As future development occurs on the Subject Property, circulation patterns and access configurations will continue to be evaluated during the platting and site development review process to ensure safe ingress and egress, adequate traffic flow, and compatibility with surrounding transportation infrastructure.

The attached "C-3" Zoning Change Application packet contains all pertinent information regarding the Subject Property for the proposed rezoning, as well as written authorization to proceed with the rezoning request from the current owners of the Subject Property.

If there is any additional information or documentation that we can provide to assist in your review of this Letter of Intent, please do not hesitate to contact me at (210) 960-2750 or via email at ashley@kgftx.com.

Sincerely,

KILLEN, GRIFFIN & FARRIMOND, PLLC

Ashley Farrimond

Ashley Farrimond

Exhibit "1"

Subject Property

Kendall CAD Web Map



12/29/2025, 10:10:58 AM

1:9,028

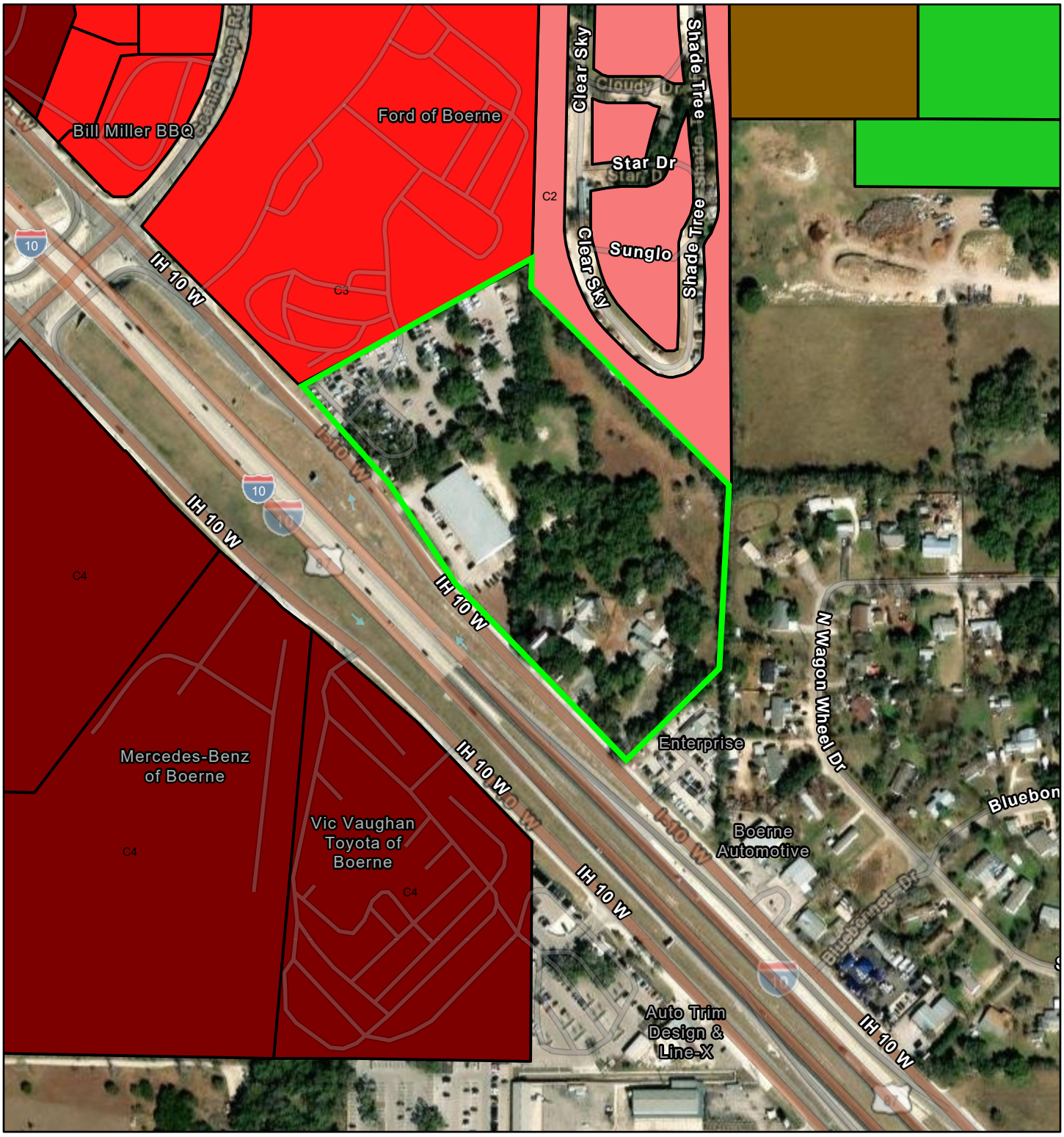
0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

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Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey

Boerne, TX Zoning Map



12/29/2025, 10:22:47 AM

1:4,514

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

World_Transportation

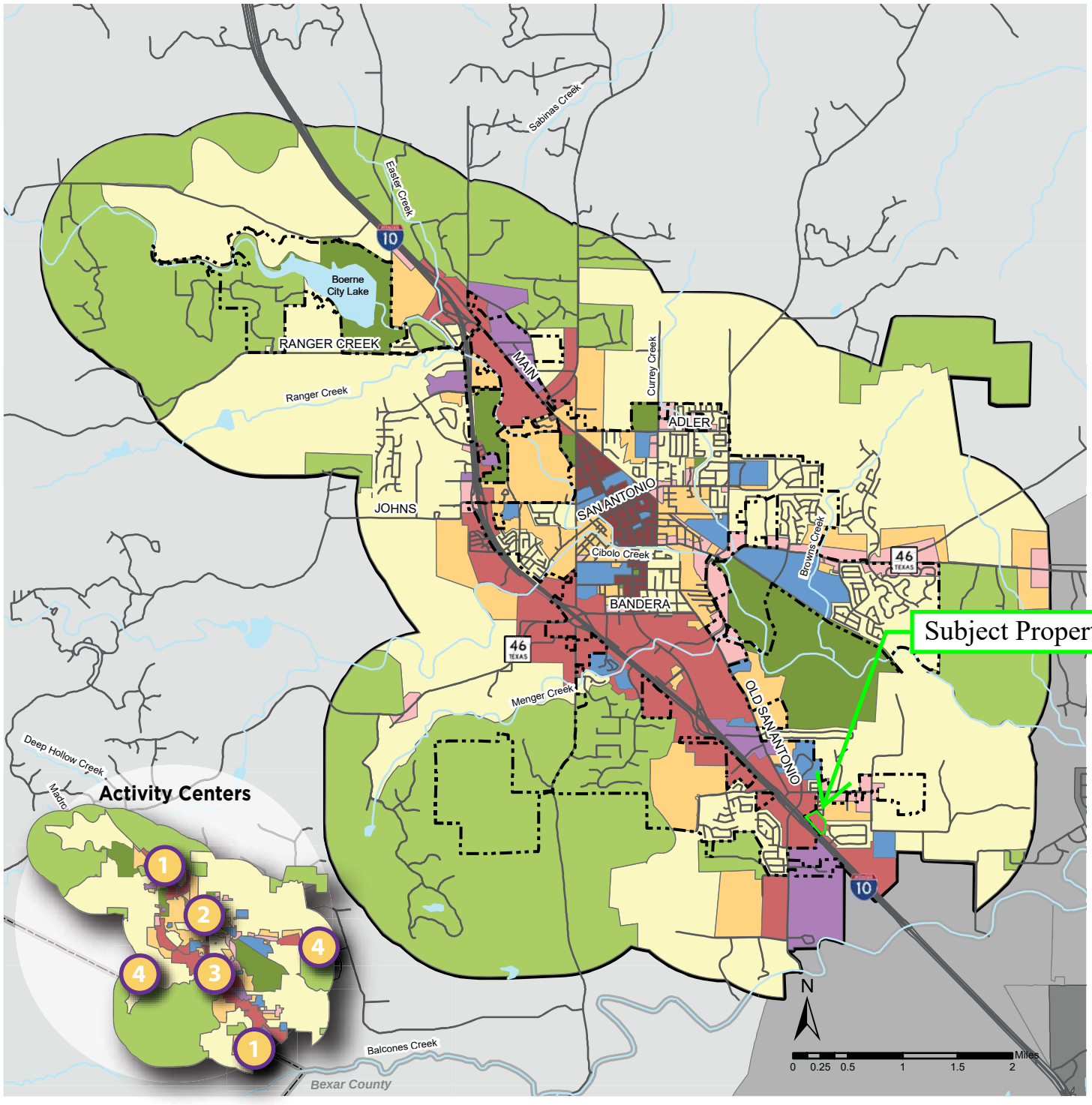
Boerne Zoning

- R4-B
- R4-L
- C2
- C3
- C4

Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, iPC

Vantor | Esri, HERE, iPC | Esri Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA,

Map 4.2, Boerne Future Land Use Plan



Activity Centers

1. Employment/Commercial
2. Downtown and Urban Neighborhood
3. Regional Commercial
4. Neighborhood Commercial

- Parks & Open Space
- Rural Estate
- Neighborhood Residential
- Transitional Residential
- Neighborhood Commercial
- Auto-Oriented Commercial
- Business/Office Park
- Downtown
- Public & Institutional

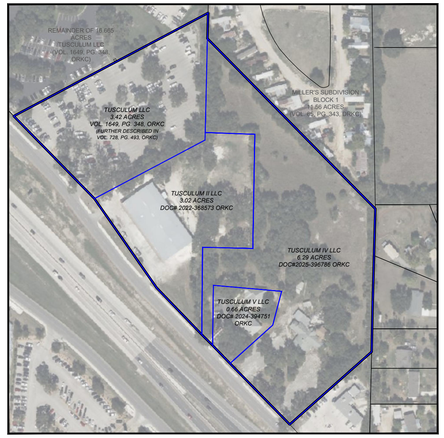
- Boerne City Limits
- Boerne ETJ
- Nearby Cities
- Nearby ETJs
- Counties

SURVEY NOTES:

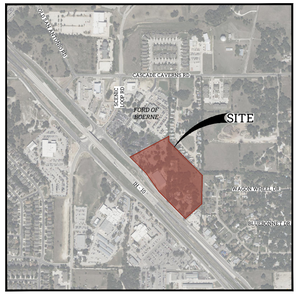
1. BASIS OF BEARING ON THIS SURVEY IS GRID NORTH, NORTH AMERICAN DATUM OF 1983 (NAD83 2011) FOR THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND OTHER MATTERS AFFECTING THIS PROPERTY MAY EXIST AND MAY OR MAY NOT BE SHOWN HEREON.
3. IMPROVEMENTS, UTILITIES, AND/OR STRUCTURES THAT EXIST WITHIN THE LIMITS OF THE PROPERTY ARE NOT SHOWN HEREON.

DEED/ PLAT REFERENCES

DRKC	DEED RECORDS OF KENDALL COUNTY, TEXAS
ORKC	OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
PRKC	PLAT RECORDS OF KENDALL COUNTY, TEXAS



EXISTING TRACT(S) INDEX MAP
N.T.S



LOCATION MAP
N.T.S

60 0 60 120
SCALE OF FEET
1" = 60'

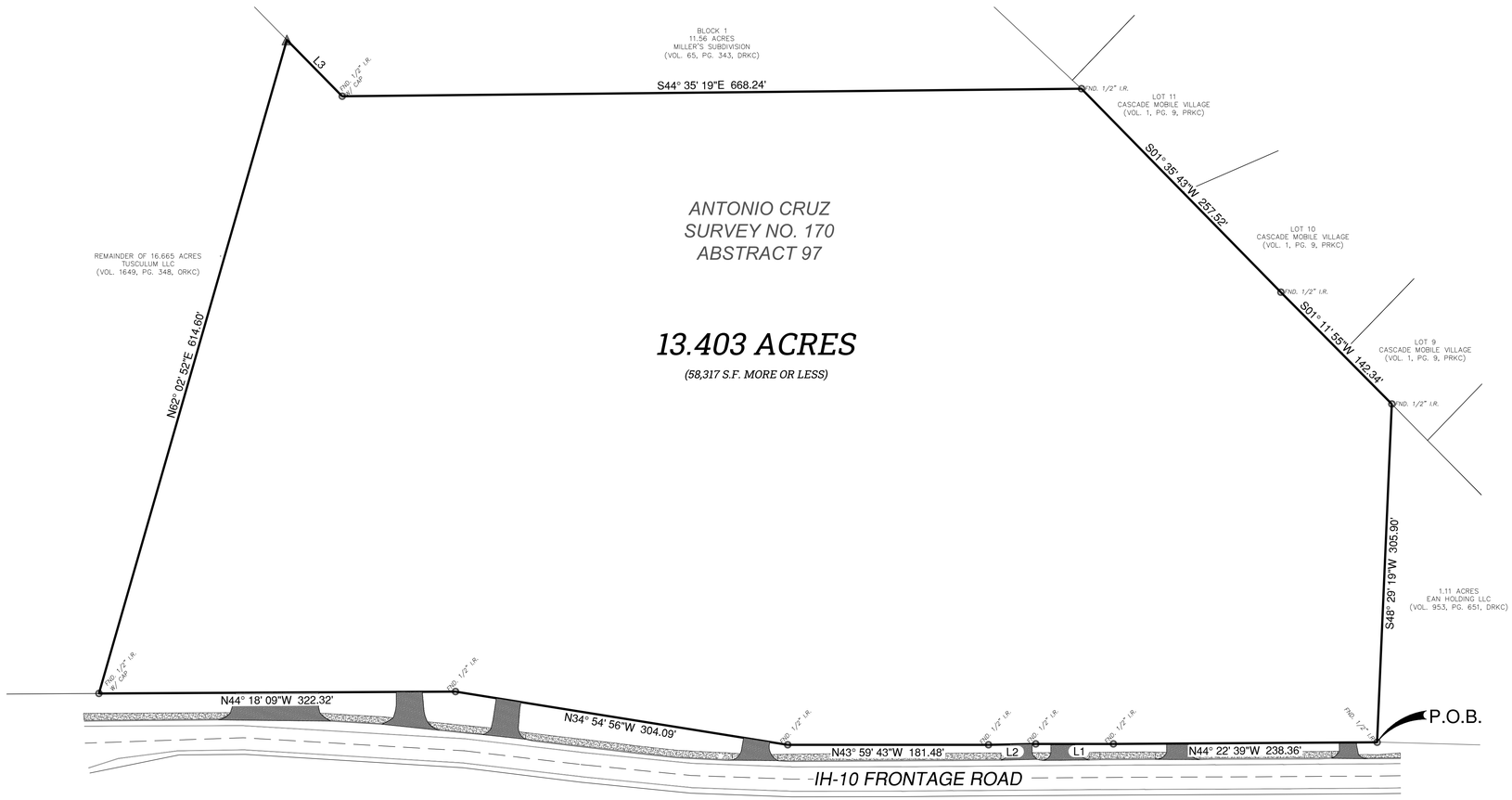
LINE LEGEND

- PROPERTY LINE
- ADJOINER
- EX. EDGE OF PAVEMENT
- EX. ROAD ℄
- EX. SHOULDER STRIPE

SYMBOL LEGEND

- FOUND IRON ROD MONUMENT
- CALCULATED POINT

LINE TABLE		
LINE NUMBER	LENGTH	BEARING
L1	70.16	N43° 56' 46"W
L2	42.78	N45° 03' 45"W
L3	71.42	S01° 31' 19"W



I, RICHARD POLLOK, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATE FIELD WORK COMPLETED: 1/29/2025

DATE OF SURVEY: 12/16/2025

RICHARD POLLOK
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5825

STATE OF TEXAS · REGISTERED · RICHARD POLLOK · 5825 · PROFESSIONAL LAND SURVEYOR

RAKOWITZ
Engineering & Surveying
Texas Registered Engineering Firm F-9155
Texas Registered Surveying Firm 101812-00
830-281-4060

© COPYRIGHT RAKOWITZ ENGINEERING 2025

KIA OF BOERNE
EXHIBIT OF SURVEY

BEING 13.403 ACRES, BEING ALL OF A 3.023 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2022-368573, ALL OF A 0.6638 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2024-394751, ALL OF A 3.42 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 1649 PAGE 354, BEING FURTHER DESCRIBED IN VOLUME 728 PAGE 493, AND ALL OF A 6.293 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2025-396786, OF THE OFFICIAL PUBLIC RECORDS, KENDALL COUNTY, TEXAS, AND LYING IN THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS.

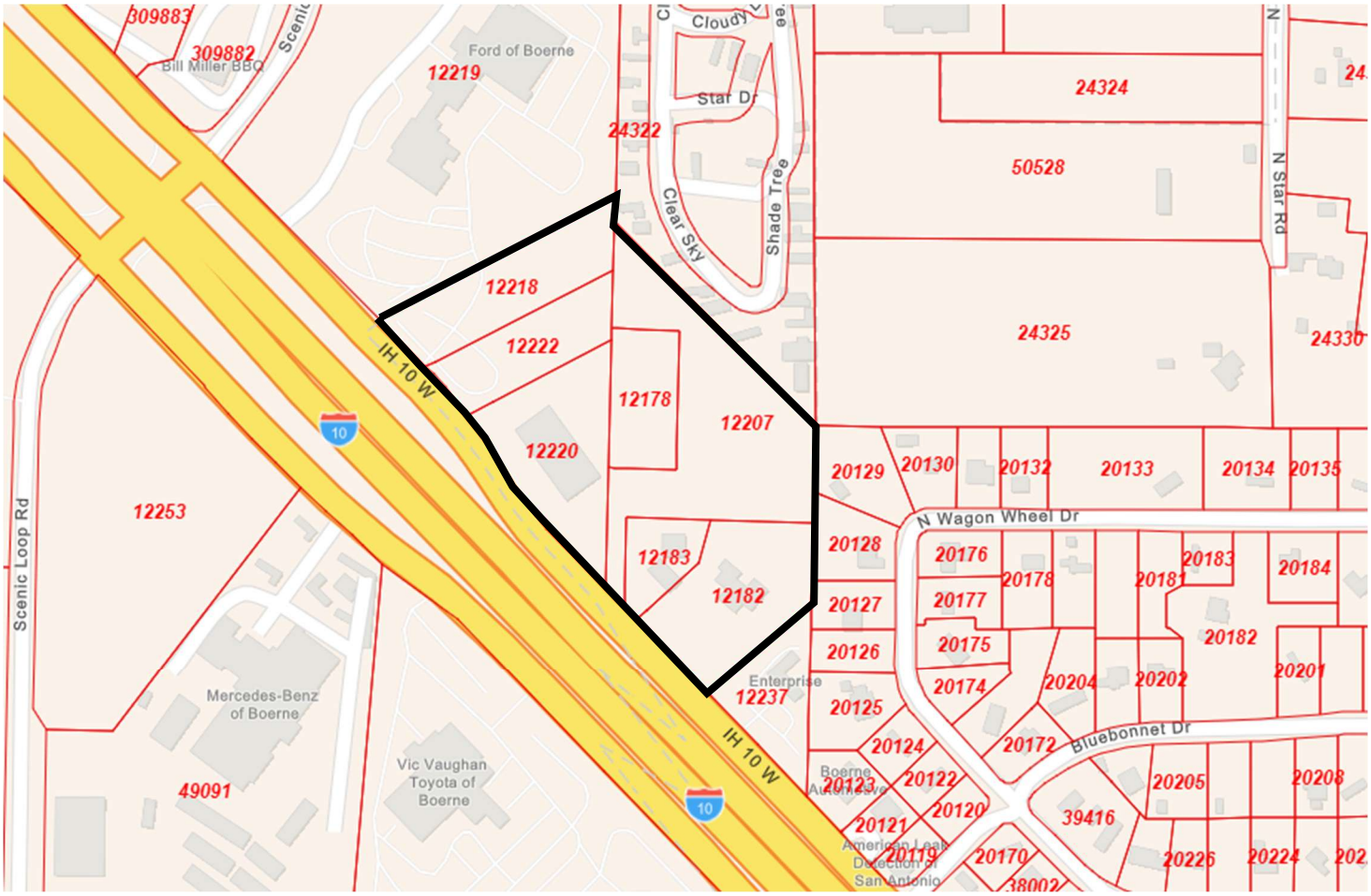
REV	DATE	DESCRIPTION	BY

JOB NO.	24-3256E
DATE	JAN. 2026
DESIGNER	JJC
CHECKED	RAP
DRAWN	JJC

SHEET
1 OF 1

Date: Jan 07, 2026, 2:52pm User ID: ENG1-2023
File: N:\Projects\2024\24-3256 Kia of Boerne\24-3256D KIA - New Location\Survey\Land Study Boundary Survey\24-3256E - KIA of Boerne - Boundary Survey_251216.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM ELECTRONICALLY TRANSMITTED OR STORED MATERIAL WHICH MAY HAVE BEEN ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE ENGINEER'S ORIGINAL SIGNATURE AND SEAL.


309883
309882
Bill Miller BBQ
Ford of Boerne
12219
24322
Star Dr
Cloudy
Clear Sky
Shade Tree
24324
50528
N Star Rd
24325
24330
12218
12222
12178
12207
12220
12183
12182
12253
Scenic Loop Rd
IH 10 W
10
20129
20130
20132
20133
20134
20135
N Wagon Wheel Dr
20128
20176
20178
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Enterprise
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20125
20124
20172
Bluebonnet Dr
Boerne
20123
20122
20205
20208
20120
39416
20121
20119
20170
20226
20224
Mercedes-Benz
of Boerne
49091
Vic Vaughan
Toyota of
Boerne
American Leak
Detection of
San Antonio

Kendall AD Property Search

Property Details

Account		
Property ID:	12178	**Geographic ID:** 1-0097-0170-0130
Type:	R	**Zoning:** NW
Property Use:		**Condo:**
Location		
Situs Address:	INTERSTATE 10 TX	
Map ID:	BISD3-NW	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 1.034 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5427083	
Name:	TUSCULUM II LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	PO BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$199,980 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$199,980 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$199,980 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$199,980
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM II LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$199,980	$199,980	$0.00	
GKE	KENDALL COUNTY	0.377000	$199,980	$199,980	$753.92	
SBN	BOERNE ISD	1.010900	$199,980	$199,980	$2,021.60	
WCC	COW CREEK GROUNDWATER	0.005000	$199,980	$199,980	$10.00	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $2,785.52

Estimated Taxes Without Exemptions: $2,785.52

Kendall AD Property Search

Property Details

Account		
Property ID:	12182	**Geographic ID:** 1-0097-0170-0160
Type:	R	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	31300 INTERSTATE 10 TX	
Map ID:		**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 2.015 ACRES, HUD# TEX0167333	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5437828	
Name:	TUSCULUM IV LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	P O BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$31,885 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$409,370 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$441,255 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$441,255 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$441,255
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM IV LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$441,255	$441,255	$0.00	
GKE	KENDALL COUNTY	0.377000	$441,255	$441,255	$1,663.53	
SBN	BOERNE ISD	1.010900	$441,255	$441,255	$4,460.65	
WCC	COW CREEK GROUNDWATER	0.005000	$441,255	$441,255	$22.06	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $6,146.24

Estimated Taxes Without Exemptions: $6,146.24

Kendall AD Property Search

Property Details

Account		
Property ID:	12183	**Geographic ID:** 1-0097-0170-0170
Type:	R	**Zoning:** NU
Property Use:		**Condo:**
Location		
Situs Address:	31320 INTERSTATE 10 W TX	
Map ID:	BISD3-NU	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ .663 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5439320	
Name:	TUSCULUM V LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	31480 IH 10 WEST BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$636,218 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$563,782 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$1,200,000 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$1,200,000 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$1,200,000
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM V LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$1,200,000	$1,200,000	$0.00	
GKE	KENDALL COUNTY	0.377000	$1,200,000	$1,200,000	$4,524.00	
SBN	BOERNE ISD	1.010900	$1,200,000	$1,200,000	$12,130.80	
WCC	COW CREEK GROUNDWATER	0.005000	$1,200,000	$1,200,000	$60.00	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $16,714.80

Estimated Taxes Without Exemptions: $16,714.80

Kendall AD Property Search

Property Details

Account		
Property ID:	12207	**Geographic ID:** 1-0097-0170-0290
Type:	R	**Zoning:** NV
Property Use:		**Condo:**
Location		
Situs Address:	31300 INTERSTATE 10 TX	
Map ID:	BISD3-NV	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 4.278 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5437828	
Name:	TUSCULUM IV LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	P O BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$816,849 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$816,849 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$816,849 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$816,849
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM IV LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$816,849	$816,849	$0.00	
GKE	KENDALL COUNTY	0.377000	$816,849	$816,849	$3,079.52	
SBN	BOERNE ISD	1.010900	$816,849	$816,849	$8,257.53	
WCC	COW CREEK GROUNDWATER	0.005000	$816,849	$816,849	$40.84	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $11,377.89

Estimated Taxes Without Exemptions: $11,377.89

Kendall AD Property Search

Property Details

Account		
Property ID:	12218	**Geographic ID:** 1-0097-0170-0365
Type:	R	**Zoning:** NY11
Property Use:		**Condo:**
Location		
Situs Address:	31440 INTERSTATE 10 TX	
Map ID:	BISD3-NY11	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 1.998 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5399049	
Name:	TUSCULUM LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	% RONALD F SMITH PO BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$283,671 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$361,329 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$645,000 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$645,000 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$645,000
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$645,000	$645,000	$0.00	
GKE	KENDALL COUNTY	0.377000	$645,000	$645,000	$2,431.65	
SBN	BOERNE ISD	1.010900	$645,000	$645,000	$6,520.31	
WCC	COW CREEK GROUNDWATER	0.005000	$645,000	$645,000	$32.25	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $8,984.20

Estimated Taxes Without Exemptions: $8,984.20

Kendall AD Property Search

Property Details

Account		
Property ID:	12220	**Geographic ID:** 1-0097-0170-0371
Type:	R	**Zoning:** NX
Property Use:		**Condo:**
Location		
Situs Address:	31400 INTERSTATE 10 TX	
Map ID:	BISD3-NX	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 2.0 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5427083	
Name:	TUSCULUM II LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	PO BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$602,510 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$386,810 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$989,320 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$989,320 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$989,320
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM II LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$989,320	$989,320	$0.00	
GKE	KENDALL COUNTY	0.377000	$989,320	$989,320	$3,729.74	
SBN	BOERNE ISD	1.010900	$989,320	$989,320	$10,001.04	
WCC	COW CREEK GROUNDWATER	0.005000	$989,320	$989,320	$49.47	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $13,780.25

Estimated Taxes Without Exemptions: $13,780.25

Kendall AD Property Search

Property ID: 12222 For Year 2025

Property Details

Account		
Property ID:	12222	**Geographic ID:** 1-0097-0170-0373
Type:	R	**Zoning:** NY
Property Use:		**Condo:**
Location		
Situs Address:	31440 INTERSTATE 10 TX	
Map ID:	BISD3-NY	**Mapsco:**
Legal Description:	A10097 - SURVEY 170 A CRUZ 1.422 ACRES	
Abstract/Subdivision:	A10097	
Neighborhood:	(COMMBRNE) COMMERCIAL BOERNE	
Owner		
Owner ID:	5399049	
Name:	TUSCULUM LLC	
Agent:	SWBC AD VALOREM TAX ADVISORS	
Mailing Address:	% RONALD F SMITH PO BOX 490 BOERNE, TX 78006	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$187,024 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$262,976 (+)
Agricultural Market Valuation:	$0 (+)

Market Value:	$450,000 (=)
Agricultural Value Loss:	$0 (-)
Appraised Value:	$450,000 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$450,000
Ag Use Value:	$0

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Property Taxing Jurisdiction

Owner: TUSCULUM LLC

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	KENDALL APPRAISAL DISTRICT	0.000000	$450,000	$450,000	$0.00	
GKE	KENDALL COUNTY	0.377000	$450,000	$450,000	$1,696.50	
SBN	BOERNE ISD	1.010900	$450,000	$450,000	$4,549.05	
WCC	COW CREEK GROUNDWATER	0.005000	$450,000	$450,000	$22.50	

Total Tax Rate: 1.392900

Estimated Taxes With Exemptions: $6,268.05

Estimated Taxes Without Exemptions: $6,268.05

Property Improvement - Building

Type: Commercial **Living Area:** 0 sqft **Value:** $195,590

Type	Description	Class CD	Year Built	SQFT

PKLAVG	PARKING LOT AVERAGE QUAL	*	2019	45751

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
CL	Commercial Lot	1.42	61,942.32	0.00	0.00	$275,020	$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	$187,024	$262,976	$0	$450,000	$0	$450,000
2024	$170,129	$239,221	$0	$409,350	$0	$409,350
2023	$134,330	$275,020	$0	$409,350	$0	$409,350
2022	$162,990	$206,270	$0	$369,260	$0	$369,260
2021	$0	$128,840	$0	$128,840	$0	$128,840
2020	$0	$128,840	$0	$128,840	$0	$128,840
2019	$0	$128,840	$0	$128,840	$0	$128,840
2018	$0	$128,840	$0	$128,840	$0	$128,840
2017	$0	$128,840	$0	$128,840	$0	$128,840

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
8/6/2018	SWD-VL	SPL WARRANTY DEED/VENDORS LIEN	CIBOLO SISTERS ENTERPRISES LTD	TUSCULUM LLC	1649	348	
4/22/2002	WD-VL	WARRANTY DEED/VENDORS LIEN	SYFERT GUY N & PAMELA	CIBOLO SISTERS ENTERPRISES LTD	728	493	
9/30/1987	Conv	CONVERSION	MARTIN GLEN B	SYFERT GUY N & PAMELA	289	58	

ARB Data

Hearing Date And Time	Board Members	Owner's Opinion Of Value	Board's Determination Of Value	ARB Determination

07/10/2025 09:00 AM		$0	$450,000	TOPLINE CHANGE

Estimated Tax Due

ATTENTION

Indicated amount may not reflect delinquent tax due beyond a 5-year history. Partial payments or contract payments may not be reflected. Quarter payments that are made according to Section 31.031 of the Texas Property Tax Code are not considered delinquent.

* Property taxes in question have been legally deferred or abated

If Paid: 12/23/2025

Year	Taxing Jurisdiction	Tax Rate	Market Value	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	A
2025	KENDALL COUNTY	0.377000	$450,000	$450,000	$1,696.50	$1,696.50	$0.00	$0.00	
2025	BOERNE ISD	1.010900	$450,000	$450,000	$4,549.05	$4,549.05	$0.00	$0.00	
2025	COW CREEK GROUNDWATER	0.005000	$450,000	$450,000	$22.50	$22.50	$0.00	$0.00	
	2025 Total:	1.392900			$6,268.05	$6,268.05	$0.00	$0.00	
2024	KENDALL COUNTY	0.382700	$409,350	$409,350	$1,566.58	$1,566.58	$0.00	$0.00	
2024	BOERNE ISD	0.990900	$409,350	$409,350	$4,056.25	$4,056.25	$0.00	$0.00	
2024	COW CREEK GROUNDWATER	0.005000	$409,350	$409,350	$20.47	$20.47	$0.00	$0.00	
	2024 Total:	1.378600			$5,643.30	$5,643.30	$0.00	$0.00	
2023	KENDALL COUNTY	0.382700	$409,350	$409,350	$1,566.58	$1,566.58	$0.00	$0.00	
2023	BOERNE ISD	0.993200	$409,350	$409,350	$4,065.66	$4,065.66	$0.00	$0.00	
2023	COW CREEK GROUNDWATER	0.005000	$409,350	$409,350	$20.47	$20.47	$0.00	$0.00	
	2023 Total:	1.380900			$5,652.71	$5,652.71	$0.00	$0.00	
2022	KENDALL COUNTY	0.387700	$369,260	$369,260	$1,431.63	$1,431.63	$0.00	$0.00	

2022	BOERNE ISD	1.178600	$369,260	$369,260	$4,352.10	$4,352.10	$0.00	$0.00
2022	COW CREEK GROUNDWATER	0.005000	$369,260	$369,260	$18.46	$18.46	$0.00	$0.00
	2022 Total:	1.571300			$5,802.19	$5,802.19	$0.00	$0.00
2021	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.72	$531.72	$0.00	$0.00
2021	BOERNE ISD	1.204600	$128,840	$128,840	$1,552.01	$1,552.01	$0.00	$0.00
2021	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2021 Total:	1.622300			$2,090.17	$2,090.17	$0.00	$0.00
2020	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.73	$531.73	$0.00	$0.00
2020	BOERNE ISD	1.251900	$128,840	$128,840	$1,612.95	$1,612.95	$0.00	$0.00
2020	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2020 Total:	1.669600			$2,151.12	$2,151.12	$0.00	$0.00
2019	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.72	$531.72	$0.00	$0.00
2019	BOERNE ISD	1.284000	$128,840	$128,840	$1,654.31	$1,654.31	$0.00	$0.00
2019	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2019 Total:	1.701700			$2,192.47	$2,192.47	$0.00	$0.00
2018	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.72	$531.72	$0.00	$0.00
2018	BOERNE ISD	1.354000	$128,840	$128,840	$1,744.50	$1,744.50	$0.00	$0.00
2018	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2018 Total:	1.771700			$2,282.66	$2,282.66	$0.00	$0.00
2017	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.73	$531.73	$0.00	$0.00
2017	BOERNE ISD	1.354000	$128,840	$128,840	$1,744.50	$1,744.50	$0.00	$0.00
2017	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2017 Total:	1.771700			$2,282.67	$2,282.67	$0.00	$0.00

2016	KENDALL COUNTY	0.412700	$128,840	$128,840	$531.72	$531.72	$0.00	$0.00
2016	BOERNE ISD	1.316000	$128,840	$128,840	$1,695.54	$1,695.54	$0.00	$0.00
2016	COW CREEK GROUNDWATER	0.005000	$128,840	$128,840	$6.44	$6.44	$0.00	$0.00
	2016 Total:	1.733700			$2,233.70	$2,233.70	$0.00	$0.00
2015	KENDALL COUNTY	0.386700	$135,280	$135,280	$523.13	$523.13	$0.00	$0.00
2015	BOERNE ISD	1.294000	$135,280	$135,280	$1,750.52	$1,750.52	$0.00	$0.00
2015	COW CREEK GROUNDWATER	0.005000	$135,280	$135,280	$6.76	$6.76	$0.00	$0.00
	2015 Total:	1.685700			$2,280.41	$2,280.41	$0.00	$0.00

40551

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF KENDALL §

That **CIBOLO SISTERS ENTERPRISES, LTD.**, a Texas limited partnership, formerly known as WAD Associates, Ltd. ("***Grantor***"), whose address is 31480 IH-10 West, Boerne, Texas 78006 as of August 6, 2018, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable consideration to the undersigned paid by Grantee (as hereinafter defined), the receipt and sufficiency of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of Grantee's certain promissory note (the "***Note***") of even date herewith, payable to the order of PLAINSCAPITAL BANK, a Texas state bank ("***Lender***") as therein provided, the payment of which Note is secured by the vendor's lien retained herein and is additionally secured by a Deed of Trust of even date herewith to Darrell G. Adams, Trustee, for the benefit of Lender, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL AND CONVEY unto **TUSCULUM, LLC**, a Texas limited liability company ("***Grantee***"), whose address is c/o Roland F. Smith, 2414 Paseo del Lago, Mission, Texas 78573, subject to the Permitted Exceptions (as defined below), the tract of land located in Kendall County, Texas, more particularly described on Exhibit "A" hereto, together with Grantor's interest in all fixtures and improvements thereon and all benefits, privileges, leases, tenements, rights-of-way, easements, rights and appurtenances in any way belonging or appertaining thereto (collectively, the "***Property***").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

Lender, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the Note, and the first and superior vendor's lien against the Property is hereby retained for the benefit of Lender and is hereby transferred to Lender without recourse against Grantor.

This conveyance of the Property is made and accepted subject to (collectively, the "***Permitted Exceptions***") the matters set forth on Exhibit "B" and taxes for the calendar year 2018, which Grantee assumes and agrees to pay.

When the context requires, singular nouns and pronouns include the plural.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Grantor has executed this special warranty deed on the date set forth in the acknowledgment certificate below, to be effective as of the date first above written.

GRANTOR:

CIBOLO SISTERS ENTERPRISES, LTD.,
a Texas limited partnership, formerly known as
WAD Associates, Ltd.

By: Cibolo Sisters Real Estate Enterprises, L.L.C.,
a Texas limited liability company,
Its General Partner

By: _____
Scott T. Wilson
Its Vice President

STATE OF TEXAS §
§
COUNTY OF KENDALL §

Before me, the undersigned Notary Public of the State of Texas, on this day personally appeared Scott T. Wilson, Vice President of Cibolo Sisters Real Estate Enterprises, L.L.C., a Texas limited liability company, the general partner of Cibolo Sisters Enterprises, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in such capacity for the purposes and consideration therein expressed.

Given under my hand and seal of office this 6 day of August 2018.

CRYSTAL RAE STEWART
Notary ID #129508987
My Commission Expires
July 31, 2021

_____
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:
Kendall County Abstract Company
103 N. Saunders Street
Boerne, Texas 78006

PREPARED BY:
George M. Taylor, III
Burr & Forman LLP
420 North 20th Street
Suite 3400
Birmingham, Alabama 35203

Exhibit "A"

Property Description

A 19.953 acre, or 869,134 square feet more or less, tract of land comprised of all of a 3.42 acre tract conveyed to Cibolo Sisters Enterprises, Ltd. in deed recorded in Volume 728, Page 493 of the Official Public Records of Kendall County, Texas, all of a 1.001 acre tract being all of J.A.F. Quick Lane Development Plat recorded in Volume 8, Page 306 of the Plat Records of Kendall County, Texas and the remaining portion of a 16.665 acre tract conveyed to Cibolo Sisters Real Estate Enterprises, LLC recoded in Volume 480, Page 534 of the Official Public Records of Kendall County, Texas, out of the Antonio Cruz Survey No. 170, Abstract 97, Kendall County, Texas. Said 19.953 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone - from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

BEGINNING: At a found V2" iron rod at the north end of the return at the northeast intersection of Interstate Highway 10, a variable width, public right-of-way, and Scenic Loop Road, a variable width public right-of-way, and at a west corner of said 16.665 acre tract;

THENCE: With the east right-of-way line of said Scenic Loop Road, the following bearings and distances:

Northeasterly, along a non-tangent curve to the left, said curve having a radial bearing of N 44°19'13" W, a radius of 737.46 feet, a central angle of 41°51'35", a chord bearing and distance of N 24°45'00" E, 526.88 feet, for an arc length of 538.78 feet to a set W iron rod with a yellow cap marked "Pape-Dawson";

N 89°55'43" E, a distance of 5.01 feet to a set W iron rod with a yellow cap marked "Pape-Dawson";

Along a non-tangent curve to the left, said curve having, a radius of 742.46 feet, a central angle of 03°46'04", a chord bearing and distance 'of N 01°54'36" E, 48.82 feet, for an arc length of 48.82 feet to a set V2" iron rod with a yellow cap marked "Pape-Dawson";

N 00°04'40" E, a distance of 105.50 feet to a set $^1/_2$" iron rod with a yellow cap marked "Pape-Dawson" at the south end of the return at the southeast intersection of said Scenic Loop Road and Cascade Caverns Road, a variable width public right-of-way;

THENCE: Northeasterly, with said return, along a tangent curve to the right, said curve having a radius of 50.00 feet, a central angle of 89°56'02", a chord bearing and distance of N 45°0T41" E, 70.67 feet, for an arc length of 78.48 feet to a set $^1/_2$" iron rod with a yellow cap marked "Pape-Dawson" at the north end of said return;

THENCE: With the south right-of-way line of said Cascade Caverns Road, the following bearings and distances:

S 89°59'18" E, a distance of 167.69 feet to a set I/2" iron rod with a yellow cap marked "Pape-Dawson";

N 00°0042" E, a distance of 21.50 feet to a set $^1/_2$" iron rod with a yellow cap marked "Pape-Dawson";

S 89°59'18" E, a distance of 449.38 feet to a found V2" iron rod at the northeast corner of said 16.665 acre tract and the northwest corner of Block 1, Miller's Subdivision recorded in Volume 65, Page 343 of the Plat Records of Kendall County, Texas;

THENCE: S 01°33'15" W, departing the south right-of-way line of said Cascade Caverns Road, with the east line of said 16.665 acre tract and the lest line of said Block 1, a distance of 1180.36 feet to a found $^1/_2$" iron at the southeast corner of said 3.42 acre tract, the northeast corner of a 1.995 acre tract conveyed to Lanne E. and Patsy R. Brehmer in deed recorded in Volume 1190, Page 405 of the Official Public Records of Kendall County, Texas;

THENCE: S 62°04'34" W, with the southeast line of said 3.42 acre tract and the northwest line of said 1.995 acre tract, a distance of 348.53 feet to a found$^1/_2$" iron at the southwest corner of said 3.42 acre tract, the northwest corner of said 1.995 acre tract and on the northeast right-of-way line of said Interstate Highway 10;

THENCE: N 44°20'06" W, with the northeast right-of-way line of said Interstate Highway 10, a distance of 794.60 feet to a set $^1/_2$" iron rod with a yellow cap marked "Pape-Dawson" at the south end of said return of said northeast intersection of said Interstate Highway 10 and said Scenic Loop Road;

THENCE: Northeasterly, with said return, along a tangent curve to the right, said curve having a radius of 50.00 feet, a central angle of 90°00'54", a chord bearing and distance of N 00°40'21" E, 70.72 feet, for an arc length of 78.55 feet to the POINT OF BEGINNING, and containing 19.953 acres in Kendall County, Texas.

Exhibit "B"

Permitted Exceptions

1. Easements to Bandera Electric Cooperative, Inc. recorded in Volume 215, Page 691, Volume 293, Page 477, Volume 478, Page 829, Volume 1553, Page 230 and Volume 1562, Page 178, Kendall County Official Records.

2. Easement to the City of Boerne recorded in Volume 1538, Page 713, Kendall County Official Records.

3. Open space areas as set forth and shown on Plat recorded in Volume 8, Page 306, Kendall County Plat Records.

4. Rights of parties in possession, as Tenants only under unrecorded leases.

5. Restrictive covenants set forth on Plat recorded in Volume 8, Page 306, Kendall County Plat Records.

6. Any claim or right of adjoining property owners in and to that certain land lying between the east and southeast property lines and the inset fences as shown on Plat of Survey dated May 11, 2018, prepared by David A. Casanova, Registered Professional Land Surveyor.

7. Encroachment of metal and wood sheds into the subject property from the adjoining property as shown on Plat of Survey dated May 11, 2018, prepared by David A. Casanova, Registered Professional Land Surveyor.

8. Easement to Guadalupe Valley Telephone Cooperative, Inc., recorded in Volume 1649, Page 341, Kendall County Official Records.

Filed & Recorded in:

KENDALL COUNTY
DARLENE HERRIN
COUNTY CLERK

08/06/2018 03:54PM

Document Number : 00323698
Total Fees : $46.00 KCAC

Receipt Number - 90231
By Deputy: Beth A Steinruck

This Document has been received by this Office for Recording into the Official Public Records.

We do hereby swear that we do not discriminate due to Race, Creed, Color, Sex or National Origin.

STATE OF TEXAS, COUNTY OF KENDALL
I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped hereon and was duly recorded in the OFFICIAL RECORDS Records of Kendall County, Texas on

08/06/2018
DARLENE HERRIN, COUNTY CLERK
Kendall County, Texas

By: _____ Deputy

KCAC
GF# 44327

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: March 30 2022

Grantor: **PATSY R. BREHMER, individually and as Trustee of the Lanne and Patsy Brehmer Revocable Trust.**

Grantor's Mailing Address:

PATSY R. BREHMER
1011 N. School
Boerne, Kendall County, Texas 78006

Grantees: **TUSCULUM II, LLC,** a Texas limited liability company

Grantee's Mailing Address:

TUSCULUM II, LLC
31480 I-10 West
Boerne, Kendall County, Texas 78006

Consideration:

Ten Dollars and No/100 ($10.00) and other good and valuable consideration to the undersigned paid by the Grantee herein named, including the Additional Consideration described hereinafter, the receipt and sufficiency of which are hereby acknowledged and agreed.

Property (including any improvements):

TRACT 1: Being a 3.023-acre tract of land, more or less, out of the Antonio Cruz Survey No. 170, Abstract No. 97, Kendall County, Texas; said 3.023 acres being more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

TRACT 2: Being the right of ingress and egress to Tract 2, over and across a non-exclusive easement out of the Antonio Cruz Survey No. 170, Abstract No. 97, Kendall County, Texas; said easement being more particularly

described on Exhibit "B" attached hereto and made a part hereof for all purposes.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty (the "Exceptions"): This conveyance is made and accepted subject to the following:

1. The following restrictive covenants of record itemized below: Volume 1459, Page 595, Kendall County Official Records.

2. Easement to Bandera Electric Cooperative, Inc. recorded in Volume 691, Page 388, Kendall County Official Records.

3. Terms and conditions of unrecorded lease dated January 5, 2015, between Lanne Brehmer and Alamo Fireworks, Inc., a memorandum of which is recorded in Volume 1459, Page 595, Kendall County Official Records. (This conveyance does not convey the mobile home or trailer which is situated on the herein described Property.)

4. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed herein or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.

5. All terms, conditions, and other matters, including all rights, covenants, agreements, stipulations, easements, building setback lines, and dedications, as set forth in those documents referenced in Item 1, above, or in the description of the Property herein.

6. Rights of Parties in Possession.

7. Rights of Tenants in Possession, as tenants only, under unrecorded leases or rental agreements.

8. Any visible and apparent roadway or easement over or across the subject Property, the existence of which does not appear of record.

9. All terms, provisions, covenants, agreements, rights, dedications, easements, building setback lines, restrictions and conditions, as shown on Plat of Survey dated January 19, 2022, prepared by Kyle L. Pressler, Registered Professional Land Surveyor.

10. All leases, grants, exceptions or reservations of coal, lignite, oil, gas, and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records whether listed herein or not. There may be leases, grants, exceptions, or reservations of mineral interest that are not listed.

11. Right of Grantor to remove any and all personal items from the Property for 90 days after the date hereof as set forth in the Special Provisions of Commercial Contract effective November 15, 2021.

12. Any claim or right of adjoining property owners in and to that certain land lying between the north and east Property line and the inset fence as shown on Plat of Survey dated

January 19, 2022, prepared by Kyle Pressler, Registered Professional Land Surveyor. This conveyance does not include any of the land lying outside of the boundaries of subject Property and within the fences as shown on Plat of Survey dated January 19, 2022, prepared by Kyle L. Pressler, Registered Professional Land Surveyor.

13. Building and zoning ordinances and other laws and regulations and police powers as they may affect the Property;

14. Taxes for the year 2022 and thereafter which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes;

15. Any discrepancies, conflicts, shortages in area or boundary lines or any encroachments, or protrusions or any overlapping of improvements, as shown on Plat of Survey dated January 19, 2022, prepared by Kyle L. Pressler, Registered Professional Land Surveyor; and

16. All valid liens, easements, and other encumbrances, whether of record or not.

Additional Consideration:

The Consideration for this conveyance includes the execution and delivery by Grantee of that one certain promissory note ("Mortgage Note") of even date herewith in the principal sum of $2,400,000.00, executed by Grantee and payable to the order of PlainsCapital Bank ("Mortgagee") as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in the event of default and for attorney's fees, the payment of which Mortgage Note is secured by the Vendor's Lien herein retained, and is additionally secured by a deed of trust of even date herewith to Darrell G. Adams, Trustee for the benefit of Mortgagee.

FOR THE CONSIDERATION, the receipt and adequacy of which is admitted and stipulated by Grantor, and subject to the Exceptions herein contained, together with all and singular the rights and appurtenances thereto in anywise belonging, Grantor has GRANTED, SOLD and CONVEYED and hereby does GRANT, SELL and CONVEY the Property to Grantee and Grantee's heirs, successors, and assigns, to have and to hold, forever. Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the Grantee and Grantee's heirs, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise, except as to the Exceptions herein contained.

GRANTEE HEREBY ACKNOWLEDGES AND AGREES THAT, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED HEREIN, GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WITH RESPECT TO ANY MATTER RELATING TO THE PROPERTY OR OTHERWISE. WITHOUT IN ANY WAY LIMITING THE FOREGOING, GRANTOR HEREBY DISCLAIMS ANY WARRANTY, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE AS TO ANY PORTION OF THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES THAT GRANTEE IS KNOWLEDGEABLE IN THE PURCHASE AND OPERATION OF THE PROPERTY AND HAS CONDUCTED, OR HAS BEEN PERMITTED TO CONDUCT, AN INDEPENDENT INSPECTION AND INVESTIGATION OF THE PROPERTY AND IS RELYING ON ITS OWN INVESTIGATION AND INSPECTION OF THE PROPERTY AND NOT ON ANY REPRESENTATION, WARRANTY, STATEMENT OR DOCUMENTATION

PROVIDED BY GRANTOR. ACCORDINGLY, GRANTEE ACCEPTS THE PROPERTY "AS IS," "WHERE IS," AND "WITH ALL FAULTS". THIS PROVISION IS A MATERIAL INDUCEMENT FOR THE GRANTOR IN SELLING THE PROPERTY. GRANTEE ACKNOWLEDGES THAT IT HAS SOUGHT AND HAS RELIED UPON, THE ADVICE OF ITS OWN LEGAL COUNSEL CONCERNING THIS PROVISION.

It is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the Property, is retained herein against the Property for the benefit of Mortgagee until the above-described Mortgage Note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Mortgagee, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the Mortgage Note. The first and superior vendor's lien against and superior title to the Property are transferred to Mortgagee without recourse against Grantor.

The terms Grantor, Grantee and pronouns referring to them include the plural as the context requires.

When the context requires, singular nouns and pronouns include the plural.

[END OF TEXT ON PAGE]

Executed to be effective as of the date first set out above.

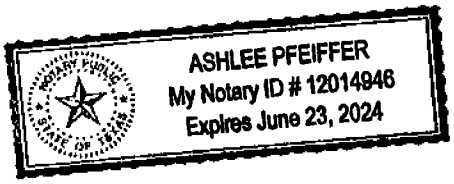
Patsy R. Brehmer

PATSY R. BREHMER, individually and as Independent Executrix of the Estate of Lanne E. Brehmer, Deceased

STATE OF TEXAS)

COUNTY OF Kendall **)**

This instrument was acknowledged before me on this 31 day of March, 2022, by PATSY R. BREHMER, individually and as Trustee of the Lanne and Patsy Brehmer Revocable Trust, for herself and on behalf of said Trust.



Notary Public, State of Texas
My commission expires: _____

AFTER RECORDING RETURN TO:

Langley & Banack, Inc.
745 E. Mulberry Avenue, Suite 700
San Antonio, Texas 78212
Attention: William R. Davis, Jr.
Tel: (210) 736-6600
Fax: (210) 735-6889

Exhibit "A"

FIELD NOTES FOR A 3.023 ACRE TRACT OF LAND

A 3.023 acre tract of land, located in the Antonio Cruz Survey No. 170, Abstract 97, Kendall County, Texas, and being all of a called 1.995 acre tract of land as described of record in Volume 460, Page 657, and all of a called 1.029 acre tract of land as described of record in Volume 460, Page 640, both of the Official Records of Kendall County, Texas. Said 3.023 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" in the northeast right-of-way line of Interstate Highway 10, a variable width public right-of-way, at the southwest corner of a called 6.293 acre tract of land as described of record in Volume 985, Page 647 of the Official Records of Kendall County, Texas, for the southeast corner of said 1.995 acre tract and the tract described herein, from which a found ½" iron rod bears, N 13° 20' 25" E, a distance of 1.32 feet, and also from which a found ½" iron rod in said right-of-way line, for a southerly corner of said 6.293 acre tract and the southwest corner of a called 0.663 acre tract of land as described of record in Volume 1672, Page 344 of the Official Records of Kendall County, Texas bears, S 44° 40' 23" E, a distance of 43.00 feet;

THENCE: With said right-of-way line and the southwest line of said 1.995 acre tract, the following two (2) courses:

1. **N 43° 53' 43" W**, a distance of **181.59 feet** to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" for corner, and
2. **N 34° 57' 50" W**, a distance of **303.96 feet** to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" at the southwest corner of a called 19.953 acre tract of land as described of record in Volume 1649, Page 348 of the Official Records of Kendall County, Texas, for the west corner of said 1.995 acre tract and the tract described herein;

THENCE: N 62° 04' 51" E, departing said right-of-way line and with the common line between said 1.995 acre tract and said 19.953 acre tract, a distance of **348.52 feet** to a found ½" iron rod for an angle in the west line of said 1.029 acre tract, for the north corner of said 1.995 acre tract, for the southeast corner of said 19.953 acre tract and an interior corner of the tract described herein;

THENCE: N 02° 54' 45" E, with the east line of said 19.953 acre tract and the west line of said 1.029 acre tract, a distance of **19.97 feet** to a found ½" iron rod for a westerly corner of said 6.293 acre tract, the northwest corner of said 1.029 acre tract and the most northerly corner of the tract described herein;

THENCE: With the common line between said 1.029 acre tract and said 6.293 acre tract, the following three (3) courses:

1. **S 88° 31' 13" E**, a distance of **140.04 feet** to a found ½" iron rod for corner,
2. **S 01° 11' 54" W**, a distance of **318.80 feet** to a found ½" iron rod for corner, and
3. **N 88° 37' 11" W**, a distance of **139.98 feet** to a found ½" iron rod in the east line of said 1.995 acre tract, for the southwest corner of said 1.029 acre tract, a westerly corner of said 6.293 acre tract and an interior corner of the tract described herein;

THENCE: S 00° 31' 58" W, with the common line between said 1.995 acre tract and said 6.293 acre tract, a distance of **244.13 feet** to the **POINT OF BEGINNING** and containing **3.023 acres** of land situated in Kendall County, Texas.

Exhibit "B"

BEING a 1.029 acre tract of land out of the Antonio Cruz Survey No. 170, Abstract No 97, Kendall County, Texas, said 1.029 acre tract being that certain tract described by deed recorded in volume 430, pages 468-469, Official Records, Kendall County, Texas, said 1.029 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for the southwest coner of the herein described tract, in the west boundary line of a 2-acre tract recorded in volume 313, page 11, Official Records, Kendall County, Texas, said point being N 00°36'00" E, 244.32' from a 1/2" iron rod found in the northeast right-of-way line of I.H. 10, at the south corner of the 2-acre tract;

THENCE, along the west boundary line of the 2-acre tract, N 01°12'33" E, a distance of 299.43' to a 1/2" iron rod found for angle point at the north corner of the 2-acre tract, the southeast corner of the Tri County Materials tract recorded in volume 380, page 440, Official Records, Kendall County, Texas;

THENCE, along the east boundary line of the Tri County Materials tract, N 02°09'11" E, a distance of 19.97' to a 1/2" iron rod found for corner in the west boundary line of the Juanita Albright tract;

THENCE, along the north boundary line of the 1.034 acre tract, S 88°43'55" E, a distance of 140.00' to a 1/2" iron rod set for corner;

THENCE, along the east boundary line of the 1.034 acre tract, S 01°16'07" W, a distance of 320.12' to a 1/2" iron rod found for corner;

THENCE, along the south boundary line of the 1.034 acre tract, N 88°26'00" W, a distance of 140.00' to the POINT-OF-BEGINNING and containing 1.029 acres of land.

Exhibit "A"

FIELD NOTES FOR A 3.023 ACRE TRACT OF LAND

A 3.023 acre tract of land, located in the Antonio Cruz Survey No. 170, Abstract 97, Kendall County, Texas, and being all of a called 1.995 acre tract of land as described of record in Volume 460, Page 657, and all of a called 1.029 acre tract of land as described of record in Volume 460, Page 640, both of the Official Records of Kendall County, Texas. Said 3.023 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" in the northeast right-of-way line of Interstate Highway 10, a variable width public right-of-way, at the southwest corner of a called 6.293 acre tract of land as described of record in Volume 985, Page 647 of the Official Records of Kendall County, Texas, for the southeast corner of said 1.995 acre tract and the tract described herein, from which a found ½" iron rod bears, N 13° 20' 25" E, a distance of 1.32 feet, and also from which a found ½" iron rod in said right-of-way line, for a southerly corner of said 6.293 acre tract and the southwest corner of a called 0.663 acre tract of land as described of record in Volume 1672, Page 344 of the Official Records of Kendall County, Texas bears, S 44° 40' 23" E, a distance of 43.00 feet;

THENCE: With said right-of-way line and the southwest line of said 1.995 acre tract, the following two (2) courses:

1. **N 43° 53' 43" W**, a distance of **181.59 feet** to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" for corner, and
2. **N 34° 57' 50" W**, a distance of **303.96 feet** to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng & Survey" at the southwest corner of a called 19.953 acre tract of land as described of record in Volume 1649, Page 348 of the Official Records of Kendall County, Texas, for the west corner of said 1.995 acre tract and the tract described herein;

THENCE: N 62° 04' 51" E, departing said right-of-way line and with the common line between said 1.995 acre tract and said 19.953 acre tract, a distance of **348.52 feet** to a found ½" iron rod for an angle in the west line of said 1.029 acre tract, for the north corner of said 1.995 acre tract, for the southeast corner of said 19.953 acre tract and an interior corner of the tract described herein;

THENCE: N 02° 54' 45" E, with the east line of said 19.953 acre tract and the west line of said 1.029 acre tract, a distance of **19.97 feet** to a found ½" iron rod for a westerly corner of said 6.293 acre tract, the northwest corner of said 1.029 acre tract and the most northerly corner of the tract described herein;

THENCE: With the common line between said 1.029 acre tract and said 6.293 acre tract, the following three (3) courses:

1. **S 88° 31' 13" E**, a distance of **140.04 feet** to a found ½" iron rod for corner,
2. **S 01° 11' 54" W**, a distance of **318.80 feet** to a found ½" iron rod for corner, and
3. **N 88° 37' 11" W**, a distance of **139.98 feet** to a found ½" iron rod in the east line of said 1.995 acre tract, for the southwest corner of said 1.029 acre tract, a westerly corner of said 6.293 acre tract and an interior corner of the tract described herein;

THENCE: S 00° 31' 58" W, with the common line between said 1.995 acre tract and said 6.293 acre tract, a distance of **244.13 feet** to the **POINT OF BEGINNING** and containing **3.023 acres** of land situated in Kendall County, Texas.

Exhibit "B"

BEING a 1.029 acre tract of land out of the Antonio Cruz Survey No. 170, Abstract No 97, Kendall County, Texas, said 1.029 acre tract being that certain tract described by deed recorded in volume 430, pages 468-469, Official Records, Kendall County, Texas, said 1.029 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for the southwest coner of the herein described tract, in the west boundary line of a 2-acre tract recorded in volume 313, page 11, Official Records, Kendall County, Texas, said point being N 00°36'00" E, 244.32' from a 1/2" iron rod found in the northeast right-of-way line of I.H. 10, at the south corner of the 2-acre tract;

THENCE, along the west boundary line of the 2-acre tract, N 01°12'33" E, a distance of 299.43' to a 1/2" iron rod found for angle point at the north corner of the 2-acre tract, the southeast corner of the Tri County Materials tract recorded in volume 380, page 440, Official Records, Kendall County, Texas;

THENCE, along the east boundary line of the Tri County Materials tract, N 02°09'11" E, a distance of 19.97' to a 1/2" iron rod found for corner in the west boundary line of the Juanita Albright tract;

THENCE, along the north boundary line of the 1.034 acre tract, S 88°43'55" E, a distance of 140.00' to a 1/2" iron rod set for corner;

THENCE, along the east boundary line of the 1.034 acre tract, S 01°16'07" W, a distance of 320.12' to a 1/2" iron rod found for corner;

THENCE, along the south boundary line of the 1.034 acre tract, N 88°26'00" W, a distance of 140.00' to the POINT-OF-BEGINNING and containing 1.029 acres of land.

Kendall County
Darlene Herrin
Kendall County
Clerk

Instrument Number: 368573

eRecording - Real Property

DEED

Recorded On: March 31, 2022 03:32 PM

Number of Pages: 10

" Examined and Charged as Follows: "

Total Recording: $58.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	368573
Receipt Number:	20220331000060
Recorded Date/Time:	March 31, 2022 03:32 PM
User:	Paula P
Station:	cclerk06

Record and Return To:

Corporation Service Company

STATE OF TEXAS
COUNTY OF

I hereby certify that this Instrument was FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **in the Official Records of Kendall County, Texas.**

Darlene Herrin
Kendall County Clerk
Kendall County, TX

Darlene Herrin

CHICAGO TITLE GF# 4300112408831-RS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: December 13, 2024

Grantor: OPTIC PARTNERS, LLC, a Texas limited liability company

Grantor's Mailing Address:

1390 East Bitters Road
San Antonio, Bexar County, Texas 78216

Grantee: TUSCULUM V, LLC, a Texas limited liability company

Grantee's Mailing Address:

31480 IH 10 West
Boerne, Kendall County, Texas 78006

Consideration: Cash and other good and valuable consideration, the receipt of which is acknowledged.

Property (including any improvements):

A 0.6638 of an acre (28,913 square feet) tract of land situated in the Antonio Cruz Survey Number 170, Abstract Number 97, Kendall County, Texas, and being all of that called 0.663 acre tract of land as conveyed to Fore Reel, LLC and recorded January 11, 2019 in Volume 1672, Page 344 in the Official Public Records of Kendall County, Texas (O.P.R.), said 0.6638 of an acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found in the northeasterly right-of-way line of Interstate 10 for an exterior corner of that called 6.293 acre tract of land as conveyed to Brett Walker and recorded April 3, 2006 in Volume 985, Page 647 in the O.P.R., and for the southwesterly corner of said 0.663 of an acre tract and the tract described herein, and from which point a ½" iron rod found for the southwesterly corner of said 6.293 acre tract bears N43°51'11" W, a distance of 43.49 feet;

THENCE: N 00°45'22" E, along and with the common line of said 0.663 of an acre tract and said 6.293 acre tract, a distance of 167.94 feet to a ½" iron rod

found for the northwesterly corner of said 0.663 acre tract and the tract described herein;

THENCE: S 84°56'15" E, along and with the northerly line of said 0.663 of an acre tract and a southerly line of said 6.293 acre tract, a distance of 191.55 feet to a ½" iron rod found for the northeasterly corner of said 0.663 of an acre tract and the tract described herein;

THENCE: along and with the easterly lines of said 0.663 of an acre tract and the westerly lines of said 6.293 acre tract, the following two (2) courses:

1. S 14°47'56" W, a distance of 98.16 feet to a found ½" iron rod;
2. S 48°12'39" W, a distance of 160.08 feet to a ½" iron rod found in the northeasterly right-of-way line of Interstate 10 for an exterior corner of said 6.293 acre tract and for the most southerly corner of said 0.663 of an acre tract and the tract described herein;

THENCE: N 43°51'11" W, along and with the northeasterly right-of-way line of Interstate 10, a distance of 70.12 feet to the POINT OF BEGINNING and containing 0.6638 of an acre, or 28,913 square feet, of land, more or less, in Kendall County, Texas.

Reservations From and Exceptions to Conveyance and Warranty: Any and all easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the Property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the current year, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

OPTIC PARTNERS, LLC,
a Texas limited liability company

By: _____
ERIC ABATI, Manager

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me this 13 day of December, 2024, by ERIC ABATI as Manager of OPTIC PARTNERS, LLC, a Texas limited liability company, on its behalf.

ROBERT P. JORDAN
Notary Public, State of Texas
My Comm. Exp. 12-04-2027
ID No. 128810205

_____
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Tusculum V, LLC
31480 IH 10 West
Boerne, TX 78015
4300112408831

Kendall County
Denise Maxwell
Kendall County
Clerk

Instrument Number: 394751

eRecording - Real Property

DEED

Recorded On: December 16, 2024 02:29 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: $33.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	394751
Receipt Number:	20241216000029
Recorded Date/Time:	December 16, 2024 02:29 PM
User:	Christine M
Station:	CCLERK02

Record and Return To:

Corporation Service Company

STATE OF TEXAS
COUNTY OF

I hereby certify that this Instrument was FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **in the Official Records of Kendall County, Texas.**

Denise Maxwell
Kendall County Clerk
Kendall County, TX

Denise Maxwell

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

State Bar of Texas Form

WARRANTY DEED

DATE: March 3, 2025

GRANTOR: EAT TUSCULUM, LLC, A TEXAS LIMITED LIABILITY COMPANY
GRANTOR'S MAILING ADDRESS (including county)**:** 1801 S. 2nd St., Suite 370, McAllen, Hidalgo County, Texas 78503

GRANTEE: TUSCULUM IV, LLC, A TEXAS LIMITED LIABILITY COMPANY
GRANTEE'S MAILING ADDRESS (including county)**:** 31480 Interstate 10, Boerne, Kendall County, Texas 78006

CONSIDERATION: Ten and No/100ths ($10.00) Dollars and other good and valuable consideration.

PROPERTY:
Being a 6.293 acre tract of land consisting of Tract 1, a called 2.014 acre tract out of the Antonio Cruz Survey No. 97, Kendall County, Texas, being the same as that tract conveyed in Volume 473, Page 874, of the Official Records of Kendall County, Texas, and Tract 2, a called 4.278 acre tract out of the Antonio Cruz Survey No. 97, Kendall County, Texas, being the same as that tract conveyed in Volume 223, Page 75, of the Official Records of Kendall County, Texas, said 6.293 are tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

SUBJECT TO mineral reservations of record;
SUBJECT TO Oil, Gas and Mineral Leases of record, if any;
SUBJECT TO rules, regulations, rights of way and easements in favor of water district which property is located;
SUBJECT TO all easements and restrictions of record and all visible easements.
Taxes for the year 2025 and subsequent years which Grantee herein assumes and agrees to pay.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

EAT TUSCULUM, LLC, A TEXAS LIMITED LIABILITY COMPANY

BY: _____
MICHAEL J. DALEY, MANAGER

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on the 5th day of March, 2025 by MICHAEL J. DALEY, MANAGER OF EAT TUSCULUM, LLC, A TEXAS LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

NELLIE MIRELEZ
My Notary ID # 8722830
Expires May 6, 2028

_____
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Tusculum IV, LLC
31480 Interstate 10
Boerne, Texas 78006

PREPARED IN THE OFFICE OF:
Law Office of Michael J. Daley, PLLC
P. O. Box 4313
McAllen, Texas 78502

EXHIBIT "A" LEGAL DESCRIPTION

DESCRIPTION OF A 6.289-ACRE TRACT OF LAND CONSISTING OF THAT 2.014-ACRE TRACT SITUATED IN THE ANTONIO CRUZ SURVEY NUMBER 97 IN KENDALL COUNTY, TEXAS AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 473, PAGE 874 OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS (O.R.K.C.T.) AND THAT 4.278-ACRE TRACT ALSO SITUATED IN SAID ANTONIO CRUZ SURVEY AS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 223, PAGE 75 OF SAID O.R.K.C.T., SAID 6.289-ACRE TRACT BEING REFERRED TO HEREINAFTER AS THE ABOVE REFERENCED TRACT OF LAND AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUND WITH ALL BEARINGS, DISTANCES AND AREAS BEING GRID BASED UPON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE AS DERIVED FROM A GLOBAL POSITIONING SYSTEM (G.P.S.) SURVEY PERFORMED BY TABLEROCK SURVEY LLC IN OCTOBER, 2023, AS FOLLOWS:

BEGINNING AT A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 2.014-ACRE TRACT AND OF THE ABOVE REFERENCED TRACT OF LAND, THE WEST CORNER OF THAT 1.113-ACRE TRACT OF LAND DESCRIBED IN DEED TO ENTERPRISE RENT-A-CAR AS RECORDED IN VOLUME 953, PAGE 651 OF SAID O.R.K.C.T., AND THE NORTHEAST LINE OF U. S. INTERSTATE HIGHWAY 10 (I-10);

THENCE NORTH 44°19'24" WEST, WITH SAID NORTHEAST LINE AND THE SOUTHWEST LINE OF THE SAID 2.014-ACRE TRACT AND OF THE ABOVE REFERENCED TRACT OF LAND, A DISTANCE OF 238.33 FEET (PRIOR DEED CALLS NORTH 44°08'06" WEST, 238.58 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING SAID LINE AND THE SOUTH CORNER OF THAT 0.6638-ACRE TRACT DESCRIBED IN DEED TO OPTIC PARTNERS, LLC AS RECORDED UNDER DOCUMENT NUMBER 2022275246 OF SAID O.R.K.C.T.;

THENCE WITH THE EAST LINES OF SAID 0.6638-ACRE TRACT THE FOLLOWING TWO COURSES:

> **NORTH 48°07'34" EAST, A DISTANCE OF 159.40 FEET (PRIOR DEED CALLS NORTH 48°21'39" EAST, 159.57 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING AN ANGLE ON SAID EAST LINE;**
> **NORTH 15°01'10" EAST, A DISTANCE OF 98.22 FEET (PRIOR DEED CALLS NORTH 15°12'14" EAST, 98.20 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID 0.6638-ACRE TRACT;**
> **NORTH 84°55'06" WEST, WITH THE NORTH LINE OF SAID 0.6632-ACRE TRACT, A DISTANCE OF 191.70 FEET (PRIOR DEED CALLS NORTH 84°47'06" WEST, 191.73 FEET) TO A BOLT IN CONCRETE FOUND MARKING THE NORTHWEST CORNER OF SAID 0.6632-ACRE TRACT;**

THENCE, SOUTH 00°44'33" WEST, WITH THE WEST LINE OF SAID 0.6632-ACRE TRACT, A DISTANCE OF 168.09 FEET (PRIOR DEED CALLS SOUTH 00°57'09" WEST, 167.82 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE SOUTHWEST CORNER THEREOF AND SAID NORTHEAST LINE OF I-10;

THENCE NORTH 43°29'54" WEST, WITH SAID NORTHEAST LINE, A DISTANCE

OF 43.60 FEET (PRIOR DEED CALLS NORTH 44°53'29" WEST, 42.63 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING SAID LINE, THE SOUTHWEST CORNER OF SAID 4.278-ACRE TRACT AND OF THE ABOVE REFERENCED TRACT OF LAND AND THE SOUTH CORNER OF THAT 3.023-ACRE TRACT DESCRIBED IN DEED TO TUSCULUM II, LLC AS RECORDED UNDER DOCUMENT NUMBER (DOC. NO.) 368573 OF SAID O.R.K.C.T.;

THENCE WITH LINES COMMON TO THE ABOVE REFERENCED TRACT OF LAND AND SAID 3.023-ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 00°27'42" EAST, A DISTANCE OF 242.85 FEET (PRIOR DEED CALLS NORTH 00°42'59" EAST, 244.21 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING SAID LINE, FROM WHICH POINT, A SECOND 1/2-INCH DIAMETER IRON ROD WAS FOUND;
SOUTH 88°34'46" EAST, A DISTANCE OF 140.37 FEET (PRIOR DEED CALLS SOUTH 88°20'42" EAST, 140.10 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING SAID LINE;
NORTH 01°03'49" EAST, A DISTANCE OF 318.85 FEET (PRIOR DEED CALLS NORTH 01°21'59" EAST, 318.95 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING SAID LINE;
NORTH 88°33'48" WEST, A DISTANCE OF 139.99 FEET (PRIOR DEED CALLS NORTH 88°14'39" WEST, 140.04) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 3.023-ACRE TRACT ON THE EAST LINE OF THAT 19.953-ACRE TRACT OF LAND DESCRIBED IN DEED TO TUSCULUM LLC AS RECORDED IN VOLUME 1649, PAGE 348 OF SAID O.R.K.C.T.;

THENCE NORTH 01°33'34" EAST, WITH THE EAST LINE OF SAID 19.953-ACRE TRACT, A DISTANCE OF 264.26 FEET (PRIOR DEED CALLS NORTH 01°44'18" EAST, 264.15 FEET) TO A 1/2-INCH DIAMETER IRON ROD WITH AN ILLEGIBLE PLASTIC CAP FOUND MARKING SAID LINE, THE NORTH CORNER OF SAID 4.278-ACRE TRACT, OF THE ABOVE REFERENCED TRACT OF LAND AND THE SOUTHWEST CORNER OF THAT 11.540-ACRE TRACT OF LAND DESCRIBED IN DEED TO PALIO INVESTMENTS, LLC AS RECORDED IN VOLUME 1611, PAGE 108 OF SAID O.R.K.C.T.;

THENCE SOUTH 44°36'49" EAST, WITH THE SOUTHWEST LINE OF SAID 11.540-ACRE TRACT, THE NORTHEAST LINE OF SAID 4.278-ACRE TRACT AND OF THE ABOVE REFERENCED TRACT OF LAND, A DISTANCE OF 668.22 FEET (PRIOR DEED CALLS SOUTH 44°23'14" EAST, 668.25 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE NORTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, THE SOUTHEAST CORNER OF SAID 11.540-ACRE TRACT AND THE WEST LINE OF LOT 11 OF CASCADE MOBILE VILLAGE, A SUBDIVISION OF SAID ANTONIO CRUZ SURVEY ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 8 OF THE PLAT RECORDS OF KENDALL COUNTY, TEXAS (P.R.K.C.T.) FROM WHICH POINT A SECOND 1/2-INCH DIAMETER IRON ROD WAS FOUND TO BEAR NORTH 07°28'29" WEST, 11.38 FEET;

THENCE SOUTH 01°37'13" WEST, WITH THE WEST LINE OF SAID CASCADE MOBILE VILLAGE, AT A DISTANCE OF 139.10 FEET PASSING A 1/2-INCH

DIAMETER IRON ROD FOUND MARKING THE COMMON WEST CORNERS OF SAID LOT 11 AND LOT 10, IN ALL A TOTAL DISTANCE OF 257.56 FEET (PRIOR DEED CALLS SOUTH 01°48'57" WEST, 257.55 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING AN ANGLE ON SAID WEST LINE;

THENCE SOUTH 01°26'40" WEST, CONTINUING WITH THE WEST LINE OF SAID CASCADE MOBILE VILLAGE, AT A DISTANCE OF 72.92 FEET A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE COMMON WEST CORNERS OF LOT 9 AND LOT 10 BEARS AT RIGHT ANGLE LEFT, 1.3 FEET, IN ALL A TOTAL DISTANCE OF 142.14 FEET (PRIOR DEED CALLS SOUTH 01°23'34" WEST, 142.45 FEET) TO A 1/2-INCH DIAMETER IRON ROD FOUND MARKING THE NORTH CORNER OF THE ABOVE REFERENCED 1.113-ACRE ENTERPRISE RENT-A-CAR TRACT;

THENCE SOUTH 48°22'55" WEST, WITH THE NORTHWEST LINE OF SAID 1.113-ACRE TRACT, A DISTANCE OF 305.49 FEET (PRIOR DEED CALLS SOUTH 48°41'31" WEST, 305.69 FEET) TO THE POINT OF BEGINNING AND CONTAINING 6.289 ACRES (273,954 SQUARE FEET) OF LAND, MORE OR LESS.

Kendall County
Denise Maxwell
Kendall County
Clerk

Instrument Number: 396786

eRecording - Real Property

DEED

Recorded On: March 05, 2025 11:38 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: $41.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	396786
Receipt Number:	20250305000024
Recorded Date/Time:	March 05, 2025 11:38 AM
User:	Harriet S
Station:	cclerk01

Record and Return To:

Corporation Service Company

STATE OF TEXAS
COUNTY OF

I hereby certify that this Instrument was FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **in the Official Records of Kendall County, Texas.**

Denise Maxwell
Kendall County Clerk
Kendall County, TX

Denise Maxwell

Exhibit "2"

Zoning Change Application

Planning Commission Hearing date:

_____

Planning Department
447 N. Main St.
Boerne, TX 78006
830-248-1501
planning@boerne-tx.us
www.boerne-tx.gov

Zoning Change Application

Property Owner: Tusculum II, LLC; Tusculum IV, LLC; Tusculum V, LLC; Tusculum, LLC

Applicant (if Different than owner): _____

Address: P.O. Box 490, Boerne, Texas 78006

Mobile: 210-960-2750 Home: _____ Office: _____

Email: nurddin@kgftx.com

Status of Applicant: [X] Owner [ ] Tenant [ ] Prospective Purchaser

Other (specify): _____

Representative: Killen, Griffin & Farrimond, PLLC (Ashley Farrimond)

Address: 10101 Reunion Pl., Ste. 250, San Antonio, TX 78216

Mobile: 210-960-2750 Home: _____ Office: _____

Email: ashley@kgftx.com

Location: Generally located along the 30000 block of IH-10, Boerne, Texas

Current Zoning: OCL

Requested Use: C-3

Area of Request (sq.ft./Acres): See Attached Cover Letter Property ID: See Attached Cover Letter

Legal Description: See Attached Cover Letter

Reason for Request: To allow for the development of a full-service dealership

_____

I Certify that the preceding information provided is accurate:

Signature: See Attached Authorization Letter Date: _____
Property Owner*

Signature: Ashley Farrimond Date: 12/29/2025
Applicant/Agent*

*If the applicant is a person other than the owner, a letter of authorization must be provided from owner. Signature indicates authorization for plat application and acceptance of waiver statement.

FOR OFFICIAL USE ONLY

Date received: _____ Received by: _____

Filing Fee: _____ Approved by: _____

Required Attachments

City	Applicant	File ID #	Attachment(s)	Application Reference
			Letter of Intent- With Attachments	
			Authorization Letter from Property Owners	
			Annexation Petition and Checklist	

Voluntary Annexation Application & Checklist

Planning and Community Development
447 N. Main St.
Boerne, TX 78006
830-248-1501
planning@boerne-tx.us
www.boerne-tx.gov

Name of Project: IH-10 Annexation and Rezoning

Submittal Date: 12/30/2025

Proposed Acreage to be Annexed: Approx. 13.4 acres

An incomplete application will delay processing.

Applicant and Owner Information

Applicant/Owner Name: Multiple Owners (see attached) // Killen, Griffin & Farrimond, PLLC (Applicant/Agent)

Relation to Owner: ☐ Self ☒ Agent

Applicant/Owner Address: 10101 Reunion Place, Suite 250
Street Address or PO Box

San Antonio | Texas | 78216
City | *State* | *Zip Code*

Phone: (210) 960-2750 Email: ashley@kgftx.com

Property Description

Address: Generally located along the 30000 block of IH 10, Boerne, Texas 78015

KAD Property ID: 12218, 12222, 12220, 12178, 12207, 12183, and 12182 Acreage: Approx. 13.4 acres

Required Items

X 1. Completed and Signed Application/Checklist

X 2. Original Annexation Petition to include a legal description of the property (including a survey, field notes or legal description – subdivision, lot, and block)

X 3. Clear and legible copy of certified field notes (metes and bounds) describing the boundary of the property that is being petitioned for annexation with a graphic exhibit (map or plat) clearly showing the property.

_____ 4. Includes fees for filing and processing of petition and required public notices.

_____ 5. Original Executed MSP (Municipal Service Plan)

Applicant Acknowledgement

Signature Required

I hereby certify that I am the Owner or Duly Authorized Agent of the Owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect, the application may be denied and/or the permit or approval may be revoked. I further acknowledge that application processing does not formally begin until application is deemed complete and all fees have been paid.

Ashley Farrimond 12/30/2025

Applicant Signature Date

CASE NO. _____

Accepted by: _____

Date: _____

_____

Acct #:_____

SPECIAL USE PERMIT APPLICATION

(Pre-Application Meeting Required; Incomplete applications will not be accepted)

PROPERTY INFORMATION			
DEVELOPMENT/PROJECT NAME: IH-10 Dealership		**PARCEL NUMBER(S):** Multiple - see attached	
ADDRESS OR DESCRIPTIVE LOCATION: Generally located along the 30000 Block of IH-10, Boerne, TX 78006		GROSS AREA (ACRE/SQ. FT.): ~13.4 Ac. NET AREA (ACRE/SQ. FT.):	
CURRENT ZONING: OCL	MASTER PLAN DESIGNATION: Auto-Oriented Commercial		
CURRENT USE: Commercial / Residential / Undeveloped			

PROJECT INFORMATION		
PROJECT DESCRIPTION (TO INCLUDE PROPOSED USE): Full-Service Automobile Dealership		
PRE-APPLICATION MEETING	PLANNER ASSIGNED:	RELATED CASE(S):
	CASE NUMBER:	
	DATE HELD:	

APPLICANT INFORMATION (Single point of contact)	***PROPERTY OWNER INFORMATION***
NAME: Killen, Griffin & Farrimond, PLLC	NAME: Multiple - see attached
ADDRESS: 10101 Reunion Place, Suite 250	ADDRESS:
CITY, ST, ZIP: San Antonio, Texas 78216	CITY, ST, ZIP:
PHONE NUMBER: (210) 960-2750	PHONE NUMBER:
EMAIL: ashley@kgftx.com	EMAIL:

APPLICATION FEES (STAFF ONLY)			
BASE FEE: SUP	$551		
PHTG (TIA)	$265		
Concurrent Application	Varies		$
		SUBTOTAL	
		TOTAL AMOUNT DUE	**$**

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE:___ Ashley Farrimond _____ DATE:_____12/30/2025___

I, THE UNDERSIGNED OWNER, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND CONSENT TO THIS APPLICATION.

SIGNATURE:_____ DATE:_____

Planning Department
447 N. Main Street ◆ Phone (830) 248-1501
https://www.ci.boerne.tx.us/90/Planning

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

To Whom It May Concern:

Tusculum II, LLC is the owner of property located at 31400 IH-10, Boerne, Texas ("Property"). The Property is further identified as Kendall County Appraisal District Parcel Identification Numbers 12220 and 12178. This letter hereby authorizes the submittal of a zoning application and associated annexation petition for the Property. This letter further authorizes Killen, Griffin & Farrimond, PLLC to act as representatives for the change of zoning, annexation and any other development approvals related to the Property.

Sincerely,

Tusculum II, LLC

By: _____
Roland Smith, Manager

Date: 12/26/2025

STATE OF TEXAS §
§
COUNTY OF KENDALL §

BEFORE ME, the undersigned authority, on this day personally appeared Roland Smith who acknowledged he is authorized to execute this document on behalf of Tusculum II, LLC.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of December, 2025.

NOTARY PUBLIC STATE OF TEXAS
CRYSTAL RAE STEWART
My Notary ID # 129508987
Expires July 31, 2029

_____
Notary Public, State of Texas
Printed Name: Crystal Rae Stewart

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

To Whom It May Concern:

Tusculum IV, LLC is the owner of property located at 31300 IH-10, Boerne, Texas ("Property"). The Property is further identified as Kendall County Appraisal District Parcel Identification Numbers 12207 and 12182. This letter hereby authorizes the submittal of a zoning application and associated annexation petition for the Property. This letter further authorizes Killen, Griffin & Farrimond, PLLC to act as representatives for the change of zoning, annexation and any other development approvals related to the Property.

Sincerely,

Tusculum IV, LLC

By: _____
Roland F. Smith, Manager

Date: 12/26/2025

STATE OF TEXAS §
§
COUNTY OF KENDALL §

BEFORE ME, the undersigned authority, on this day personally appeared Roland F. Smith who acknowledged he is authorized to execute this document on behalf of Tusculum IV, LLC.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of December, 2025.

CRYSTAL RAE STEWART
My Notary ID # 129508987
Expires July 31, 2029

_____
Notary Public, State of Texas
Printed Name: Crystal Rae Stewart

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

To Whom It May Concern:

Tusculum V, LLC is the owner of property located at 31320 IH-10, Boerne, Texas ("Property"). The Property is further identified as Kendall County Appraisal District Parcel Identification Number 12183. This letter hereby authorizes the submittal of a zoning application and associated annexation petition for the Property. This letter further authorizes Killen, Griffin & Farrimond, PLLC to act as representatives for the change of zoning, annexation and any other development approvals related to the Property.

Sincerely,

Tusculum V, LLC

By: _____
Roland F. Smith, Manager

Date: 12/26/2025

STATE OF TEXAS §
§
COUNTY OF KENDALL §

BEFORE ME, the undersigned authority, on this day personally appeared Roland F. Smith who acknowledged he is authorized to execute this document on behalf of Tusculum V, LLC.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of December, 2025.

Crystal Rae Stewart
Notary Public, State of Texas
Printed Name: Crystal Rae Stewart

CRYSTAL RAE STEWART
My Notary ID # 129508987
Expires July 31, 2029

City of Boerne
Planning Department
447 N. Main Street
Boerne, TX 78006

To Whom It May Concern:

Tusculum, LLC is the owner of property located at 31440 IH-10, Boerne, Texas ("Property"). The Property is further identified as Kendall County Appraisal District Parcel Identification Numbers 12218 and 12222. This letter hereby authorizes the submittal of a zoning application and associated annexation petition for the Property. This letter further authorizes Killen, Griffin & Farrimond, PLLC to act as representatives for the change of zoning, annexation and any other development approvals related to the Property.

Sincerely,

Tusculum, LLC

By: _____
Roland Smith, Member

Date: 12/26/2025

STATE OF TEXAS §
§
COUNTY OF KENDALL §

BEFORE ME, the undersigned authority, on this day personally appeared Roland Smith who acknowledged he is authorized to execute this document on behalf of Tusculum, LLC.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of December, 2025.

CRYSTAL RAE STEWART
My Notary ID # 129508987
Expires July 31, 2029

_____
Notary Public, State of Texas
Printed Name: Crystal Rae Stewart

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	804388389	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	January 14, 2022	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32082706204	**FEIN:**	
Duration:	Perpetual		

Name: Tusculum II, LLC
Address: 31480 I-10 WEST
BOERNE, TX 78006 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
November 11, 2024	ROLAND SMITH	MANAGER	31480 IH 10 WEST BOERNE, TX 78006 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	805658278	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	August 9, 2024	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32096301729	**FEIN:**	
Duration:	Perpetual		

Name: Tusculum IV, LLC
Address: 31480 I-10 WEST
BOERNE, TX 78006 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
August 9, 2024	Roland F. Smith	Manager	31480 I-10 West Boerne, TX 78006 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	802980460	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	April 4, 2018	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32066732648	**FEIN:**	
Duration:	Perpetual		

Name: Tusculum, LLC

Address: PO BOX 490
BOERNE, TX 78006-0490 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
November 11, 2024	ROLAND SMITH	MEMBER	PO BOX 490 BOERNE, TX 78006 USA

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	805793148	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	November 20, 2024	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32097684842	**FEIN:**	
Duration:	Perpetual		

Name: Tusculum V, LLC
Address: 31480 I-10 WEST
BOERNE, TX 78006 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
November 20, 2024	Roland F. Smith	Manager	31480 I-10 West Boerne, TX 78006 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

Exhibit "3"

Annexation Petition

ANNEXATION PETITION

TO THE MAYOR AND GOVERNING BODY OF
THE CITY OF BOERNE, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land hereby petition your honorable body to extend the present city limits so as to include as a part of the City of Boerne, Texas, the following described territory, to-wit:

Generally Located along the 30000 Block of IH-10

(Description by metes and bounds attached)

We certify that the above described tract of land is contiguous to the City of Boerne, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

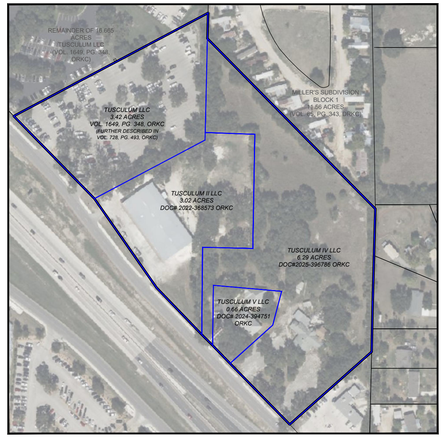
[Signature Pages to Follow]

SURVEY NOTES:

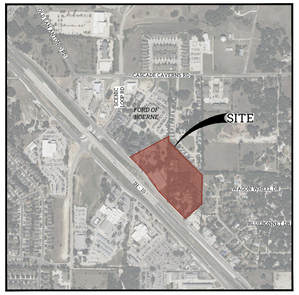
1. BASIS OF BEARING ON THIS SURVEY IS GRID NORTH, NORTH AMERICAN DATUM OF 1983 (NAD83 2011) FOR THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND OTHER MATTERS AFFECTING THIS PROPERTY MAY EXIST AND MAY OR MAY NOT BE SHOWN HEREON.
3. IMPROVEMENTS, UTILITIES, AND/OR STRUCTURES THAT EXIST WITHIN THE LIMITS OF THE PROPERTY ARE NOT SHOWN HEREON.

DEED/ PLAT REFERENCES

DRKC	DEED RECORDS OF KENDALL COUNTY, TEXAS
ORKC	OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
PRKC	PLAT RECORDS OF KENDALL COUNTY, TEXAS



EXISTING TRACT(S) INDEX MAP
N.T.S



LOCATION MAP
N.T.S

60 0 60 120
SCALE OF FEET
1" = 60'

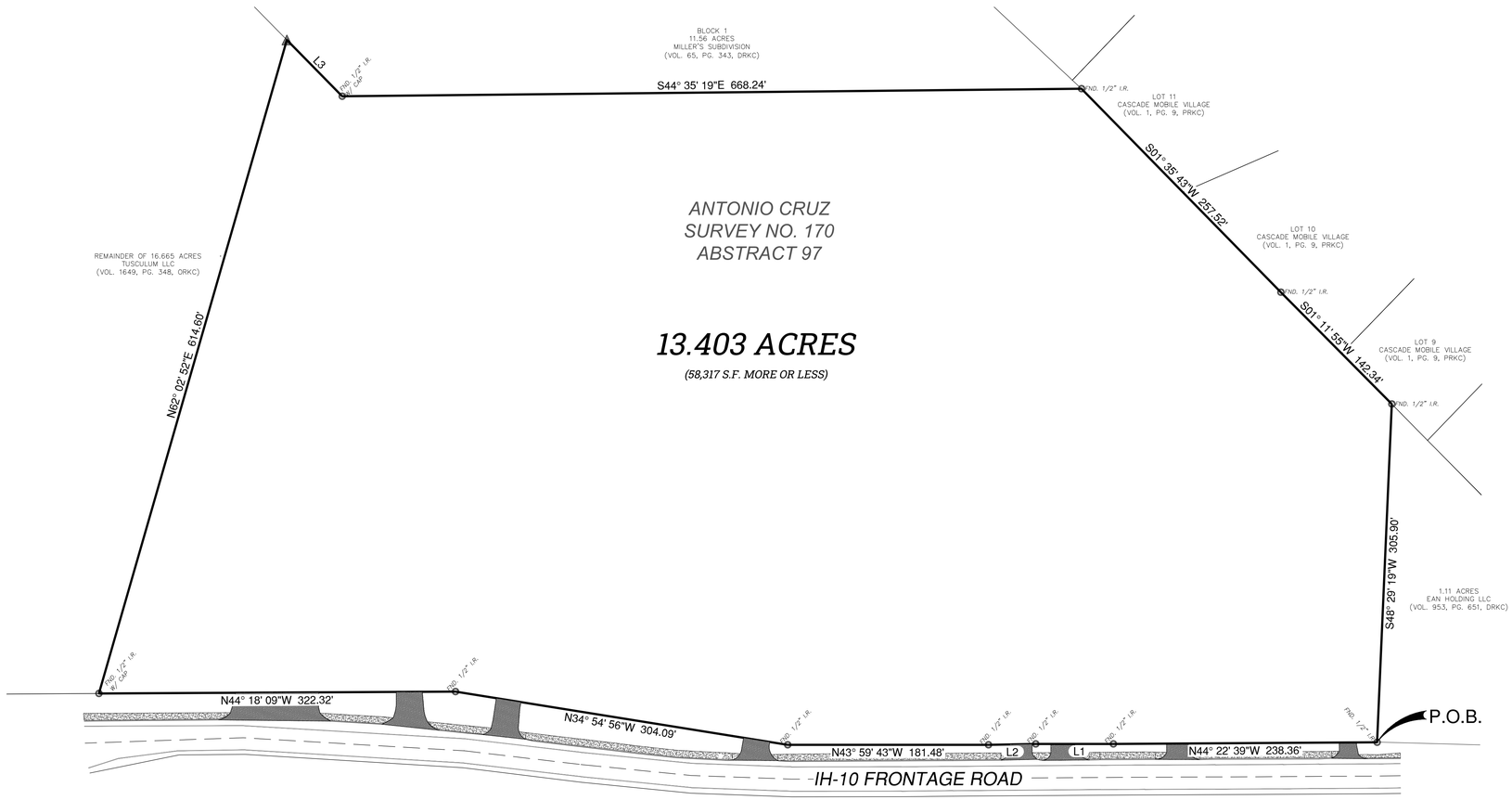
LINE LEGEND

- PROPERTY LINE
- ADJOINER
- EX. EDGE OF PAVEMENT
- EX. ROAD ℄
- EX. SHOULDER STRIPE

SYMBOL LEGEND

- FOUND IRON ROD MONUMENT
- CALCULATED POINT

LINE TABLE		
LINE NUMBER	LENGTH	BEARING
L1	70.16	N43° 56' 46"W
L2	42.78	N45° 03' 45"W
L3	71.42	S01° 31' 19"W



I, RICHARD POLLOK, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATE FIELD WORK COMPLETED: 1/29/2025

DATE OF SURVEY: 12/16/2025

RICHARD POLLOK
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5825

STATE OF TEXAS · REGISTERED · RICHARD POLLOK · 5825 · PROFESSIONAL LAND SURVEYOR

RAKOWITZ
Engineering & Surveying
Texas Registered Engineering Firm F-9155
Texas Registered Surveying Firm 101812-00
830-281-4060

© COPYRIGHT RAKOWITZ ENGINEERING 2025

KIA OF BOERNE
EXHIBIT OF SURVEY

BEING 13.403 ACRES, BEING ALL OF A 3.023 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2022-368573, ALL OF A 0.6638 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2024-394751, ALL OF A 3.42 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 1649 PAGE 354, BEING FURTHER DESCRIBED IN VOLUME 728 PAGE 493, AND ALL OF A 6.293 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2025-396786, OF THE OFFICIAL PUBLIC RECORDS, KENDALL COUNTY, TEXAS, AND LYING IN THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS.

REV	DATE	DESCRIPTION	BY

JOB NO.	24-3256E
DATE	JAN. 2026
DESIGNER	JJC
CHECKED	RAP
DRAWN	JJC

SHEET
1 OF 1

Date: Jan 07, 2026, 2:52pm User ID: ENG1-2023
File: W:\Projects\2024\24-3256 Kia of Boerne\24-3256D KIA - New Location\Survey\Land Study Boundary Survey\24-3256E - KIA of Boerne - Boundary Survey_251216.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM ELECTRONICALLY TRANSMITTED OR STORED MATERIAL WHICH MAY HAVE BEEN ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE ENGINEER'S ORIGINAL SIGNATURE AND SEAL.

Tusculum, LLC

By: _____

Printed Name: Roland Smith

Title: Member

Address: P.O. Box, Boerne, TX 78006

Phone Number: 210-960-2750

STATE OF TEXAS §
§
COUNTY OF Kendall §

Before me, the undersigned authority, on this day personally appeared Roland Smith, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 21 day of January, 2026.

(Seal)

NOTARY PUBLIC STATE OF TEXAS
CRYSTAL RAE STEWART
My Notary ID # 129508987
Expires July 31, 2029

Crystal Rae Stewart
Notary Public in and for the State of Texas
My commission expires: July 31, 2029

Tusculum II, LLC

By: _____

Printed Name: Roland Smith

Title: Manager

Address: 31480 I-10 West, Boerne, TX 78006

Phone Number: 210-960-2750

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§
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My Notary ID # 129508987
Expires July 31, 2029

Tusculum V, LLC

By: _____

Printed Name: Roland F. Smith

Title: Manager

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Phone Number: 210-960-2750

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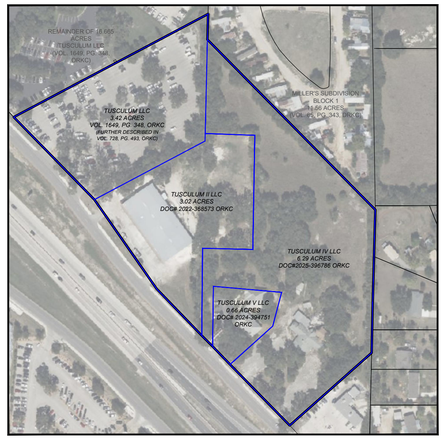
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My Notary ID # 129508987
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PRKC	PLAT RECORDS OF KENDALL COUNTY, TEXAS



EXISTING TRACT(S) INDEX MAP
N.T.S



LOCATION MAP
N.T.S

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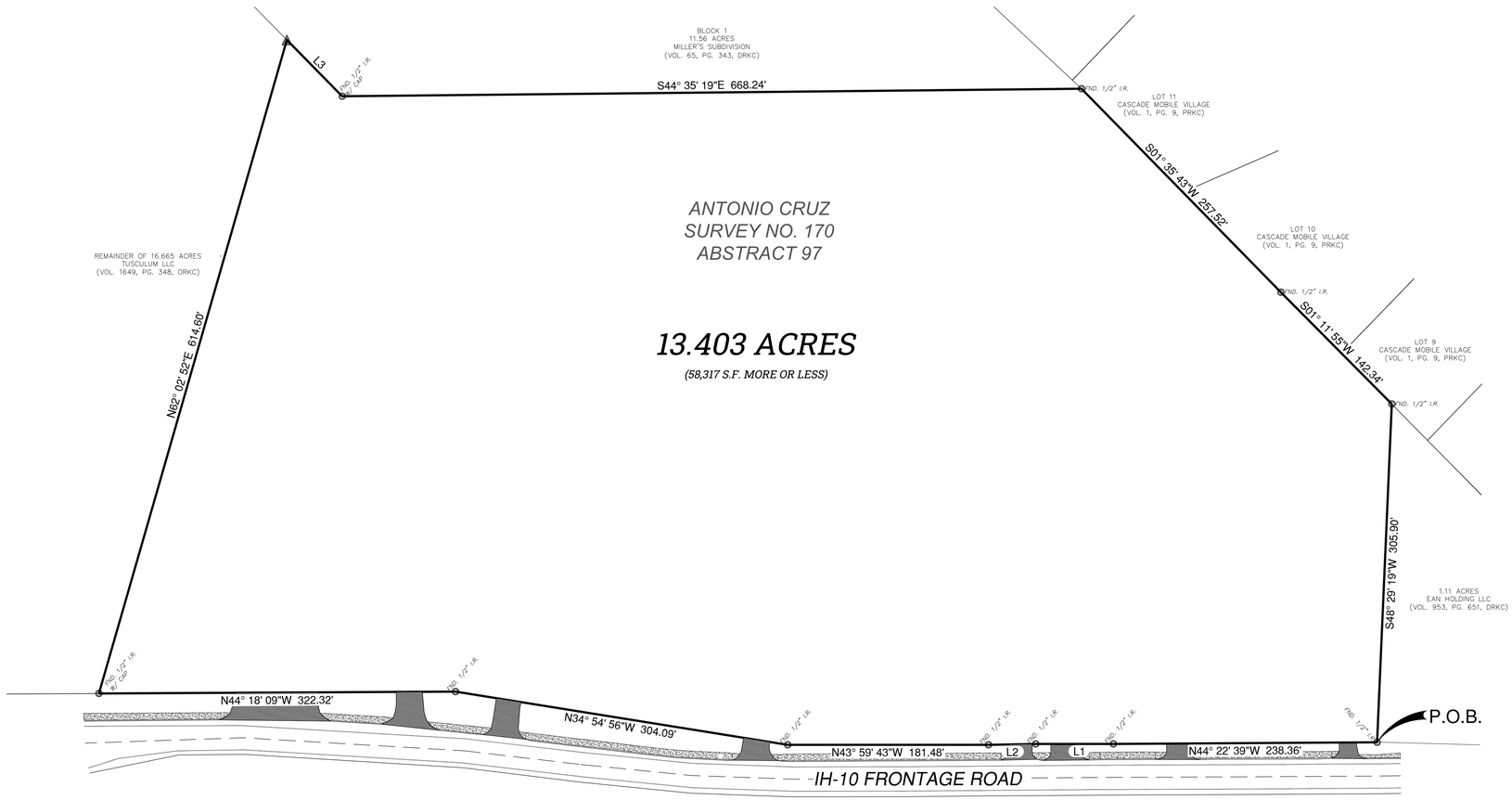
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- FOUND IRON ROD MONUMENT
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DATE FIELD WORK COMPLETED: 1/29/2025

DATE OF SURVEY: 12/16/2025

RICHARD POLLOK
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5825

STATE OF TEXAS · REGISTERED · RICHARD POLLOK · 5825 · PROFESSIONAL LAND SURVEYOR

RAKOWITZ
Engineering & Surveying
Texas Registered Engineering Firm F-9155
Texas Registered Surveying Firm 101812-00
830-281-4060

© COPYRIGHT RAKOWITZ ENGINEERING 2025

KIA OF BOERNE
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	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	PRESENTATION OF THE FINAL PLAN OF FINANCE TO FUND THE 2026 CAPITAL IMPROVEMENT PLAN AND ECONOMICALLY REFUND DEBT.
Contact Person	Sarah Buckelew, Finance Director
Background Information	The City of Boerne is preparing a 2026 Plan of Finance that includes funding for Fire Station #2 and refinancing two existing debt obligations to take advantage of favorable market conditions. **New Debt: Fire Station #2** The City is proposing the issuance of approximately $20 million in Certificates of Obligation to partially fund the construction of Fire Station #2. The total project cost is estimated at $30 million and includes the design costs, site work and public infrastructure, fire station building, the fire apparatus and equipment previously ordered, furniture and fixtures for the station, and project contingency. The remaining $10 million would be funded with existing capital reserves. The debt would be sold through a competitive process to secure the most favorable interest rates available. The financing has been structured to fit within the City's existing debt service tax rate, and no increase to the current Interest and Sinking (I&S) tax rate is anticipated as a result of this issuance. **Refinancing Existing Debt** The City is also evaluating the refinancing of two existing bond issues that become eligible for early repayment in November 2026. Similar to refinancing a home mortgage, refinancing allows the City to replace existing debt with lower-cost debt when market conditions are favorable. Based on current interest rates, the refinancing is projected to generate savings between approximately $680,000 and $1.7 million over the remaining life of the bonds. These savings would reduce future debt service costs and provide long-term benefit to taxpayers. **Future Utility Projects**

	Additional debt for utility infrastructure projects may be considered later in 2026 or early 2027 as project needs arise. Any future issuances will be presented to City Council for consideration at the appropriate time. **Next Steps** City Staff will work over the coming weeks to execute the plan of finance, including meeting with rating agencies and preparing financial disclosures for the competitive bidding process. A detailed calendar is included in the attached Plan of Finance. Overall, the proposed financing strategy reflects the City's long-standing commitment to maintaining high-quality public facilities and infrastructure while managing debt responsibly and preserving financial flexibility for the future.
Strategic Alignment	Fiscal Excellence F1: Committing to strategic, responsible, and conservative financial management F2: Investing in and maintaining high-quality and resilient infrastructure, mobility, and public assets B2: Advancing master plan recommendations
Financial Considerations	All estimates in the presentation and attachments are estimates at the time of preparation. If debt issuances are approved, final bid results will be presented to Council at the regularly scheduled council meeting on September 8, 2026.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	2026 Plan of Finance dated June 23, 2026

Jim Sabonis
Managing Director
717 N. Harwood St., Suite 3400
Dallas, TX 75201
Direct: 214.953.4195
Fax: 214.953.4050
jim.sabonis@hilltopsecurities.com

Andre Ayala
Managing Director
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Dallas, TX 75201
Direct: 214.953.4184
Fax: 214.953.4050
andre.ayala@hilltopsecurities.com

Jorge Delgado
Senior Vice President
717 N. Harwood St., Suite 3400
Dallas, TX 75201
Direct: 214.859.1714
Fax: 214.953.4050
jorge.delgado@hilltopsecurities.com

Amber Chien
Assistant Vice President
717 N. Harwood St., Suite 3400
Dallas, TX 75201
Direct: 214.953.4297
Fax: 214.953.4050
amber.chien@hilltopsecurities.com

City of Boerne, Texas

Certificates of Obligation Bonds, Series 2026
and
General Obligation Refunding Bonds, Series 2026 A and Series B

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June 23, 2026

Plan of Finance

Goals	=	1) Fund $20 million Fire Station 2) Economically Refund Existing Callable Debt
Tax Status	=	Tax-Exempt
Bond Rating Assumption	=	Confirmation of existing "Aa1" bond rating by Moody's Ratings
Interest Rates	=	Assumes "Aa1" Tax-Exempt Interest Rates as of June 9, 2026 plus 25 basis points. Subject to change at any time.
Pricing and Council Approval	=	Tuesday, 09/8/26
Closing and Delivery of funds to the City	=	Wednesday, 09/30/26

Fire Station Funding

Debt Instrument	=	Certificates of Obligation, Series 2026
Credit Pledge	=	Combination of I&S Ad Valorem Taxes and Limited Net Revenues of the Utility System
Repayment	=	Levy of I&S Ad Valorem Tax

Economic Refunding

Debt Instrument	=	General Obligation Refunding Bonds, Series 2026 1) Series A = I&S Ad Valorem Tax Supported Debt 2) Series B = Utility Fund Supported Debt
Credit Pledge	=	Levy of I&S Ad Valorem Tax
Repayment	=	1) Series A = Levy of I&S Ad Valorem Tax 2) Series B = Net Revenues of the Utility Fund

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Plan of Finance

	Certificates of Obligation	General Obligation Refunding Bonds	Total
Par Amount of Bonds	$20,145,000	$26,055,000	$26,055,000
Plus: Original Issue Premium	$213,740	$2,308,662	$2,308,662
Total Sources of Funds	$20,358,740	$28,363,662	$28,363,662
Project Fund	$20,000,000	$0	$0
Refunding Escrow Deposits	$0	$27,923,859	$27,923,859
Financing Cost	$161,160	$283,473	$283,473
Underwriter's Discount	$197,580	$156,330	$156,330
Total Uses of Funds	$20,358,740	$28,363,662	$28,363,662
All-in True Interest Cost	4.34%	3.78%	
Total Principal and Interest	$31,832,267	$30,504,212	
Amortization	20 years	14 years	
Avg. Annual P&I	$1,591,613	$2,178,872	

Notes

1) Estimated, subject to change.

2) Assumes "Aa1" Tax-Exempt Interest Rates plus 0.25% as of 6/92026. Subject to change at any time.

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General Obligation Refunding Details

	Par	Coupon	Call Date
General Obligation Refunding Bonds, Series 2016	$6,430,000	3.0% to 4.0%	11/13/2026
General Obligation Refunding Bonds, Series 2017	$21,385,000	3.5% to 5.0%	11/13/2026
	$27,815,000		

	2026A I&S	2026B Utility	Total
Gross Savings	$37,881	$645,601	$683,481
Net Present Value Savings	$34,240	$515,727	$549,967
NPV Savings as a % of Refunded Bonds	2.18%	0.83%	1.98%

	Gross Savings
Current Interest Rates less 0.25%	$1,694,427
Current Interest Rates	$1,193,007
Current Interest Rates plus 0.25% (Current Scenario)	$683,481

Notes

1) Estimated, subject to change.

2) Assumes "Aa1" Tax-Exempt Interest Rates plus 0.25% as of 6/92026. Subject to change at any time.

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Projected Refunding Debt Service Savings

	Utility Debt Component			I&S Debt Component			
FYE 30-Sep	Existing Utility Supported D/S	Less: Projected Refunding Savings[1]	Projected Total Utility Supported D/S	Existing I&S Tax Supported D/S	Less: Projected Refunding Savings[1]	Projected Total I&S Tax Supported D/S	Total Projected Refunding Savings[1]
2026	$2,863,175	$0	$2,863,175	$5,660,272	$0	$5,660,272	$0
2027	$2,246,950	$3,613	$2,242,307	$3,863,957	$3,056	$3,860,902	$6,669
2028	$2,241,675	$26,050	$2,201,375	$3,969,125	$4,375	$3,964,750	$30,425
2029	$2,243,500	$24,750	$2,205,000	$3,990,500	$7,200	$3,983,300	$31,950
2030	$2,245,775	$27,150	$2,205,375	$4,028,275	$7,775	$4,020,500	$34,925
2031	$2,239,775	$34,275	$2,192,750	$4,072,075	$4,225	$4,067,850	$38,500
2032	$2,406,950	$192,950	$2,201,750	$3,968,875	$6,300	$3,962,575	$199,250
2033	$2,397,075	$183,450	$2,201,875	$3,318,025	$4,950	$3,313,075	$188,400
2034	$1,908,225	$5,850	$1,905,750	$2,525,600	$0	$2,525,600	$5,850
2035	$2,197,125	$23,625	$2,166,875	$2,609,450	$0	$2,609,450	$23,625
2036	$2,204,063	$25,313	$2,172,375	$2,705,650	$0	$2,705,650	$25,313
2037	$2,203,000	$23,500	$2,173,375	$2,805,100	$0	$2,805,100	$23,500
2038	$2,204,500	$23,875	$2,169,875	$2,913,200	$0	$2,913,200	$23,875
2039	$2,208,000	$26,125	$2,176,500	$3,024,050	$0	$3,024,050	$26,125
2040	$2,203,200	$25,075	$2,173,000	$3,107,850	$0	$3,107,850	$25,075
2041	$0	$0	$0	$2,253,600	$0	$2,253,600	$0
2042	$0	$0	$0	$2,390,100	$0	$2,390,100	$0
2043	$0	$0	$0	$165,600	$0	$165,600	$0
2044	$0	$0	$0	$164,500	$0	$164,500	$0
2045	$0	$0	$0	$163,200	$0	$163,200	$0
	$34,012,988	$645,601	$33,251,357	$57,699,004	$37,881	$57,661,124	$683,481

Notes

1) Estimated, subject to change.

2) Assumes "Aa1" Tax-Exempt Interest Rates plus 0.25% as of 6/92026. Subject to change at any time.

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Impact of Certificates of Obligation, Series 2026

Fiscal Year Ending 30-Sep	Existing I&S Tax Supported Debt Service	Less: Series 2021 Elcectric Utility Transfer	Net I&S Tax Supported Debt Service	Less: Series 2026A Refunding Savings[1]	Fire Station $20,145,000 Certificates of Obligation, Series 2026 *All-in True Interest Cost = 4.34%* [1]			NEW I&S Tax Supported Debt Service
					Principal	Total	Total D/S	
2026	$5,660,272	($1,103,463)	$4,556,809	$0	$0	$0	$0	$4,556,809
2027	$3,863,957	($1,073,025)	$2,790,932	($1,044)	$1,445,000	$783,905	$2,228,905	$5,018,792
2028	$3,969,125	($1,198,995)	$2,770,130	($9,750)	$415,000	$809,250	$1,224,250	$3,984,630
2029	$3,990,500	($1,156,587)	$2,833,913	($7,450)	$370,000	$789,625	$1,159,625	$3,986,088
2030	$4,028,275	($1,128,372)	$2,899,903	($8,025)	$325,000	$772,250	$1,097,250	$3,989,128
2031	$4,072,075	($1,102,608)	$2,969,467	($9,350)	$270,000	$757,375	$1,027,375	$3,987,492
2032	$3,968,875	($1,017,735)	$2,951,140	($6,300)	$300,000	$743,125	$1,043,125	$3,987,965
2033	$3,318,025	($1,031,629)	$2,286,396	($4,950)	$355,000	$726,750	$1,081,750	$3,363,196
2034	$2,525,600	($579,776)	$1,945,824	$0	$720,000	$699,875	$1,419,875	$3,365,699
2035	$2,609,450	($578,764)	$2,030,686	$0	$670,000	$665,125	$1,335,125	$3,365,811
2036	$2,705,650	($579,975)	$2,125,675	$0	$610,000	$633,125	$1,243,125	$3,368,800
2037	$2,805,100	($580,659)	$2,224,441	$0	$535,000	$604,500	$1,139,500	$3,363,941
2038	$2,913,200	($581,115)	$2,332,085	$0	$455,000	$579,750	$1,034,750	$3,366,835
2039	$3,024,050	($578,522)	$2,445,528	$0	$360,000	$559,375	$919,375	$3,364,903
2040	$3,107,850	($578,579)	$2,529,271	$0	$295,000	$543,000	$838,000	$3,367,271
2041	$2,253,600	$0	$2,253,600	$0	$590,000	$520,875	$1,110,875	$3,364,475
2042	$2,390,100	$0	$2,390,100	$0	$480,000	$494,125	$974,125	$3,364,225
2043	$165,600	$0	$165,600	$0	$2,760,000	$426,925	$3,186,925	$3,352,525
2044	$164,500	$0	$164,500	$0	$2,885,000	$314,025	$3,199,025	$3,363,525
2045	$163,200	$0	$163,200	$0	$3,005,000	$196,225	$3,201,225	$3,364,425
2046	$0	$0	$0	$0	$3,300,000	$68,063	$3,368,063	$3,368,063
2047	$0	$0	$0	$0	$0	$0	$0	$0
2048	$0	$0	$0	$0	$0	$0	$0	$0
	$57,699,004	($12,869,804)	$44,829,200	($46,869)	$20,145,000	$11,687,267	$31,832,267	$76,614,598

Notes

1) Estimated, subject to change.

2) Assumes "Aa1" Tax-Exempt Interest Rates plus 0.25% as of 6/92026. Subject to change at any time.

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Proposed Schedule of Events

Date	Event
Tuesday, 06/23/26	**City Council Meeting** 1) Presentation of Initial Plan of Finance to Fund 2026 Capital improvement Plan and Economically Refunding Existing Debt A) Combination Tax and Limited Net Revenue of the Utility System Certificates of Obligation, Series 2026 (Fire Station) B) General Obligation Refunding Bonds, Series 2026A (I&S Ad Valorem Tax) C) General Obligation Refunding Bonds, Series 2026B (Utility)
Tuesday, 07/14/26	**City Council Meeting** 1) Presentation of Final Plan of Finance to Fund 2026 Capital improvement Plan and Economically Refunding Debt 2) City Council approves Final Plan of Finance and directs Staff to work with Finance Team to Implement 3) City Council considers a Resolution for Publication of a Notice of Intent to issue Combination Tax and Limited Net Revenue of the Utility System Certificates of Obligation, Series 2026 (Fire Station)
Saturday, 07/25/26	Certification of Taxable Assessed Value
Tuesday, 09/8/26	Morning of September 8, 2026 - Pricing of Debt Issuances **City Council Meeting** 1) Presentation of the Results of Pricings and Final Transaction Numbers 2) City Council considers and approvals the Ordinance authorizing issuance of the General Obligation Refunding Bonds, Series 2026A (I&S Ad Valorem Tax) 3) City Council considers and approvals the Ordinance authorizing issuance of the General Obligation Refunding Bonds, Series 2026B (Utility) 4) City Council considers and approvals the Ordinance authorizing issuance of the Combination Tax and Limited Net Revenues of the Utility System Certificates of Obligation, Series 2026 (Fire Station Funding Sized to March Bid Result)
Before Closing	Texas Attorney General Municipal Bond department reviews and approves the City's debt issuance
Wednesday, 09/30/26	Closing of Debt Issues 1) General Obligation Refunding Series A and Series B net proceeds deposited into the Refunding Escrow Account 2) Certificates of Obligation, Series 2026 net proceeds deposited in the City Project Account

Notes

1) Schedule of Events is preliminary; subject to change.

2) Blue font indicates City Council agenda action items.

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Questions and Discussion

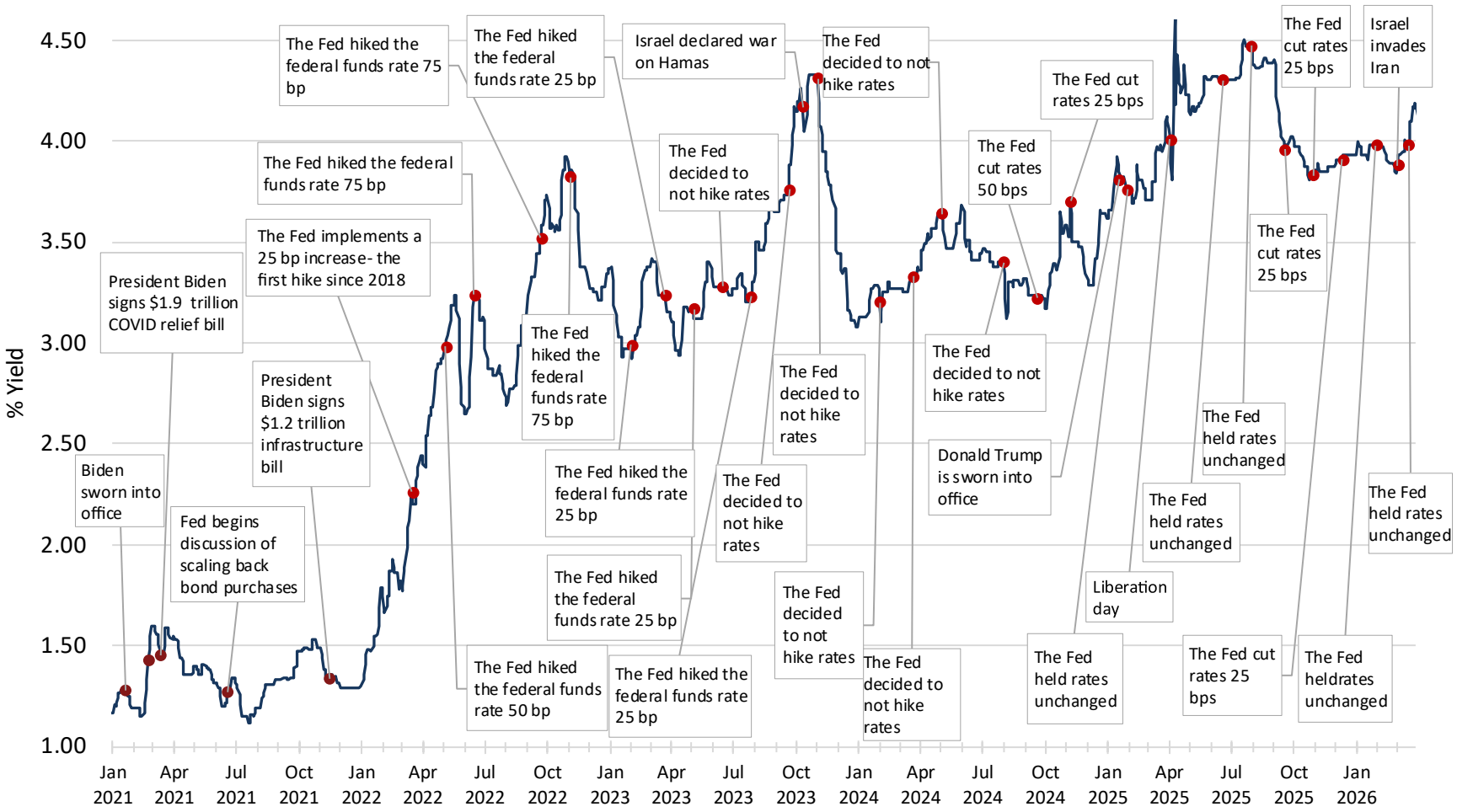
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Appendix A

June 5, 2026 - Market Update

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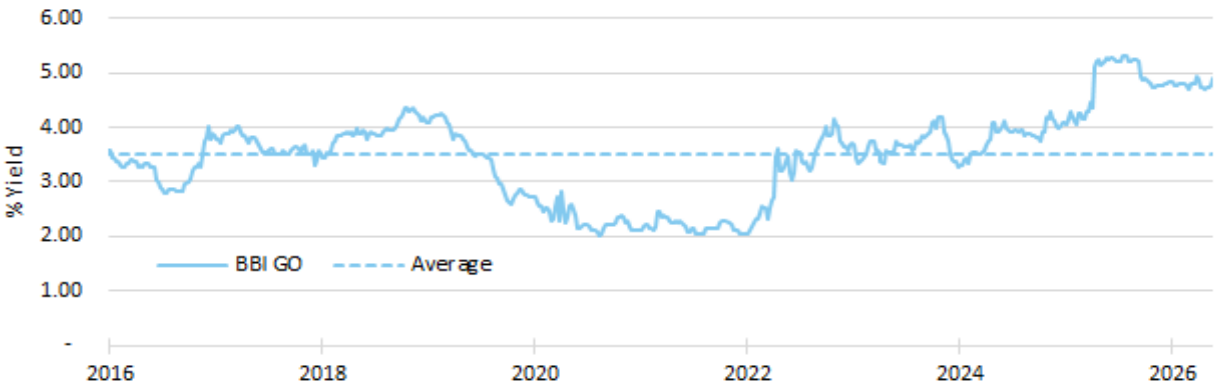
CHANGE IN 20-YEAR MMD

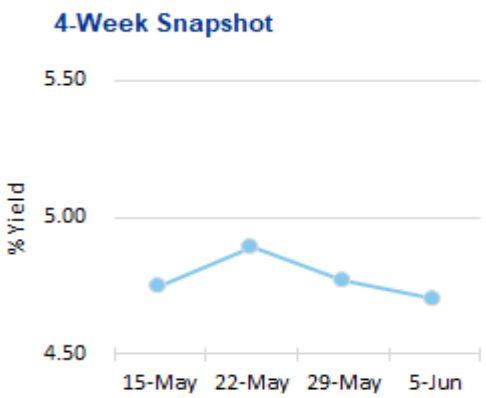


Source: Refinitiv Municipal Market Data and HilltopSecurities

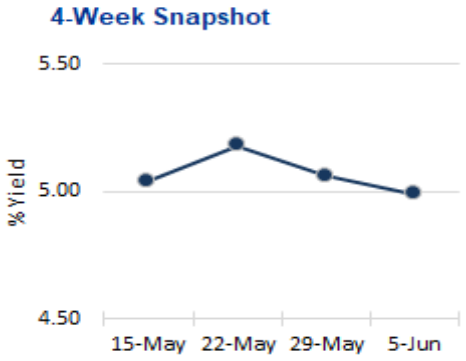
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TAX-EXEMPT MARKET OVERVIEW | THE BOND BUYER







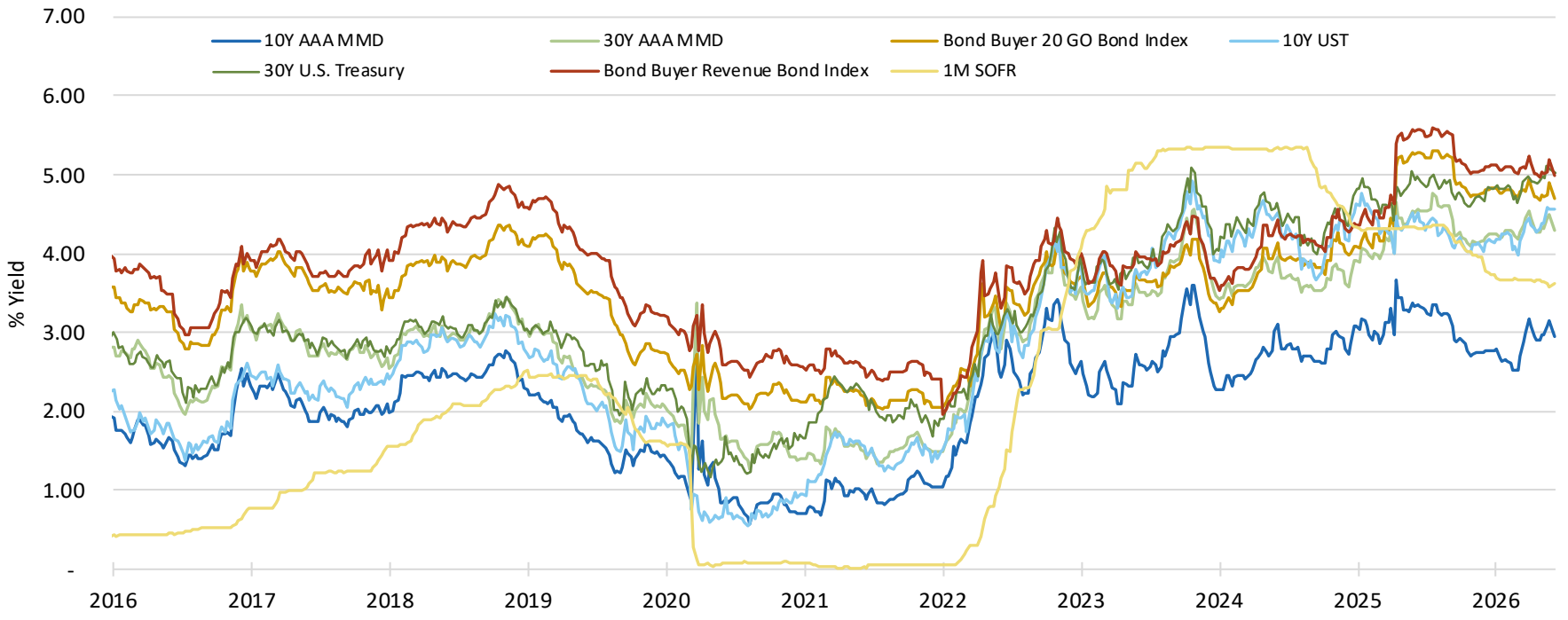


Page 11

Source: The Bond Buyer

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WEEKLY BENCHMARK INTEREST RATES



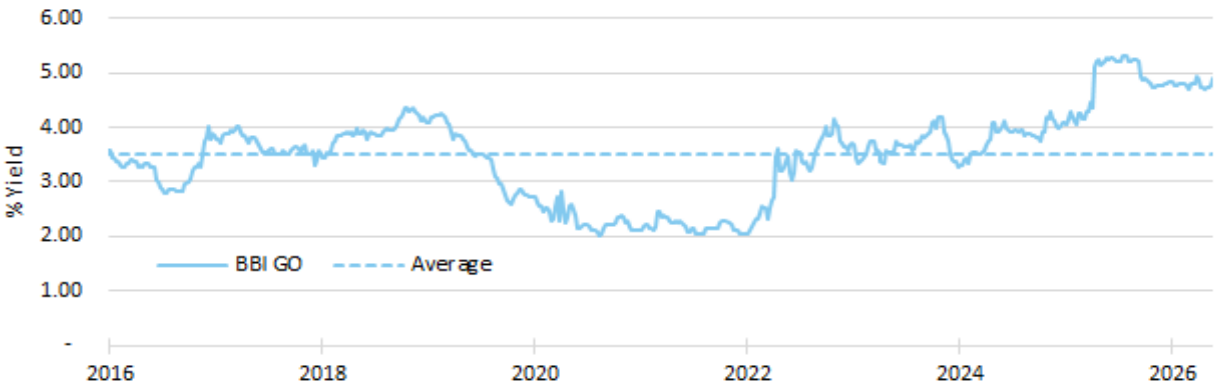
	10-Year AAA MMD	30-Year AAA MMD	Bond Buyer 20 GO Bond Index	Bond Buyer Revenue Bond Index	10-Year U.S. Treasury	30-Year U.S. Treasury	SIFMA	1-Month SOFR
Current	2.95	4.30	4.70	4.99	4.55	5.01	2.14	3.61
Maximum	3.66	4.77	5.30	5.59	4.93	5.12	5.20	5.36
Minimum	0.58	1.27	2.02	1.97	0.55	1.17	0.01	0.01
Average	2.11	2.93	3.49	3.82	2.76	3.19	1.56	2.29
% Time Lower	86.9%	93.2%	89.2%	89.2%	96.7%	98.9%	68.6%	66.5%

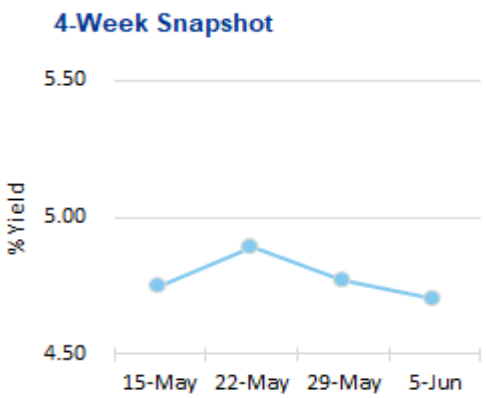
Source: Refinitiv Municipal Market Data, U.S. Treasury and Bloomberg

(1) SOFR 1 Month is blended with LIBOR 1 Month rates prior to 2019

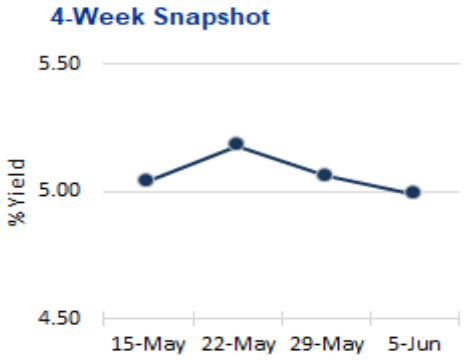
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TAX-EXEMPT MARKET OVERVIEW | THE BOND BUYER









Page 13

Source: The Bond Buyer

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HilltopSecurities

Municipal Advisor Disclosure Statement

This disclosure statement ("Conflict Disclosures") is provided by Hilltop Securities Inc. ("the Firm") to disclose information regarding conflicts of interest and legal or disciplinary events of the Firm that are required to be disclosed to potential clients pursuant to MSRB Rule G-42(b) and (c)(ii).

PART A – Disclosures of Conflicts of Interest

MSRB Rule G-42 requires that municipal advisors provide to their clients disclosures relating to any actual or potential material conflicts of interest, including certain categories of potential conflicts of interest identified in Rule G-42, if applicable.

Material Conflicts of Interest – The Firm makes the disclosures set forth below with respect to material conflicts of interest in connection with the Scope of Services under the Agreement with the Firm, together with explanations of how the Firm addresses or intends to manage or mitigate each conflict.

General Mitigations – As general mitigations of the Firm's conflicts, with respect to all of the conflicts disclosed below, the Firm mitigates such conflicts through its adherence to its fiduciary duty to clients, which includes a duty of loyalty to clients in performing all municipal advisory activities for clients. This duty of loyalty obligates the Firm to deal honestly and with the utmost good faith with client and to act in the client's best interests without regard to the Firm's financial or other interests. In addition, because the Firm is a broker-dealer with significant capital due to the nature of its overall business, the success and profitability of the Firm is not dependent on maximizing short-term revenue generated from individualized recommendations to its clients but instead is dependent on long-term profitably built on a foundation of integrity, quality of service and strict adherence to its fiduciary duty. Furthermore, the Firm's municipal advisory supervisory structure, leveraging our long-standing and comprehensive broker-dealer supervisory processes and practices, provides strong safeguards against individual representatives of the Firm potentially departing from their regulatory duties due to personal interests. The disclosures below describe, as applicable, any additional mitigations that may be relevant with respect to any specific conflict disclosed below.

I. Affiliate Conflict. The Firm, directly and through affiliated companies, provides or may provide services/advice/products to or on behalf of clients that are related to the Firm's advisory activities. Hilltop Securities Asset Management (HSAM), a SEC-registered affiliate of the Firm, provides post issuance services including arbitrage rebate and treasury management. The Firm's arbitrage team verifies rebate and yield restrictions on the investments of bond proceeds on behalf of clients in order to meet IRS restrictions. The treasury management division performs portfolio management/advisor services on behalf of public sector clients. The Firm, through affiliate Hilltop Securities Asset Management (HSAM), provides a multi-employer trust tailor-made for public entities which allows them to prefund Other Post-Employment Benefit liabilities. The Firm has a structured products desk that provides advice to help clients mitigate risk though investment management, debt management and commodity price risk management products. These products consist of but are not limited to swaps (interest rate, currency, commodity), options, repos, escrow structuring and other securities. Continuing Disclosure services provided by the Firm work with issuers to assist them in meeting disclosure requirements set forth in SEC rule 15c2-12. Services include but are not limited to ongoing maintenance of issuer compliance, automatic tracking of issuer's annual filings and public notification of material events. The Firm administers government investment pools. These programs offer governmental entities investment options for their cash management programs based on the entities specific needs. The Firm and the aforementioned affiliate's business with a client could create an incentive for the Firm to recommend to a client a course of action designed to increase the level of a client's business activities with the affiliates or to recommend against a course of action that would reduce or eliminate a client's business activities with the affiliates. This potential conflict is mitigated by the fact that the Firm and affiliates are subject to their own comprehensive regulatory regimes.

II. PlainsCapital Bank Affiliate Conflict. The Firm, directly and through affiliated companies, provides or may provide services/advice/products to or on behalf of clients that are related to the Firm's advisory activities. Affiliate, PlainsCapital Bank, provides banking services to municipalities including loans and custody. The Firm and the aforementioned affiliate's business with a client could create an incentive for the Firm to recommend to a client a course of action designed to increase the level of a client's business activities with the affiliates or to recommend against a course of action that would reduce or eliminate a client's business activities with the affiliates. This potential conflict is mitigated by the fact that the Firm and affiliates are subject to their own comprehensive regulatory regimes.

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III. Other Municipal Advisor or Underwriting Relationships. The Firm serves a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of other clients. For example, the Firm serves as municipal advisor to other municipal advisory clients and, in such cases, owes a regulatory duty to such other clients just as it does to all its municipal advisory clients. These other clients may, from time to time and depending on the specific circumstances, have competing interests, such as accessing the new issue market with the most advantageous timing and with limited competition at the time of the offering. In acting in the interests of its various clients, the Firm could potentially face a conflict of interest arising from these competing client interests. In other cases, as a broker-dealer that engages in underwritings of new issuances of municipal securities by other municipal entities, the interests of the Firm to achieve a successful and profitable underwriting for its municipal entity underwriting clients could potentially constitute a conflict of interest if, as in the example above, the municipal entities that the Firm serves as underwriter or municipal advisor have competing interests in seeking to access the new issue market with the most advantageous timing and with limited competition at the time of the offering. None of these other engagements or relationships would impair the Firm's ability to fulfill its regulatory duties to any specific client.

IV. Secondary Market Transactions in Client's Securities. The Firm, in connection with its sales and trading activities, may take a principal position in securities, including securities of its clients, and therefore the Firm could have interests in conflict with a client with respect to the value of the client's securities while held in inventory and the levels of mark-up or mark-down that may be available in connection with purchases and sales thereof. In particular, the Firm or its affiliates may submit orders for and acquire a municipal advisory client's securities issued in an issue under a municipal advisory agreement from members of the underwriting syndicate, either for its own account or for the accounts of its customers. This activity may result in a conflict of interest with the client in that it could create the incentive for the Firm to make recommendations to the client that could result in more advantageous pricing of the client's bond in the marketplace. Any such conflict is mitigated by means of such activities being engaged in on customary terms through units of the Firm that operate independently from the Firm's municipal advisory business, thereby reducing the likelihood that such investment activities would have an impact on the services provided by the Firm to any client under a municipal advisory agreement.

V. Broker-Dealer and Investment Advisory Business. The Firm is dually registered as a broker-dealer and an investment advisor that engages in a broad range of securities-related activities to service its clients, in addition to serving as a municipal advisor or underwriter. Such securities-related activities, which may include but are not limited to the buying and selling of new issue and outstanding securities and investment advice in connection with such securities, including securities of the firm's municipal advisory clients, may be undertaken on behalf of, or as counterparty to, the client, personnel of the client, and current or potential investors in the securities of the client. These other clients may, from time to time and depending on the specific circumstances, have interests in conflict with those of the Firm's municipal advisory clients, such as when their buying or selling of the municipal advisory client's securities may have an adverse effect on the market for municipal advisory client's securities, and the interests of such other clients could create the incentive for the Firm to make recommendations to the municipal advisory client that could result in more advantageous pricing for the other clients. Furthermore, any potential conflict arising from the firm effecting or otherwise assisting such other clients in connection with such transactions is mitigated by means of such activities being engaged in on customary terms through units of the Firm that operate independently from the Firm's municipal advisory business, thereby reducing the likelihood that the interests of such other clients would have an impact on the services provided by the Firm to its municipal advisory clients.

VI. Compensation-Based Conflicts. Fees that are based on the size of the issue are contingent upon the delivery of the Issue. While this form of compensation is customary in the municipal securities market, this may present a conflict because it could create an incentive for the Firm to recommend unnecessary financings or financings that are disadvantageous to its clients, or to advise clients to increase the size of the issue. This conflict of interest is mitigated by the general mitigations described above.

Fees based on a fixed amount are usually based upon an analysis by the client and the Firm of, among other things, the expected duration and complexity of the transaction and the scope of municipal services to be performed by the Firm. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the Firm may suffer a loss. Thus, the Firm may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. This conflict of interest is mitigated by the general mitigations described above.

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Hourly fees are calculated with, the aggregate amount equaling the number of hours worked by Firm personnel times an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest if the client and the Firm do not agree on a reasonable maximum amount at the outset of the engagement, because the Firm does not have a financial incentive to recommend alternatives that would result in fewer hours worked. This conflict of interest is mitigated by the general mitigations described above.

PART B – Disclosures of Information Regarding Legal Events and Disciplinary History

MSRB Rule G-42 requires that municipal advisors provide to their clients certain disclosures of legal or disciplinary events material to its client's evaluation of the municipal advisor or the integrity of the municipal advisor's management or advisory personnel.
Accordingly, the Firm sets out below required disclosures and related information in connection with such disclosures.

I. Material Legal or Disciplinary Event. The Firm discloses the following legal or disciplinary events that may be material to Client's evaluation of the Firm or the integrity of the Firm's management or advisory personnel:

- For related disciplinary actions please refer to the Firm's BrokerCheck webpage.
- From July 2011 to October 2015, Hilltop failed to submit required MSRB Rule G-32 information to EMMA in connection with 122 primary offerings of municipal securities for which the Firm served as placement agent. During the period January 2012 to September 2015, the Firm failed to provide MSRB Rule G-17 letters to issuers in connection with 119 of the 122 offerings referenced above. From October 2014 to September 2015, the Firm failed to report on Form MSRB G-37 that it had engaged in municipal securities business as placement agent for 45 of these 122 offerings. This failure was a result of a misunderstanding by one branch office of Southwest Securities. Hilltop discovered these failures during the merger of FirstSouthwest and Southwest Securities and voluntarily reported them to FINRA. The Firm paid a fine of $100,000 for these self-reported violations.
- In connection with a settlement on July 9, 2021 , the U.S. Securities and Exchange Commission found that, between January 2016 and April 2018, the Firm bought municipal bonds for its own account from another broker-dealer and that, on occasion during that time period, the other broker-dealer mischaracterized the Firm's orders when placing them with the lead underwriter. The SEC found that, among other things, the Firm lacked policies and procedures with respect to how stock orders were submitted for new issues bonds to third parties, including the broker-dealer that mischaracterized the Firm's orders. The SEC found violations of MSRB Rules G-27, G-17, and SEC rule 15B(c)(1) and a failure to reasonably supervise within the meaning of Section 15(b)(4)(E) of the Securities Exchange Act of 1934. The Firm was censured and ordered to pay disgorgement of $206,606, prejudgment interest of $48,587 and a penalty of $85,000.
- On August 14, 2024, the Securities and Exchange Commission ("SEC") entered into a settlement order with Hilltop Securities Inc. ("Hilltop") to settle an administrative action finding that Hilltop failed to (1) maintain and preserve off-channel communications related to Hilltop's broker-dealer business, as well as related to recommendations made or proposed to be made and advice given or proposed to be given with respect to Hilltop's investment advisory business; and (2) reasonably supervise its personnel with a view to preventing or detecting certain of its personnel's aiding and abetting violations of certain provisions of the federal securities laws. Hilltop admitted to the facts in the settlement order, acknowledged its conduct violated the federal securities laws, and agreed to: (a) a cease-and-desist order, (b) a censure, (c) payment of a civil monetary penalty in the amount of $1,600,000, and (d) certain undertakings related to the retention of electronic communications.

II. How to Access Form MA and Form MA-I Filings. The Firm's most recent Form MA and each most recent Form MA-I filed with the SEC are available on the SEC's EDGAR system at Forms MA and MA-I. The SEC permits certain items of information required on Form MA or MA-I to be provided by reference to such required information already filed by the Firms in its capacity as a broker-dealer on Form BD or Form U4 or as an investment adviser on Form ADV, as applicable. Information provided by the Firm on Form BD or Form U4 is publicly accessible through reports generated by BrokerCheck at http://brokercheck.finra.org and the Firm's most recent Form ADV is publicly accessible at the Investment Adviser Public Disclosure website at http://www.adviserinfo.sec.gov. For purposes of accessing such BrokerCheck reports or Form ADV, click previous hyperlinks.

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Municipal Advisor Disclosure Statement

PART C – MSRB Rule G-10 Disclosure

MSRB Rule G-10 covers Investor and Municipal Advisory Client education and protection. This rule requires that municipal advisors make certain disclosures to all municipal advisory clients. This communication is a disclosure only and does not require any action by the firm's municipal advisory clients. The disclosures are noted below.

Hilltop Securities Inc. is registered with the U.S. Securities and Exchange Commission and the Municipal Securities Rulemaking Board as a Municipal Advisor.

You can access the website for the Municipal Securities Rulemaking Board at www.msrb.org

The Municipal Securities Rulemaking Board has posted a municipal advisory client brochure. A copy of the brochure is attached to the memo. This link will take to you to the electronic version MA-Clients-Brochure.

PART D – Future Supplemental Disclosures

As required by MSRB Rule G-42, this Municipal Advisor Disclosure Statement may be supplemented or amended, from time to time as needed, to reflect changed circumstances resulting in new conflicts of interest or changes in the conflicts of interest described above, or to provide updated information with regard to any legal or disciplinary events of the Firm. The Firm will provide Client with any such supplement or amendment as it becomes available throughout the term of the Agreement.

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	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE.
Contact Person	Sarah Buckelew, Finance Director
Background Information	This resolution authorizes publication of the Notice of Intent required by Texas law as part of the Certificates of Obligation issuance process and authorizes staff to proceed with the required financing steps. Final bid results and consideration of the debt issuance are anticipated to be presented to City Council on September 8, 2026.
Strategic Alignment	Fiscal Excellence F1: Committing to strategic, responsible, and conservative financial management F2: Investing in and maintaining high-quality and resilient infrastructure, mobility, and public assets B2: Advancing master plan recommendations
Financial Considerations	Final bid results will be presented to Council at the regularly scheduled council meeting on September 8, 2026, as well as a consideration item for the issuance of debt
Citizen Input/Board Review	N/A
Legal Review	Attached resolution has been approved by Legal
Alternative Options	N/A
Supporting Documents	Resolution No. 2026-R38

RESOLUTION NO. 2026-R38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the *City Council*) of the City of Boerne, Texas (the *City*) has determined that it is advisable and necessary to issue and sell one or more series of certificates of obligation (the *Certificates*) in an amount not to exceed $20,500,000 as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's public safety facilities, including a new fire station; (2) acquiring fire-fighting and other public safety equipment and vehicles, including a fire truck; (3) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (4) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and from a lien on and pledge of certain of the revenues derived from the operation of the City's utility system. The Certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter; and

WHEREAS, prior to the offering, sale, and issuance of the Certificates, the appropriate officials of the City must review and approve the distribution of a "deemed final" preliminary official statement (the *Official Statement*) in order to comply with the requirements contained in 17 C.F.R. §240.15c2-12 (the *Securities and Exchange Commission Rule*); and

WHEREAS, based upon their review of the Official Statement, the appropriate officials of the City must find to the best of their knowledge and belief, after reasonable investigation, that the representations of facts pertaining to the City contained in the Official Statement are true and correct and that, except as disclosed in the Official Statement, there are no facts pertaining to the City that would adversely affect the issuance of the Certificates or the City's ability to pay the debt service requirements on the Certificates when due; and

WHEREAS, the City Council will comply with the requirements contained in the Securities and Exchange Commission Rule concerning the creation of a contractual obligation between the City and the proposed purchaser(s) of the Certificates (the *Purchasers*) to provide the Purchasers with an Official Statement in a time and manner that will enable the Purchasers to comply with the distribution requirements and continuing disclosure requirements contained in the Securities and Exchange Commission Rule; and

WHEREAS, the City Council authorizes the Mayor, City Manager, Director of Finance, City Secretary, and the City Attorney, as appropriate, or their designees, to review, approve, and execute any document or certificate in order to allow the City to comply with the requirements contained in the Securities and Exchange Commission Rule; and

WHEREAS, prior to the issuance of the Certificates, the City Council is required to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City, and if the City maintains an internet website, publish such notice of intent on the City's internet website, such notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the purposes for which the Certificates are to be issued, (iii) the manner in which the City Council proposes to pay the Certificates; (iv) the then-current principal amount of all outstanding ad valorem debt obligations of the City; (v) the then-current combined principal and interest required to pay all outstanding ad valorem debt obligations of the City on time and in full, which may be based on the City's expectations relative to the interest due on any variable rate ad valorem debt obligations; (vi) the maximum principal amount of the Certificates to be authorized; (vii) the estimated combined principal and interest required to pay the certificates to be authorized on time and in full; (viii) the estimated interest rate for the Certificates to be authorized or that the maximum interest rate for the Certificates may not exceed the maximum legal interest rate; and (ix) the maximum maturity date of the Certificates to be authorized; and

WHEREAS, the City Council hereby finds and determines that such documents pertaining to the sale of the Certificates should be approved, and the City should proceed with the giving of notice of intention to issue the Certificates in the time, form, and manner provided by law;

WHEREAS, the City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1: The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue the Certificates in an amount not to exceed $20,500,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to: (1) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and

improving the City's public safety facilities, including a new fire station; (2) acquiring fire-fighting and other public safety equipment and vehicles, including a fire truck; (3) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (4) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and additionally from a pledge of and lien on certain revenues derived from the operation of the City's utility system. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto, which notice is incorporated herein by reference as a part of this Resolution for all purposes.

SECTION 2: The City Secretary shall cause the notice described in Section 1 to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication shall be at least forty-six (46) days prior to the date stated therein for passage of the ordinance authorizing the issuance of the Certificates. Additionally, the City Secretary shall cause the notice described in Section 1 to be posted continuously on the City's website for at least forty-five (45) days prior to the date stated therein for passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The Mayor, City Manager, Director of Finance, and the City Secretary, as appropriate, or their designees, are authorized to review and approve the Official Statement pertaining to the offering, sale, and issuance of the Certificates and to execute any document or certificate in order to comply with the requirements contained in the Securities and Exchange Commission Rule.

SECTION 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 5: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9: This Resolution shall be in force and effect from and after the date of its adoption, and it is so resolved.

PASSED and APPROVED on this the __ day of _____, 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

Exhibit A

NOTICE OF INTENTION TO ISSUE
CITY OF BOERNE, TEXAS
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Boerne, Texas will convene at its regular meeting place in the City Hall in Boerne, Texas, at 6:00 o'clock P.M., Boerne, Texas time on September 8, 2026, and, during such meeting, the City Council will consider the passage of an ordinance or ordinances and take such other actions as may be deemed necessary to authorize the issuance of one or more series of certificates of obligation in an aggregate principal amount not to exceed $20,500,000 for the purpose or purposes of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, constructing, acquiring, purchasing, renovating, equipping, enlarging, and improving the City's public safety facilities, including a new fire station; (2) acquiring fire-fighting and other public safety equipment and vehicles, including a fire truck; (3) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (4) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects. The certificates of obligation (the *Certificates*) will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and from a lien on and pledge of certain revenues derived by the City from the operation of the City's utility system. In accordance with Section 271.049, as amended, Texas Local Government Code, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is $63,960,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is $84,461,965; (iii) the estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is $32,390,212; (iv) the maximum interest rate for the Certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the Certificates to be authorized is March 1, 2046. The Certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, and Chapter 1502, as amended, Texas Government Code.

/s/ Lori Carroll
City Secretary,
City of Boerne, Texas

	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R39; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT BETWEEN THE CITY OF BOERNE AND INTERMOUNTAIN SLURRY SEAL, INC. FOR THE 2026 STREET PRESERVATION (SLURRY SEAL) PROJECT FOR AN AMOUNT NOT TO EXCEED $196,994.
Contact Person	Jeffrey Carroll – Engineering & Mobility Director
Background Information	Staff recommends awarding the City's annual street preservation contract for slurry seal treatment. Slurry seal is a cost effective pavement preservation technique that extends the life of streets in good structural condition at a fraction of the cost of full reconstruction. The City has successfully incorporated this treatment into its ten year street maintenance program since 2022.  The 2026 project will preserve streets within the Eastland Terrace and Cibolo Crossing neighborhoods. The project was competitively procured in accordance with state purchasing requirements through the TIPS cooperative purchasing program. Intermountain Slurry Seal, Inc. submitted the proposal in the

	amount of $187,612.99. The company has successfully completed similar work for the City in prior years and has consistently provided quality workmanship and reliable project performance. The FY26 budget includes $542,000 for Capital Outlay Street Construction. Following Council's previous approval of the annual patching project, sufficient funding remains to fully fund this project. Staff recommends authorizing a five percent contingency for unforeseen field conditions, resulting in a total authorization of $196,994. If unused, contingency funds will remain unspent. Residents in the project areas will be notified in advance through door hangers and City social media channels.
Strategic Alignment	F2 – Investing in and maintaining high-quality infrastructure systems and public assets.
Financial Considerations	The recommended contract and contingency remain within the adopted FY26 street construction budget.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	The Council could choose not to award the contract. However, delaying pavement preservation would allow streets to deteriorate more rapidly and increase future maintenance and reconstruction costs.
Supporting Documents	Resolution No. 2026-R39 Proposal/Quote Map

RESOLUTION NO. 2026-R39

A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT BETWEEN THE CITY OF BOERNE AND INTERMOUNTAIN SLURRY SEAL, INC. FOR THE 2026 STREET PRESERVATION (SLURRY SEAL) PROJECT FOR AN AMOUNT NOT TO EXCEED $196,994

WHEREAS, slurry sealing (or micro-surfing) is part of the City's 10-year street maintenance plan; and

WHEREAS, the City of Boerne is utilizing the cooperative purchasing program through TIPS to procure the 2026 Street Preservation (Slurry Seal) Project; and

WHEREAS, Intermountain Slurry Seal, Inc. submitted the lowest responsive proposal through the TIPS cooperative purchasing program in the amount of $187,612.99; and

WHEREAS, the City Council finds it necessary to authorize the City Manager to execute and manage a contract with Intermountain Slurry Seal, Inc., including a five percent (5%) contingency for unforeseen field conditions, for an amount not to exceed $196,994;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1. The above recitals are true and correct and are incorporated herein and made part hereof for all purposes.

SECTION 2. The City Council authorizes the City Manager to enter into and manage a contract with Intermountain Slurry Seal, Inc., through the TIPS cooperative purchasing program, in the base contract amount of $187,612.99, together with a five percent (5%) contingency for unforeseen field conditions, for a total authorized amount not to exceed $196,994.

SECTION 3. The City Manager is hereby authorized to manage and execute the related contract and documents thereto on behalf of the City of Boerne, Texas.

PASSED, APPROVED and ADOPTED on this the __ day of _____, 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

QUOTATION

Intermountain Slurry Seal ("Provider") offers to furnish the equipment, labor, materials, products and/or services ("Work") described below to City of Boerne ("Owner") in connection with construction of improvements at the following project: 2026 Slurry Seal on Various Streets ("Project"). The Project is being performed on property owned by City of Boerne.

Description of Work and Price

Item Number	Contract Item	Description	Approximate Quantity	UM	Unit Price	Approximate Total
1		Polymer Modified Slurry Seal Ty II at 20 lbs/SY	30,749	SY	$4.56	$140,215.44
2		Mobilization for Slurry Crew	400	MI	$99.00	$39,600.00
3		Traffic control	2	DAY	$2,970.00	$5,940.00
					Approximate Total:	**$185,755.44**
TIPS Contract RFP 250503. TIPS Vendor Number 12067						

PRICING IS BASED ON THE QUANTITIES SPECIFIED ABOVE AND IS SUBJECT TO ESCALATION AFTER ___2026 SEASON_____ AND/OR IF THE ACTUAL QUANTITIES VARY FROM THE ESTIMATED QUANTITIES BY MORE THAN 10%.

Unless the words "Lump Sum" appear next to an item of Work, it is understood and agreed that the quantities referred to above are estimates only and that payment shall be made at the stated unit prices for actual quantities of Work performed by Provider. This Quotation expires thirty (30) days from its issuance, unless mutually agreed between Provider and Company to extend the Quotation.

1. **Inclusions:** Provider's unit price and lump sum amount(s) shown above includes, but is not limited to the following:
   a. Labor and equipment for placement of Slurry Seal.
   b. Traffic Control for ISS Operations.
   c. Pre-sweeping prior to all operations.

2. **Exclusions:** Provider's unit price and lump sum amount(s) shown above do not include the following:
   a. We exclude all bonds, professional engineering services, survey, permits, as-built drawings, and any utility fees. Bonds can be made available at 1% of the bid price.
   b. Excessive cleaning (i.e., contractor's debris, landscaping material, equipment tracking of mud, etc.)
   c. Traffic Control Plans
   d. Adjustment of existing/new utilities.
   e. Striping of any kind
   f. Removal of Striping is to be performed by others.
   g. Cleaning of cracks.
   h. Crack Sealing of cracks.
   i. All work is excluded that is not specifically included in the above.

3. **Clarifications, and additional Terms and Conditions (if any):**
   a. Mutually agreeable commercial and legal contract terms will be negotiated with Owner,
   b. Slurry Seal to be applied at a rate of 20 lbs/SY.
   c. We reserve the right to adjust our pricing based on final approved plans and/or permits.
   d. Intermountain is a Non-Union Contractor.
   e. Proposal above is considered a complete package and cannot be separated. If you wish to separate our proposal, please call to discuss.
   f. Intermountain's estimated duration: 2-3 Working Days (Slurry Seal)
   g. Work will be billed by actual area covered


City of Boerne - 2026 - Revised
Legend
Google Earth

	AGENDA ITEM SUMMARY
Agenda Date	July 14, 2026
Requested Action	APPROVE RESOLUTION NO. 2026-R40; A RESOLUTION OF THE CITY OF BOERNE AUTHORIZING THE APPLICATION FILING TO THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING UNDER THE WATER SUPPLY AND INFRASTRUCTURE GRANT AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE FOR ALL MATTERS RELATED TO THE APPLICATION AND GRANT ADMINISTRATION.
Contact Person	Andrea Huston – Assistant Utilities Director-Administration Michael Brinkmann – Utilities Director
Background Information	Staff recommends submitting an application to the Texas Water Development Board Water Supply and Infrastructure Grant program to help fund construction of the City's planned Granular Activated Carbon (GAC) treatment system at the Water Treatment Plant. The WSIG program is a one-time competitive grant established through House Bill 500 that provides approximately $1.038 billion for projects that improve water supply, modernize infrastructure, and strengthen the reliability and resilience of public water systems. Projects that are shovel-ready receive greater consideration. The City's GAC treatment project is currently the best candidate because design work is substantially complete. If awarded, grant funding would offset construction costs as well as professional engineering services associated with bidding and construction. The GAC treatment system will improve the quality and reliability of the City's drinking water by reducing disinfection byproducts and addressing occasional taste and odor concerns while supporting long-term regulatory compliance. With pro bono assistance from Freese and Nichols, staff recommends submitting an application for this funding opportunity.
Strategic Alignment	F2 – Investing in and maintaining high-quality and resilient infrastructure, mobility, and public assets. B2 – Advancing master plan recommendations.

Financial Considerations	There is no financial commitment associated with submitting the grant application. If awarded, staff will return to City Council with any required grant agreements and funding recommendations.
Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	The Council could choose not to apply for this grant and fund the GAC project entirely with City resources.
Supporting Documents	Resolution No. 2026-R40 Grant application

RESOLUTION NO. 2026-R40

A RESOLUTION OF THE CITY OF BOERNE AUTHORIZING THE APPLICATION FILING TO THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING UNDER THE WATER SUPPLY AND INFRASTRUCTURE GRANT AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE FOR ALL MATTERS RELATED TO THE APPLICATION AND GRANT ADMINISTRATION

WHEREAS, the Texas Water Development Board administers the Water Supply and Infrastructure Grant Program to assist eligible public water systems with infrastructure improvements; and

WHEREAS, the City of Boerne desires to apply for funding through the Water Supply and Infrastructure Grant Program to support improvements at the City's Water Treatment Plant; and

WHEREAS, the proposed project will enhance the City's water treatment system and help ensure the continued delivery of safe and reliable drinking water to the community; and

WHEREAS, the City Council finds that applying for grant funding is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1: That the City of Boerne hereby certifies that it is eligible to apply for assistance under the Texas Water Development Board Water Supply and Infrastructure Grant Program.

SECTION 2: That the City of Boerne hereby authorizes the submission of an application to the Texas Water Development Board for funding under the Water Supply and Infrastructure Grant Program for improvements to the City's Water Treatment Plant.

SECTION 3: That the City Manager, or the City Manager's designee, is hereby authorized and directed to act on behalf of the City of Boerne in all matters relating to the Water Supply and Infrastructure Grant Program and is designated as the City's authorized representative for the submission, execution, and administration of the grant application and any resulting grant agreement.

SECTION 4: That the City Manager, or designee, is authorized to execute all documents and take all actions necessary to carry out the intent of this Resolution and to comply with the requirements of the Texas Water Development Board in connection with the grant application and, if awarded, the administration of the grant.

PASSED and APPROVED on this the __ day of _____, 2026.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

Financial Assistance Application for Water Supply and Infrastructure Grant

Submittal Instructions.

Entities must submit **by email only** to:

- WSI_grants@twdb.texas.gov
- Email subject line: "WSIG Application Submittal for *[Enter Applicant's Name]*"

The complete application submittal must include:

1. this completed application in Microsoft Word format,
2. the WSIG AMHI Worksheet in Microsoft Excel format, and
3. all other required attachments in PDF format (see Part VI: Financial Assistance Application Checklist).

The TWDB is not able to use the Online Loan Application System (OLA) for these submittals.

If your file size is greater than 25Mb, please

- submit an inquiry to WSI_grants@twdb.texas.gov and
- include "WSIG Link Request" in the subject line.

For more information, please send inquiries to: WSI_grants@twdb.texas.gov and include "WSIG Inquiry" in the subject line.

Applicants do not need to submit this application for the separate funding allocation for canal lining/conversion projects funded through the NADBank; unless they wish to ALSO submit the same project for consideration in one of the five population-based funding categories.

PART I: Applicant Information

Applicant Name	Click here to enter applicant name.
County	Click here to enter county.
Project Name	Click here to enter project name.
Public Water System Number (numbers only please)	Click here to enter Public Water System Number.
Physical Address	Click here to enter physical address.
Mailing Address	Click here to enter mailing address.
Phone	Click here to enter phone number.
Website	Click here to enter website.
Applicant's Legal Authority *	Click here to choose legal authority.
If *h) Other Governmental Entity* was selected above, explain:	Click here to explain if "Other Entity" selected above.
***Note: reference solicitation for eligible entities/political subdivisions** a) Type A General-Law Municipality (Texas Local Gov't Code Sec. 5.001) b) Type B General-Law Municipality (Texas Local Gov't Code Sec. 5.002) c) Type C General-Law Municipality (Texas Local Gov't Code Sec. 5.003) d) Home-Rule Municipality (Texas Local Gov't Code Sec. 5.004) e) Special-Law Municipality (Texas Local Gov't Code Sec. 5.005) f) County g) District or Authority (Texas Water Code Chapter 49)	
WSIG Request Amount: *	Click here to enter request amount.

***Note:** Below are the WSIG funding caps per project based on population served. Please verify that your funding request does not exceed the applicable cap. If the proposed project cost is greater than the WSIG cap, please make certain that you appropriately identify in the application the additional sources of funds to complete the project.

Service Area Population Size	**Less than 1,000**	**1,001 to 10,000**	**10,001 to 150,000**	**150,001 to 1 million**	**Greater than 1 million**
Funding Cap per Project	$6 million	$10 million	$21 million	$35 million	$55 million

For additional information, visit our Water Supply and Infrastructure Grants web page.

PART II: Eligibility Determination

SECTION 1. POPULATION AND SOCIOECONOMIC DATA

To determine population served, indicate the number of people who reside within the service area of, or receive wholesale or retail water service from, the applicant. *****

To determine the Annual Median Household Income (AMHI), please use the WSIG AMHI Worksheet (Microsoft Excel document). The data loaded onto this worksheet is from the 2024 American Community Survey (ACS) 5-year Estimates. On the worksheet, enter your system name, select the Census Geographic areas that cover your service area, and enter the number of water service connections your system serves within each of those areas. An average AMHI for your service area will be calculated automatically, and that is the AMHI amount you will enter into the field below.

Please attach the completed WSIG AMHI Worksheet Microsoft Excel document to your email submittal with your completed application and attachments

Population Served by the System *****(see above)	Enter Population Served.
Annual Median Household Income (AMHI)	$Enter AMHI.
Is the AMHI data from the U.S. Census or from a Socioeconomic Survey approved by TWDB within the past five years? *If the AMHI is from a Socioeconomic Survey, please attach the letter from the TWDB approving the survey results.	Choose an item.

SECTION 2. SERVICE

Will this project provide first-time water service to households not currently served by a public water system?	Choose an item.
If “Yes”, how many currently un-served households will receive water service from the applicant with this project?	Click here to enter number.
Does the applicant system primarily provide Retail or Wholesale water service? Primarily providing *Retail* water means that less than 75% of the water produced by that applicant is provided to wholesale customers. Primarily providing *Wholesale* service means that 75% or more of the water produced by the applicant is provided to wholesale customers.	Choose an item.

SECTION 3. PROJECT FOCUS

A. Water Supply	Answers
Does this project provide new water supply (i.e. additional supply of source water delivered to either a wholesale or a retail water provider)? • If "Yes", describe below the source, quantity (acre-feet), and additional water infrastructure.	Choose an item.
If Yes above, click here to describe.	
Does this project provide new conservation savings for the existing water supply (i.e. annual water savings are anticipated)?	Choose an item.
Does this project provide new reuse water supply (i.e. reclaimed wastewater effluent or water reuse infrastructure mitigating the need for additional potable supply)? • If "Yes", attach evidence that an application for a new Texas Pollution Discharge Elimination System Permit (TPDES) or amendment to an existing permit related to proposed project has been filed with the Texas Commission on Environmental Quality (TCEQ). Final permit authorization must be obtained from the TCEQ before funds can be released for construction activities.	Choose an item.
B. Regulatory Compliance	
Does this project address compliance violations? • If "Yes", attach documentation. Example documentation includes but is not limited to TCEQ Notice of Violation (NOV) letter, TCEQ Notice of Enforcement (NOE) letter, Agreed Order, Boil Water Notice and/or Public Notice. Monitoring and Reporting Violations do not apply.	Choose an item.
C. Water Loss Mitigation	
Does this project include water loss mitigation? If "Yes", describe below the mitigation, cost of the mitigation (either in dollars or as a % of the total project), and the estimated water savings from the mitigation.	Choose an item.
If Yes above, click here to enter description.	

SECTION 4. FINANCIAL

A. Financial Audit	
Attach a copy of the Applicant's Annual Financial Audit and Management Letter for the immediately preceding fiscal year (see below), prepared and certified by a Certified Public Accountant or Firm of Accountants.	☐ Audit attached
• Indicate Applicant's fiscal year end:	Click to enter a date.

Note: The only acceptable annual financial audits will be those adopted by the Applicant's governing body for a fiscal year-end that falls between January 31, 2025, and June 30, 2026.

B. Other Funding Sources	
Is the proposed project directly related to a project currently funded by the TWDB?	Choose an item.
• If Yes, Enter Project ID:	Click here to enter project No.
• If Yes Enter Project Name:	Click here to enter project name.
• If Yes, will funds supplement a project having cost-overruns?	Choose an item.
• If Yes, were all costs related to this portion of the project incurred AFTER June 22, 2025?	Choose an item.
WSIG funds can be used to supplement existing project funding but not replace TWDB funding commitments. All additional TWDB funding sources must be closed at the time of application to ensure sufficient funds are available to complete a stand-alone project - except for SWIFT multiyear commitment tranches in 2027 or later.	

SECTION 5. WATER PLANNING AND CONSERVATION

A. Water Project Information. Attach a completed Water Project Information form, WRD-253D**.**	☐ WRD-253 Attached
B. Regional and State Water Plans	
Is the project a recommended strategy/project in the 2026 Regional Water Plan/ 2027 State Water Plan?	Choose an item.
• If Yes, attach the cover page, table of contents, and highlighted pages featuring the relevant information from the plan that clearly identifies the element(s) to be implemented.	Choose an item.
Note: No waivers will be granted if the project is not consistent with the 2026 Regional Water Plan/ 2027 State Water Plan. Current consistency reviews are being assessed against the Board-approved 2026 Regional Water Plans, which can be found here: https://www.twdb.texas.gov/waterplanning/rwp/plans/2026/index.asp. The 2027 SWP is anticipated to be taken to our Board for considered approval in July 2026. Upon issuance, the SWP will be posted on our website at: https://www.twdb.texas.gov/waterplanning/index.asp. The 2022 SWP should not be utilized for consistency purposes.	

C. Water Use Survey Applicants that provide retail water services (i.e. a retail public utility that provides potable water) must have submitted to the TWDB the annual Water Use Survey (WUS) of groundwater and surface water for the last THREE years. Submittal of the WUS begins the first working day of January and the survey is due March 1 annually via the online portal: https://www.twdb.texas.gov/waterplanning/waterusesurvey/index.asp	Choose an item.
D. Water Loss Audit Applicants that provide retail water services must have submitted to the TWDB the most recently required water loss audit on or before May 1, 2026. The online TWDB Water Audit worksheet is available at: http://www.twdb.texas.gov/conservation/resources/waterloss-resources.asp, and the online portal is located at: https://www.twdb.texas.gov/apps/overview.asp. **Note: If not submitted prior to this application submittal, the project will be considered ineligible for WSIG**.	Choose an item.
E. Water Loss Audit Validation. Applicant acknowledges that its most current water loss audit will be validated prior to consideration of a request for financial assistance from the Board. **Note: If water loss validation is not completed, the project will be considered ineligible for WSIG.**	☐ Click Box to Acknowledge
F. Water Loss Thresholds. Applicant acknowledges that, upon validation of its water loss audit, if the Applicant meets or exceeds the water loss thresholds, the project must address water loss to be eligible for funding. For a project addressing water loss, please complete Part II, Section 3, subsection C. Water Loss. **Note: No water loss waivers will be granted.**	☐ Click Box to Acknowledge

G. Water Conservation Plan. If the funding request for funding exceeds $500,000, a Water Conservation Plan (WCP) is required. Plans must have been adopted by the Applicant's governing body on July 20, 2021, or later. If the Applicant's current WCP was adopted earlier than July 20, 2021, or the Applicant does not have an adopted WCP, a new TWDB-approvable draft WCP must be submitted no later than the WSIG application deadline, which must then be adopted by the Applicant's governing body prior to closing of the grant. **Note: If not submitted prior to this application submittal, the project will be considered ineligible for WSIG.** WCP adoption date: Click here to enter adoption date or N/A if none. **Note:** • Applicants are not required to submit a WCP if the financial assistance is $500,000 or less, or the Board determines an emergency exists per 31 TAC § 363.15(c), pursuant to Texas Water Code § 16.4021. • For questions regarding water conservation plans, contact wcpteam@twdb.texas.gov, 512-476-1639, or visit the Municipal Water Conservation Plans web page at www.twdb.texas.gov/conservation/municipal/plans/index.asp. • Information on drought contingency planning can be found online at https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/contingency.html	Choose an item.
H. Annual Water Conservation Report. All entities with a Water Conservation Plan are required to submit an Annual Report by May 1st of each year. The online portal for submittals and information is located at: https://www.twdb.texas.gov/apps/overview.asp. **Note: If not submitted prior to this application submittal, the project will be considered ineligible for WSIG.**	Choose an item.

SECTION 6. WATER RIGHTS, PERMITS, AND BENEFITS

A. Water Rights Information. Will this project result in any of the following: (a) an increase by the applicant in the use of surface water or groundwater, (b) drilling of new water well(s), (c) an increase in water treatment capacity, (d) an increase in raw water pumping or intake capacity, (e) new or increase in transmission capacity, or (f) new or expansion of reservoir(s) **If YES,** attach a completed Water Rights Certification Affidavit, TWDB-0208**.**	Choose an item.

B. Water Supply Benefits

If the project includes a construction component, please indicate the following information regarding new water supply, new reuse water supply, and new water conservation savings to be created by the project; or maintenance of current supply.

Water Supply Benefits	Acre-Feet/Year	Project Capital Cost ($)
Increase in the total annual volume of water supply. Additional supply to be created by the project and delivered to wholesale or retail water provider	Enter New Additional Supply to Be Created	$Enter Associated Project Costs
Increase in the annual volume of (direct or indirect) reuse water supply. New reuse supply to be created by the project	Enter New Reuse Supply to Be Created.	$Enter Associated Project Costs.
Annual volume of anticipated water savings. New conservation savings to be created by the project.	Enter Water Savings.	$Enter Associated Project Costs.
Volume of current water supplies that will be maintained. Maintenance of current supply	Enter Current Supplies Maintained.	$Enter Associated Project Costs.

PART III: ALL Applicants Must Complete

Please visit http://www.twdb.texas.gov/financial/instructions/index.asp for any referenced Guidance and Forms.

SECTION 1. GENERAL PROJECT INFORMATION

A. Project Need.

Provide description of project need, specifically for water supply and/or water infrastructure.

Click here to enter Project Need.

B. Project Description.

Provide detailed description of the project, including a bullet list of significant project elements/ components and alternatives considered (include information about related existing facilities):

Click here to enter Project Description.

C. Is more than one Public Water Systems (PWS) Served by the Proposed Project?

Choose an item.

If Yes above, list below the PWS to be served by the Proposed Project

Note: The list needs to be consistent with the regional water plan; if not consistent, provide in the Project Description section above an explanation regarding why it is not consistent.

Name	PWS ID

SECTION 2. PROJECT LOCATION

A. Project Map. Attach a map of the service area and drawings as necessary to locate and describe the project. The map should show the project footprint, major project components, roads, and major landmarks.		☐ Map Attached
B. Project Location.	**Latitude:** Click to enter latitude.	**Longitude:** Click to enter longitude.
C. Counties in Applicant's Service Area. List county(ies) where the project is located or will provide service:		Enter County(ies).
D. Colonias: If the proposed project impacts any colonias, provide the Colonia M number(s):		Enter Colonia M Nos.

SECTION 3. OTHER FUNDING SOURCES

A. Are other funding source(s) being utilized to complete the project? **Note:** Additional funding must be secured prior to submitting this grant application. Provide commitment letters if available. Additional funding sources must also be included within the Project Budget (TWDB-1201).	Choose an item.

If Yes above, include all other secured funding sources in the table below.

Funding Source	Type of Funds (Grant/Loan)	Amount ($)	Date Applied	Anticipated or Funding Secured Date
		$		
		$		
		$		
		$		
Total Funding from All Other Sources:		$Enter Total		

SECTION 4. APPLICANT CONTACT INFORMATION

A. Official Representative Contact Information.

Applicant's official contact (not a consultant) with decision-making authority for project implementation

Name of Official Representative	Enter Official's Name.
Title	Enter Official's Title.
Employer Name	Enter Official's Employer.
Address	Enter Official's Address.
Phone Number	Enter Official's Phone.
Email	Enter Official's Email.

B. Primary Contact

Applicant's primary contact for day-to-day project implementation.

Name of Primary Contact	Enter Primary's Name.
Title	Enter Primary's Title.
Employer Name	Enter Primary's Employer.
Address	Enter Primary's Address.
Phone Number	Enter Primary's Phone
Email	Enter Primary's Email.

SECTION 5. APPLICANT'S CONSULTANTS

Provide contact information for the applicant's consultants. Please attach copies of all draft and/or executed contracts for consultant services to be used by the applicant in applying for financial assistance or constructing the proposed project.

A. Applicant's Engineer	Choose an item.
Name	Enter Engineer's Name.
Title	Enter Engineer's Title.
Firm Name	Enter Engineering Firm.
Address	Enter Engineer's Address.
Phone Number	Enter Engineer's Phone.
Email	Enter Engineer's Email.

B. Applicant's Financial Advisor	Choose an item.
Name	Enter Financial Advisor Name
Title	Enter Financial Advisor Title
Firm Name	Enter Financial Advisor Firm
Address	Enter Financial Advisor Address
Phone Number	Enter Financial Advisor Phone
Email	Enter Financial Advisor Email

C. Applicant's Certified Public Accountant (or other appropriate rep)	Choose an item.
Name	Enter CPA Name
Title	Enter CPA Title
Firm Name	Enter CPA Firm
Address	Enter CPA Address
Phone Number	Enter CPA Phone
Email	Enter CPA Email

D. Applicant's Legal Counsel	Choose an item.
Name	Enter Legal Counsel Name
Title	Enter Legal Counsel Title
Firm Name	Enter Legal Counsel Firm

Address	Enter Legal Counsel Address
Phone Number	Enter Legal Counsel Phone
Email	Enter Legal Counsel Email

E. Any Other Consultant Representing the Applicant Before the Board	Choose an item.
Name	Enter Consultant Name
Title	Enter Consultant Title
Firm Name	Enter Consultant Firm
Address	Enter Consultant Address
Phone Number	Enter Consultant Phone
Email	Enter Consultant Email

SECTION 6. LEGAL INFORMATION

A. Legal Documents	
Resolution. Attach the resolution from the governing body requesting financial assistance. (TWDB-0201A)	☐ Resolution Attached
Application Affidavit. Attach the Application Affidavit. (TWDB-0201)	☐ Application Affidavit Attached
Certificate of Secretary. Attach the Certificate of Secretary. (TWDB-0201B)	☐ Cert. Sec. Attached
B. Certificate of Convenience and Necessity Does the applicant possess a Certificate of Convenience and Necessity (CCN)? • If Yes, attach CCN and map detailing CCN boundaries and service area.	Choose an item.
• If No, please indicate the status of the CCN below.	
Enter CCN Status	

C. Site Certificate (ED-101) Attach ED-101, documenting all necessary land and easements for the project.	☐ ED-101 Attached
D. Affidavit of No Objection. Are any facilities to be constructed (or is the area to be served) within the service area of a municipality, or other public utility, with responsibility for serving the area? If Yes, has the applicant obtained an affidavit stating that the municipality or public utility, servicing the area does not object to the proposed construction and operation of the applicant's services and facilities in the service area?	Choose an item.
E. Enforcement Actions. Has the applicant been the subject of any enforcement action by the Texas Commission on Environmental Quality (TCEQ), the Environmental Protection Agency (EPA), or any other entity within the past three years? If yes, attach a brief description of every enforcement action within the past three years and action(s) to address requirements.	Choose an item.
F. Ownership Interests of the Project. Does the Applicant have 100 percent ownership interest in the project? If No, attach a breakdown of ownership interests, an allocation of project costs, and an explanation of the allocation of liability.	Choose an item.
G. Service Agreements. Is the project intended to allow the applicant to provide or receive water services to or from another entity? If Yes, the applicant must attach, at a minimum, the proposed agreement, contract, or other documentation establishing the service relationship, with the final and binding agreements provided prior to closing.	Choose an item
H. Assurance Related to State Funds. Is the applicant prohibited from receiving funds under Texas Penal Code § 1.10(d) (related to federal laws regulating firearms, firearm accessories, and firearm ammunition)?	Choose an item.
I. Regulations Related to Public Camping Bans.	
For city or county applicants: Is the applicant prohibited from receiving state grant funds under Texas Local Government Code § 364.004 (related to Public Camping Bans).	Choose an item.

For city or county applicants: Has the applicant been sued by the Attorney General under Local Government Code § 364.003 (related to public camping bans)? If Yes, what is the current posture of the lawsuit: Enter Current Lawsuit Posture.	Choose an item.
J. Regulations Related to Firearm Suppressors. For city, county, or special district/authority applicants: Is the applicant prohibited from receiving state grant funds under Texas Government Code § 2.103 (related to regulation of firearm suppressors)?	Choose an item.

SECTION 7. PROJECT MANAGEMENT INFORMATION

A. Project Schedule	
Estimated date to submit environmental planning documents. ***** (Not applicable for ready-to-proceed projects)	Enter Date or N/A
Estimated date to submit engineering planning documents. ***** (Not applicable for ready-to-proceed projects)	Enter Date or N/A
Estimated date for completion of design. ***** (Not applicable for ready-to-proceed projects.	Enter Date or N/A
Estimated Construction start date for first contract.	Enter Date or N/A
Estimated Construction end date for last contract. ******	Enter Date or N/A
***** Entities with populations greater than or equal to 150,000 must have completed engineering, environmental, and design prior to application submittal. ****** Construction contract(s) cannot have end date past January 31, 2031. Construction closeout documents must be submitted by February 28, 2031 – this includes completion of a final site visit by TWDB staff. **Applicant acknowledges project schedule conditions noted above.**	☐ Applicant Acknowledges Project Schedule Conditions

B. Project Cost Estimate. Attach the most current itemized project cost estimate, utilizing the TWDB Budget Form TWDB-1201*****. Include all costs and funding sources (e.g., DWSRF, SWIFT, WDF, local contribution, other lender). If applying for pre-construction costs only (i.e., Planning, Acquisition, Design) then itemize only the relevant portions in the attached budget template. Please refer to the Instructions tab in theTWDB-1201 Excel workbook. Please consider that U.S. Iron & Steel requirements will apply (See United States Iron and Steel Guidance, TWDB-1105) ***** TWDB-1201 Must be signed, dated, and sealed by a Texas Professional Engineer.	☐ TWDB-1201 Attached
C. Construction Contracts Provide the planned total number of construction contracts for the project (current estimate):	Enter No. Contracts
Select the planned construction contract delivery method. • If “Other” selected, please indicate method: Indicate Method Here • If alternative delivery is selected (non-traditional design-bid-build), provide the implementation letter per TWDB-0570 alternative delivery methods guidance.	Choose Delivery Method.

PART IV: READY TO PROCEED - CONSTRUCTION-ONLY FUNDING

Complete this section if either the system's service area population is greater than 150,000, OR for any service area population ONLY funding for construction phase is requested. Other applicants skip this section.

- Entities serving populations GREATER than 150,000 can only request funds for project construction phase and must be ready to proceed.
- To be considered ready to proceed, ALL items below must be complete.

☐ N/A Part IV– Service area population is less than or equal to 150,000 AND requesting funds for the project's planning, acquisition, and/or design phase(s).

SECTION 1. PLANNING AND ACQUISITION

A. Permitting	
All applicable permitting aspects of the project have been achieved; including Certificate of Convenience and Necessity (CCN), TCEQ approval, and completion of piloting, etc.	☐ Permitting Complete
Applicant has acquired all the necessary rights to appropriate and use the surface water and/or groundwater that the project will provide as documented in the previously attached Water Rights Affidavit WRD-208.	☐ All Water Rights Acquired
B. Environmental Review Has the proposed project received a Finding of No Significant Impact, Categorical Exclusion, Record of Decision, or other environmental determination prepared by the TWDB or another agency within the last five years? • If Yes, attach a copy of the environmental determination to this application and provide name of issuer (Agency) Enter Issuer Agency, and date of issuance(s) Enter Date of Issuance • If No, attach TWDB-0802 Water Supply and Infrastructure Grant Affidavit of Environmental Compliance.	Choose an item.
C. Engineering Feasibility. Has been completed for the project planning phase.	☐ Complete
D. Land Acquisition. Applicant has obtained all land and easements necessary to complete the project, as documented in the previously attached Site Certificate (ED-101).	☐ Acquisition Complete

SECTION 2. DESIGN

A. Design Process. Is complete, including full development of plans and specifications for all project components, and Plans and Specifications (P&S) are attached.	☐ P&S Attached
B. Plans and Specifications. Plans and specifications for all project components have been approved by authorized entity (TWDB will not provide new design approvals for ready-to-proceed projects requesting this funding): • Attached copy of approval letter(s) by the TCEQ • Attached copy of approval letter by an entity(ies) other than the TCEQ (e.g., TWDB). Indicate approving entity(ies): Enter Approving Entity	Choose an item.

C. Project Components Not Requiring TCEQ Approval. Authorized approval of plans and specifications of certain project components is not required by the TCEQ (e.g., meter replacement). Indicate project components not requiring approval: Enter Components Not Requiring TCEQ Approval
Note: For the following types of water projects funded by the TWDB, technical review of plans and specifications must have been completed by the TCEQ. • New surface water treatment plants (WTP), including pilot and concentration-time studies, • Existing surface WTPs involving process related improvements or increase in capacity, • New well projects, • Existing well projects, including increase in capacity or process related improvements, • New raw water intakes, including pumping facilities at the intake location, • Any project involving treatment, such as membranes, ion exchange, UV disinfection, etc., • New interconnections, • New construction or improvements to disinfection and other treatment projects, and • New ground storage tanks (GSTs), or improvements to existing GSTs, when the source of water is surface water and GSTs are a clear well.

SECTION 3. CONSTRUCTION

The proposed project • will be ready to advertise construction bids immediately following a funding commitment for construction costs. OR • has already been bid for construction. **Note: WSIG requirements for project construction must be met (e.g., US I&S), and only those costs incurred after June 21, 2025, can be reimbursed.**	Choose an item.

PART V: REQUESTING PLANNING/ACQUISITION/DESIGN FUNDING

Complete this section if the system's service area population is less than 150,001 AND the funding request includes planning, acquisition, or design project phases, or any combination thereof with or without construction (i.e. NOT construction-only funding).

☐ N/A Part V – Funding request is ONLY for construction phase and proposed project is ready to proceed.

SECTION 1. PLANNING, ACQUISITION, AND/OR DESIGN

A. Land and Easements Ownership. Provide a general description of the land and easements acquisition needs for this project:
Enter Description of Land Needs

B. Conveyance Coordination.	
Applicant acknowledges that if the proposed project is related to or includes water conveyance, then considerations must be included in the project planning phase to reduce the necessity of exercising the power of eminent domain to obtain interest in real property by prioritizing the use of existing transportation and utility easements [SB 7, 89th Texas Legislature, Texas Water Code 6.301-305]. If eminent domain is being considered by the Applicant, then a future coordination meeting will need to be scheduled by the Applicant during the project's planning phase to include joint planning and coordination between project sponsors, governmental entities, utilities, common carriers, and other applicable stakeholders including the TxDOT Right of Way Division. The purpose of the meeting is to promote collaboration among stakeholders and to reduce the necessity of exercising the power of eminent domain to obtain interest in real property by identifying opportunities to utilize existing transportation and utility easements. The outcome of the meeting(s) must be addressed in the Engineering Feasibility Report. The scheduling of the meeting should be coordinated with the TWDB project manager.	☐ Click Box to Acknowledge

C. Engineering Permits.
List any major permits that are necessary for the completion of the project. Also, list any other necessary minor permits that may involve particular difficulty due to the nature of the proposed project (e.g., railroad crossing, TxDOT, FAA for elevated structure in vicinity of airport).

Permit	**Issuing Entity**	**Acquired (Y/N)**

D. Environmental Compliance. Applicant acknowledges that they will ensure compliance with all applicable local, state, and federal regulations and will complete coordination and/or permitting as required to ensure compliance with the Endangered Species Act of 1973, as amended; Section 404 of the Clean Water Act; Section 10 of the Rivers and Harbors Act of 1899; the Migratory Bird Treaty Act; Texas Antiquities Code; Texas Parks and Wildlife Code; Edwards Aquifer Rules; and any other applicable state, federal, and local regulations. Prior to the release of acquisition, design, and/or construction funding, the applicant will provide a signed TWDB-0802 Affidavit of Environmental Compliance and submit documentation that the proposed project has been adequately reviewed by the required regulatory agencies within the last five years.	☐ Click Box to Acknowledge

PART VI: Financial Assistance Application Checklist

The following checklist is a full list of the documents that are necessary to process this application. An incomplete application will not be processed. Clearly label all attachments with the corresponding document name and applicant name. Please visit http://www.twdb.texas.gov/financial/instructions/index.asp for any referenced Guidance and Forms.

Certification and Checklist	Item Attached	N/A
Part II: Eligibility Determination		
Reuse permit documentation, if applicable	☐	☐
Regulatory compliance documentation, if applicable	☐	☐
Annual financial audit and management letter	☐	
Water Project Information - WRD-253D	☐	
State Water Plan documentation, if applicable	☐	☐
Adopted Water Conservation Plan; if applicable	☐	☐
Water Rights Affidavit – WRD-208	☐	☐
Part III: All Applicants		
Project Map	☐	
Other funding sources commitment letter(s), if applicable	☐	☐
Consultants draft or executed contracts	☐	☐
Resolution – TWDB-0201A	☐	
Application Affidavit – TWDB-0201	☐	
Certificate of Secretary – TWDB-0201B	☐	
Certificate of Convenience and Necessity, if available	☐	☐
Site Certificate – ED-101	☐	
Affidavit of No Objection, if available	☐	☐
Enforcement Actions, if applicable	☐	☐
Breakdown of Ownership Interests of the Project, if applicable	☐	☐
Service Agreements, if applicable	☐	☐
Project Cost Estimate – TWDB-1201	☐	
Part IV: Ready to Proceed - Construction Only		☐
Environmental review documentation (determination or affidavit)	☐	
Plans and Specifications	☐	
Design approval letters(s)	☐	

PART VII: Financial Assistance Application Certification

I hereby approve and authorize the submission of this Financial Assistance Application to the Texas Water Development Board. I certify that all information contained herein is true and correct to the best of my knowledge. I understand the failure to submit a complete Financial Assistance Application may result in the withdrawal of the form without review.

Click Here to Enter Name

Printed Name of Applicant's Authorized Representative

Click Here to Enter Title

Title of Applicant's Authorized Representative

X

Double Click Box Above: In the pop-up prompt, enter the name of applicant's authorized representative **(not a consultant)** and then click the "Sign" button to apply electronic signature. **Applying the electronic signature will lock the document from further changes.**