

NOTICE OF CONFIDENTIALITY RIGHT: 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 AND/OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

DATE: July ____, 2024

GRANTOR: CITY OF BOERNE, TEXAS, a home-rule municipal corporation

GRANTOR'S MAILING ADDRESS (including county):

447 N. Main Street
Boerne, Kendall County, Texas 78006

GRANTEE: COUNTY OF KENDALL, a political subdivision of the State of Texas

GRANTEE'S MAILING ADDRESS (including county):

20I San Antonio Avenue
Boerne, Kendall County, Texas 78006

CONSIDERATION:

Ten Dollars (\$10.00) and other good and valuable consideration

PROPERTY (including any improvements):

Being a variable width right-of-way dedication containing 0.179 acres out of the William D. Lusk Survey No. 211, Abstract No. 306, Kendall County, Texas and being part of that certain 10.018 acre tract conveyed to the City of Boerne by deed recorded in Document No. 2022-371461, Official Records, Kendall County, Texas, said 0.179 acre tract being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof:

RESERVATIONS FROM CONVEYANCE:

All valid matters of record in Kendall County, Texas, and all ordinances and regulations of governmental authorities, if any, to the extent that any of the foregoing relate to the Property and remain in force and effect.

EXCEPTIONS TO CONVEYANCE AND WARRANTY: None.

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 hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns 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, by, through or under Grantor, but not otherwise, except as to the Reservations from Conveyance and Exceptions to Conveyance and Warranty.

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

GRANTOR:

CITY OF BOERNE, TEXAS

A home-rule municipal corporation

By: _____
Ben Thatcher, City Manager

STATE OF TEXAS }

COUNTY OF KENDALL }

This instrument was acknowledged before me on the _____ of July by Ben Thatcher, City Manager of the City of Boerne, Texas on behalf of the Grantor.

Notary Public, State of Texas

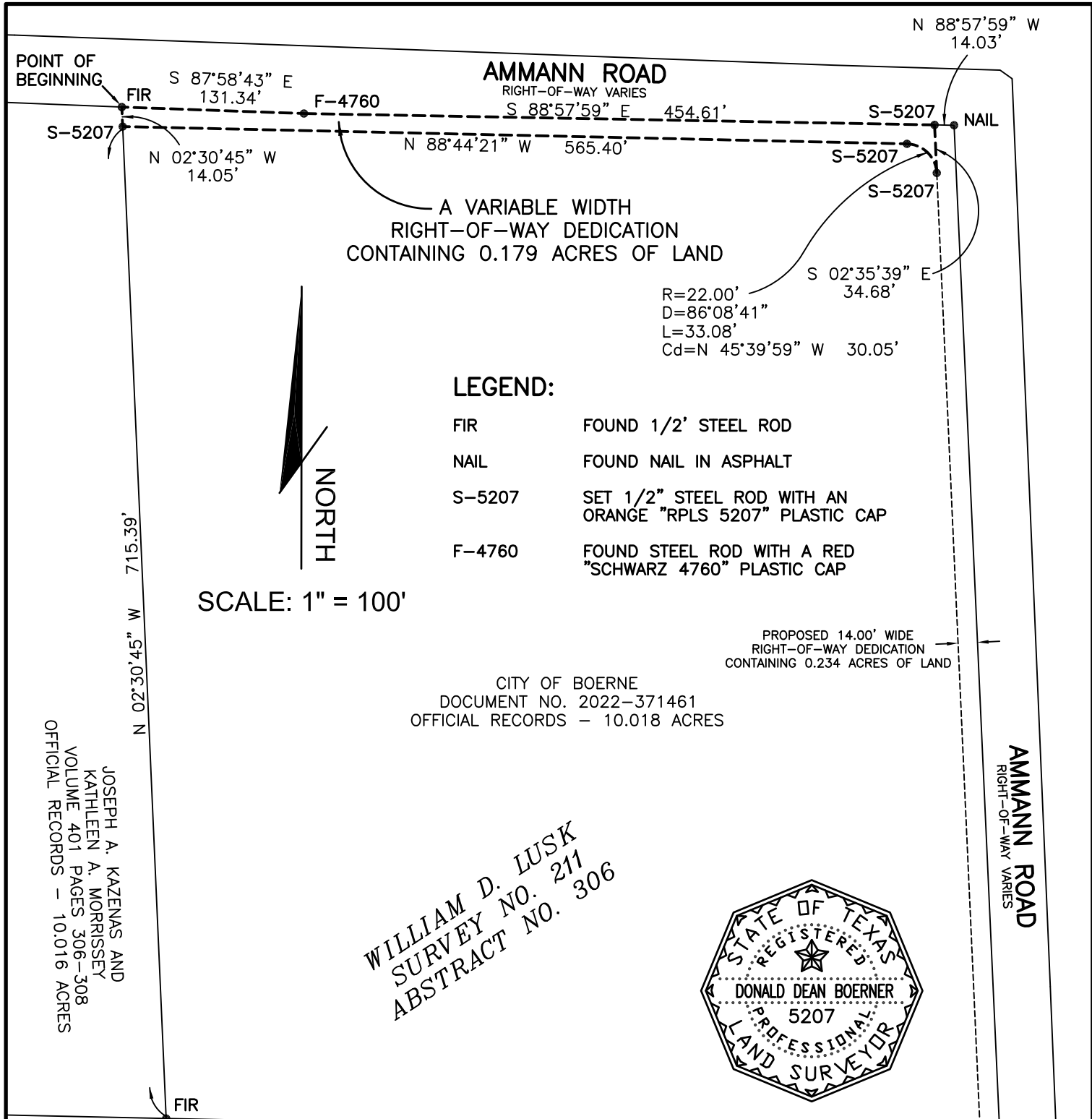
[Seal]

AFTER RECORDING RETURN TO:

County Attorney
201 San Antonio Avenue
Boerne, Texas 78006

EXHIBIT "A" LEGAL DESCRIPTION

[See attached pages]



LEGEND:

- FIR FOUND 1/2' STEEL ROD
- NAIL FOUND NAIL IN ASPHALT
- S-5207 SET 1/2" STEEL ROD WITH AN ORANGE "RPLS 5207" PLASTIC CAP
- F-4760 FOUND STEEL ROD WITH A RED "SCHWARZ 4760" PLASTIC CAP

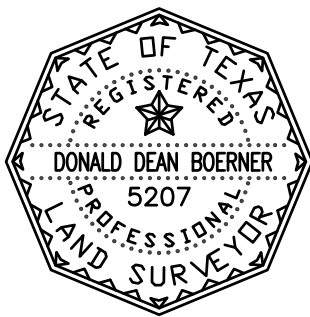
SCALE: 1" = 100'



CITY OF BOERNE
DOCUMENT NO. 2022-371461
OFFICIAL RECORDS - 10.018 ACRES

PROPOSED 14.00' WIDE
RIGHT-OF-WAY DEDICATION
CONTAINING 0.234 ACRES OF LAND

WILLIAM D. LUSK
SURVEY NO. 211
ABSTRACT NO. 306



JOSEPH A. KAZENAS AND
KATHLEEN A. MORRISSEY
VOLUME 401 PAGES 306-308
OFFICIAL RECORDS - 10.016 ACRES

GENERAL NOTES:

- 1) BASIS OF BEARING WAS ESTABLISHED FROM THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, TEXAS SOUTH CENTRAL ZONE.
- 2) A FIELD NOTE DESCRIPTION WAS PREPARED FOR THIS TRACT.

PLAT SHOWING: A variable width right-of-way dedication containing 0.179 acres out of the William D. Lusk Survey No. 211, Abstract No. 306, Kendall County, Texas and being part of that certain 10.018 acre tract conveyed to the City of Boerne by deed recorded in Document No. 2022-371461, Official Records, Kendall County, Texas.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

DONALD DEAN BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5207

DONNIE BOERNER SURVEYING COMPANY L.P.
228 HOLIDAY ROAD
COMFORT, TEXAS 78013
PH: 830-377-2492

FIRM NO. 10193963

DATE 06-12-2024

JOB NO: 22-286

Donnie Boerner Surveying Company L.P.

228 Holiday Road ♦ Comfort, Texas 78013

Phone: 830-377-2492

FIRM NO. 10193963

Field Notes for a Variable Width Right-of-Way Dedication Containing 0.179 Acres of Land

Being a variable width right-of-way dedication containing 0.179 acres out of the William D. Lusk Survey No. 211, Abstract No. 306, Kendall County, Texas and being part of that certain 10.018 acre tract conveyed to the City of Boerne by deed recorded in Document No. 2022-371461, Official Records, Kendall County, Texas, said 0.179 acre tract being more particularly described by metes and bounds as follows:

Beginning at a ½” steel rod found in the south line of Ammann Road for the northwest corner of the herein described tract, the northwest corner of the above referenced 10.018 acre tract;

Thence, with the south line of Ammann Road, the north line of said 10.018 acre tract, the following two (2) courses and distances,

- 1) South 87 degrees 58 minutes 43 seconds East, a distance of 131.34 feet to a steel rod found with a red “SCHWARZ 4760” plastic cap for angle,
- 2) and, South 88 degrees 57 minutes 59 seconds East, a distance of 454.61 feet to a ½” steel rod set with an orange “RPLS 5207” plastic cap for the northeast corner of the herein described tract, said point bears, North 88 degrees 57 minutes 59 seconds West, a distance of 14.03 feet from a nail found in asphalt at the northeast corner of said 10.018 acre tract;

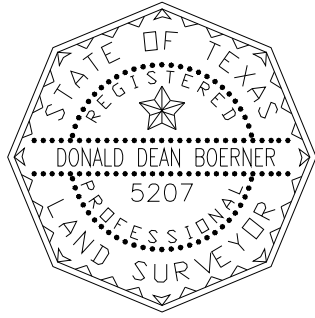
Thence, departing the south line of Ammann Road, severing said 10.018 acre tract, South 02 degrees 35 minutes 39 seconds East, a distance of 34.68 feet to a ½” steel rod set with an orange “RPLS 5207” plastic cap for the southeast corner of the herein described tract, said point being at the beginning of a curve to the left whose central angle is 86 degrees 08 minutes 41 seconds, whose radius is 22.00 feet and whose chord bears, North 45 degrees 39 minutes 59 seconds West, a distance of 30.05 feet;

Thence, along the arc of said curve to the left, a distance of 33.08 feet to a ½” steel rod set with an orange “RPLS 5207” plastic cap at the point of tangency;

Thence, North 88 degrees 44 minutes 21 seconds West, a distance of 565.40 feet to a ½” steel rod set with an orange “RPLS 5207” plastic cap in the west line of said 10.018 acre tract for the southwest corner of the herein described tract, said point bears, North 02 degrees 30 minutes 45 seconds West, a distance of 715.39 feet from a ½” steel rod found at the southwest corner of said 10.018 acre tract;

Thence, with the west line of said 10.018 acre tract, North 02 degrees 30 minutes 45 seconds West, a distance of 14.05 feet to the **Place of Beginning** and containing 0.179 acres of land.

Note: A survey plat of the above described tract was prepared. Basis of bearing was established from the State Plane Coordinate System North American Datum of 1983, Texas South Central Zone.



A handwritten signature in blue ink, appearing to read "D. Boerner".

Donald Dean Boerner
Registered Professional Land Surveyor No. 5207