

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
EXCHANGE OF PROPERTY

STATE OF TEXAS §
 §
COUNTY OF KENDALL §

That **KENDALL COUNTY, TEXAS** ("County"), for and in consideration of the exchange of the parcels of real property described herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, has **GRANTED, SOLD, and CONVEYED** and does **GRANT, SELL, AND CONVEY**, subject to the terms, covenants, conditions, reservations, restrictions and exceptions hereinafter made, to **THE CITY OF BOERNE, TEXAS**, a home-rule municipal corporation ("City"), all of County's right, title, and interest, in and to the real property more particularly described on the attached **Exhibit A - Legal Description** (the "County Property").

That **THE CITY OF BOERNE, TEXAS**, a home-rule municipal corporation ("City"), for and in consideration of the exchange of the parcels of real property described herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, has **GRANTED, SOLD, and CONVEYED** and does **GRANT, SELL, AND CONVEY**, subject to the terms, covenants, conditions, reservations, restrictions and exceptions hereinafter made, to **KENDALL COUNTY, TEXAS** ("County"), all of City's right, title, and interest, in and to the real property more particularly described on the attached **Exhibit B - Legal Description** (the "City Property").

This Special Warranty Deed is made subject to any and all visible and apparent easements and encroachments, whether of record or not and any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Property or any part thereof. Further, each respective Grantor, for the consideration and subject to the reservations from and exceptions to conveyance provided herein, conveys to each respective Grantee the Property without express or implied warranties that might arise by common law, and the warranties in Section 5.023 of the Texas Property Code, as amended, are specifically excluded.

AS A MATERIAL PART OF THE CONSIDERATION FOR THIS DEED, EACH PARTY EXPRESSLY ACCEPTS THE PROPERTY IN AN "AS IS, WHERE IS, AND WITH ALL FAULTS" CONDITION. EACH RESPECTIVE GRANTEE HAS HAD AN OPPORTUNITY TO INSPECT THE PROPERTY, AND EACH GRANTEE IS NOT

RELYING ON ANY REPRESENTATIONS OR DISCLOSURES BY THE RESPECTIVE GRANTOR IN CONNECTION WITH THE EXCHANGE OF THE PROPERTY. EXCEPT FOR THE WARRANTY OF TITLE PROVIDED HEREIN, EACH RESPECTIVE GRANTOR IS NOT MAKING AND SPECIFICALLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THEIR RESPECTIVE PROPERTY, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OR REPRESENTATIONS AS TO MATTERS OF ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITIONS, AVAILABILITY OF ACCESS, INGRESS OR EGRESS, OR ANY OTHER MATTER RELATING TO OR AFFECTING THE PROPERTY, INCLUDING WITHOUT LIMITATION: (1) THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY; AND (2) THE TYPE, MANNER, AND QUALITY OF THE LAND, SOIL CONDITION, OR HAZARDOUS MATERIALS, IF ANY, IN OR UPON THE PROPERTY. GRANTEE REPRESENTS AND WARRANTS THAT EACH RESPECTIVE GRANTEE IS A KNOWLEDGEABLE PURCHASER OF REAL PROPERTY AND IS RELYING SOLELY ON EACH RESPECTIVE GRANTEE'S OWN INSPECTION OF PROPERTY. EACH GRANTEE ACKNOWLEDGES AND AGREES THAT THERE ARE NO ORAL AGREEMENTS OR REPRESENTATIONS COLLATERAL TO OR AFFECTING THE PROPERTY BY EACH RESPECTIVE GRANTOR, OR ANY AGENT OR EMPLOYEE OF THEREOF, OR ANY OTHER THIRD-PARTY.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any way belonging, unto each Grantee, its successors and assigns forever; and each respective Grantor hereby binds Grantor, and Grantor's heirs, executors, administrators, successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular the Property unto each respective Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under each respective Grantor, but not otherwise.

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

LEGAL DESCRIPTION OF "THE COUNTY PROPERTY"

_____ KENDALL
COUNTY, TEXAS AND VISUALLY DEPICTED ON THE ATTACHED EXHIBIT "A."

LEGAL DESCRIPTION OF "THE CITY PROPERTY"

_____ KENDALL COUNTY, TEXAS AND VISUALLY
DEPICTED ON THE ATTACHED EXHIBIT "B."

[SIGNATURE PAGE TO FOLLOW]

KENDALL COUNTY, TEXAS

By:

[Handwritten signature]

Printed Name:

Shane Stolarczyk

Title:

County Judge

COUNTY ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF KENDALL §

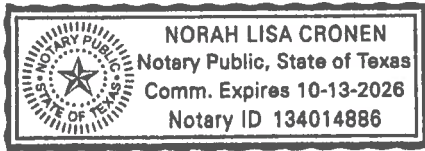
BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Shane Stolarczyk known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said Kendall County, that he/she was duly authorized to perform the same by appropriate action of Kendall County, Texas, and that he/she executed the same as the act of the said Trust for the purpose and consideration therein expressed, and in the capacity therein stated.

2024.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of October 2024

[Handwritten signature: Norah Lisa Cronen]

Notary Public, in and for the State of Texas



CITY OF BOERNE, TEXAS

By: _____

Printed Name: _____

Title: _____

CITY ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF KENDALL §

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said City of Boerne, that he/she was duly authorized to perform the same by appropriate action of the City of Boerne, Texas, and that he/she executed the same as the act of the said Trust for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ___ day of _____, 2024.

Notary Public, in and for the State of Texas

APPROVED AS TO FORM:



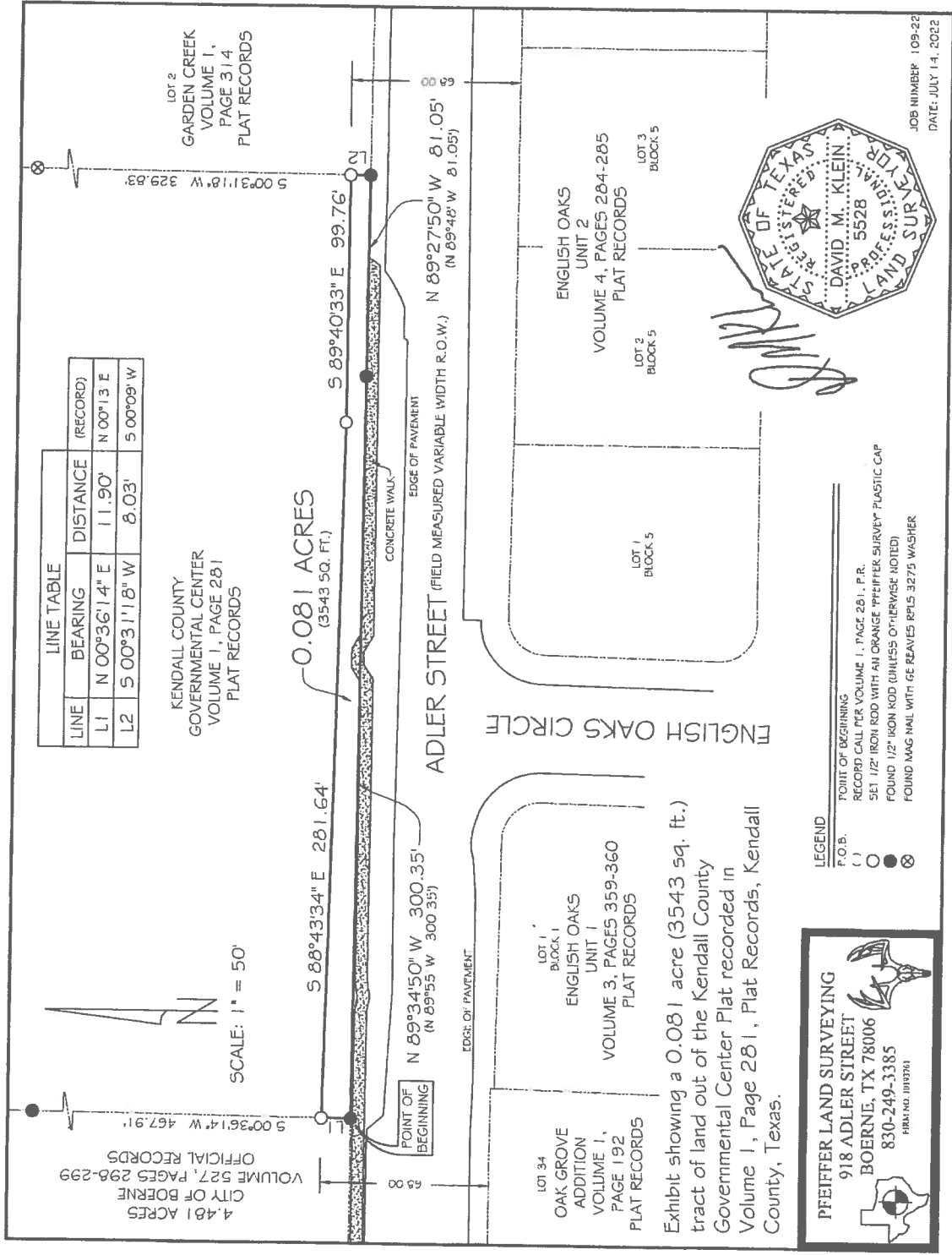
William M. McKamie,
City Attorney

After recording send copy to:

City Manager
City of Boerne, Texas
447 N. Main Street
Boerne, Texas 78006

EXHIBIT A

DEPICTION OF THE COUNTY PROPERTY:



PFEIFFER LAND SURVEYING

918 Adler Street, Boerne, Texas 78006
Phone: 830-249-3385

FIELD NOTES FOR A 0.081 ACRE TRACT OF LAND

Being a 0.081 acre (3543 sq. ft.) tract of land out of the Kendall County Governmental Center Plat recorded in Volume 1, Page 281, Plat Records, Kendall County, Texas, said 0.081 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod found in the north right of way line of Adler Street at the southwest corner of the above referenced Kendall County Governmental Center Plat, the southeast corner of a 4.481 acre tract recorded in Volume 527, Pages 298-299, Official Records, Kendall County, Texas, said point being the southwest corner of the tract herein described;

Thence, departing the north right of way line of Adler Street with the west line of the Kendall County Governmental Center Plat, the east line of the 4.481 acre tract, **North 00 degrees 36 minutes 14 seconds East**, a distance of 11.90 feet to a ½" iron rod with an orange "Pfeiffer Survey" plastic cap set for the northwest corner of the tract herein described, said point bears **South 00 degrees 36 minutes 14 seconds West**, a distance of 467.91 feet from a ½" iron rod found at the northeast corner of said 4.481 acre tract;

Thence, crossing the Kendall County Governmental Center Plat with the north line of the tract herein described, the following two (2) courses and distances:

South 88 degrees 43 minutes 34 seconds East, a distance of 281.64 feet to a ½" iron rod with an orange "Pfeiffer Survey" plastic cap set for angle;

and **South 89 degrees 40 minutes 33 seconds East**, a distance of 99.76 feet to a ½" iron rod with an orange "Pfeiffer Survey" plastic cap set in the east line of said Kendall County Governmental Center Plat, the west line of Lot 2, Garden Creek Subdivision recorded in Volume 1, Page 314, Plat Records, Kendall County, Texas, said point being the northeast corner of the tract herein described and bears **South 00 degrees 31 minutes 18 seconds West**, a distance of 329.83 feet from a mag nail with "GE REAVES RPLS 3275" washer found at the northwest corner of Lot 3, Garden Creek Subdivision;

Thence, with the east line of the Kendall County Governmental Center Plat, the west line of Lot 2, Garden Creek Subdivision, **South 00 degrees 31 minutes 18 seconds West**, a distance of 8.03 feet to a ½" iron rod found in the north right of way line of Adler Street at the southeast corner of said Kendall County Governmental Center Plat, the southwest corner of said Lot 2, said point being the southeast corner of the tract herein described;

Thence, with the north right of way line of Adler Street, the south line of the Kendall County Governmental Center Plat, the following two (2) courses and distances:

North 89 degrees 27 minutes 50 seconds West, a distance of 81.05 feet to a ½" iron rod found for angle;

and **North 89 degrees 34 minutes 50 seconds West**, a distance of 300.35 feet to the **Point of Beginning** containing 0.081 acres (3543 sq. ft.) of land.

Note: The bearings are based on The Texas State Plane Coordinate System, South Central Zone, 4204, NAD 83. A survey drawing of the above described easement was prepared.



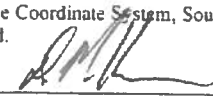
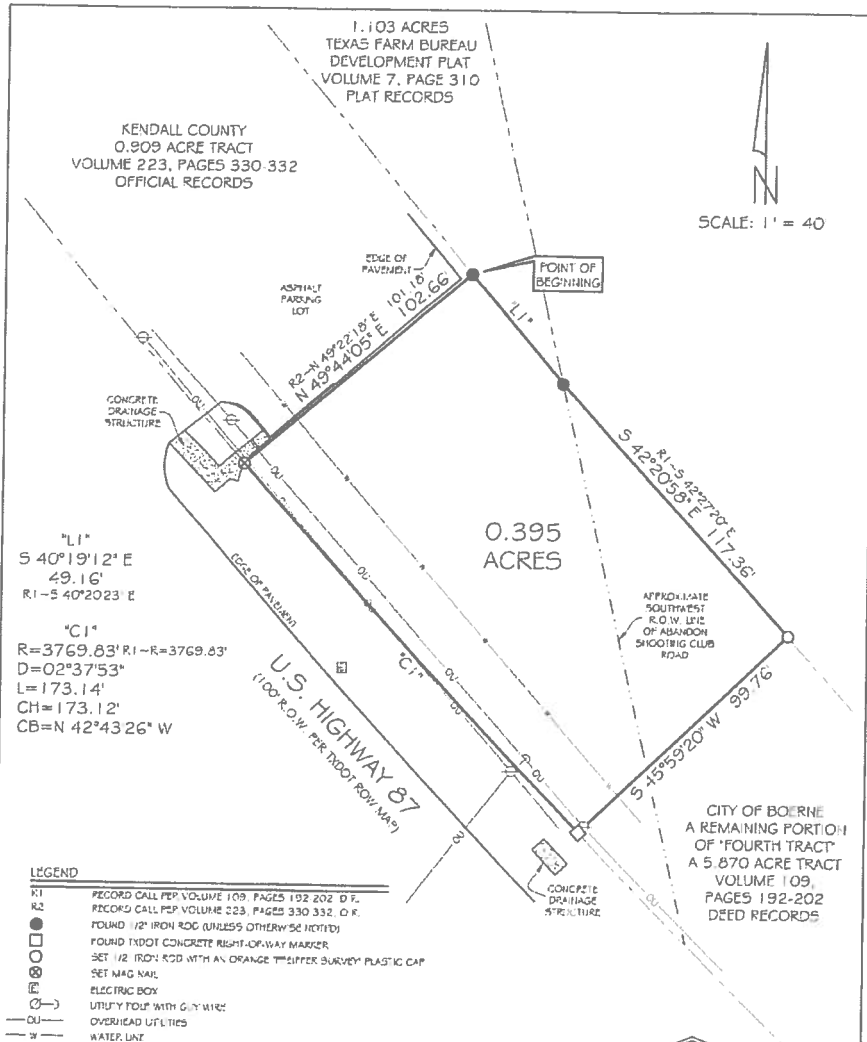

David M. Klein
Registered Professional Land Surveyor No. 5528
Job Number: 109-21 (0.081 Acres)

EXHIBIT b

DEPICTION OF THE CITY PROPERTY:



- LEGEND**
- R1 RECORD CALL PER VOLUME 109, PAGES 192-202 D.F.
 - R2 RECORD CALL PER VOLUME 223, PAGES 330-332, O.F.
 - FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
 - FOUND TxDOT CONCRETE RIGHT-OF-WAY MARKER
 - SET 1/2" IRON ROD WITH AN ORANGE TYPICAL SURVEY PLASTIC CAP
 - SET MAG NAIL
 - ⊖ ELECTRIC BOX
 - UTILITY TPOUT WITH G.N. WIRE
 - OU— OVERHEAD UTILITIES
 - W— WATER LINE

Boundary Survey of a 0.395 acre tract of land out of the Anton Lockmar Survey No. 177, Abstract No. 311, Kendall County, Texas, being a portion of a 5.870 acre tract of land known as "Fourth Tract" as conveyed to the City of Boerne by deed recorded in Volume 109, Pages 192-202, Deed Records, Kendall County, Texas.

PFEIFFER LAND SURVEYING
 918 ADLER STREET
 BOERNE, TX 78006
 830-249-3385
 TXRN NO. 184761



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

Wes Rexrode

Wes Rexrode - Pfeiffer Land Surveying
 Registered Professional Land Surveyor No. 6001
 Boerne, Texas 78006 Ph. 830 - 249 - 3385

JOB NUMBER 203-21
 DATE JANUARY 27, 2022

PFEIFFER LAND SURVEYING

918 Adler Street, Boerne, Texas 78006
Phone: 830-249-3385

FIELD NOTES FOR A 0.395 ACRE TRACT OF LAND

Being a 0.395 acre tract of land out of the Anton Lockmar Survey No. 177, Abstract No. 311, Kendall County, Texas, being a portion of a 5.870 acre tract of land known as "Fourth Tract" as conveyed to the City of Boerne by deed recorded in Volume 109, Pages 192-202, Deed Records, Kendall County, Texas, said 0.395 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod found at the north corner of the tract herein described, being the east corner of a 0.909 acre tract of land as conveyed to Kendall County by deed recorded in Volume 223, Pages 330-332, Official Records, Kendall County, Texas, the north corner of a remaining portion of the above referenced 5.870 acre "Fourth Tract", said point being in the southwest line of the Texas Farm Bureau Plat recorded in Volume 7, Page 310, Plat Records, Kendall County, Texas;

Thence, with the northeast line of the 5.870 acre tract, the southwest line of said Texas Farm Bureau Plat, **South 40 degrees 19 minutes 12 seconds East**, a distance of **49.16 feet** to a ½" iron rod found at the south corner of said Texas Farm Bureau Plat;

Thence, continuing with the northeast line of the 5.870 acre tract, **South 42 degrees 20 minutes 58 seconds East**, a distance of **117.36 feet** to a ½" iron rod with an orange "Pfeiffer Survey" plastic cap set for the east corner of the tract herein described;

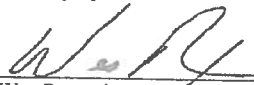
Thence, crossing the 5.870 acre tract with the southeast line of the tract herein described, **South 45 degrees 59 minutes 20 seconds West**, a distance of **99.76 feet** to a Texas Department of Transportation concrete right of way marker found in the northeast right of way line of U.S. Highway No. 87, the southwest line of said 5.870 acre tract, said point being the south corner of the tract herein described;

Thence, with the northeast right of way line of U.S. Highway No. 87, the southwest line of said 5.870 acre tract, around a curve in a clockwise direction having a central angle of **02 degrees 37 minutes 53 seconds**, an arc distance of **173.14 feet**, a radius of **3769.83 feet** and a chord that bears **North 42 degrees 43 minutes 26 seconds West**, a distance of **173.12 feet** to a mag nail set at the south corner of the aforementioned 0.909 acre tract for the west corner of the tract herein described;

Thence, departing the northeast right of way line of U.S. Highway No. 87, with the southeast line of the 0.909 acre tract, **North 49 degrees 44 minutes 05 seconds East**, a distance of **102.66 feet** to the **Point of Beginning** containing **0.395 acres** of land.

Note: The bearings are based on The Texas State Plane Coordinate System, South Central Zone, 4204, NAD 83. A survey drawing of the above described easement was prepared.




Wes Rexrode
Registered Professional Land Surveyor No.6001
Job Number: 209-21 (0.395 Acre Tract)