



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.

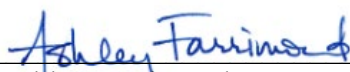
With respect to site access and circulation, access points serving the Subject Property will be coordinated with existing and planned roadway infrastructure and will comply with all applicable City and TxDOT access management requirements. As future development occurs on the Subject Property, circulation 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](mailto:ashley@kgftx.com).

Sincerely,

KILLEN, GRIFFIN & FARRIMOND, PLLC

  
\_\_\_\_\_  
Ashley Farrimond

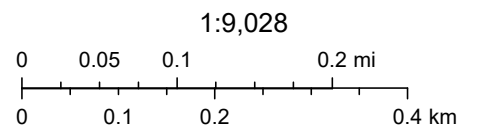
**Exhibit "1"**

**Subject Property**

# Kendall CAD Web Map



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

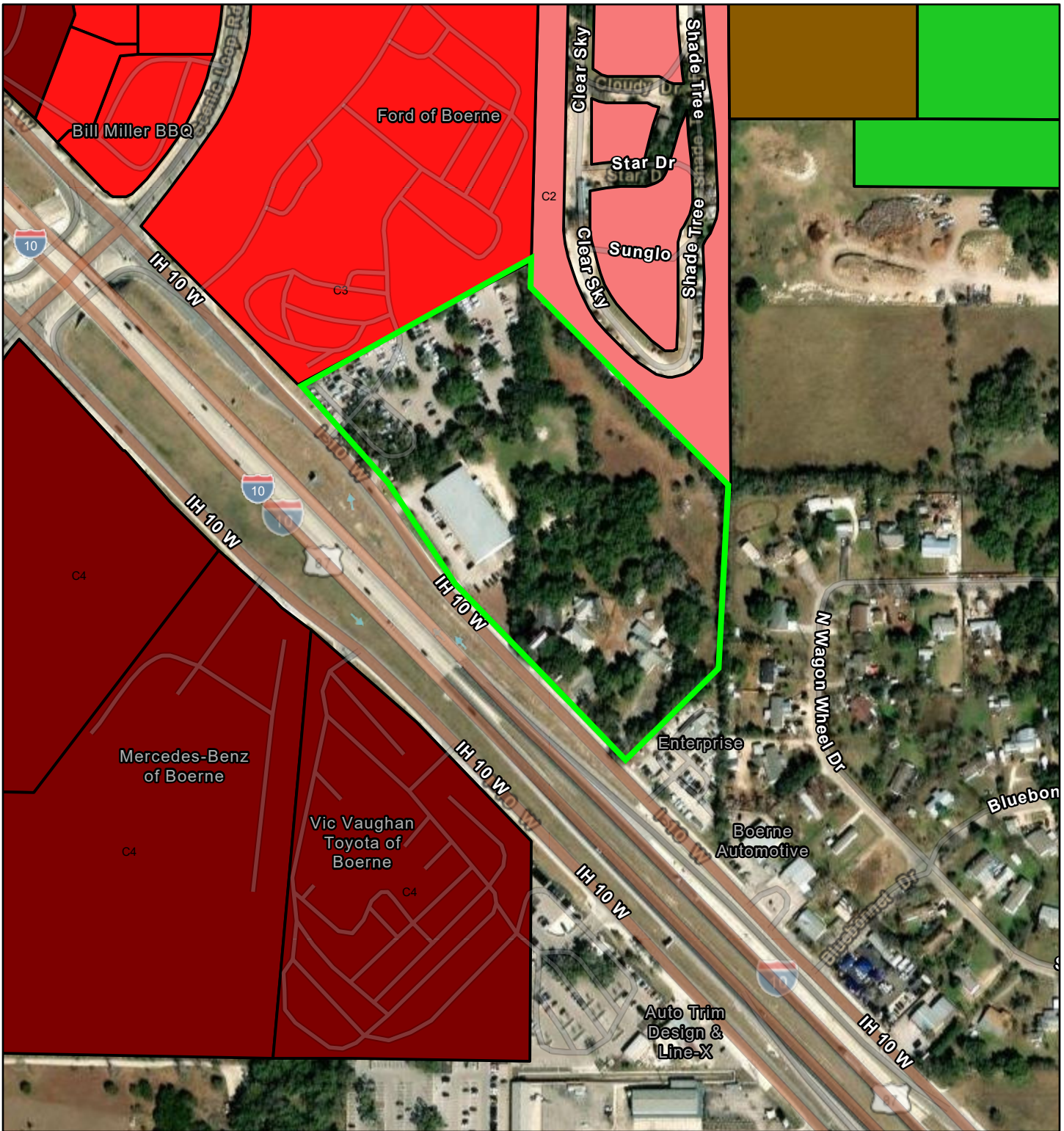


© OpenStreetMap (and) contributors, CC-BY-SA

Kendall County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

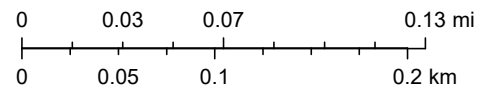
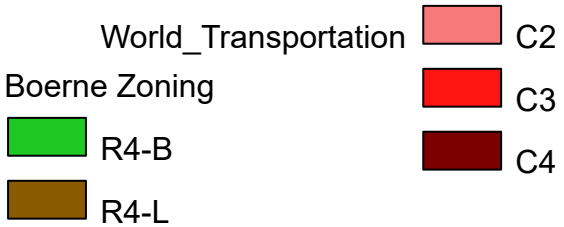
Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey

# Boerne, TX Zoning Map



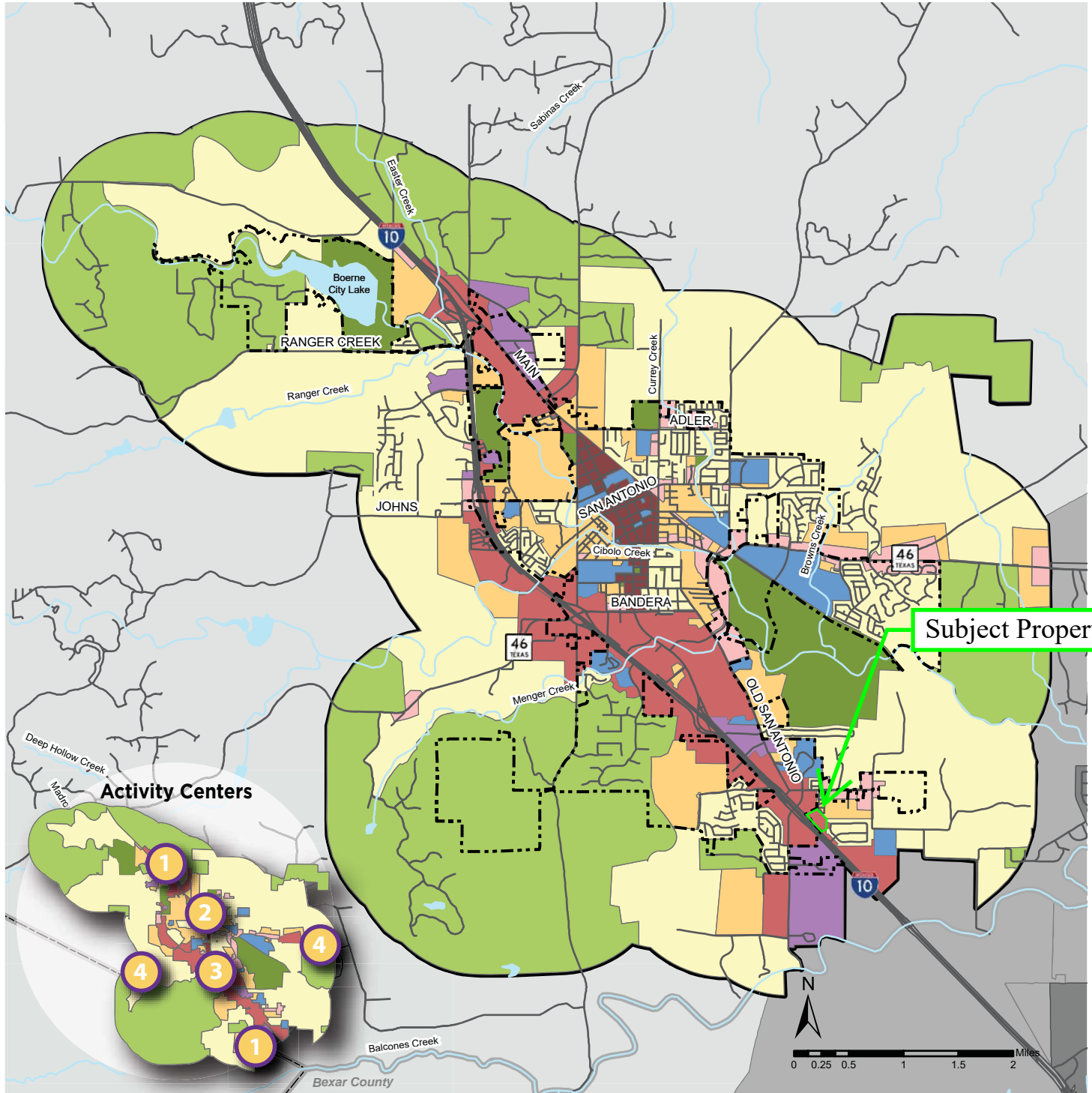
12/29/2025, 10:22:47 AM

1:4,514



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

Map 4.2, Boerne Future Land Use Plan



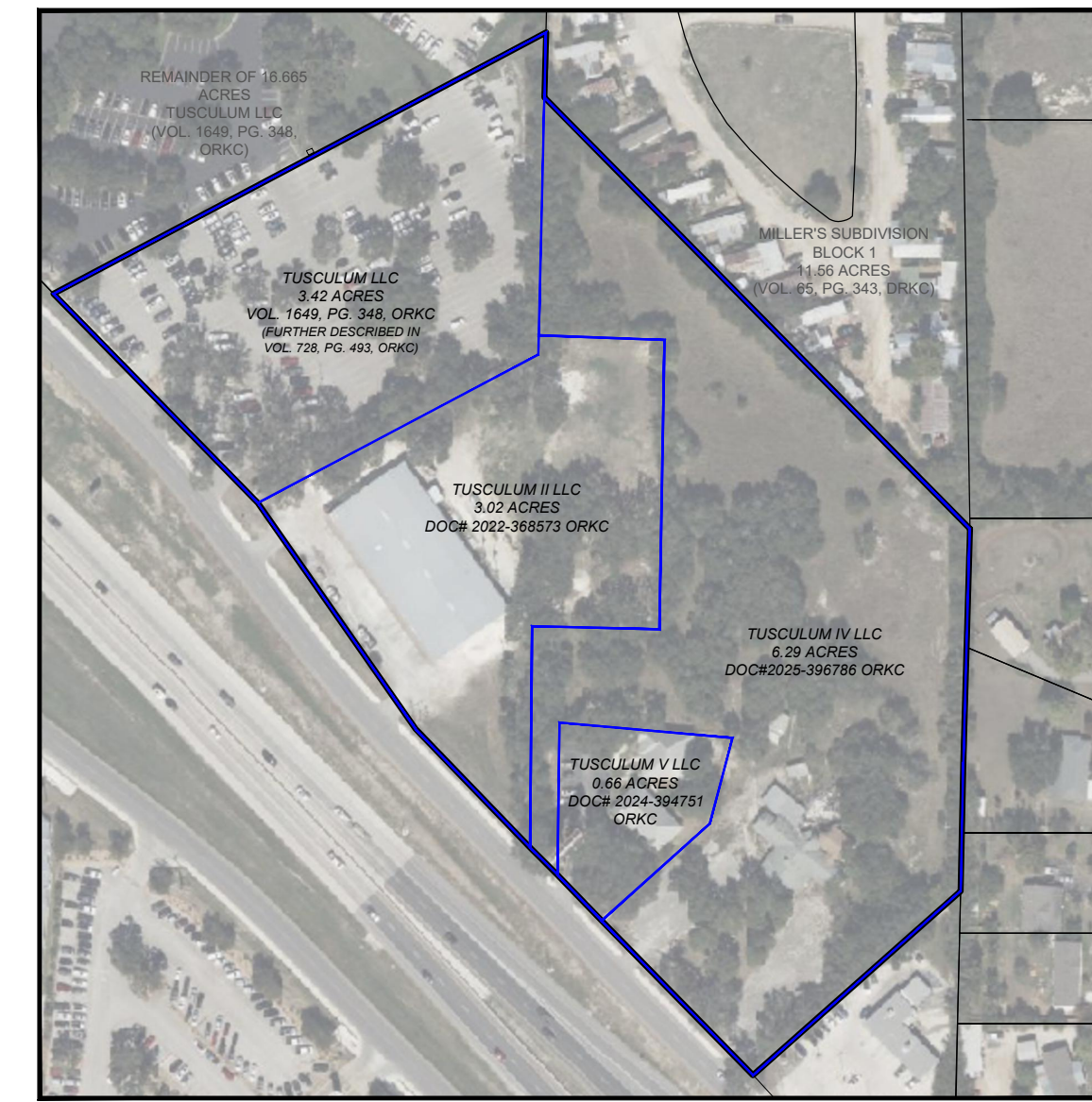
- Activity Centers**
- 1 Employment/Commercial
  - 2 Downtown and Urban Neighborhood
  - 3 Regional Commercial
  - 4 Neighborhood Commercial

- 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

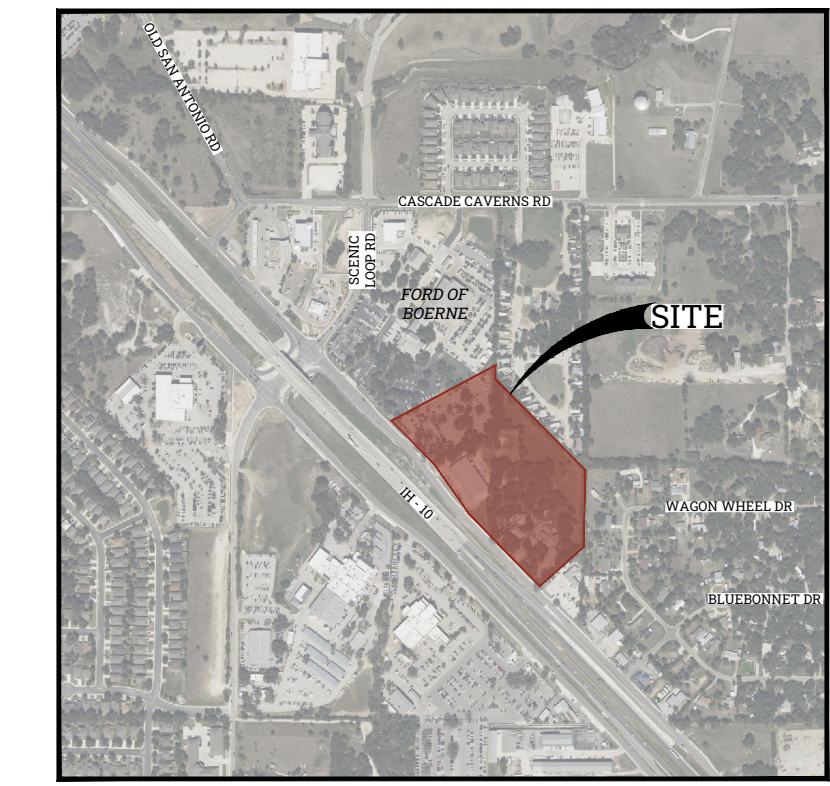
**SURVEY NOTES:**  
 1. BASIS OF BEARING ON THIS SURVEY IS GRID NORTH, NORTH AMERICAN DATUM OF 1983 (NAD83 2011) FOR THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.  
 2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND OTHER MATTERS AFFECTING THIS 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**

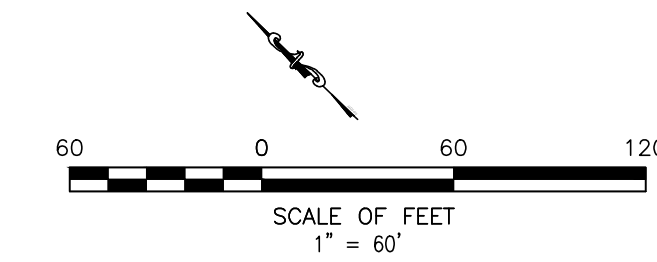
DRKC DEED RECORDS OF KENDALL COUNTY, TEXAS  
 ORKC OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS  
 PRKC PLAT RECORDS OF KENDALL COUNTY, TEXAS



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



**LOCATION MAP**  
N.T.S.



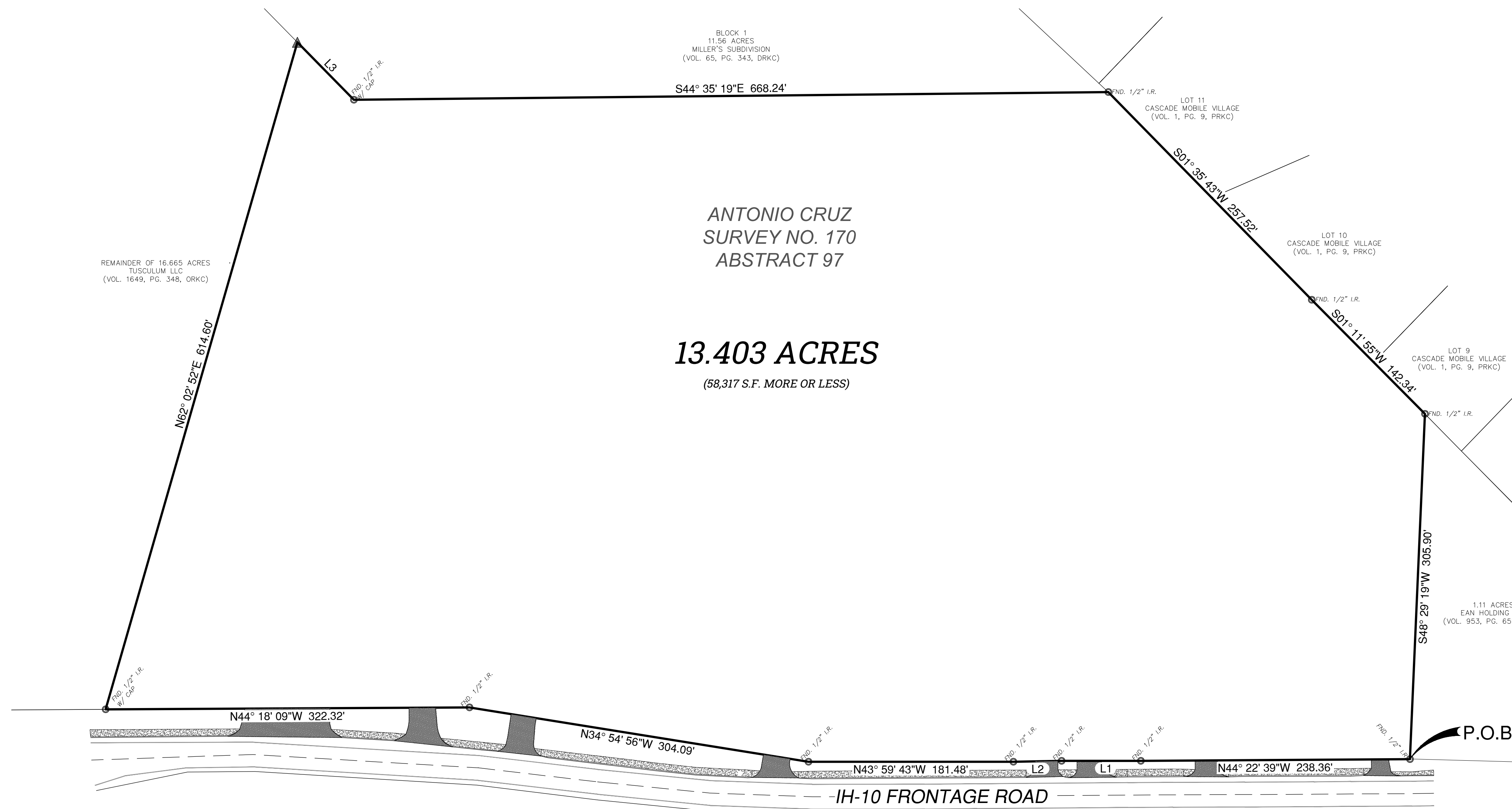
**LINE LEGEND**

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

**SYMBOL LEGEND**

- FOUND IRON ROD MONUMENT
- ▲ CALCULATED POINT

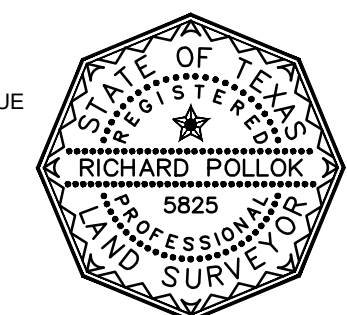
| LINE NUMBER | LENGTH | BEARING       |
|-------------|--------|---------------|
| L1          | 70.16  | N43° 56' 46"W |
| L2          | 42.78  | N45° 03' 45"W |
| L3          | 71.42  | S01° 31' 19"W |



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



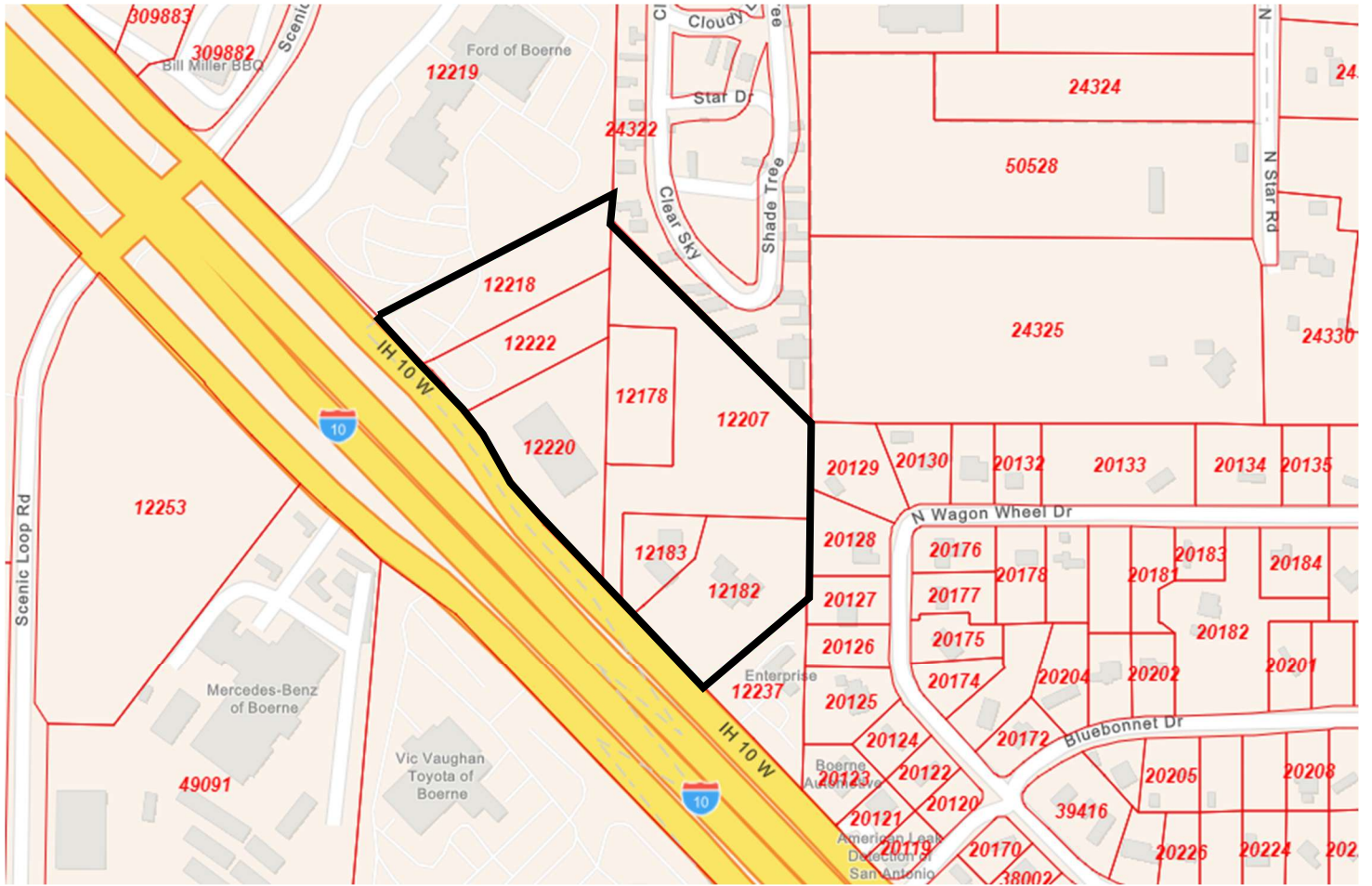
**RAKOWITZ**  
 Engineering & Surveying

Texas Registered Engineering Firm F 0155  
 Texas Registered Surveying Firm PB 1812  
 689.281-4060

**KIA OF BOERNE EXHIBIT OF SURVEY**  
 BEING 13.403 ACRES, BEING ALL OF A 3.023 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2022-368873, ALL OF A 0.6638 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2024-394761, ALL OF A 3.42 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 1649 PAGE 394, 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 |
|-----|------|-------------|----|
|     |      |             |    |
|     |      |             |    |
|     |      |             |    |
|     |      |             |    |

**SHEET**  
1 OF 1



# Kendall AD Property Search

## Property Details

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

## Property Values

|  |               |
|--|---------------|
| <b>Improvement Homesite Value:</b>     | \$0 (+)       |
| <b>Improvement Non-Homesite Value:</b> | \$0 (+)       |
| <b>Land Homesite Value:</b>            | \$0 (+)       |
| <b>Land Non-Homesite Value:</b>        | \$199,980 (+) |
| <b>Agricultural Market Valuation:</b>  | \$0 (+)       |
| <b>Market Value:</b>                   | \$199,980 (=) |
| <b>Agricultural Value Loss:</b>        | \$0 (-)       |

|                         |               |
|-------------------------|---------------|
| <b>Appraised Value:</b> | \$199,980 (=) |
| <b>HS Cap Loss:</b>     | \$0 (-)       |
| <b>Circuit Breaker:</b> | \$0 (-)       |
|                         |               |
| <b>Assessed Value:</b>  | \$199,980     |
| <b>Ag Use Value:</b>    | \$0           |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## 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

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

## Property Values

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

|                         |               |
|-------------------------|---------------|
| <b>Appraised Value:</b> | \$441,255 (=) |
| <b>HS Cap Loss:</b>     | \$0 (-)       |
| <b>Circuit Breaker:</b> | \$0 (-)       |
|                         |               |
| <b>Assessed Value:</b>  | \$441,255     |
| <b>Ag Use Value:</b>    | \$0           |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

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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

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

## Property Values

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

|                         |                 |
|-------------------------|-----------------|
| <b>Appraised Value:</b> | \$1,200,000 (=) |
| <b>HS Cap Loss:</b>     | \$0 (-)         |
| <b>Circuit Breaker:</b> | \$0 (-)         |
|                         |                 |
| <b>Assessed Value:</b>  | \$1,200,000     |
| <b>Ag Use Value:</b>    | \$0             |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

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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

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

## Property Values

|  |               |
|--|---------------|
| <b>Improvement Homesite Value:</b>     | \$0 (+)       |
| <b>Improvement Non-Homesite Value:</b> | \$0 (+)       |
| <b>Land Homesite Value:</b>            | \$0 (+)       |
| <b>Land Non-Homesite Value:</b>        | \$816,849 (+) |
| <b>Agricultural Market Valuation:</b>  | \$0 (+)       |
| <b>Market Value:</b>                   | \$816,849 (=) |
| <b>Agricultural Value Loss:</b>        | \$0 (-)       |

|                           |               |
|---------------------------|---------------|
| <b>Appraised Value:</b> ⓘ | \$816,849 (=) |
| <b>HS Cap Loss:</b> ⓘ     | \$0 (-)       |
| <b>Circuit Breaker:</b> ⓘ | \$0 (-)       |
|                           |               |
| <b>Assessed Value:</b>    | \$816,849     |
| <b>Ag Use Value:</b>      | \$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

|                              |  |  |
|------------------------------|--|--|
| <b>Account</b>               |  |  |
| <b>Property ID:</b>          | 12218  | <b>Geographic ID:</b> 1-0097-0170-0365 |
| <b>Type:</b>                 | R  | <b>Zoning:</b> NY11                    |
| <b>Property Use:</b>         |  | <b>Condo:</b>                          |
| <b>Location</b>              |  |  |
| <b>Situs Address:</b>        | 31440 INTERSTATE 10 TX                                   |  |
| <b>Map ID:</b>               | BISD3-NY11   | <b>Mapsc0:</b>                         |
| <b>Legal Description:</b>    | A10097 - SURVEY 170 A CRUZ 1.998 ACRES                   |  |
| <b>Abstract/Subdivision:</b> | A10097   |  |
| <b>Neighborhood:</b>         | (COMMBRNE) COMMERCIAL BOERNE                             |  |
| <b>Owner</b>                 |  |  |
| <b>Owner ID:</b>             | 5399049  |  |
| <b>Name:</b>                 | TUSCULUM LLC   |  |
| <b>Agent:</b>                | SWBC AD VALOREM TAX ADVISORS                             |  |
| <b>Mailing Address:</b>      | % RONALD F SMITH<br>PO BOX 490<br>BOERNE, TX 78006       |  |
| <b>% Ownership:</b>          | 100.0%   |  |
| <b>Exemptions:</b>           | For privacy reasons not all exemptions are shown online. |  |

## Property Values

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

|                         |               |
|-------------------------|---------------|
| <b>Appraised Value:</b> | \$645,000 (=) |
| <b>HS Cap Loss:</b>     | \$0 (-)       |
| <b>Circuit Breaker:</b> | \$0 (-)       |
| <b>Assessed Value:</b>  | \$645,000     |
| <b>Ag Use Value:</b>    | \$0           |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## 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

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

## Property Values

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

|                         |               |
|-------------------------|---------------|
| <b>Appraised Value:</b> | \$989,320 (=) |
| <b>HS Cap Loss:</b>     | \$0 (-)       |
| <b>Circuit Breaker:</b> | \$0 (-)       |
|                         |               |
| <b>Assessed Value:</b>  | \$989,320     |
| <b>Ag Use Value:</b>    | \$0           |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## 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

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

### Property Values

|  |               |
|--|---------------|
| <b>Improvement Homesite Value:</b>     | \$0 (+)       |
| <b>Improvement Non-Homesite Value:</b> | \$187,024 (+) |
| <b>Land Homesite Value:</b>            | \$0 (+)       |
| <b>Land Non-Homesite Value:</b>        | \$262,976 (+) |
| <b>Agricultural Market Valuation:</b>  | \$0 (+)       |

|                                   |               |
|-----------------------------------|---------------|
| <b>Market Value:</b>              | \$450,000 (=) |
| <b>Agricultural Value Loss:</b> ⓘ | \$0 (-)       |
| <b>Appraised Value:</b> ⓘ         | \$450,000 (=) |
| <b>HS Cap Loss:</b> ⓘ             | \$0 (-)       |
| <b>Circuit Breaker:</b> ⓘ         | \$0 (-)       |
| <b>Assessed Value:</b>            | \$450,000     |
| <b>Ag Use Value:</b>              | \$0           |

**VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## 📌 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<br>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<br>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<br>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<br>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<br>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<br>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<br>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<br>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<br>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<br>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<br>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.

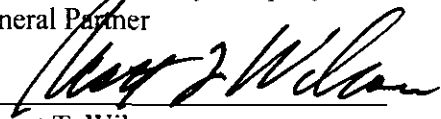
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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.

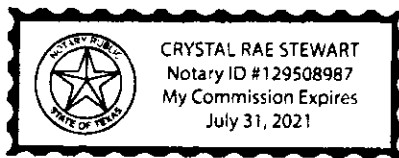
By: Cibolo Sisters Real Estate Enterprises, L.L.C.,  
a Texas limited liability company,  
Its General Partner

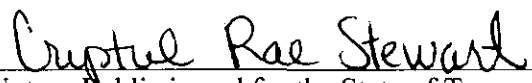
By:   
Scott T. Wilson  
Its Vice President

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 10 day of August 2018.



  
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 20<sup>th</sup> 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°04'41" 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 1/2" iron rod with a yellow cap marked "Pape-Dawson";

N 00°00'42" 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 west 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: *baa* Deputy



**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]

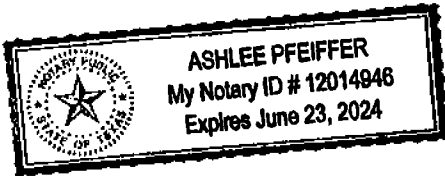
Executed to be effective as of the date first set out above.

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.



[Signature]  
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  $\frac{1}{4}$ " 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  $\frac{1}{2}$ " iron rod bears, N 13° 20' 25" E, a distance of 1.32 feet, and also from which a found  $\frac{1}{4}$ " 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  $\frac{1}{2}$ " 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  $\frac{1}{4}$ " 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  $\frac{1}{4}$ " 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  $\frac{1}{4}$ " 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  $\frac{1}{2}$ " iron rod for corner,
2. S 01° 11' 54" W, a distance of 318.80 feet to a found  $\frac{1}{2}$ " iron rod for corner, and
3. N 88° 37' 11" W, a distance of 139.98 feet to a found  $\frac{1}{2}$ " 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"

BRING 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 corner 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 corner 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

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**" Examined and Charged as Follows: "**

Total Recording: \$58.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

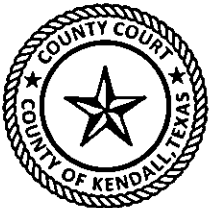
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**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-RJ

**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.

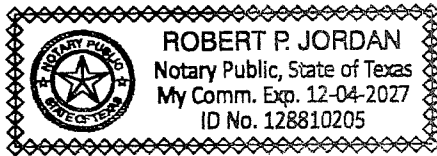
When the context requires, singular nouns and pronouns include the plural.


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.



  
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

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**" Examined and Charged as Follows: "**

Total Recording: \$33.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

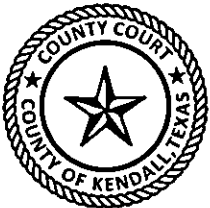
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**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. 2<sup>nd</sup> 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 acre 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.

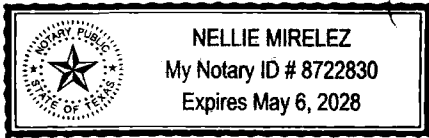
EAT TUSCULUM, LLC, A TEXAS LIMITED LIABILITY COMPANY

BY: [Signature]  
MICHAEL J. DALEY, MANAGER

**ACKNOWLEDGMENT**

STATE OF TEXAS §  
COUNTY OF HIDALGO §

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



[Signature]  
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

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**" Examined and Charged as Follows: "**

Total Recording: \$41.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

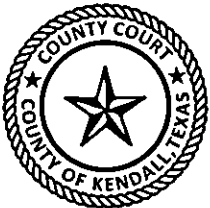
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**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](mailto:planning@boerne-tx.us)  
[www.boerne-tx.gov](http://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:  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: \_\_\_\_\_







|                    |
|--------------------|
| CASE NO. _____     |
| Accepted by: _____ |
| Date: _____        |
| Acct #: _____      |

**SPECIAL USE PERMIT APPLICATION**  
**(Pre-Application Meeting Required; Incomplete applications will not be accepted)**

| <b>PROPERTY INFORMATION</b>  |                   |   |                         |           |
|--|-------------------|---|-------------------------|-----------|
| DEVELOPMENT/PROJECT NAME: IH-10 Dealership   |                   | PARCEL NUMBER(S): Multiple - see attached         |                         |           |
| ADDRESS OR DESCRIPTIVE LOCATION:<br>Generally located along the 30000 Block of IH-10, Boerne, TX 78006 |                   | GROSS AREA (ACRE/SQ. FT.): ~13.4 Ac.              |                         |           |
| CURRENT ZONING: OCL  |                   | MASTER PLAN DESIGNATION: Auto-Oriented Commercial |                         |           |
| CURRENT USE: Commercial / Residential / Undeveloped  |                   |   |                         |           |
| <b>PROJECT INFORMATION</b>   |                   |   |                         |           |
| PROJECT DESCRIPTION (TO INCLUDE PROPOSED USE):<br>Full-Service Automobile Dealership                   |                   |   |                         |           |
| PRE-APPLICATION MEETING  | PLANNER ASSIGNED: |   | RELATED CASE(S):        |           |
|  | CASE NUMBER:      |   |                         |           |
|  | DATE HELD:        |   |                         |           |
| <b>APPLICANT INFORMATION (Single point of contact)</b>   |                   | <b>PROPERTY OWNER INFORMATION</b>                 |                         |           |
| 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:  |                         |           |
| <b>APPLICATION FEES (STAFF ONLY)</b>   |                   |   |                         |           |
| BASE FEE: SUP  | \$551             |   | \$                      |           |
| PHTG (TIA)   | \$265             |   |                         |           |
| Concurrent Application   | Varies            |   |                         |           |
|  |                   |   | SUBTOTAL                |           |
|  |                   |   | <b>TOTAL AMOUNT DUE</b> | <b>\$</b> |

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

§

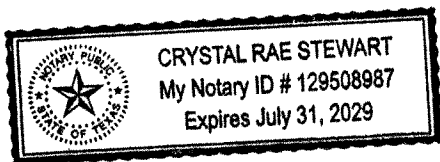
COUNTY OF KENDALL

§

§

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.



Crystal Rae Stewart

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

§

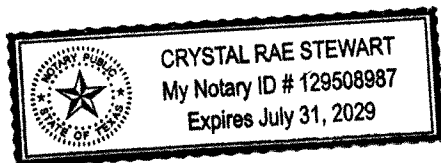
COUNTY OF KENDALL

§

§

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

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

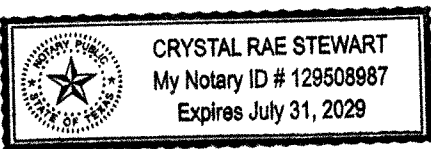
BEFORE ME, the undersigned authority, on this day personally appeared Roland F. Smith who acknowledged he is authorized to execute this document on behalf of Tusculum V, LLC.

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



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

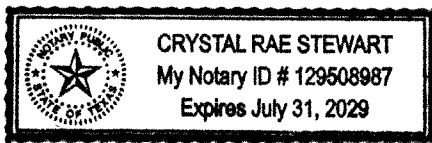
**STATE OF TEXAS**

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**COUNTY OF KENDALL**

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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

**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

| <a href="#">REGISTERED AGENT</a> | <a href="#">FILING HISTORY</a> | <a href="#">NAMES</a> | <a href="#">MANAGEMENT</a>               | <a href="#">ASSUMED NAMES</a> | <a href="#">ASSOCIATED ENTITIES</a> | <a href="#">INITIAL ADDRESS</a> |
|----------------------------------|--------------------------------|-----------------------|--|-------------------------------|-------------------------------------|---------------------------------|
| <b>Last Update</b>               | <b>Name</b>                    | <b>Title</b>          | <b>Address</b>                           |                               |                                     |                                 |
| November 11, 2024                | ROLAND SMITH                   | MANAGER               | 31480 IH 10 WEST<br>BOERNE, TX 78006 USA |                               |                                     |                                 |



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

| <a href="#">REGISTERED AGENT</a>     | <a href="#">FILING HISTORY</a> | <a href="#">NAMES</a>   | <a href="#">MANAGEMENT</a>                                | <a href="#">ASSUMED NAMES</a> | <a href="#">ASSOCIATED ENTITIES</a> | <a href="#">INITIAL ADDRESS</a> |
|--------------------------------------|--------------------------------|-------------------------|---|-------------------------------|-------------------------------------|---------------------------------|
| <b>Last Update</b><br>August 9, 2024 | <b>Name</b><br>Roland F. Smith | <b>Title</b><br>Manager | <b>Address</b><br>31480 I-10 West<br>Boerne, TX 78006 USA |                               |                                     |                                 |



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

| <a href="#">REGISTERED AGENT</a>        | <a href="#">FILING HISTORY</a> | <a href="#">NAMES</a>  | <a href="#">MANAGEMENT</a>                           | <a href="#">ASSUMED NAMES</a> | <a href="#">ASSOCIATED ENTITIES</a> | <a href="#">INITIAL ADDRESS</a> |
|---|--------------------------------|------------------------|--|-------------------------------|-------------------------------------|---------------------------------|
| <b>Last Update</b><br>November 11, 2024 | <b>Name</b><br>ROLAND SMITH    | <b>Title</b><br>MEMBER | <b>Address</b><br>PO BOX 490<br>BOERNE, TX 78006 USA |                               |                                     |                                 |

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**

|                                 |   |                       |  |
|---------------------------------|---|-----------------------|--|
| <b>Filing Number:</b>           | 805793148                               | <b>Entity Type:</b>   | Domestic Limited Liability Company (LLC) |
| <b>Original Date of Filing:</b> | November 20, 2024                       | <b>Entity Status:</b> | In existence                             |
| <b>Formation Date:</b>          | N/A                                     | <b>FEIN:</b>          |  |
| <b>Tax ID:</b>                  | 32097684842                             |                       |  |
| <b>Duration:</b>                | Perpetual                               |                       |  |
| <b>Name:</b>                    | Tusculum V, LLC                         |                       |  |
| <b>Address:</b>                 | 31480 I-10 WEST<br>BOERNE, TX 78006 USA |                       |  |

| <a href="#">REGISTERED AGENT</a> | <a href="#">FILING HISTORY</a> | <a href="#">NAMES</a> | <a href="#">MANAGEMENT</a>              | <a href="#">ASSUMED NAMES</a> | <a href="#">ASSOCIATED ENTITIES</a> | <a href="#">INITIAL ADDRESS</a> |
|----------------------------------|--------------------------------|-----------------------|---|-------------------------------|-------------------------------------|---------------------------------|
| <b>Last Update</b>               | <b>Name</b>                    | <b>Title</b>          | <b>Address</b>                          |                               |                                     |                                 |
| November 20, 2024                | Roland F. Smith                | Manager               | 31480 I-10 West<br>Boerne, TX 78006 USA |                               |                                     |                                 |

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.

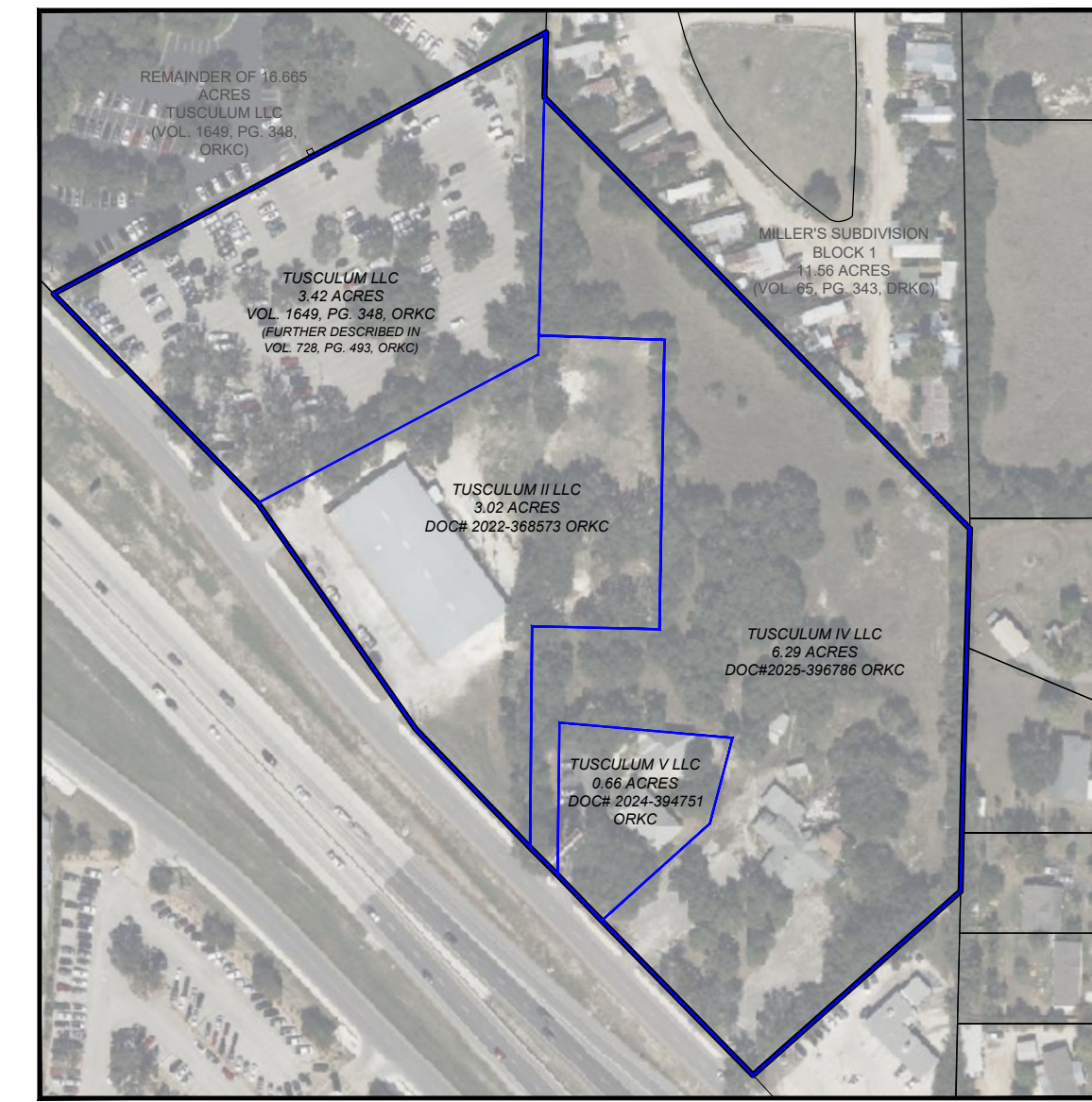
[Signature Pages to Follow]



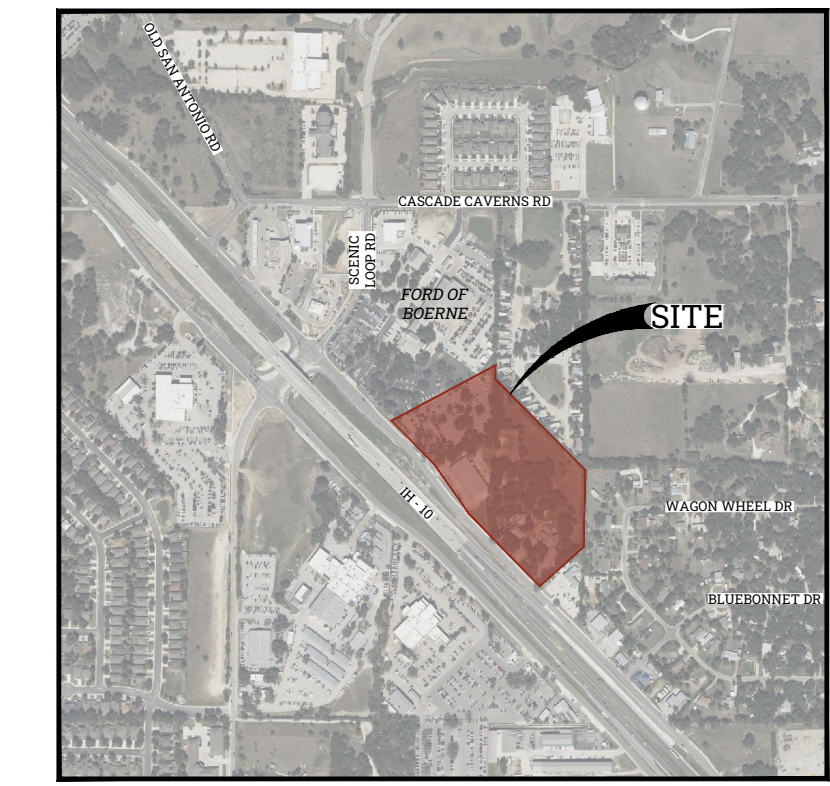
**SURVEY NOTES:**  
 1. BASIS OF BEARING ON THIS SURVEY IS GRID NORTH, NORTH AMERICAN DATUM OF 1983 (NAD83 2011) FOR THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.  
 2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND OTHER MATTERS AFFECTING THIS 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**

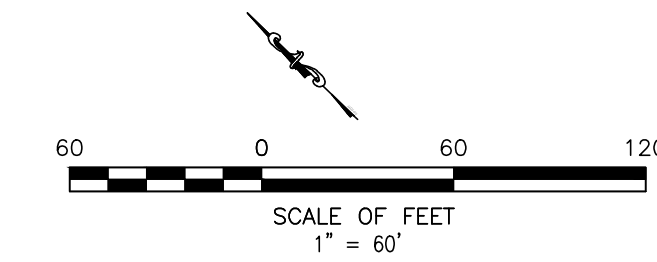
DRKC DEED RECORDS OF KENDALL COUNTY, TEXAS  
 ORKC OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS  
 PRKC PLAT RECORDS OF KENDALL COUNTY, TEXAS



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



**LOCATION MAP**  
N.T.S.



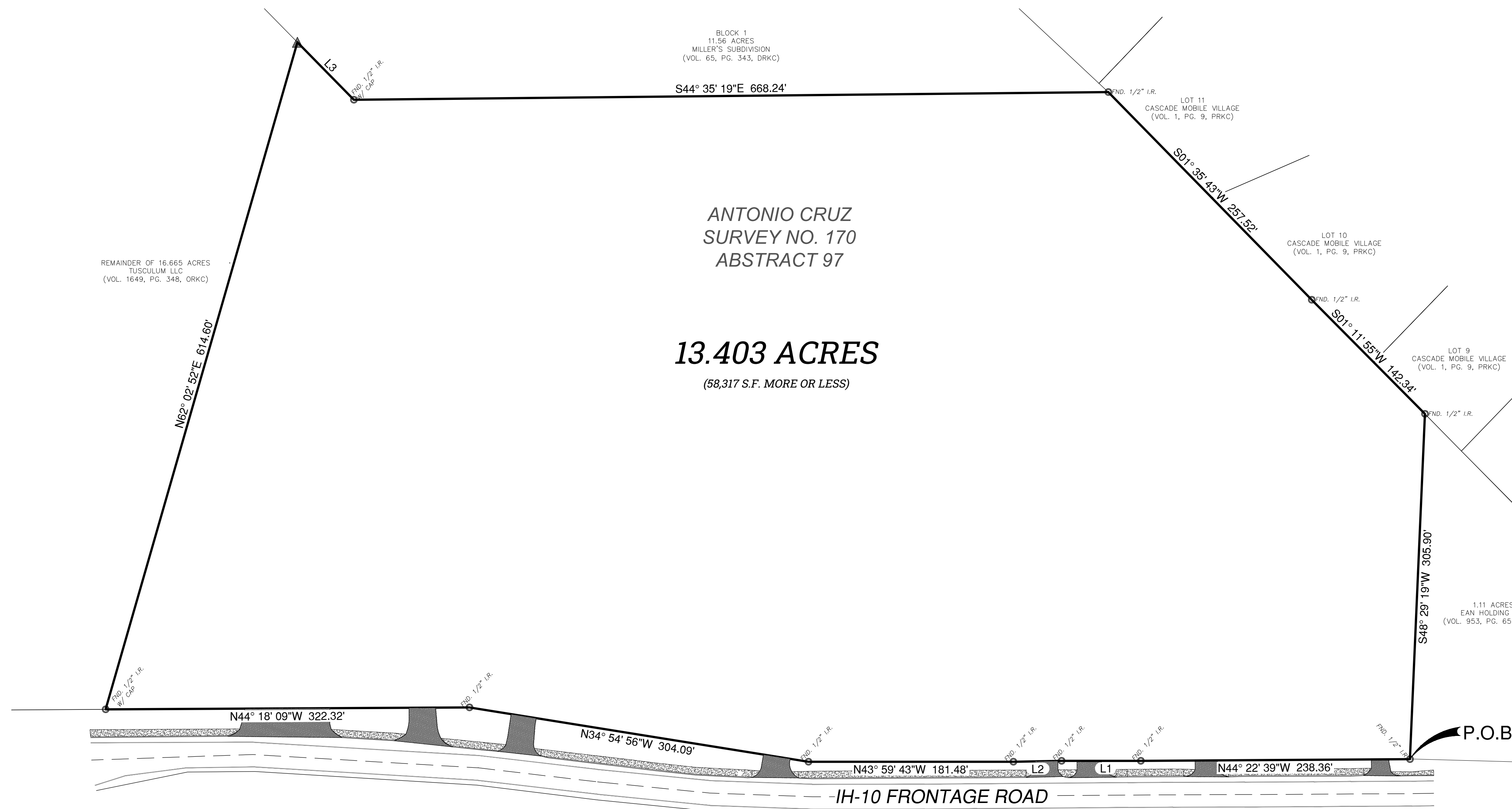
**LINE LEGEND**

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

**SYMBOL LEGEND**

- FOUND IRON ROD MONUMENT
- ▲ CALCULATED POINT

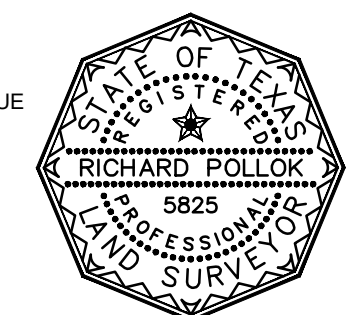
| LINE NUMBER | LENGTH | BEARING       |
|-------------|--------|---------------|
| L1          | 70.16  | N43° 56' 46"W |
| L2          | 42.78  | N45° 03' 45"W |
| L3          | 71.42  | S01° 31' 19"W |



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



**KIA OF BOERNE EXHIBIT OF SURVEY**

BEING 13.403 ACRES, BEING ALL OF A 3.023 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2022-368873, ALL OF A 0.6638 ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NO. 2024-394761, ALL OF A 3.42 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 1649 PAGE 384, 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. 2025 |
| DESIGNER | JJC       |
| CHECKED  | RAP       |
| DRAWN    | JJC       |

Date: Jan 07, 2025, 2:52pm, User ID: ENGL 2023, File: N:\Projects\2024\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 HARD COPY MATERIALS BEARING THE ENGINEER'S ORIGINAL SIGNATURE AND SEAL.

**RAKOWITZ**  
 Engineering & Surveying

Texas Registered Engineering Firm F 0155  
 Texas Registered Surveying Firm PB 18112  
 689.281-4060

© COPYRIGHT RAKOWITZ ENGINEERING 2025

Tusculum, LLC

By: [Signature]

Printed Name: Roland Smith

Title: Member

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

Phone Number: 210-960-2750

STATE OF TEXAS

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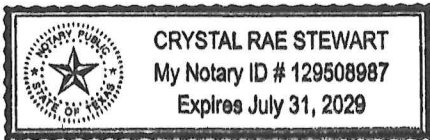
COUNTY OF Kendall

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)

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



Tusculum II, LLC

By: [Signature]

Printed Name: Roland Smith

Title: Manager

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

Phone Number: 210-960-2750

STATE OF TEXAS

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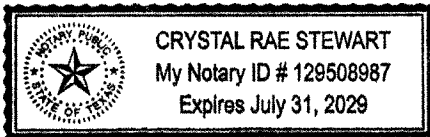
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Notary Public in and for the State of Texas  
My commission expires: July 31, 2029



**Tusculum V, LLC**

By: 

Printed Name: Roland F. Smith

Title: Manager

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

Phone Number: 210-960-2750

STATE OF TEXAS

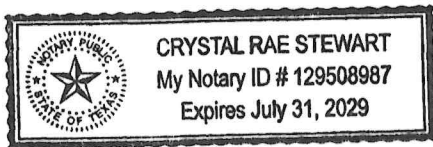
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