

REQUEST FOR EXPANSION OF THE EXTRATERRITORIAL JURISDICTION  
OF THE CITY OF BOERNE, TEXAS

TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL OF BOERNE, TEXAS

Dear Mayor and Members of the City Council:

I/We, the undersigned owner(s) of the area described below, do hereby request that the extraterritorial jurisdiction of the City of Boerne, Texas be expanded to include that part of the area not within the existing extraterritorial jurisdiction of the City of San Antonio, Texas. The part of the area made the subject of this request to be included in the extraterritorial jurisdiction of the City of Boerne, Texas is contiguous to the existing extraterritorial jurisdiction of the City of Boerne, Texas.

SIGNATURE OF OWNER(S)

Carolyn Etel Maytum

DEED RECORD REFERENCE

VOLUME      PAGE      COUNTY

16029      1639      Bexar

Gale Etel Cole  
Gary N. Cole

Today's Date: 8/29/16

6 Maytum Pass

Address

Boerne, TX 78006

City, State, Zip Code

210 215-2402

Phone with Area Code

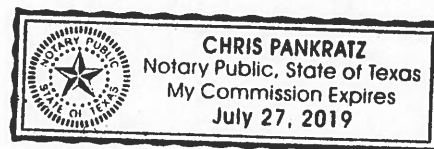
Exhibit "A" which is attached hereto and made a part hereof for all purposes is a true copy of the recorded deed for the area owned by me/us.

ACKNOWLEDGEMENT

STATE OF TEXAS      §

§

COUNTY OF KENDALL      §



This instrument was acknowledged before me on the 29<sup>th</sup> day of AUGUST, 2016 by CHRIS PANKRATZ.

Chris Pankratz  
Notary Public In and For  
The State of Texas



**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:** March 27, 2013

**Grantor:** GALE ANN ERTEL COLE, Independent Co-Executrix of the Estate of FRED H. ERTEL, deceased; and CAROLYN JEAN ERTEL MAYTUM, Independent Co-Executrix of the Estate of FRED H. ERTEL, deceased

**Grantor's Mailing Address:**

GALE ANN ERTEL COLE  
660 Upper Balcones Road  
Boerne, TX 78006

CAROLYN JEAN ERTEL MAYTUM  
6 Maytum Pass  
Boerne, TX 78006

**Grantee:** GALE ANN ERTEL COLE; and CAROLYN JEAN ERTEL MAYTUM

**Grantee's Mailing Address:**

GALE ANN ERTEL COLE  
660 Upper Balcones Road  
Boerne, TX 78006

CAROLYN JEAN ERTEL MAYTUM  
6 Maytum Pass  
Boerne, TX 78006

Book 16029 Page 1639 5pgs

**Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and the provisions of the Last Will and Testament of Fred H. Ertel Estate, Deceased, probated in Cause No. 2012-PC-3838 in Probate Court No. 2 of Bexar County, Texas.

**Property (including any improvements):**

**Ranch Land Tract No. I:**

All that certain tract or parcel of land, lying and being situated in the County of Bexar, State of Texas, particularly described as follows:

All that certain tract or parcel of land lying and situated in the County of Bexar, State of Texas, on the waters of Balcones Creek a tributary of the Cibolo River about 25 miles N 38 deg. W. of San Antonio described as follows:

Ninety-Five (95) acres of land, more or less.

Beginning at a stone mound the S.W. corner of Survey 189 - A. Prue. -Thence East 285 varas to a stone mound for corner. Thence North 200 varas to a stone mound for corner from which a L.O. 14" brs N. 67 deg. W. 22 varas. Thence South 79 deg. E. 1075 vrs. to a corner in the middle of Rosedale Creek from which a L.O. 14" brs. N. 35 deg. W. 16 ½ varas; Thence down said Creek with its meanders to Balcones Creek as follows N. 11 deg. E. 10 varas N. 48 deg. E. 240 vrs. to a stone mound fr. wh. a Sycamore 12" brs. S. 50 deg. W 9 vrs. and a Sycamore 9" brs. S. 32 deg. E. 15 vrs. ; Thence up the Balcones with its meanders to a corner in the middle of the Creek where the west line of Survey No. 189 - A. Prue crosses said Creek; Thence South 600 varas to the place of beginning.

Said 95 acres is composed of 82 acres, more or less, out of Survey No. 189. A. Prue and 13 acres out of Survey No. 170 - A. Cruz.---

**Ranch Land Tract No. II:**

All that certain tract or parcel of land, lying and being situated in the County of Bexar, in the State of Texas, particularly described as follows:

Fifty acres of land lying and being situated in the County of Kendall, State of Texas, on the waters of Balcones Creek about 4 miles South of the City of Boerne; being part of a 211 acre tract of land out of original Survey No. 170 in the name of A. Cruz, more particularly described by metes and bounds as follows:

Beginning at the S.E. corner of above mentioned 211 acre tract a corner in the middle of Balcones Creek f.w. a stone mound brs. N. 10 vrs. f.w. a 10" L. O. S. 41 deg. W. 4 ½ vrs.; Thence North 566 vrs. to a corner of f.w.an 8" B. J. brs. South 5 vrs.; Thence West 480 vrs.

to a S.M. fr. Wh. 7" P.O. brs. South 36 vrs.; Thence South 658 vrs. to a S.M. in the middle of Balcones Creek being the S.W. corner of same 211 acre tract; Thence down the middle of Creek as follows: N. 57 ½ deg. E. 116 vrs.; N. 82 ½ deg. E. 228 vrs.; East 155 varas to the place of beginning.  
Bearings Mkd. X

The property described is the same property described in Affidavit of Heirship dated August 29, 1974, from ELLA BERGMANN AGOLD and ALFRED FINCKE, of record in the Vol. 7439, on Pages 496-499 of the Deed Records of Bexar County Texas, and of record in Vol. 116, on Pages 684-688 of the Deed Records of Kendall County, Texas, commonly known as 650 Upper Balcones Road, Boerne, Texas 78006.

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2013, 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.

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.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT FOR THOSE CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS. GRANTEE

HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION AND THE REPRESENTATIONS AND WARRANTIES EXPRESSLY CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS.

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

*Gale Ann Ertel Cole*

GALE ANN ERTEL COLE, Independent Co-  
Executrix of the Estate of FRED H. ERTEL,  
deceased

*Carolyn Jean Ertel Maytum*

CAROLYN JEAN ERTEL MAYTUM,  
Independent Co-Executrix of the Estate of  
FRED H. ERTEL, deceased

STATE OF TEXAS

§

COUNTY OF KENDALL

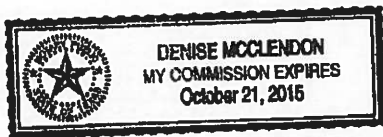
§

This instrument was acknowledged before me on March 27, 2013,  
by GALE ANN ERTEL COLE, as Independent Co-Executrix of the Estate of FRED H.  
ERTEL, deceased.

*Denise McClendon*

Notary Public, State of Texas

My commission expires: 10-21-2015



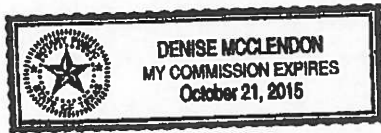
STATE OF TEXAS

§

COUNTY OF KENDALL

§

This instrument was acknowledged before me on March 27, 2013,  
by CAROLYN JEAN ERTEL MAYTUM, as Independent Co-Executrix of the Estate of  
FRED H. ERTEL, deceased.



Denise McCleendon

Notary Public, State of Texas

My commission expires: 10-21-2015

AFTER RECORDING RETURN TO:

Chris Wallendorf Attorney at Law  
P.O. Box 279  
Comfort, Texas 78013

Any provision herein which restricts the sale, or use of the described real  
property because of race is invalid and unenforceable under Federal law  
STATE OF TEXAS, COUNTY OF BEXAR  
I hereby Certify that this instrument was FILED in File Number Sequence on  
this date and at the time stamped hereon by me and was duly RECORDED  
in the Official Public Record of Real Property of Bexar County, Texas on:

APR 02 2013



Gerard Rickhoff  
COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20130064503 Fees: \$32.00  
04/02/2013 1:29PM # Pages 5  
Filed & Recorded in the Official  
Public Records of BEXAR COUNTY  
GERARD C. RICKHOFF COUNTY CLERK