

Exhibit A

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)

Joyce Elaine Jany

DEED RECORD REFERENCE

VOLUME      PAGE      COUNTY

will - cause      13-659-PR  
1541      407      KENDALL

Today's Date: 5-10-2016

13<sup>15</sup> Dodge Road

Address

Boerne, TX 78006

City, State, Zip Code

830-755-5281

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

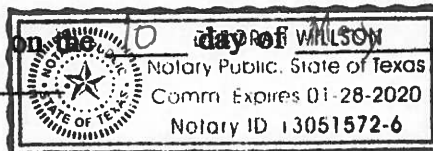
§

COUNTY OF KENDALL

§

§

This instrument was acknowledged before me on the 10 day of May, 2016 by Debra Wilson



Debra Wilson  
Notary Public In and For  
The State of Texas

**PREPARED BY/ RETURN TO:**  
SPAHN LAW FIRM PLLC  
✓ 3308 BROADWAY, SUITE 101  
SAN ANTONIO, TX 78209  
Tel: (210) 880-4012  
Fax: (210) 853-2036

**WARRANTY DEED**

**STATE OF TEXAS** (

**COUNTY OF KENDALL** (

**Date:** August 19, 2016

**Grantors:** JOYCE ELAINE LUX, a married woman, dealing with her sole and separate property, yet joined in this conveyance by her husband, CARL ROBERT LUX  
15 Dodge Rd  
Boerne, TX 78006  
Kendall County

**Grantee:** CARL AND JOYCE LUX REVOCABLE TRUST  
CARL ROBERT LUX and JOYCE ELAINE LUX, Co-Trustees  
or their successor trustees  
15 Dodge Rd  
Boerne, TX 78006  
Kendall County

**Consideration:** Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

All those certain tracts or parcels of land lying and being in the County of Kendall, State of Texas, on the waters of Balcones Creek, about 4 miles south of the City of Boerne, described as follows:

**Tract One:**

One hundred sixty-one (161) acres out of the Antonio Cruz Survey No. 170, Certificate No. 360, patented to John H. Cunningham, by patent No. 378, Vol. 8; said 161 acre tract is a portion of a certain 211 acre tract conveyed by Henry Wendler, Sr. to William Klar by deed recorded in Vol. 21, on pages 557-559 of the Deed Records of Kendall County, Texas, and more particularly described as follows:

BEGINNING at the northeast corner of above-mentioned 211 acre tract, a stone mound, from which a 14-inch L.O. bears south ½ ° West 20 varas;

THENCE West four hundred and eighty (480) varas to a stone mound for corner;

THENCE South one thousand eight hundred and seventy-two (1,872) varas to a corner, from which a post oak 8 in. dia. brs. south 36 varas;

THENCE East four hundred and eighty (480) varas to corner, from which a 7 in. black jack brs. south 5 varas;

THENCE North one thousand eight hundred and seventy-two (1,872) varas to the place of beginning, bearings marked X.

Tract Two:

Seven (7) acres of land, a part of a 1,227 acre tract out of original Survey No. 170, Antonio, Cruz, described by metes and bounds as follows:

BEGINNING at a post in the middle of the Balcones Road where it crosses the south line of above mentioned 1,227 acre tract;

THENCE with fence West 23 varas S.  $83 \frac{1}{2}^{\circ}$  E. 248 varas to the S.W. corner of same 1,227 acre tract, L.O.N.  $68 \frac{1}{2}^{\circ}$  E. 24 varas, L.O.N.  $9 \frac{1}{2}^{\circ}$  E. 27 varas;

THENCE with East line of Klar tract N.  $0^{\circ} 30'$  E. 218 varas to a post at the corner of field;

THENCE with field fence S.  $53 \frac{1}{2}^{\circ}$  E 183 varas, N.  $71^{\circ}$  E. 91 varas, S.  $84 \frac{1}{4}^{\circ}$  E. 65 varas to the middle of Balcones Road;

THENCE with middle of said road south 108 varas to the place of beginning.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject to the following exceptions:

1. 43.52 acres of land, more or less, out of the Antonio Cruz Sur. No. 170, Abs. No 97 in Kendall County, Texas, conveyed to Jason Scott Lux in Executor's Distribution Deed executed September 17<sup>th</sup>, 2013 and recorded at Volume 1409, Page 686 of the Official Records of Kendall County, Texas, and being part of the northern part of 161 acres of land conveyed to Edwin Schwope describes as First Tract in Deed recorded in Volume 62, Page 332, Kendall County Deed Records, said 43.52 acre tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.
2. 43.52 acres of land, more or less, out of the Antonio Cruz Sur. No. 170, Abs. No 97 in Kendall County, Texas, conveyed to Amber Lux Hubertus in Executor's

Distribution Deed executed September 17<sup>th</sup>, 2013 and recorded at Volume 1409, Page 464 of the Official Records of Kendall County, Texas, and being part of the northern part of 161 acres of land conveyed to Edwin Schwope described as First Tract in Deed Recorded in Volume 62, Page 332, Kendall County Deed Records, said 43.52 acre tract of land being more particularly described in Exhibit "B" attached hereto and incorporated herein for all purposes.

3. 5.074 acres of land out of Original Survey No. 170, Antonio Cruz, Certificate 360, Abstract 97, located in Kendall County, Texas, approximately 4 miles South from County Seat at Boerne, Texas, at the intersection of Upper Balcones Road and Old Dodge Road, the property of Edwin J. Schwope, being Tract 2 as recorded in Vol. 62, pages 332-333, Kendall County Deed Records, said tract being out of the 43.52 acre tract described in Exhibit "B" and being the same 5.074 acre tract being more particularly described in Exhibit "C" attached hereto and incorporated herein for all purposes.
4. 2.074 acres of land, more or less, out of the Antonio Cruz Survey #170, Abstract #97, in Kendall County, Texas, said 2.074 acres being a part of the Dodge Road right-of-way and a part of the 168 acres of land which was conveyed to Edwin J. Schwope by Deed dated August 16, 1943, recorded in Vol. 62, at page 332, of the Deed Records of Kendall County, Texas;
5. 0.898 acres tract of land out of the Antonio Cruz Survey No. 170, Kendall County, Texas, located about 4.5 miles S 6 0.898 acres tract of land out of the Antonio Cruz Survey No. 170, Kendall County, Texas, located about 4.5 miles S 6 ° W of the County Seat in Boerne, Texas;
6. All existing easements, rights-of-way, and prescriptive rights, whether of record or not, and all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property.

*(This space intentionally left blank.)*

Grantor, for the Consideration stated above 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.

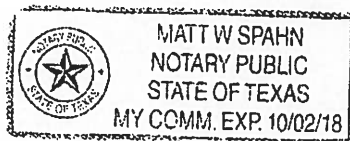
Carl R. Lux  
CARL ROBERT LUX, Grantor

Joyce Elaine Lux  
JOYCE ELAINE LUX, Grantor

STATE OF TEXAS )

COUNTY OF BEXAR )

This instrument was acknowledged before me on August 19, 2016, by CARL ROBERT LUX and JOYCE ELAINE LUX.



MW  
Notary Public, State of Texas

**Exhibit A**

BEING 43.52 acres of land, more or less, out of the Antonio Cruz Sur. No. 170, Abs. No. 97 in Kendall County, Texas, and being part of the northern part of 161 acres of land conveyed to Edwin Schwope described as First Tract in Deed recorded in Volume 62, Page 332, Kendall County Deed Records, said 43.52 acre tract of land being more particularly described by metes and bounds as follows:

Bearings are based on the parent tract deed recorded in Volume 62, Page 332, Kendall County Deed Records.

All iron pins are ½" in diameter.

BEGINNING at a found ½" iron pin on the north line of Dodge Road for the northwest corner of a 2.074 acre tract conveyed to Kendall County, Texas recorded in Volume 131, Page 1004, Kendall County Deed Records, the southeast corner of the adjoining Arnold A. Fincke, et ux – 44.142 acre tract recorded in Volume 455, Page 577, Kendall County Official Records and the southwest corner of this tract;

THENCE, with the west line of this tract, North 00 degrees 32 minutes 06 seconds West, a distance of 2755.77 feet to a found ½" iron pin at the northeast corner of the adjoining 44.143 acre tract recorded in Volume 443, Page 568, Kendall County Official Records and North 00 degrees 21 minutes 09 seconds West, a distance of 432.50 feet to a found ½" iron pin for the northwest corner of this tract;

THENCE, along the north line of this tract, East, a distance of 640.25 feet a set iron pin with cap stamped "Pfeiffer Survey" for the northeast corner of this tract;

THENCE, crossing through said Schwope – 161 acre tract, South, a distance of 2837.62 feet to a set iron pin with cap stamped "Pfeiffer Survey" on the north line of Dodge Road, same being the north line of the above referenced adjoining Kendall County, Texas – 2.074 acre tract for the southeast corner of this tract;

THENCE, along a north line of Dodge Road, same being a north line of said adjoining 2.074 acre tract, South 58 degrees 53 minutes 37 seconds West, a distance of 638.04 feet to a found ½" iron pin and South 72 degrees 19 minutes 39 seconds West, a distance of 68.82 feet to the PLACE OF BEGINNING.

From a survey known as Job Number 170-13 (43.52 Acre Tract –West Side) done by Pfeiffer Land Surveying

**Exhibit B**

BEING 43.52 acres of land, more or less, out of the Antonio Cruz Sur. No. 170, Abs. No. 97, in Kendall County, Texas, and being part of the northern part of 161 acres of land conveyed to Edwin Schwope described as First Tract in Deed recorded in Volume 62, Page 332, Kendall County Deed Records, said 43.52 acre tract of land being more particularly described by metes and bounds as follows:

Bearings are based on the parent tract deed recorded in Volume 62, Page 332, Kendall County Deed Records.

All iron pins cited are ½" in diameter.

BEGINNING at a found ½" iron pin for the northwest corner of the adjoining 2.060 acre tract conveyed to Edna Keasling recorded in Volume 544, Page 92, Kendall County Official Records and the northeast corner of this tract;

THENCE, along an east line of this tract, South 00 degrees 08 minutes 51 seconds East, a distance of 314.84 feet to a found iron pin for the southwest corner of the above referenced adjoining 2.060 acre tract and the northwest corner of the adjoining 15.33 acre tract recorded in Volume 364, Page 194, Kendall County Official Records, South 00 degrees 04 minutes 52 seconds East, a distance of 827.18 feet to a found iron pin, South 00 degrees 06 minutes 15 seconds West, a distance of 229.34 feet to a found iron pin for the southwest corner of the above referenced adjoining 15.33 acre tract and the northwest corner of the adjoining 21.000 acre tract recorded in Volume 338, Page 248, Kendall County Official Records, South 00 degrees 06 minutes 23 seconds East, a distance of 800.68 feet to a found iron pin for the southwest corner of the above referenced adjoining 21.000 acre tract and the northwest corner of the adjoining 5.054 acre tract recorded in Volume 103, Page 703, Kendall County Deed Records and South 00 degrees 17 minutes 16 seconds West, a distance of 302.05 feet to a found iron pin on the north line of Dodge Road, same being the north line of an adjoining 2.074 acre tract conveyed to Kendall County, Texas recorded in Volume 131, Page 1004, Kendall County Deed Records for the southeast corner of this tract;

THENCE, along the north line of Dodge Road, same being the north line of said adjoining 2.074 acre tract, South 81 degrees 47 minutes 28 seconds West, a distance of 222.92 feet to a set iron pin with a cap stamped "Pfeiffer Survey", South 77 degrees 50 minutes 21 seconds West, a distance of 306.90 feet to a P.K. nail in concrete and South 58 degrees 53 minutes 37 seconds West, a distance of 231.47 feet to a set iron pin with cap stamped "Pfeiffer Survey" for the southwest corner of this tract;

THENCE, crossing through the above referenced Schwope – 161 acre tract, North, a distance of 2837.62 feet to a set iron pin with cap stamped "Pfeiffer Survey" for the northwest corner of this tract;

THENCE, along the north line of this tract, East, a distance of 697.76 feet to the PLACE OF BEGINNING.

From a survey known as Job Number 170-13 (43.52 Acre Tract –East Side) done by Pfeiffer Land Surveying

**Exhibit C**

Fieldnotes for 5.074 acres of land, more or less, out of the Antonio Cruz Survey No. 170, Abstract No. 97, in Kendall County, Texas, being part of a 161 acre tract of land conveyed to Edwin J. Schwope described as First Tract in deed recorded in Volume 62, Page 332 – Kendall County Deed Records, (Locations and/or configurations of any original patents, etc., are approximate, said patents, etc., were not researched or located on the ground. Patent problems and/or conflicts may exist.) said 5.074 acres of land, more or less, being more particularly described as follows:

All iron pins cited are ½" diameter.

Bearing Base Used: West – Record bearing along north line of above referenced parent tract as said line was found monumented on the ground.

Reference is made to a 12" x 18" plat of 5.074 acres date November 12, 2001 accompanying these fieldnotes.

BEGINNING at a set iron pin with cap by fence angle on the north line of Dodge Road (said road described as a 2.074 acre tract of land conveyed to Kendall County, Texas recorded in Volume 121, Page 1004 – Kendall County Deed Records) for the southeast corner of this tract, said iron pin bears South 81 ° 47' 28" West, 222.92 feet from the southwest corner of a 5.054 acre tract of land conveyed to Robert A. Santee, et ux recorded in Volume 103, Page 703 – Kendall County Deed Records.

THENCE along the fenced northerly line of Dodge Road, South 77 ° 50' 21" West, 306.90 feet to a set P-K nail in concrete for the southwest corner of this tract.

THENCE crossing through the above referenced Schwope 161 acre tract, North 02 ° 49' 44" West, 841.26 feet to a set iron pin with cap for the northwest corner of this tract, North 81 ° 28' 55" East, 229.83 feet to a set iron pin with cap for the northeast corner of this tract, and South 07 ° 28' 03" East, 816.91 feet to the PLACE OF BEGINNING.

From a survey done by Thomas C. Pfeiffer, R.P.L.S. No. 1973, on November 12, 2001.



Filed & Recorded in:

**KENDALL COUNTY  
DARLENE HERRIN  
COUNTY CLERK**

09/13/2016 10:41AM

Document Number : 00305146  
Total Fees : \$50.00 *pd*

Receipt Number - 69668  
By Deputy: Paula Pfeiffer

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

09/13/2016  
DARLENE HERRIN, COUNTY CLERK  
Kendall County, Texas

By: *PP* Deputy