

CLINT E. JONES
ATTORNEY AT LAW
6 GRUENE WALD
NEW BRAUNFELS, TEXAS 78130
(512) 466-6695

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March 7, 2024

VIA U.S. MAIL
Ms. Naomi Manski
City Secretary
City of Seguin, Texas
205 North River Street
Seguin, Texas 78155

RE: ETJ Release

Dear Ms. Manski:

Pursuant to Chapter 42, Texas Local Government Code, as amended by Senate Bill 2038, effective September 1, 2023, please find the attached Petition for Release of an Area from the Extraterritorial Jurisdiction of the City of Seguin (the "Petition"). The Petitioners, Lyman and Alison Skolaut, own the majority in value of the 99.995 acres of land to be released from the Extraterritorial Jurisdiction of the City of Seguin, as indicated by the attached Tax Certificates from the Guadalupe Central Appraisal District. Attached to the Petition are a metes and bounds description and a survey of the land to be removed.

Upon receipt of this letter and the Petition, please verify the signatures of the Petitioners pursuant to Chapter 42.105 of the Texas Local Government Code, and notify the Petitioners of the results of the Petition at the following address with a copy of such verification to the undersigned:

Lyman and Alison Skolaut
2598 Country Ledge Dr.
New Braunfels, Texas 78132

If you have any questions regarding the foregoing, please do not hesitate to contact me.

Sincerely,

Clint E. Jones

enclosures

**PETITION FOR RELEASE OF AREA
FROM THE EXTRATERRITORIAL JURISDICTION**

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS:

The undersigned (hereinafter called "Petitioner"), acting pursuant to Section 42.102 of the Texas Local Government Code, as amended, hereby respectfully petitions the City of Seguin, Texas (hereinafter called the "City"), for the removal of the area described in Exhibit A herein (the "Property") from the extraterritorial jurisdiction (the "ETJ") of the City.

In support of this Petition, Petitioner would respectfully show:

I.

Petitioner has authority, pursuant to Section 42.102(b) of the Texas Local Government Code, to file this Petition as the owners of the majority in value of an area of land in a municipality's ETJ.

II.

This Petition is signed by a majority in value of the holders of title of land in the area as described by the Petition, as indicated by the tax rolls of the Guadalupe County Central Appraisal District and evidenced by the Certificate attached hereto as Exhibit B.

III.

This Petition has satisfied the signature requirements described by Sections 42.103 and 42.104(a) of the Texas Local Government Code and Chapter 277, Election Code, and is not later than the 180th day after the date the first signature for the Petition was obtained.

IV.

The signatures collected for this Petition are in writing pursuant to Section 42.104(c) of the Texas Local Government Code.

V.

The Property is located in Guadalupe County, Texas, and totals approximately 99.995 acres, as described in Exhibit A, which is located within the extraterritorial jurisdiction of the City and, to the best of Petitioner's knowledge, is not subject to any of the exceptions from applicability described in Section 42.101 of the Texas Local Government Code.

VI.

This Petition shall be verified by the City Secretary of the City or other person(s) at the City responsible for verifying signatures.

VI.

The City must notify the residents or landowners of the Property of the results of the Petition, which notification requirement may be satisfied by notifying the Petitioner in writing.

VII,

If Petitioner has obtained the signatures on the Petition required under Section 42.104 of the Texas Local Government Code to release the Property from the City's ETJ, the City shall immediately release the Property from its ETJ pursuant to Section 42.105(c) of the Texas Local Government Code.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Petition be filed with the City Secretary of the City of Seguin, Texas, and that, thereafter, the Property be removed from the City's ETJ, in the manner provided by law, including particularly Sections 42.102-105 of the Texas Local Government Code, as amended; that after this Petition has been granted, that it and the Petitioner's action thereon be filed of record and be recorded in the Office of the City Secretary of Seguin, Texas; and, that Petitioner have such other and further relief to which they may show themselves entitled. If the City Council has not released the Property from the City's ETJ by the later of the 45th day after the date the City receives this Petition or the next meeting of the City Council that occurs after the 30th day after the date the City receives this Petition, the Property shall be released by operation of law pursuant to Section 42.105(d) of the Texas Local Government Code.

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RESPECTFULLY SUBMITTED this 19th day of January, 2024.

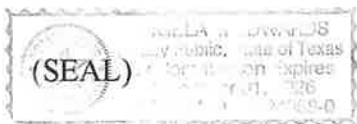
PETITIONER:

Lyman Skolaut
Lyman Skolaut

THE STATE OF TEXAS §
 §
COUNTY OF Comal §

This instrument was acknowledged before me on January 19th, 2024, by
Lyman Skolaut.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS



Alison Skolaut
Alison Skolaut

THE STATE OF Texas §
 §
COUNTY OF Comal §

This instrument was acknowledged before me on January 19th, 2024, by
Lyman Skolaut.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS



EXHIBIT "A"

**LEGAL DESCRIPTION OF AREA TO BE REMOVED FROM THE
EXTRATERRITORIAL JURISDICTION**

[Please See Attached]

BETTERS WORTH & ASSOCIATES, INC.

ENGINEERS - SURVEYORS - CONSULTANTS

111 EAST MOUNTAIN STREET, SEGUIN, TEXAS 78155

(830) 379-5552 FAX (830) 379-5553

E-Mail: ken@bettersworthassoc.com

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29096-C-G

June 28, 2022

KEN L. REININGER, P.E. & R.P.L.S.

99.995 ACRE TRACT

Being a **99.995 ACRE TRACT** situated in the Margarita Cherino Survey, A-10, Guadalupe County, Texas. Said **99.995 ACRE TRACT** is that tract called 100.00 acres in conveyance from Douglas C. Glenewinkel, a single man and Ward A. Glenewinkel, a single man to Craig Hall, Jeffrey Marvin Kraft and Marvin W. Kraft, Jr. recorded April 6, 2010 in Volume 2856, Page 672 of the Official Records of said county and being described by metes and bounds as follows:

BEGINNING at a 1/2 inch diameter rebar found marking the northwest corner of the tract herein described, same being the northwest corner of said 100.00 acre tract, northeast corner of a tract called 95.085 acres in conveyance from Emmie Krause Sahn, a single woman to Barry Neil Buske, Jr. (a/k/a Barry Buske, Jr.) and wife, Suzanne Buske recorded March 2, 2017 in Document Number 2017004678 of the Official Records of said county, further described as being the southwest corner of a tract called Parcel (a) – 2.653 acres in conveyance from Norman Glenewinkel and Martin Glenewinkel to The State of Texas recorded July 13, 1964 in Volume 367, Page 329 of the Deed Records of said county lying in the south line of F. M. Highway 2623 (100' Right of Way).

THENCE with the north line of the tract herein described, same being the common line of said 100.00 acre tract and said 2.653 acre tract along a segment of the south line of said F. M. Highway 2623 as follows:

N 66° 56' 39" E 138.07 feet (called N 67° 34' 43" E 138.05 feet) to a TxDOT Type I concrete monument found (broken) and

thence along a circular curve to the right having a radius of 2814.90 feet and a long chord that bears N 77° 26' 11" E 1017.02 feet to a 1/2 inch diameter rebar found marking the northeast corner of the tract herein described, same being the northeast corner of said 100.00 acre tract, southeast corner of said 2.653 acre tract and being the northwest corner of a tract called 399.968 acre in conveyance from Tom Fore (d/b/a Fore Financial Services) to Independence T. C., LLC, a Texas Limited Liability Company recorded July 31, 2012 in Volume 3156, Page 141 of the Official Records of said county. Said rebar bears S 88° 54' 49" W 71.47 feet from a TxDOT Type I concrete monument found (broken).

THENCE with the east line of the tract herein described, same being the common line of said 100.00 acre tract and said 399.968 acre tract as follows:

S 00° 50' 40" E 1653.75 feet (called S 00° 21' 32" E 1653.52 feet) to a 1/2 inch diameter rebar found at a two-way fence corner post marking a re-entrant corner of the tract herein described, same being a re-entrant corner of said 100.00 acre tract and a west corner of said 399.968 acre tract,

S 87° 26' 34" E 213.72 feet (called S 86° 53' 11" E 213.56 feet) to a 1/2 inch diameter rebar found at a three-way fence corner post marking an east corner of the tract herein described, same being an east corner of said 100.00 acre tract, re-entrant corner of said 399.968 acre tract,

S 05° 46' 31" E 612.15 feet (called S 05° 16' 18" E 611.82 feet) to a 1/2 inch diameter rebar found at a three-way fence corner post,

S 22° 55' 26" E 197.46 feet (called S 22° 20' 54" E 197.91 feet) to a 1/2 inch diameter rebar found at a two-way fence corner post, and

S 01° 18' 31" E 992.75 feet (called S 00° 48' 01" E 992.66 feet) to a 1/2 inch diameter rebar found marking the southeast corner of the tract herein described, same being the southeast corner of said 100.00 acre tract, being a re-entrant corner of said 399.968 acre tract.

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June 28, 2022
Page 2 of 2

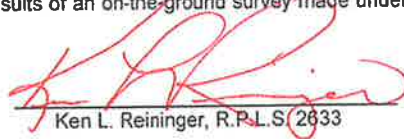
THENCE with the south line of the tract herein described, same being a segment of the common line of said 100.00 acre tract and said 399.968 acre tract S 89° 36' 56" W 1498.40 feet (called S 89° 51' 19" W 1498.62 feet) to a 1/2 inch diameter rebar found marking the southwest corner of the tract herein described, same being the southwest corner of said 100.00 acre tract, a north corner of said 399.968 acre tract lying in the east line of said 95.058 acre tract. Said rebar bears N 00° 29' 18" W 144.30 feet (called N 00° 08' 31" E 144.67 feet) from a 1/2 inch diameter rebar found marking a re-entrant corner of said 399.968 acre tract and the southeast corner of said 95.085 acre tract.

THENCE with the west line of the tract herein described, same being the common line of said 100.00 acre tract with that of said 95.085 acre tract N 00° 22' 03" W 3181.33 feet (called N 00° 08' 31" E 3181.26 feet) to **THE PLACE OF BEGINNING AND CONTAINING 99.995 ACRES OF LAND.**

Basis of bearings is Geodetic North as per GPS observation dated June 14, 2022.

I hereby certify the foregoing field notes represent the results of an on-the-ground survey made under my supervision June, 2022.




Ken L. Reininger, R.P.L.S. 2833

BEING THAT CERTAIN TRACT CALLED GOOD ADRES
N CED FROM DOUGLAS C. GLENHEIMEL, A SINGLE
MAN, AND MRS. A. GLENHEIMEL, A SINGLE MAN TO
CRAG HALL, JEFFREY VAPIN KRAFT AND LARVIN W
KRAFT R. 04 4-5-10 B. 2858/872

JOB: 20095-C-G

EXHIBIT “B”

**CERTIFICATE OF OWNERSHIP OF AREA TO BE REMOVED FROM THE
EXTRATERRITORIAL JURISDICTION**

[Please See Attached]

AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF GUADALUPE

GUADALUPE APPRAISAL DISTRICT

§
§
§
§
§

I, Peter Snaddon, Chief Appraiser of the Guadalupe Appraisal District, Texas, hereby certify that: (1) I have reviewed the property description contained in Exhibit "A" attached hereto; and (2) according to the appraisal rolls of Guadalupe County, on February 23rd, 2024, Lyman and Alison Skolaut held title to 100 percent (100%) of the property described in Exhibit "A" attached hereto.



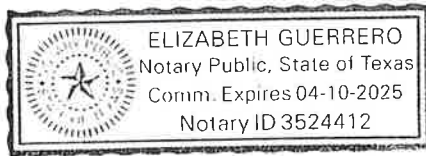
Peter Snaddon, Chief Appraiser

THE STATE OF TEXAS

COUNTY OF GUADALUPE

§
§
§

This instrument was acknowledged before me on February 23rd, 2024, by Peter Snaddon, Chief Appraiser of the Guadalupe Appraisal District.



(SEAL)



NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT A

BETTERSWORTH & ASSOCIATES, INC.

ENGINEERS - SURVEYORS - CONSULTANTS

111 EAST MOUNTAIN STREET, SEGUIN, TEXAS 78155

(830) 379-5552 FAX (830) 379-5553

E-Mail: ken@bettersworthassoc.com

KEN L. REININGER, P.E. & R.P.L.S.

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June 28, 2022

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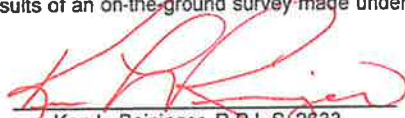
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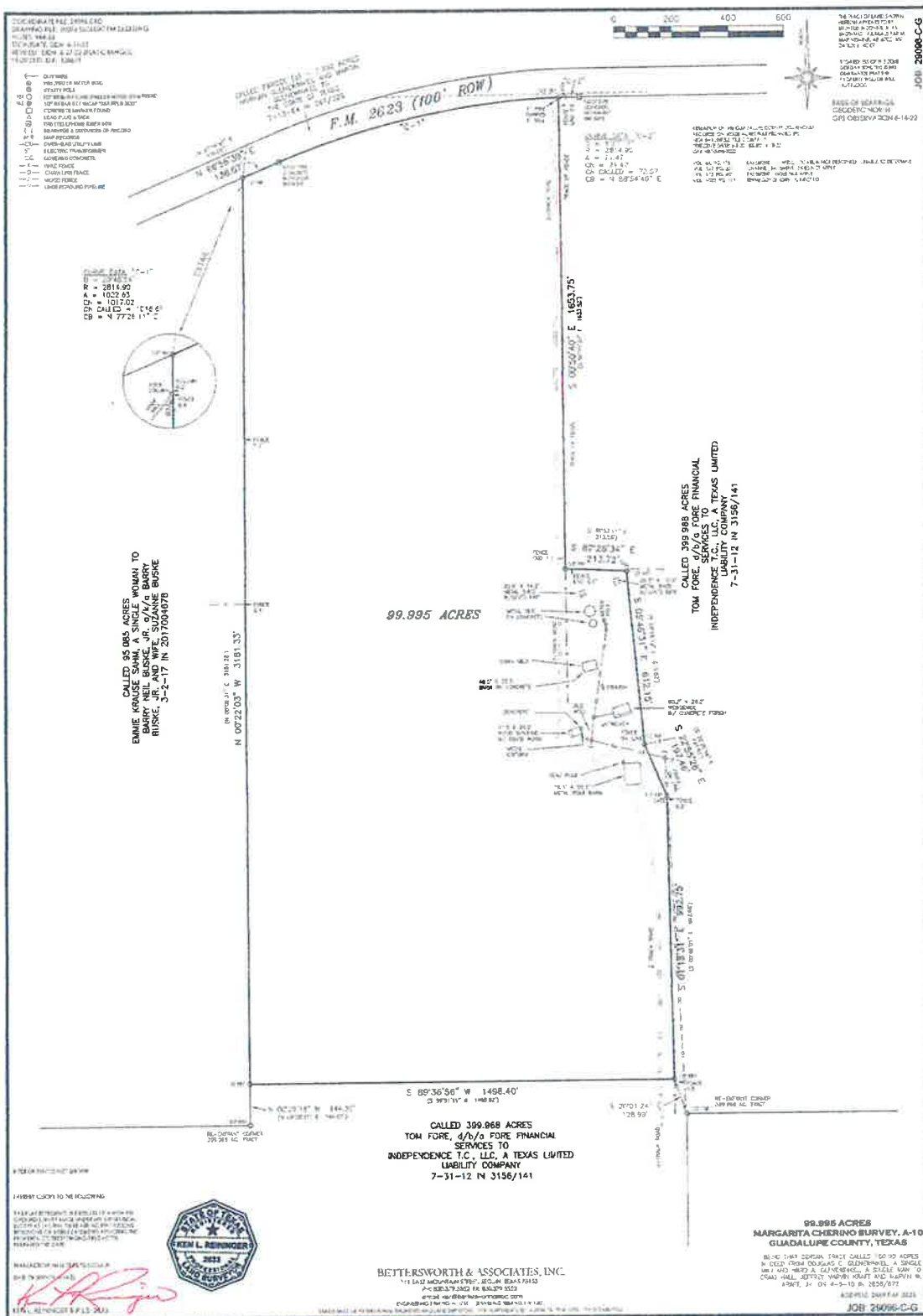
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Basis of bearings is Geodetic North as per GPS observation dated June 14, 2022.

I hereby certify the foregoing field notes represent the results of an on-the-ground survey made under my supervision June, 2022.




Ken L. Reininger, R.P.L.S. 2633



PROPERTY ID AND LEGAL DESCRIPTION				OWNER ID, NAME AND ADDRESS		OWNER ID / %	EXEMPTIONS	ENTITIES	VALUE METHOD	C 2023 VALUES		C 2024 VALUES
PROP ID: 138671	TYPE: Real	DBA:		SKOLAUT LYMAN R & ALISON L		278425		CAD 100%	IMPROVEMENT	+	11,064	24,606
ABS: 10 SUR: MCHERINO 99.75 AC				2598 COUNTRY LEDGE DR		100.00%		GCO 100%			1,249,169	1,711,602
Geo ID : 2G0010-0000-08160-0-00				NEW BRAUNFELS, TX 78132 US				LTR 100%	MARKET	=	1,260,233	1,736,208
REF ID:		MAP ID: J-12						NAS 100%	PROD LOSS	=	1,224,730	1,666,964
SITUS : FM 2623 TX		MAPSCO:							APPRAISED	=	35,503	49,244
PROP USE:	SUB MKT:	TIF: N						HS CAP LOSS	-	-	0	0
GBA : 0	NRA: 0	UNITS : 0						ASSESSED	=	=	35,503	49,244

PRELIMINARY

GENERAL				REMARKS / SKETCH COMMANDS				SKETCH FOR IMPROVEMENT #1			
UTILITIES:	LAST APPR YR: 2012	LAST APPR: NA		CORR EFF AC 123013RMC; 19RCK=PU BARNS & SILOS ETC-JC;							
TOPOGRAPHY:	CAP BASIS YR:	NBHD APPR: ZZ-CV		AG23/041423/ NJA;							
ROAD ACCESS:	LAST INSP DATE: 12/25/2022	SUBDV APPR:									
ZONING:	NEXT INSP DATE:	LAND APPR:									
GROUP CODES:	AG23.FGE.PC12	BUILDER:		BAR R50,D76,L50,U75							
NEXT REASON:		RENT:		BAR MU8,M147,L30,U30,R30,D30							
				BIN MU120.5,MR14.5,C12.5							
				BIN MU153.5,MR10.5,C17.5							

BUILDING PERMITS											
B#	ISSUE DT	PERMIT #	TYPE	ST	EST VALUE	APPR	BUILDER	COMMENT			

PROPERTY ID AND LEGAL DESCRIPTION			OWNER ID, NAME AND ADDRESS			OWNER ID / %			EXEMPTIONS			ENTITIES			VALUE METHOD			C 2023 VALUES			C 2024 VALUES		
PROP ID: 52457	TYPE: Real	DBA:	SKOLAUT LYMAN R & ALISON L			278425			GAD 100% GEO 100% LTR 100% NAS 100%			IMPROVEMENT LAND MKT MARKET PROD LOSS APPRAISED HS CAP LOSS ASSESSED			+ = = = = = =			107,049 8,281 115,330 0 115,330 0 115,330			87,460 9,290 96,750 0 96,750 0 96,750		
ABS: 10 SUR: M CHERINO 0.250 AC.	GEO ID: 2G0010-0000-08113-0-00		2598 COUNTRY LEDGE DR NEW BRAUNFELS, TX 78132 US			100.00%																	
REF ID: R97771	REF ID: J-12																						
SITUS : 2390 GLENEWINKEL RD TX	MAPSCO:																						
PROP USE: 045	SUB MKT: TIF: N																						
GBA : 0	NRA: 0																						
UNITS : 0																							
APPR VAL METHOD: Cost																							
PRELIMINARY																							

PRELIMINARY

GENERAL				REMARKS / SKETCH COMMANDS			
UTILITIES:	LAST APPR YR: 2012	LAST APPR: ZZ-CCS	TD/05/ES: NC PER 06RCK: CHG COND OF RES/NC PER GIS GATE				
TOPOGRAPHY:	CAP BASIS YR:	NBHD APPR: ZZ-CV	LOCKED 12RCK/JKH:COND TO FAIR FR 2011				
ROAD ACCESS:	LAST INSP DATE: 01/01/2018	SUBDV APPR:					
ZONING:	NEXT INSP DATE:	LAND APPR:					
GROUP CODES:	2009TRANS.2010TRAN	BUILDER:	RES DU28 DR40 DD28 DL40				
NEXT REASON:		RENT:	AGF MU28,DL20,DD28,DR20,DU28				
			CP MR40,DL40,DD8,DR40,DU8				

BUILDING PERMITS										PICTURE	
B#	ISSUE DT	PERMIT #	TYPE	ST	EST VALUE	APPR	BUILDER	COMMENT			