

C/6

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 ASSESSMENT LIEN
 

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STATE OF TEXAS §

COUNTY OF COMAL §

1. Proposal for County Improvement of Subdivision Roads and Assessment of Costs: On **April 21, 2005**, at a regularly scheduled meeting, the Commissioners Court of Comal County (hereinafter "Commissioners Court") determined that the improvement of the roads in **Arrowhead Village Subdivision** is necessary for the public health, safety, or welfare of the residents of Comal County. As such, the Commissioners Court proposed the roads be improved to comply with county road standards and assess all or part of the costs of the improvement pro rata against the record owners of the real property of the subdivision. TEX. TRANS. CODE § 253.003.
2. Notice & Public Hearing: On **April 27 and May 25, 2005**, the Commissioners Court published a notice of the proposed improvements and assessment in the New Braunfels Herald-Zeitung, which stated that the Commissioners Court would hold a public hearing on **June 2, 2005** to consider the proposed improvements and assessment. TEX. TRANS. CODE § 253.004. This public hearing was on or after the 31<sup>st</sup> day after the Commissioners Court published the first notice. TEX. TRANS. CODE § 253.004.
3. Ballot: On **June 8, 2005**, not later than the 10<sup>th</sup> day after the Commissioners Court held a public hearing as described above, the Commissioners Court, by certified mail, sent to each record owner of real property in the subdivision: (1) a ballot on whether the Commissioners Court shall order the improvements and assessment; and (2) an addressed stamped envelope for the return of the completed ballot to the county clerk. The ballot stated the maximum assessment that could be made against each property in the subdivision if a majority of the votes received favor of the proposition. TEX. TRANS. CODE § 253.006.
4. Results of Vote: On **June 30, 2005**, not later than the 30<sup>th</sup> day after the date of the public hearing described in paragraph 2, the Comal County Clerk tallied the returned ballots and declared the results to the Commissioners Court. On **June 30, 2005**, the Commissioners Court determined that a majority of the returned ballots were in favor of the improvements and assessments and thereby ordered the improvements and assess the costs of such against the real property owners of **Arrowhead Village Subdivision**. TEX. TRANS. CODE § 253.007.
5. Assessment of Costs/Terms: The Commissioners Court may provide the time, terms, and conditions of payment and default of an assessment. TEX. TRANS. CODE § 253.008.
  - a. Time: The assessment must be entirely paid by the property owner, named herein, within **15 years** of the date this Assessment Lien (hereinafter "Lien") is effective.
  - b. Terms: The assessment is due in annual installments in an amount defined in paragraph 6(c) below. The assessment will be reflected in a statement from the Comal County Tax Assessor-Collector.
  - c. Default: The property owner is presumed to be in default when the assessment is not paid according to the date and terms reflected in the statement from the Comal County Tax Assessor-Collector. Upon default,

at the option of Comal County, the entire amount then unpaid shall at once become due and collectible.

d. Remedies: Comal County shall have the right to bring suit to foreclose the Lien at any time after the property owner defaults in paying the assessment. Failure of Comal County to bring a suit to foreclose the Lien shall not be deemed a waiver of the assessment or the enforceability of the Lien.

6. Lien:

a. Property: This assessment is secured by a lien against the real properties identified in **Exhibit A attached to this lien and incorporated by reference**, and is effective on the date this Lien is filed for record in the office of the county clerk of the county in which the property is located.

b. Property Owner: The property owners for the above-described Lots are reflected in **Exhibit B attached to this Lien and incorporated by reference**.

c. Amount: The amount of the total and pro-rata assessments for the above-described Lots are reflected in **Exhibit C attached to this Lien and incorporated by reference**.

d. Lien Status: This Lien is inferior only to a tax lien or mortgage lien recorded before the effective date of this assessment lien. TEX. TRANS. CODE § 253.009.

Signed this **August 1, 2005**.

DRAFT

By: *Danny Scheel*  
Danny Scheel, Comal County Judge  
On Behalf of the Commissioners Court

STATE OF TEXAS )

COUNTY OF COMAL )

This instrument was acknowledged before me on **August 1, 2005**, by **Danny Scheel, Comal County Judge**

*Deborah Braman*  
Notary Public, State of Texas

After Recording Return to:

Comal County Road Department

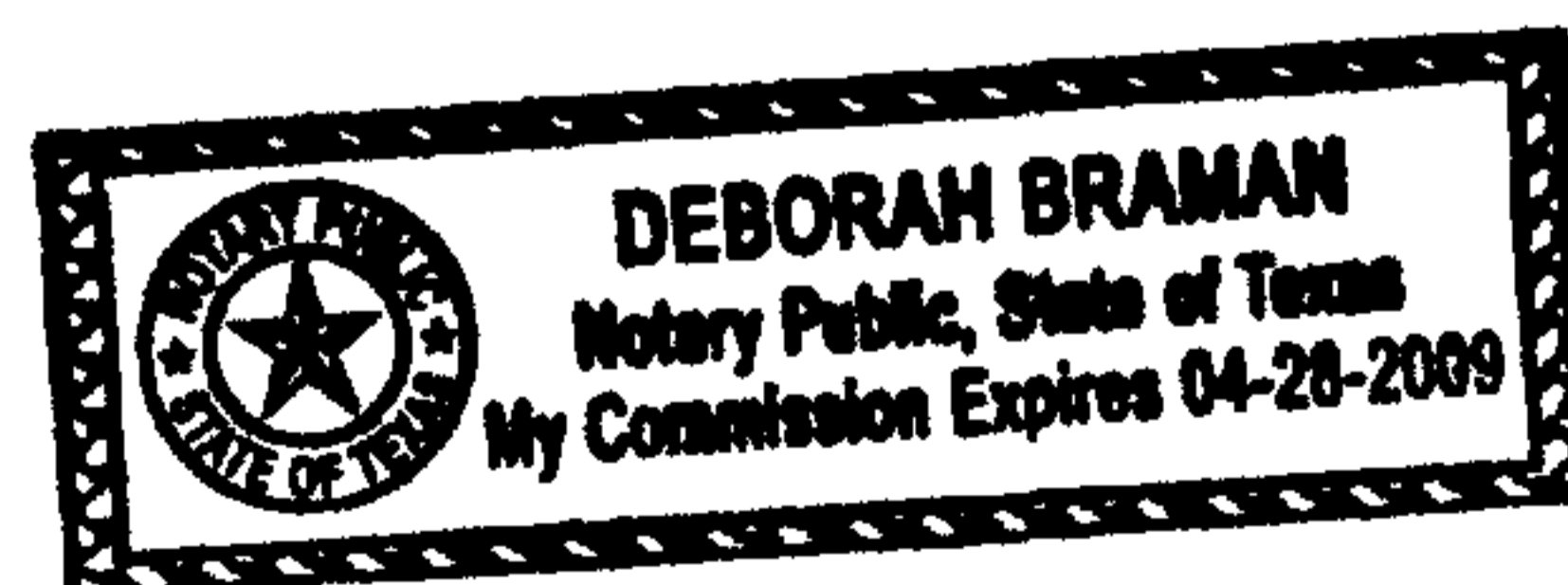






Exhibit 'B' - Voter List

Unit	Lot	Owner/Address
1	1	Reisinger, Carl B. & Maible R. 608 Kathy Dr. South, TX 78155-5829
1	11	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
1	12	Watson, John R. & Welens J. 5328 Woodbury Fulshear, TX 77441
1	13	
1	14	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
1	15	J&R Inc. 301 S. Frio, Suite 460 San Antonio, TX 78207
1	20	
1	21	Chadley, Alfred B. & Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
1	22	
1	23	
1	25	Lucas, Raymond H. & Janiece S. 323 Twisted Wood San Antonio, TX 78216

Unit	Lot	Owner/Address
2	24	Chadley, Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
2	55A	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
2	57	J&R Inc. 301 S. Frio, Suite 460 San Antonio, TX 78207
2	58	
2	59	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
2	80	
2	81	Chadley, Alfred B. & Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
2	82	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
2	83	Chadley, Alfred B. & Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
2	84	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
2	85	Chadley, Alfred B. & Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
2	86	Medina, Carol J. & James R. 445 Omega Dr. Canyon Lake, TX 78133
2	87	Chadley, Alfred B. P.O. Box 699 Rodriguez, TX 78381
2	88	Medina, Carol J. & James R. 445 Omega Dr. Canyon Lake, TX 78133
2	89	Chadley, Alfred B. & Thomas M. 328 Omega Dr. Canyon Lake, TX 78133-4709
2	70	Sherwood, Don C. & Suzette H.
2	71	483 Omega Dr.
2	72	Canyon Lake, TX 78133
2	73	
2	74	Holland, George A. & Emily 525 Omega Dr. Canyon Lake, TX 78133
2	75	Sherwood, Don C. & Suzette H. 483 Omega Dr. Canyon Lake, TX 78133
2	76	Smalley, Ronald & Donna 5638 Bent Tree Humble, TX 77346
2	77	Walker, Paul B. & Mary F. 573 Omega Dr. Canyon Lake, TX 78133

Unit	Lot	Owner/Address
3	78	Terry, Hershel B. & Charlene 813 Omega Dr. Canyon Lake, TX 78133
3	78R	
3	80R	Smith, Ralford R. & Mary H. 831 Omega Dr. Canyon Lake, TX 78133
3	82	
3	83	Wilburn, Frank A. 1677 Trail Ridge Dr. Canyon Lake, TX 78133-4463
3	84R	Smith, Paul & Ann 781 Omega Dr. Canyon Lake, TX 78133
3	86	
3	87	Oftedal, Donald C. & Andryca L. 21055 Bat Cave Road #2 Garden Ridge, TX 78296-2005
3	88	
3	89	
3	90	Vazquez, Miguel & Karen 3138 Renker Dr. San Antonio, TX 78217-3937

Unit	Lot	Owner/Address
4	91	
4	92	
4	93	
4	94	
4	95	Thomas, Edward L. & Mary L. 2756 Skyline Dr. New Braunfels, TX 78133
4	96	
4	97	
4	98	
4	99	
4	100	Treider, Ruth Marie 478 Omega Dr. Canyon Lake, TX 78133
4	101	Thomas, Edward L. & Mary L. 2756 Skyline Dr. New Braunfels, TX 78133

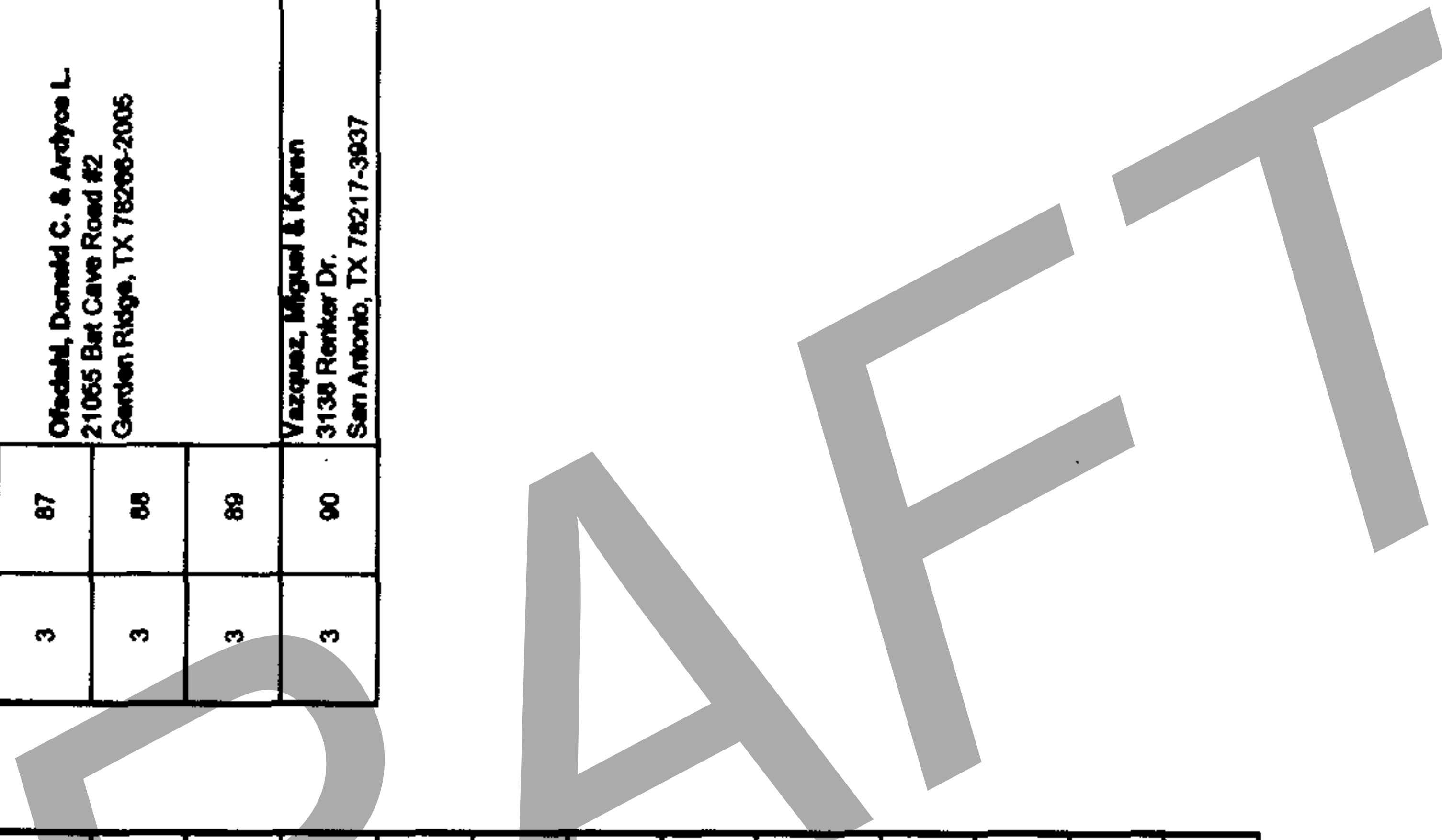
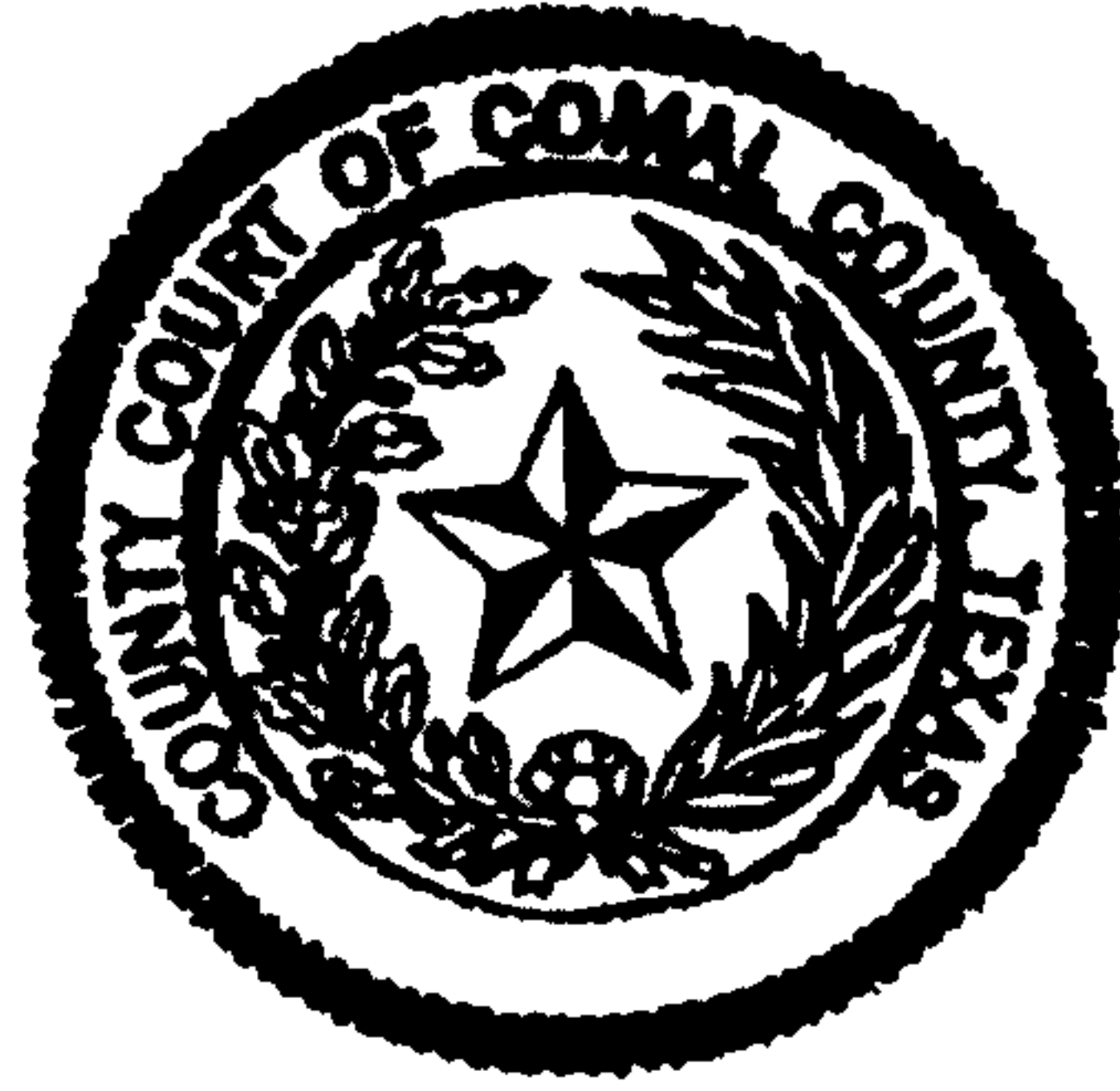




Exhibit "C" - Pro Rata Assessment Calculation

Unit	Lot	Property Owner	Monthly Assessment	Annual Assessment	15-Year Total
1	1	Reisinger, Carl B. & Mable R.	\$8.21	\$98.51	\$1,477.68
1	11	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
1	12	Walton, John R. & Welena J.	\$8.21	\$98.51	\$1,477.68
1	13	Walton, John R. & Welena J.	\$8.21	\$98.51	\$1,477.68
1	14	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
1	15	JSJR Inc.	\$8.21	\$98.51	\$1,477.68
1	20	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
1	21	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
1	22	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
1	23	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
1	25	Lucas, Raymond H. & Janiece S.	\$8.21	\$98.51	\$1,477.68
2	24	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	55A	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	57	JSJR Inc.	\$8.21	\$98.51	\$1,477.68
2	58	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	59	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	60	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	61	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	62	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	63	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	64	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
2	65	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	66	Nodine, Carol J. & James R.	\$8.21	\$98.51	\$1,477.68
2	67	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	68	Nodine, Carol J. & James R.	\$8.21	\$98.51	\$1,477.68
2	69	Chalkley, Alfred B. & Thomas M.	\$8.21	\$98.51	\$1,477.68
2	70	Sherwood, Don C. & Suzette H.	\$8.21	\$98.51	\$1,477.68
2	71	Sherwood, Don C. & Suzette H.	\$8.21	\$98.51	\$1,477.68
2	72	Sherwood, Don C. & Suzette H.	\$8.21	\$98.51	\$1,477.68
2	73	Sherwood, Don C. & Suzette H.	\$8.21	\$98.51	\$1,477.68
2	74	Holland, George A. & Emily	\$8.21	\$98.51	\$1,477.68
2	75	Sherwood, Don C. & Suzette H.	\$8.21	\$98.51	\$1,477.68
2	76	Smalley, Ronald & Donna	\$8.21	\$98.51	\$1,477.68
2	77	Walker, Paul B. & Mary F.	\$8.21	\$98.51	\$1,477.68
3	78	Terry, Hershell & Charline	\$8.21	\$98.51	\$1,477.68
3	79R	Terry, Hershell & Charline	\$8.21	\$98.51	\$1,477.68
3	80R	Smith, Raiford R. & Mary H.	\$8.21	\$98.51	\$1,477.68
3	82	Smith, Raiford R. & Mary H.	\$8.21	\$98.51	\$1,477.68
3	83	Wilborn, Frank A.	\$8.21	\$98.51	\$1,477.68
3	84R	Smith, Paul & Ann	\$8.21	\$98.51	\$1,477.68
3	86	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
3	87	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
3	88	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
3	89	Ofsdahl, Donald C. & Ardyce L.	\$8.21	\$98.51	\$1,477.68
3	90	Vazquez, Miguel & Karen	\$8.21	\$98.51	\$1,477.68
4	91	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	92	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	93	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	94	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	95	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	96	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	97	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	98	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	99	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
4	100	Traxler, Ruth Marie	\$8.21	\$98.51	\$1,477.68
4	101	Thomae, Edward L. & Mary L.	\$8.21	\$98.51	\$1,477.68
<b>TOTAL</b>			<b>\$459.72</b>	<b>\$5,516.67</b>	<b>\$82,750.00</b>



This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

DRAFT

Doc# 200506028140  
# Pages 6  
08/02/2005 10:21AM  
Official Records of  
COMAL COUNTY  
JOY STREATER  
COUNTY CLERK  
Fees \$0.00



*Joy Streater*



In consideration of the payment of indebtedness for property assessments providing road improvements adjacent to the above described property, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereby forever releases and discharges the property described above from all assessments and liens held now or in the past by the undersigned, securing this indebtedness.

Comal County, Texas executes this Partial Release of Lien Assessment by and through the County Judge acting under the authority of the Commissioners Court of Comal County, Texas.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Comal County, Texas

By: \_\_\_\_\_  
Sherman Krause, Comal County Judge  
Acting on behalf of Comal County, Texas

**ACKNOWLEDGMENT**

STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017  
by Comal County Judge, Sherman Krause.

\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**  
Stewart Title Co.  
San Antonio Division  
2075 FM 2673, Ste. A  
Canyon Lake, Texas 78133