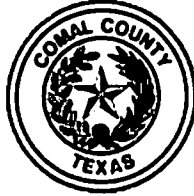


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ORDER NO. 408



STATE OF TEXAS § IN THE COMMISSIONERS COURT
COUNTY OF COMAL §

**ORDER ABANDONING THE ROAD KNOWN AS OAK KNOLL DRIVE WITHIN
HANCOCK OAK HILLS SUBDIVISION**

WHEREAS, the Comal County Commissioners Court desires to abandon a road dedicated to the public being described as Oak Knoll Drive within Hancock Oak Hills subdivision, recorded in Volume 3, Pages 52 and 53 of the Map and Plat Records of Comal County, Texas, and more particularly described in Exhibits A, B, and C attached hereto and incorporated herein by reference; and

WHEREAS, Texas Transportation Code §251.051 (a)(1) states "the commissioners court of a county shall order that public roads be laid out, opened, discontinued, closed, abandoned, vacated, or altered." TEX. TRANS. CODE §251.051 (a)(1); and

WHEREAS, Texas Transportation Code §251.051 (b)(1) states "a unanimous vote of the commissioners court is required to close, abandon, or vacate a public road." TEX. TRANS. CODE §251.051 (b)(1); and

WHEREAS, no person that owns property that abuts the portion of the public road being abandoned has attempted to enjoin the entry or enforcement of this order. TEX. TRANS. CODE §251.058 (a)(1); and

WHEREAS, the public road being abandoned does not provide the only ingress or egress to any property adjacent to it. TEX. TRANS. CODE §251.058 (a)(2); and

WHEREAS, title to the portion of the public road being abandoned to the center line of the road will vest on the date this order is signed by the county judge in the owner of the property that abuts the portion of the road being abandoned, and a copy of this order shall be filed in the deed records of the county and serves as the official instrument of conveyance from the county to the owner of the abutting property. TEX. TRANS. CODE §251.058 (b).

NOW, THEREFORE, IT IS ORDERED, upon proper notice and announcement as required by law, and upon motion duly made and seconded, and passed by a unanimous vote, as indicated by the signatures of the Commissioners below, a road known as Oak Knoll Drive, within Hancock Oak Hills subdivision, recorded in Volume 3, Pages 52 and 53 of the Map and Plat Records of Comal County, Texas, is hereby discontinued and as identified, is hereby abandoned, vacated, and closed.

FURTHERMORE, BE IT ORDERED that this Order serves as the official instrument of conveyance of the property described in Exhibit A, from the Grantor, Comal County, Texas, to the Grantees, Timothy and Donna Denham; the dimensions of the property being conveyed are also described in Exhibit A.

FURTHERMORE, BE IT ORDERED that this Order serves as the official instrument of conveyance of the property described in Exhibit B, from the Grantor, Comal County, Texas, to the Grantee, Sharon Guenther; the dimensions of the property being conveyed are also described in Exhibit B.

ORDERED by Comal County Commissioners Court, New Braunfels, Texas, this, the 5th day of April, 2018.



Sherman Krause, County Judge

Absent

Donna Eccleston
Commissioner, Pct. #1




Scott Haag
Commissioner, Pct. #2



Kevin Webb
Commissioner, Pct. #3



Jen Crownover
Commissioner, Pct. #4



Attest: Bobbie Koepp
Comal County Clerk



EXHIBIT "A"

PARCEL "A"

All that certain tract or parcel of land containing 0.193 acres of land out of the Thomas M. Blake Survey No. 35, Abstract No. 32, Comal County, Texas and being the North 30 feet of unimproved Public Right-Of-Way platted as Oak Knoll Drive in Volume 3 Pages 52-53 in the Map and Plat records of Comal County and being more particularly described by metes and bounds as follows:

Beginning at the northwest corner of Lot 9, Hancock Oak Hills Subdivision, recorded in said Volume 3, Pages 52-53 and being in the easterly right-of-way line of Owl (platted as Oak Hills Drive in Volume 3, Pages 52-53);

THENCE with said right-of way line, North 7 deg 35' East 259.97 feet, North 4 deg 09' West 252.72 feet, North 20 deg 56' West 95.0 feet to the South corner of said Oak Knoll Drive and continuing North 20 deg 56' West 30.27 feet to the approximate centerline of said Oak Knoll Drive and the Point of Beginning of this parcel;

THENCE with the easterly right-of-way of Owl North 20 deg 56' West 30.27 feet to the West corner of said Oak Knoll Drive;

THENCE with the North line of said Oak Knoll Drive and being the common line with that certain tract called 7.63 acres in Document #201706036052 of the Official Public Records of Comal County, Texas North 76 deg 44' 15" East a distance of 281.69 feet to the North corner of Oak Knoll Drive and the reentrant corner of said 7.63 acre tract;

THENCE with the East line of said right-of-way and the common line of called 7.63 acre tract, South 13 deg 15' 45" East 30.0 feet to the approximate centerline of said Oak Knoll Drive;

THENCE with the approximate centerline of said Oak Knoll Drive South 76 deg 44' 15" West 277.65 feet to the Point of Beginning and containing 0.193 acre.

EXHIBIT "B"

PARCEL "B"

All that certain tract or parcel of land containing 0.190 acres of land out of the Thomas M. Blake Survey No. 35, Abstract No. 32, Comal County, Texas and being the South 30 feet of unimproved Public Right-Of-Way platted as Oak Knoll Drive in Volume 3 Pages 52-53 in the Map and Plat records of Comal County and being more particularly described by metes and bounds as follows:

Beginning at the northwest corner of Lot 9, Hancock Oak Hills Subdivision, recorded in said Volume 3, Pages 52-53 and being in the easterly right-of-way line of Owl (platted as Oak Hills Drive in Volume 3, Pages 52-53);

THENCE with said right-of way line, North 7 deg 35' East 259.97 feet, North 4 deg 09' West 252.72 feet, North 20 deg 56' West 95.0 feet to the South corner of said Oak Knoll Drive and the Point of Beginning of this parcel;

THENCE with the easterly right-of-way of Owl North 20 deg 56' West 30.27 feet to the approximate centerline of said Oak Knoll Drive for the West corner of this parcel;

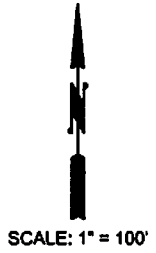
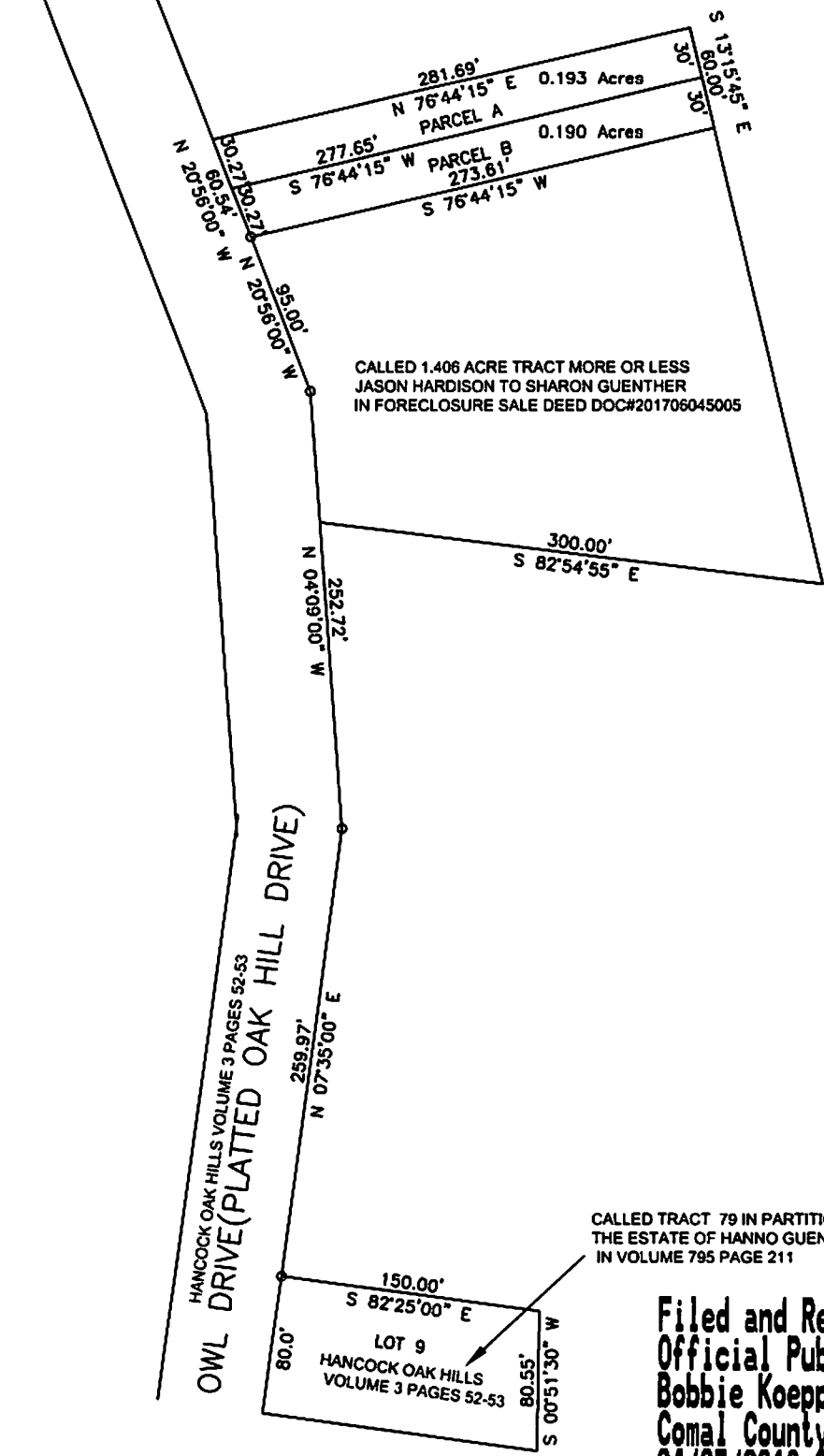
THENCE with the approximate centerline of said Oak Knoll Drive North 76 deg 44' 15" East a distance of 277.65 feet to the North corner of this parcel and lying in common line with that certain tract called 7.63 acres in Document #201706036052 of the Official Public Records of Comal County, Texas;

THENCE with the East line of said right-of-way and the common line of called 7.63 acre tract, South 13 deg 15' 45" East 30.0 feet to the East corner of this parcel;

THENCE with the South line of said Oak Knoll Drive being the common line of that tract called 1.406 acres more or less in Document #201706045005 of the Official Public Records of Comal County, Texas South 76 deg 44' 15" West 273.61 feet to the Point of Beginning and containing 0.190 acre.

EXHIBIT "C"

CALLED 7.63 ACRE TRACT
KIMBERLEY MAGAR TO TIMOTHY DENHAM AND
DONNA DENHAM IN DOC #201706036052



CALLED TRACT 79 IN PARTITION DEED,
THE ESTATE OF HANNO GUENTHER, SR
IN VOLUME 795 PAGE 211

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
04/05/2018 03:17:16 PM
CHRISTY 5 Page(s)
201806012975



Bobbie Koepf