



**WHEREAS**, on May 7, 2020, the Commissioners Court directed the County Engineer's Office to comply with the notice requirements of §232.008(c) and scheduled the public hearing for May 28, 2020;

**WHEREAS**, the notice was published in a newspaper for at least three weeks before the date on which action is to be taken on the application for cancellation pursuant to §232.008(c);

**WHEREAS**, the Commissioners Court by order shall authorize the owner of the subdivision to file an instrument canceling the subdivision in whole or in part if the application shows that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision or it is shown that the purchaser agrees to the cancellation in accordance with Texas Local Government Code §232.008(b);

**WHEREAS**, Applicant owns the subject subdivision, in its entirety and claims that the cancellation of the subdivision named Serenity's Hillside, will not interfere with the established rights of any purchaser who owns any part of the subdivision;

**WHEREAS**, Applicant owes no delinquent taxes on the subject subdivision named Serenity's Hillside, in accordance with Texas Local Government Code §232.008(d);

**WHEREAS**, the Commissioners Court has not received a written objection to the cancellation from the owners of at least ten (10) percent of the property affected by the proposed cancellation pursuant to §232.008(e);

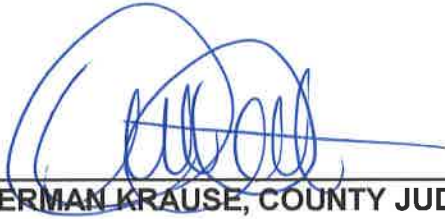
**WHEREAS**, Section 232.008(h) holds that if the Commissioners Court determines the cancellation will prevent the proposed interconnection of infrastructure to pending or existing development the Court may deny the requested cancellation;

**NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT FOR COMAL COUNTY THAT** upon application, proper notice and announcement as required by law, and upon motion duly made and seconded, the cancellation of the subdivision named Serenity's Hillside, in Comal County is approved, as indicated by the signatures of the Commissioners below, that the subdivision named Serenity's Hillside, as described in Exhibit A, is hereby cancelled and that the cancellation does not prevent the proposed interconnection of infrastructure to pending or existing development;

**BE IT FURTHER RESOLVED THAT** the Commissioners Court hereby orders that the Applicant is authorized to file an instrument cancelling the subdivision named Serenity's Hillside, as described in Exhibit A, and that Applicant shall use the instrument form attached as Exhibit B to prepare said instrument for recordation;

**BE IT FURTHER RESOLVED THAT** the Commissioners Court hereby directs the Comal County Clerk to properly record the above instrument cancelling the subdivision named Serenity's Hillside, as prepared by the Applicant and appropriately notate the recordation of this instrument in the Clerk's Map and Plat Index.

**EFFECTIVE THIS the 28th day of May, 2020.**



**SHERMAN KRAUSE, COUNTY JUDGE**



**DONNA ECCLESTON,  
COUNTY COMMISSIONER PCT. #1**



**SCOTT HAAG,  
COUNTY COMMISSIONER PCT. #2**



**KEVIN WEBB,  
COUNTY COMMISSIONER PCT. #3**



**JEN CROWOVER  
COUNTY COMMISSIONER PCT. #4**

**ATTEST:**   
**BOBBIE KOEPP, COUNTY CLERK**



STATE OF TEXAS

§

§

COMMISSIONERS' COURT

COUNTY OF COMAL

§

**ORDER APPROVING THE CANCELLATION OF SERENITY'S HILLSIDE PLAT**

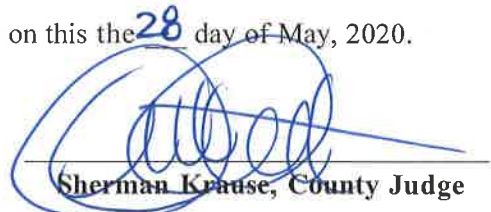
On the 28th of May, 2020, the Commissioners of Comal County, Texas considered the application of SJWTX, Inc., doing business as CANYON LAKE WATER SERVICE COMPANY ("Canyon Lake"), to cancel the Serenity's Hillside Plat, which is Document No. 201906038436 in the Official Public Records of Comal County, Texas and is included herein as Exhibit B, Page 2 of 2.

After considering the application and concluding that said application complies with Texas Local Government Code §232.008, the Commissioners decided that the request should be GRANTED and the plat should be CANCELLED.

The cancellation of the Serenity's Hillside Plat is subject to the merger of the 6.072 acres formerly known as Serenity's Hillside with Canyon Lake's adjacent 10.213 acre tract into a single 16.285 acre tract.

It is therefore ORDERED that the Serenity's Hillside Plat, Document No. 201906038436, be cancelled, and the 6.072 acre tract formerly known as Serenity's Hillside be combined with the adjacent 10.213 acre tract into a single 16.285 acre tract.


PASSED and APPROVED on this the 28 day of May, 2020.

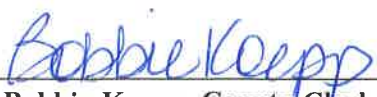
  
Sherman Krause, County Judge

  
Donna Eccleston, Commissioner Pet. 1

  
Kevin Webb, Commissioner Pet. 3

  
Scott Haag, Commissioner Pet. 2

  
Jen Crossover, Commissioner Pet. 4

Attest:   
Bobbie Koepf, County Clerk

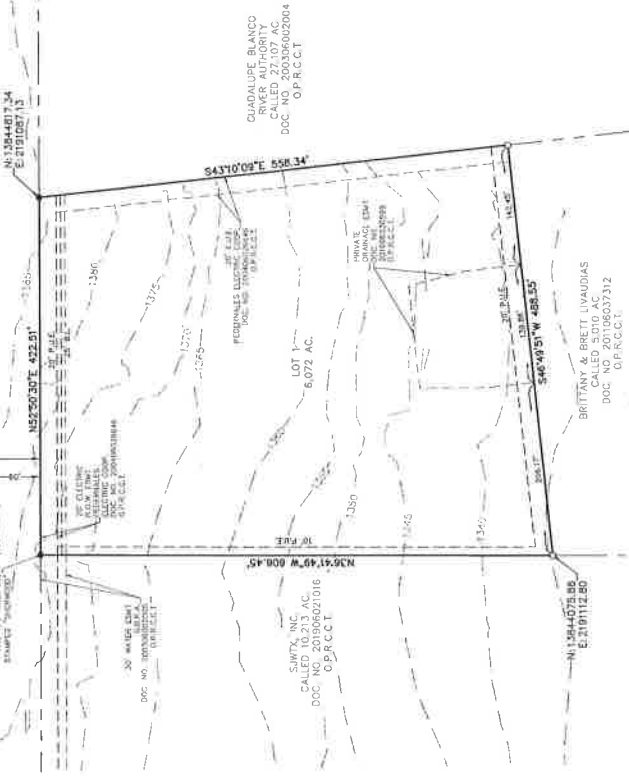


# 201906038436

# SERENITY'S HILLSIDE

BEING A 6.072 ACRE TRACT OF LAND SITUATED IN THE E.E. AND W.T.R.CO. SURVEY NO. 925, ABSTRACT NO. 786, COMAL COUNTY, TEXAS BEING ALL OF A TRACT DESCRIBED IN DOCUMENT NO. 201026023770, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

DAVID S. AND SUSAN G. GRAC  
CALLED 34.57 AC.  
DOC. NO. 201205045605  
O.P.R.C.C.T.

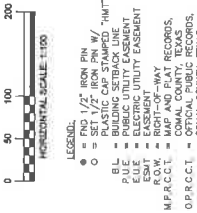


## SITE



## LOCATION MAP

NOT TO SCALE



- PLAT NOTES:**
1. MONUMENTS WERE FOUND OR SET AT EACH LOT CORNER OF THE SUBDIVISION MONUMENTS AND LOT MARKERS SET WITH PLASTIC CAP STAMPED "HMT".
  2. THIS PROPERTY DOES NOT LIE IN THE CITY LIMITS OR EXTRAJURISDICTION JURISDICTION OF ANY CITY.
  3. CONTOUR LINES SHOWN HEREON WERE DERIVED FROM SPOT ELEVATIONS SURVEYED ON THE GROUND JUNE 4, 2014 BY HMT ENGINEERING AND SURVEYING.
  4. THIS PROPERTY DOES NOT LIE WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
  5. THIS PROPERTY IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ZONE "A", THE 100-YEAR FLOOD ZONE AS DEFINED BY THE FLOOD INSURANCE RATE MAP FOR SEPTEMBER 2, 2005 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
  6. IT IS HEREBY UNDERSTOOD AND AGREED THAT NON-EXCLUSIVE, PERPETUAL RIGHTS AND INTERESTS IN THE PROPERTY ARE BEING TRANSFERRED TO THE PUBLIC BY THE INSTALLATION, OVERHEAD AND/OR ON THE SURFACE OF THE GROUND, OF THE UTILITY EASEMENTS AND/OR RIGHTS OF WAY, WHICH ARE PERMITTED TO REMAIN IN THE PUBLIC UTILITY EASEMENT AREA WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF SAID IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT, EXCEPT AS OTHERWISE PROVIDED BY THE PUBLIC UTILITY EASEMENT AND/OR RIGHTS OF WAY. THE RESPONSIBILITY FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF THE UTILITY EASEMENTS, ROADS AND EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT ANY AND ALL WELLS, UNDERGROUND, AND OTHER STRUCTURES THAT MAY CAUSE INTERFERENCE WITH THE OPERATION OF SAID PUBLIC UTILITY FACILITIES.
  7. THIS PROPERTY WILL BE SERVED BY AN INDIVIDUAL ON-SITE WATER WELL.
  8. THIS SUBDIVISION WILL BE SERVED BY AN INDIVIDUAL ON-SITE SEWAGE FACILITY.
  9. FRONT YARD SETBACKS SHALL BE A MINIMUM 25' BUILDING SET-BACK LINE FROM ROAD FRONTAGE.
  10. PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE RETRIMENTAL TO THEIR INTENDED USE (IE. NO STRUCTURES, DRIVEWAYS, OR OTHER IMPROVEMENTS) OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.
  11. 1 LOT BEING 6.072 ACRES.
  12. OWNER'S ATTORNEYS, CONSULTED FOR THIS PLAT, ARE AVAILABLE FOR REVIEW AT THE COMAL COUNTY ENGINEERS' OFFICE. PLATS REVISIONS BY THE STUDY AS BEING INDICATED DURING CERTAIN STORM EVENTS HAVE BEEN PLACED IN RED. THIS PLAT IS SUBJECT TO THE APPROVAL OF THE COMAL COUNTY ENGINEERS' OFFICE. SET-BACKS REQUIRES COMMISSIONERS COURT APPROVAL.

**TODOT NOTES:**

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL PROVIDE ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY FOR PROJECTS IN THE EDWARDS AQUIFER RECHARGE ZONE. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE DETENTION FACILITIES TREATING IMPERMEABLE COVER RELATED TO THE DEVELOPMENT, WILL NOT BE ALLOWED TO BE PLACED IN THE EDWARDS AQUIFER RECHARGE ZONE. PERMANENT STATE R.O.W. WILL NOT BE ALLOWED.
3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TODOT'S ACCESS MANAGEMENT MANUAL.
4. SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE. A SIDEWALK PERMIT MUST BE OBTAINED FROM THE CITY OF COMAL. SIDEWALKS SHALL BE AS DIRECTED BY TODOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC) FOR THE DEVELOPMENT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

STATE OF TEXAS  
COUNTY OF COMAL

I, **REBECCA J. TAYLOR**, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE **25** DAY OF **OCTOBER**, A.D. 2019 AT **11:11 P.M.** IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE OF SAID COUNTY, IN DOCUMENT # **201906038436** IN TESTIMONY WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL OF OFFICE, THIS **25** DAY OF **OCTOBER**, A.D. 2019.

COUNTY CLERK, COMAL COUNTY, TEXAS  
By: **Jammy Koudak**  
DEPUTY

STATE OF TEXAS  
COUNTY OF COMAL

I, **BOBBIE LEBER**, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE **25** DAY OF **OCTOBER**, A.D. 2019 AT **11:11 P.M.** IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE OF SAID COUNTY, IN DOCUMENT # **201906038436** IN TESTIMONY WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL OF OFFICE, THIS **25** DAY OF **OCTOBER**, A.D. 2019.

COUNTY CLERK, COMAL COUNTY, TEXAS  
By: **Jammy Koudak**  
DEPUTY

STATE OF TEXAS  
COUNTY OF COMAL

I, **BRITANY & BRETT LIVAUDAS**, CALLED 6.072 AC. DOC. NO. 201205045605 O.P.R.C.C.T.

STATE OF TEXAS  
COUNTY OF COMAL

I, **BRITANY & BRETT LIVAUDAS**, CALLED 6.072 AC. DOC. NO. 201205045605 O.P.R.C.C.T.

STATE OF TEXAS  
COUNTY OF COMAL

I, **DAVID S. AND SUSAN G. GRAC**, CALLED 34.57 AC. DOC. NO. 201205045605 O.P.R.C.C.T.

STATE OF TEXAS  
COUNTY OF COMAL

I, **QUADALUPE BLANCO RIVER AUTHORITY**, CALLED 6.072 AC. DOC. NO. 201026023770 O.P.R.C.C.T.

STATE OF TEXAS  
COUNTY OF COMAL

I, **SLMYTX, INC.**, CALLED 6.072 AC. DOC. NO. 201906021016 O.P.R.C.C.T.

STATE OF TEXAS  
COUNTY OF COMAL

I, **REBECCA J. TAYLOR**, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DATE OF SURVEY: **2019**  
DATE OF PLAT: **2019**

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

PRINT NOTARY'S NAME: **REBECCA J. TAYLOR**

STATE OF TEXAS  
COUNTY OF COMAL

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COUNTY OF COMAL

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PRINT NOTARY'S NAME: **REBECCA J. TAYLOR**

PLAT PREPARED SEPTEMBER 5, 2019

290 S. CASTELL AVE., STE. 100  
NEW BRAUNFELLS, TX 78130  
TBPFS FIRM F-10861  
TBPFS FIRM T-053600

**HMT**  
ENGINEERING & SURVEYING