



# COMAL COUNTY

## ENGINEER'S OFFICE

### License to Operate On-Site Sewage Treatment and Disposal Facility

Issued This Date: **04/09/2024** Permit Number: **117148**

Location Description: 1049 MARY PREISS DR  
NEW BRAUNFELS, TX 78132

Subdivision: PREISS HEIGHTS, J.M. Veramendi S, A-3  
Unit: 0  
Lot: 0  
Block: 14(pt)  
Acreage: 2.2200

Type of System: Aerobic  
Surface Irrigation

Issued to: MATTHEW & AMBER ALLEN

This license is authorization for the owner to operate and maintain a private facility at the location described in accordance to the rules and regulations for on-site sewerage facilities of Comal County, Texas, and the Texas Commission on Environmental Quality.

The license grants permission to operate the facility. It does not guarantee successful operation. It is the responsibility of the owner to maintain and operate the facility in a satisfactory manner.

Alterations to this permit including, but not limited to:

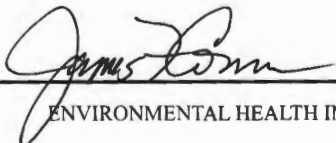
- Increase in the square feet of living area
- Increase in the number of bedrooms
- A change of use (i.e. residential to commercial)
- Relocation of system components (including the relocation of spray heads)
- Installation of landscaping
- Adding new structures to the system

may require a new permit. **It is the responsibility of the owner to apply for a new permit, if applicable.**

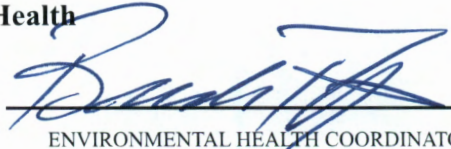
Inspection and licensing of a facility indicates only that the facility meets certain minimum requirements. It does not impede any governmental entity in taking the proper steps to prevent or control pollution, to abate nuisance, or to protect the public health.

This license to operate is valid for an indefinite period. The holder may transfer it to a succeeding owner, provided the facility has not been remodeled and is functioning properly.

Licensing Authority  
Comal County Environmental Health

  
ENVIRONMENTAL HEALTH INSPECTOR

OS0032485

  
ENVIRONMENTAL HEALTH COORDINATOR

OS0007722

# Comal County Environmental Health

## OSSF Inspection Sheet

Installer Name: \_\_\_\_\_

OSSF Installer #: \_\_\_\_\_

1st Inspection Date: \_\_\_\_\_

2nd Inspection Date: \_\_\_\_\_

3rd Inspection Date: \_\_\_\_\_

Inspector Name: \_\_\_\_\_

Inspector Name: \_\_\_\_\_

Inspector Name: \_\_\_\_\_

Permit#:

Address:

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
1	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Site and Soil Conditions Consistent with Submitted Planning Materials		285.31(a) 285.30(b)(1)(A)(iv) 285.30(b)(1)(A)(v) 285.30(b)(1)(A)(iii) 285.30(b)(1)(A)(ii) 285.30(b)(1)(A)(i)				
2	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Setback Distances Meet Minimum Standards		285.91(10) 285.30(b)(4) 285.31(d)				
3	SEWER PIPE Proper Type Pipe from Structure to Disposal System (Cast Iron, Ductile Iron, Sch. 40, SDR 26)		285.32(a)(1)				
4	SEWER PIPE Slope from the Sewer to the Tank at least 1/8 Inch Per Foot		285.32(a)(3)				
5	SEWER PIPE Two Way Sanitary - Type Cleanout Properly Installed (Add. C/O Every 100' &/or 90 degree bends)		285.32(a)(5)				
6	PRETREATMENT Installed (if required) TCEQ Approved List PRETREATMENT Septic Tank(s) Meet Minimum Requirements		285.32(b)(1)(G) 285.32(b)(1)(E)(iii) 285.32(b)(1)(E)(iv) 285.32(b)(1)(F) 285.32(b)(1)(B) 285.32(b)(1)(C)(i) 285.32(b)(1)(C)(ii) 285.32(b)(1)(D) 285.32(b)(1)(E) 285.32(b)(1)(A) 285.32(b)(1)(E)(ii)(II) 285.32(b)(1)(E)(i) 285.32(b)(1)(E)(ii)(I)				
7	PRETREATMENT Grease Interceptors if required for commercial		285.34(d)				

Inspector Notes:

**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
8	SEPTIC TANK Tank(s) Clearly Marked SEPTIC TANK If Single Tank, 2 Compartments Provided with Baffle SEPTIC TANK Inlet Flowline Greater than 3" and " T " Provided on Inlet and Outlet SEPTIC TANK Septic Tank(s) Meet Minimum Requirements		285.32(b)(1) (E) 285.91(2) 285.32(b)(1) (F) 285.32(b)(1)(E) (iii) 285.32(b)(1)(E)(ii) (II) 285.32(b)(1)(E)(ii) (I) 285.32(b)(1)(E) (i) 285.32(b)(1) (D) 285.32(b)(1)(C) (ii) 285.32(b)(1)(C) (i) 285.32(b)(1) (B) 285.32(b)(1) (A) 285.32(b)(1)(E)(iv)				
9	ALL TANKS Installed on 4" Sand Cushion/ Proper Backfill Used		285.32(b)(1)(F) 285.32(b)(1)(G) 285.34(b)				
10	SEPTIC TANK Inspection / Clean Out Port & Risers Provided on Tanks Buried Greater than 12" Sealed and Capped		285.38(d)				
11	SEPTIC TANK Secondary restraint system provided SEPTIC TANK Riser permanently fastened to lid or cast into tank SEPTIC TANK Riser cap protected against unauthorized intrusions		285.38(d) 285.38(e)				
12	SEPTIC TANK Tank Volume Installed						
13	PUMP TANK Volume Installed						
14	AEROBIC TREATMENT UNIT Size Installed						
15	AEROBIC TREATMENT UNIT Manufacturer AEROBIC TREATMENT UNIT Model Number						
16	DISPOSAL SYSTEM Absorptive		285.33(a)(4) 285.33(a)(1) 285.33(a)(2) 285.33(a)(3)				
17	DISPOSAL SYSTEM Leaching Chamber		285.33(a)(1) 285.33(a)(3) 285.33(a)(4) 285.33(a)(2)				
18	DISPOSAL SYSTEM Evapo-transpirative		285.33(a)(3) 285.33(a)(4) 285.33(a)(1) 285.33(a)(2)				

**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
19	DISPOSAL SYSTEM Drip Irrigation		285.33(c)(3)(A)-(F)				
20	DISPOSAL SYSTEM Soil Substitution		285.33(d)(4)				
21	DISPOSAL SYSTEM Pumped Effluent		285.33(a)(4) 285.33(a)(3) 285.33(a)(1) 285.33(a)(2)				
22	DISPOSAL SYSTEM Gravelless Pipe		285.33(a)(3) 285.33(a)(2) 285.33(a)(4) 285.33(a)(1)				
23	DISPOSAL SYSTEM Mound		285.33(a)(3) 285.33(a)(1) 285.33(a)(2) 285.33(a)(4)				
24	DISPOSAL SYSTEM Other (describe) (Approved Design)		285.33(d)(6) 285.33(c)(4)				
25	DRAINFIELD Absorptive Drainline 3" PVC or 4" PVC						
26	DRAINFIELD Area Installed						
27	DRAINFIELD Level to within 1 inch per 25 feet and within 3 inches over entire excavation		285.33(b)(1)(A)(v)				
28	DRAINFIELD Excavation Width DRAINFIELD Excavation Depth DRAINFIELD Excavation Separation DRAINFIELD Depth of Porous Media DRAINFIELD Type of Porous Media						
29	DRAINFIELD Pipe and Gravel - Geotextile Fabric in Place		285.33(b)(1)(E)				
30	DRAINFIELD Leaching Chambers DRAINFIELD Chambers - Open End Plates w/Splash Plate, Inspection Port & Closed End Plates in Place (per manufacturers spec.)		285.33(c)(2)				
31	LOW PRESSURE DISPOSAL SYSTEM Adequate Trench Length & Width, and Adequate Separation Distance between Trenches		285.33(d)(1)(C)(i)				



**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
32	EFFLUENT DISPOSAL SYSTEM Utilized Only by Single Family Dwelling EFFLUENT DISPOSAL SYSTEM Topographic Slopes < 2.0% EFFLUENT DISPOSAL SYSTEM Adequate Length of Drain Field ( 1000 Linear ft. for 2 bedrooms or Less & an additional 400 ft. for each additional bedroom ) EFFLUENT DISPOSAL SYSTEM Lateral Depth of 18 inches to 3 ft. & Vertical Separation of 1ft on bottom and 2 ft. to restrictive horizon and ground water respectfully EFFLUENT DISPOSAL SYSTEM Lateral Drain Pipe (1.25 - 1.5" dia.) & Pipe Holes ( 3/16 - 1/4" dia. Hole Size ) 5 ft. Apart		285.33(b)(3)(A) 285.33(b)(3)(A) 285.33(b)(3)(B)285.91(13) 285.33(b)(3)(D) 285.33(b)(3)(F)				
33	AEROBIC TREATMENT UNIT Is Aerobic Unit Installed According to Approved Guidelines.		285.32(c)(1)				
34	AEROBIC TREATMENT UNIT Inspection/Clean Out Port & Risers Provided AEROBIC TREATMENT UNIT Secondary restraint system provided AEROBIC TREATMENT UNIT Riser permanently fastened to lid or cast into tank AEROBIC TREATMENT UNIT Riser cap protected against unauthorized intrusions						
35	AEROBIC TREATMENT UNIT Chlorinator Properly Installed with Chlorine Tablets in Place.						
36	PUMP TANK Is the Pump Tank an approved concrete tank or other acceptable materials & construction PUMP TANK Sampling Port Provided in the Treated Effluent Line PUMP TANK Check Valve and/or Anti- Siphon Device Present When Required PUMP TANK Audible and Visual High Water Alarm Installed on Separate Circuit From Pump						
37	PUMP TANK Inspection/Clean Out Port & Risers Provided PUMP TANK Secondary restraint system provided PUMP TANK Riser permanently fastened to lid or cast into tank PUMP TANK Riser cap protected against unauthorized intrusions						
38	PUMP TANK Secondary restraint system provided						
39	PUMP TANK Electrical Connections in Approved Junction Boxes / Wiring Buried						

**Comal County Environmental Health  
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
40	APPLICATION AREA Distribution Pipe, Fitting, Sprinkler Heads & Valve Covers Color Coded Purple?		285.33(d)(2)(G)(iii)(II) 285.33(d)(2)(G)(iii)(III) 285.33(d)(2)(G)(v) 285.33(d)(2)(G)(iii) 285.33(d)(2)(G)(iv) 285.33(d)(2)(G)(i) 285.33(d)(2)(G)(ii) 285.33(d)(2)(G)(iii)(I)				
41	APPLICATION AREA Low Angle Nozzles Used / Pressure is as required APPLICATION AREA Acceptable Area, nothing within 10 ft of sprinkler heads? APPLICATION AREA The Landscape Plan is as Designed		285.33(d)(2)(G) (i)285.33(d)(2) (A)285.33(d)(2)(F)				
42	APPLICATION AREA Area Installed						
43	PUMP TANK Meets Minimum Reserve Capacity Requirements						
44	PUMP TANK Material Type & Manufacturer						
45	PUMP TANK Type/Size of Pump Installed						



# COMAL COUNTY

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## ENGINEER'S OFFICE

### **Permit of Authorization to Construct an On-Site Sewage Facility** **Permit Valid For One Year From Date Issued**

Permit Number: 117148  
Issued This Date: 03/12/2024  
This permit is hereby given to: MATTHEW & AMBER ALLEN

To start construction of a private, on-site sewage facility located at:

1049 MARY PREISS DR  
NEW BRAUNFELS, TX 78132

Subdivision: PREISS HEIGHTS, J.M. Veramendi S, A-3  
Unit: 0  
Lot: 0  
Block: 14(pt)  
Acreage: 2.2200

#### APPROVED MINIMUM SIZES AS PER ATTACHED DESIGN

Type of System: Aerobic  
Surface Irrigation

This permit gives permission for the construction of the above referenced on-site facility to commence. Installation must be completed by an installer holding a valid registration card from the Texas Commission on Environmental Quality (TCEQ). Installation and inspection must comply with current TCEQ and Comal County requirements.

Call (830) 608-2090 to schedule inspections.

**COMAL COUNTY**  
ENGINEER'S OFFICE**OSSF DEVELOPMENT APPLICATION  
CHECKLIST***Staff will complete shaded items*

--	--

Date Received

Initials

117148
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Permit Number

**Instructions:**

Place a check mark next to all items that apply. For items that do not apply, place "N/A". This OSSF Development Application Checklist **must** accompany the completed application.

**OSSF Permit**

- ☒ Completed Application for Permit for Authorization to Construct an On-Site Sewage Facility and License to Operate
- ☒ Site/Soil Evaluation Completed by a Certified Site Evaluator or a Professional Engineer
- ☒ Planning Materials of the OSSF as Required by the TCEQ Rules for OSSF Chapter 285. Planning Materials shall consist of a scaled design and all system specifications.
- ☒ Required Permit Fee - See Attached Fee Schedule
- ☒ Copy of Recorded Deed
- ☒ Surface Application/Aerobic Treatment System
  - ☒ Recorded Certification of OSSF Requiring Maintenance/Affidavit to the Public
  - ☒ Signed Maintenance Contract with Effective Date as Issuance of License to Operate

**I affirm that I have provided all information required for my OSSF Development Application and that this application constitutes a completed OSSF Development Application.**

\_\_\_\_\_  
Signature of Applicant

2/2/2024

\_\_\_\_\_  
Date

\_\_\_ COMPLETE APPLICATION

Check No. \_\_\_\_\_ Receipt No. \_\_\_\_\_

INCOMPLETE APPLICATION

\_\_\_ (Missing Items Circled, Application Refused)



**COMAL COUNTY**  
**ENGINEER'S OFFICE**

## ON-SITE SEWAGE FACILITY APPLICATION

195 DAVID JONAS DR  
NEW BRAUNFELS, TX 78132  
(830) 808-2080  
WWW.CCEO.ORG

Date January 13, 2024

Permit Number 117148

### 1. APPLICANT / AGENT INFORMATION

Owner Name	MATTHEW ALLEN & AMBER ALLEN
Mailing Address	1049 MARY PREISS
City, State, Zip	NEW BRAUNFELS, TX 78132
Phone #	281-639-9696
Email	matthewblairallen@yahoo.com

Agent Name	GREG JOHNSON, P.E.
Agent Address	170 HOLLOW OAK
City, State, Zip	NEW BRAUNFELS TEXAS 78132
Phone #	830-905-2778
Email	gregjohnsonpe@yahoo.com

## 2. LOCATION

Subdivision Name PREISS HEIGHTS Unit            Lot            Block 14(pt)  
Survey Name / Abstract Number JUAN MARTIN DE VERAMENDI SURVEY, A-3 Acreage 2.217  
Address 1049 MARY PREISS City NEW BRAUNFELS State TX Zip 781321

### 3. TYPE OF DEVELOPMENT

☒ Single Family Residential

Type of Construction (House, Mobile, RV, Etc.) EXISTING RESIDENCE &amp; DETACHED LIVING

Number of Bedrooms 2 + 2 + 1 + 1

Indicate Sq Ft of Living Area 504/420/320/320

☐ Non-Single Family Residential

(Planning materials must show adequate land area for doubling the required land needed for treatment units and disposal area)

Type of Facility

Offices, Factories, Churches, Schools, Parks, Etc. - Indicate Number Of Occupants

**Restaurants, Lounges, Theaters - Indicate Number of Seats**

Hotel, Motel, Hospital, Nursing Home - Indicate Number of Beds

Travel Trailer/RV Parks - Indicate Number of Spaces

Miscellaneous

**Estimated Cost of Construction: \$ 200,000 (Structure Only)**

Is any portion of the proposed OSSF located in the United States Army Corps of Engineers (USACE) flowage easement?

☐ Yes ☒ No (If yes, owner must provide approval from USACE for proposed OSSF improvements within the USACE flowage easement)

Source of Water ☐ Public ☒ Private Well ☐ Rainwater Collection

#### 4. SIGNATURE OF OWNER

By signing this application, I certify that:

- The completed application and all additional information submitted does not contain any false information and does not conceal any material facts. I certify that I am the property owner or I possess the appropriate land rights necessary to make the permitted improvements on said property.
- Authorization is hereby given to the permitting authority and designated agents to enter upon the above described property for the purpose of site/soil evaluation and inspection of private sewage facilities..
- I understand that a permit of authorization to construct will not be issued until the Floodplain Administrator has performed the reviews required by the Comal County Flood Damage Prevention Order.
- I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable.

**Signature of Owner**

Date \_\_\_\_\_

**\* \* \* COMAL COUNTY OFFICE OF ENVIRONMENTAL HEALTH \* \* \***

**APPLICATION FOR PERMIT FOR AUTHORIZATION TO CONSTRUCT AN  
ON-SITE SEWAGE FACILITY AND LICENSE TO OPERATE**

**Planning Materials & Site Evaluation as Required Completed By** GREG W. JOHNSON, P.E.

**System Description** PROPRIETARY; AEROBIC TREATMENT AND SURFACE IRRIGATION

**Size of Septic System Required Based on Planning Materials & Soil Evaluation**

**Tank Size(s) (Gallons)** AERIES D840 (#115880) **Absorption/Application Area (Sq Ft)** 7068

**Gallons Per Day (As Per TCEQ Table III)** 420

(Sites generating more than 5000 gallons per day are required to obtain a permit through TCEQ)

**Is the property located over the Edwards Recharge Zone?** ☒ Yes ☐ No

(If yes, the planning materials must be completed by a Registered Sanitarian (R.S.) or Professional Engineer (P.E.))

**Is there an existing TCEQ approved WPAP for the property?** ☐ Yes ☒ No

(If yes, the R. S. or P. E. shall certify that the OSSF design complies with all provisions of the existing WPAP.)

**If there is no existing WPAP, does the proposed development activity require a TCEQ approved WPAP?** ☐ Yes ☒ No

(If yes, the R.S. or P. E. shall certify that the OSSF design will comply with all provisions of the proposed WPAP. A Permit to Construct will not be issued for the proposed OSSF until the proposed WPAP has been approved by the appropriate regional office.)

**Is the property located over the Edwards Contributing Zone?** ☐ Yes ☒ No

**Is there an existing TCEQ approval CZP for the property?** ☐ Yes ☒ No

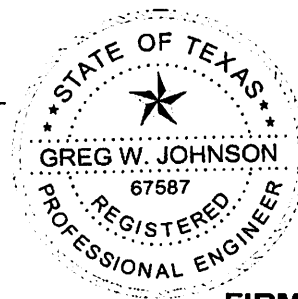
(if yes, the P.E. or R.S. shall certify that the OSSF design complies with all provisions of the existing CZP)

**If there is no existing CZP, does the proposed development activity require a TCEQ approved CZP?** ☐ Yes ☒ No

(if yes, the P.E. or R.S. shall certify that the OSSF design will comply with all provisions of the proposed CZP. A Permit to construct will not be issued for the proposed OSSF until the CZP has been approved by the appropriate regional office.)

**Is this property within an incorporated city?** ☐ Yes ☒ No

**If yes, indicate the city:** \_\_\_\_\_



**FIRM #2585**

By signing this application, I certify that:

- The information provided above is true and correct to the best of my knowledge.
- I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable

[Signature]  
Signature of Designer

January 16, 2024  
Date

**AFFIDAVIT****THE COUNTY OF COMAL  
STATE OF TEXAS****CERTIFICATION OF OSSF REQUIRING MAINTENANCE**

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities (OSSFs), this document is filed in the Deed Records of Comal County, Texas.

**I**

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC), § 5.012 and § 5.013, gives the commission primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The commission, under the authority of the TWC and the Texas Health and Safety code, requires owner's to provide notice to the public that certain types of OSSFs are located on specific pieces of property. To achieve this notice, the commission requires a recorded affidavit. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This recorded affidavit is not a representation or warranty by the commission of the suitability of this OSSF, nor does it constitute any guarantee by the commission that the appropriate OSSF was installed.

**II**

An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code §285.91(12) will be installed on the property described as (insert legal description):

UNIT/PHASE/SECTION 14 BLOCK        LOT        PRESS HEIGHTS        SUBDIVISION

IF NOT IN SUBDIVISION: 2.217 ACREAGE JUAN MARTIN DE VERAMENDI SURVEY, A-3 SURVEY

The property is owned by (insert owner's full name): MATTHEW ALLEN & AMBER ALLEN

This OSSF must be covered by a continuous maintenance contract for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days or maintain the system personally.

Upon sale or transfer of the above-described property, the permit for the OSSF shall be transferred to the buyer or new owner. A copy of the planning materials for the OSSF can be obtained from the Comal County Engineer's Office.

WITNESS BY HAND(S) ON THIS 22 DAY OF Feb, 20 23

[Signature]  
Owner(s) signature(s)

MATTHEW ALLEN

AMBER ALLEN

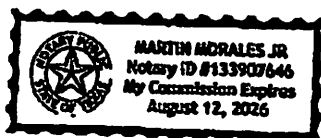
Owner (s) Printed name (s)

MATTHEW & AMBER ALLEN

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 22 DAY OF

Feb, 20 23

[Signature]  
Notary Public Signature



Filed and Recorded  
Official Public Records  
Bobbie Koepp, County Clerk  
Comal County, Texas  
02/24/2023 12:34:37 PM  
LAURA 1 Pages(s)  
202306005769



Bobbie Koepp

**THE COUNTY OF COMAL  
STATE OF TEXAS**

**CERTIFICATION OF SINGLE FAMILY DWELLING**

According to Texas Commission of Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the Deed Records of COMAL COUNTY, TEXAS.

I

Before me this day appeared MATTHEW & AMBER ALLEN, being the owners of the referenced property at 1011 MARY PREISS. They further state that the Residence and any additional living space on this property will be occupied only by a single family.

An OSSF requiring a Certification of Single Family Dwelling, will be installed on the property described as:

UNIT 14 BLOCK LOT PREISS HEIGHTS SUBDIVISION

IF NOT IN SUBDIVISION: 2.217 ACREAGE JUAN MARTIN DE VERAMENDI SURVEY, A-3 SURVEY

The property is owned by MATTHEW ALLEN & AMBER ALLEN

WITNESS MY HAND ON THIS 28<sup>th</sup> OF DAY OF February, 2024.

X [Signature]  
OWNER (SIGNATURE)

X [Signature]  
OWNER (SIGNATURE)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 28<sup>th</sup> DAY OF February, 2024 BY

MATTHEW ALLEN  
OWNER NAME (PRINTED)

AMBER ALLEN  
OWNER NAME (PRINTED)

[Signature]  
Notary Public Signature





Greg W. Johnson, P.E.  
170 Hollow Oak  
New Braunfels, Texas 78132  
830/905-2778

February 03, 2023

Comal County Office of Environmental Health  
195 David Jonas Drive  
New Braunfels, Texas 78132-3760


RE- SEPTIC DESIGN  
1049 MARY PREISS / PREISS HEIGHTS, Block 14(pt)  
JUAN MARTIN DE VERMENDI Survey, A-3, being 2.217 ac  
NEW BRAUNFELS, TX 78132  
ALLEN RESIDENCE

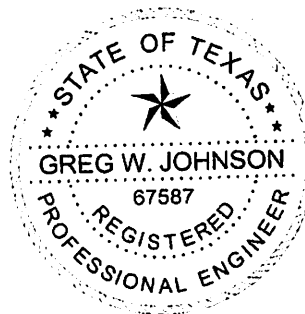
Brandon/Brenda,

The referenced property is located within the Edwards Aquifer Recharge Zone. This property is exempt from a WPAP because it is not a regulated activity according to §213.5(h)(2) "exempt ... does not exceed 20 % impervious cover on the site. To my knowledge no WPAP exists for this property.

Temporary erosion and sedimentation controls should be utilized as necessary prior to construction. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, activities must be suspended immediately and the applicant or his agent must immediately notify the TCEQ Regional Office. After that operations can only proceed after the Executive Director approves required additional engineered impact plans.

Designed in accordance with Chapter 285, Subchapter D, §285.40, 285.4 1, & 285.42, Texas Commission on Environmental Quality (Effective December 29, 2016).

 01/16/24  
\_\_\_\_\_  
Greg W. Johnson, P.E. No. 67587/F#2585  
170 Hollow Oak  
New Braunfels, Texas 78132 - 830/905-2778



**ON-SITE SEWERAGE FACILITY  
SOIL EVALUATION REPORT INFORMATION**

Date Soil Survey Performed: January 13, 2024

Site Location: 2.217 ACRES OUT OF THE JUAN VERAMENDI SURVEY, A-3 - PREISS HEIGHTS, BLOCK 14

Proposed Excavation Depth: N/A

**Requirements:**

At least two soil excavations must be performed on the site, at opposite ends of the proposed disposal area.

Locations of soil boring or dug pits must be shown on the site drawing.

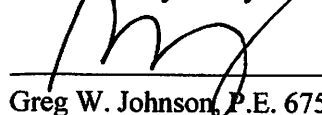
For subsurface disposal, soil evaluations must be performed to a depth of at least two feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated.

Describe each soil horizon and identify any restrictive features on the form. Indicate depths where features appear.

SOIL BORING NUMBER <u>        </u> SURFACE EVALUATION						
Depth (Feet)	Texture Class	Soil Texture	Gravel Analysis	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	IV	CLAY	N/A	NONE OBSERVED	LIMESTONE @ 10"	BROWN
1						
2						
3						
4						
5						

SOIL BORING NUMBER <u>        </u> SURFACE EVALUATION						
Depth (Feet)	Texture Class	Soil Texture	Gravel Analysis	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	SAME		AS		ABOVE	
1						
2						
3						
4						
5						

I certify that the findings of this report are based on my field observations and are accurate to the best of my ability.

  
\_\_\_\_\_  
Greg W. Johnson, P.E. 67587-F2585, S.E. 11561

01/13/24  
\_\_\_\_\_  
Date

**FIRM #2585**

SPRAY AREA = 7068sf  
X = TEST HOLES

2 BDRM  
DETACHED  
LIVING  
480sf

EXISTING  
2 BDRM RES.  
504sf

SLEEVED SEPTIC LINE WITH  
SCH-40 WITHIN 5' AND UNDER  
DRIVEWAY. PERMIT #115880

1 BDRM  
DETACHED  
LIVING  
320sf

ALL SEWER TIE LINES  
AND WATER LINES  
INSTALLED BY  
LICENSED PLUMBER

EXISTING AERIS D-840  
AEROBIC TREATMENT  
PLANT. PERMIT #115880

EXISTING NON-FAILING  
SEPTIC SYSTEM.  
PERMIT #71604

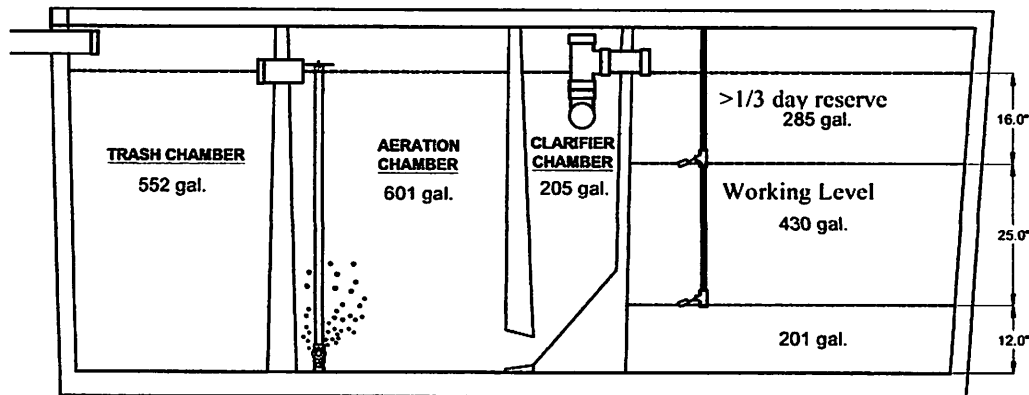
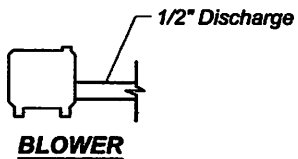
2.217 ACRES OUT OF  
THE JUAN VERAMENDI  
SURVEY, A-3 - PREISS  
HEIGHTS, BLOCK 14

MARY PREISS DRIVE

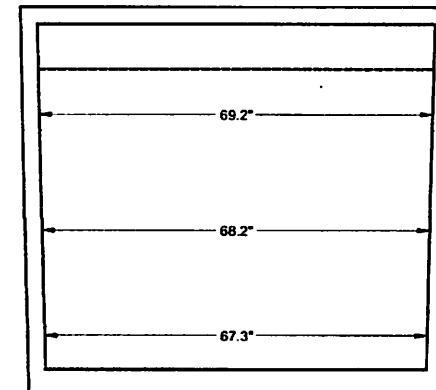
ROBINHOOD LANE



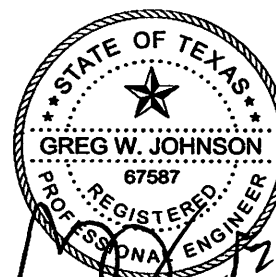
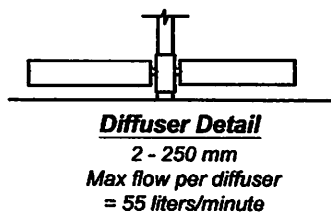
OWNER:	MATTHEW & AMBER ALLEN	DRAWN BY:	EJS III
STREET ADDRESS:	1049 MARY PREISS DRIVE		
LEGAL DESC:	PREISS HEIGHTS - SEE ATTACHED DEED	ACREAGE:	2.217
PREPARED BY:	GREG W. JOHNSON, P.E. F#002585	DATE:	1/16/2024
SCALE:	1"=50'	BLOCK:	14
4th REVISION:			



**SIDE SECTION VIEW**  
SCALE: 1" = 3/8"



**END SECTION VIEW**  
SCALE: 1" = 3/8"



*12585  
01/16/24*

Title:

Model D-840  
Night Time Pumping

Company Name:

Aeris Aerobics

Date:

5-8-2014



# Environmental Series Pumps

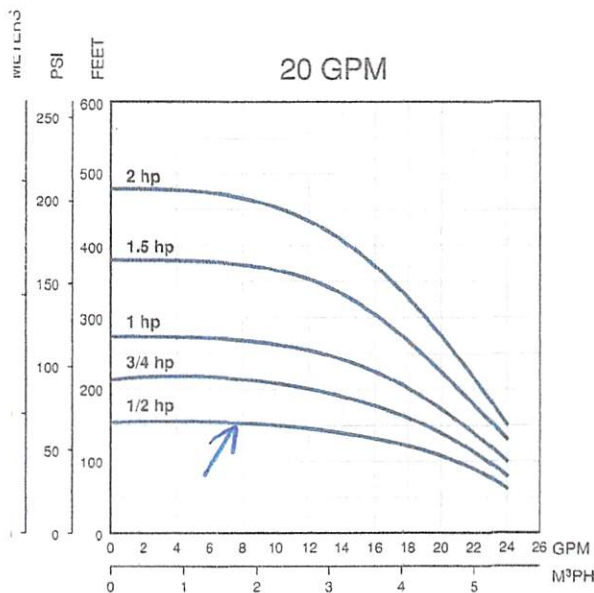
## Thermoplastic Performance

**LOW ANGLE NOZZLE PERFORMANCE CHART**

Nozzle	PSI	Radius	GPM
#1	30	22'	1.5
	40	24'	1.7
	50	26'	1.8
	60	28'	2.0
#3	30	29'	3.0
	40	32'	3.1
	50	35'	3.5
	60	37'	3.8
#4	30	31'	3.4
	40	34'	3.9
	50	37'	4.4
	60	38'	4.7
#6	40	38'	6.5
	50	40'	7.3
	60	42'	8.0
	70	44'	8.6

KRAIN  
Pro-Plus

X



## Thermoplastic Units Ordering Information

### 1/2 - 1.5 HP Single-Phase Units

Order No.	Model	GPM	HP	Volt	Wire	Wt.
94741005	10FE05P4-2W115	10	1/2	115	2	24
94741010	10FE05P4-2W230	10	1/2	230	2	24
94741015	10FE07P4-2W230	10	3/4	230	2	28
94741020	10FE1P4-2W230	10	1	230	2	31
94741025	10FE15P4-2W230	10	1.5	230	2	46
94742005	20FE05P4-2W115	20	1/2	115	2	25
94742010	20FE05P4-2W230	20	1/2	230	2	25
94742015	20FE07P4-2W230	20	3/4	230	2	28
94742020	20FE1P4-2W230	20	1	230	2	31
94742025	20FE15P4-2W230	20	1.5	230	2	40

### Thermoplastic 1/2 - 2 HP Pump Ends

Order No.	Model	GPM	HP	Volt	Wire	Wt.
94751005	10FE05P4-PE	10	1/2	N/A	N/A	6
94751010	10FE07P4-PE	10	3/4	N/A	N/A	7
94751015	10FE1P4-PE	10	1	N/A	N/A	8
94751020	10FE15P4-PE	10	1.5	N/A	N/A	12
94752005	20FE05P4-PE	20	1/2	N/A	N/A	6
94752010	20FE07P4-PE	20	3/4	N/A	N/A	7
94752015	20FE1P4-PE	20	1	N/A	N/A	8
94752020	20FE15P4-PE	20	1.5	N/A	N/A	10
94752025	20FE2P4-PE	20	2	N/A	N/A	11

**CCEO  
COPY**



**COMAL COUNTY**  
ENGINEER'S OFFICE

**License to Operate On-Site Sewage Treatment and Disposal Facility**

Issued This Date: **08/07/2023**

Permit Number: **115880**

Location Description: 1049 MARY PREISS DR  
NEW BRAUNFELS, TX 78132

Subdivision: Preiss Heights, Juan Martin de Varameni  
Unit: 0  
Lot: 0  
Block: 14  
Acreage: 2.2200

Type of System: Aerobic  
Surface Irrigation

Issued to: MATTHEYW & AMBER ALLEN

This license is authorization for the owner to operate and maintain a private facility at the location described in accordance to the rules and regulations for on-site sewerage facilities of Comal County, Texas, and the Texas Commission on Environmental Quality.

The license grants permission to operate the facility. It does not guarantee successful operation. It is the responsibility of the owner to maintain and operate the facility in a satisfactory manner.

Alterations to this permit including, but not limited to:

- Increase in the square feet of living area
- Increase in the number of bedrooms
- A change of use (i.e. residential to commercial)
- Relocation of system components (including the relocation of spray heads)
- Installation of landscaping
- Adding new structures to the system

may require a new permit. **It is the responsibility of the owner to apply for a new permit, if applicable.**

Inspection and licensing of a facility indicates only that the facility meets certain minimum requirements. It does not impede any governmental entity in taking the proper steps to prevent or control pollution, to abate nuisance, or to protect the public health.

This license to operate is valid for an indefinite period. The holder may transfer it to a succeeding owner, provided the facility has not been remodeled and is functioning properly.

Licensing Authority

Comal County Environmental Health

**OS0036769**

ENVIRONMENTAL HEALTH INSPECTOR

ENVIRONMENTAL HEALTH COORDINATOR

**OS0007722**





CERTIFICATION OF SINGLE FAMILY DWELLING

According to Texas Commission of Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the Deed Records of COMAL COUNTY, TEXAS.

I

Before me this day appeared MATTHEW & AMBER ALLEN, being the owners of the referenced property at 1049 MARY PREISS. They further state that the Residence and any additional living space on this property will be occupied only by a single family.

An OSSF requiring a Certification of Single Family Dwelling, will be installed on the property described as:

UNIT 14 BLOCK LOT PREISS HEIGHTS SUBDIVISION

IF NOT IN SUBDIVISION: ACREAGE JUAN MARTIN DE VERAMENDI SURVEY, A-3 SURVEY

The property is owned by MATTHEW ALLEN & AMBER ALLEN

WITNESS MY HAND ON THIS 23 DAY OF Feb

X  
OWNER (SIGNATURE)

OWN (SIGNATURE)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 23 DAY OF Feb 2023 BY

MATTHEW ALLEN

OWNER NAME (PRINT)

AMBER ALLEN

OWNER NAME (PRINT)

MARTIN MORALES JR

Notary Public Signature



MARTIN MORALES JR  
Notary ID #133907646  
My Commission Expires  
August 12, 2026


**RECEIVED**

By Brandon M. Olvera at 11:31 am, Mar 30, 2023

## Olvera,Brandon

---

**From:** Olvera,Brandon  
**Sent:** Tuesday, February 27, 2024 3:37 PM  
**To:** Greg Johnson; Matt Allen  
**Subject:** 117148

Good afternoon,  
 Submit a new affidavit for the single family use of all structures.

Thank You,

| **Brandon Olvera** | **Designated Representative OS0034792** | Comal County | [www.cceo.org](http://www.cceo.org) |  
| 195 David Jonas Dr, New Braunfels, TX-78132 | t: 830-608-2090 | f: 830-608-2078 | e:  
[olverb@co.comal.tx.us](mailto:olverb@co.comal.tx.us) |

## Olvera,Brandon

---

**From:** Hernandez, Sandra  
**Sent:** Wednesday, February 7, 2024 9:23 AM  
**To:** Planning Division  
**Cc:** Olvera,Brandon; Ritzen, Brenda; Vollbrecht, David; Molina,Ashley; Greg Johnson  
**Subject:** 1049 Mary Preiss - Permit 117148  
**Attachments:** Permit 117148.pdf

RE: 1049 Mary Preiss – Permit 117148

Dear property owner,

We received a septic permit application in our office for the referenced property on February 02, 2024. This property shows to be in the jurisdiction of the City of New Braunfels, so we are including the city in this email. Please be advised that you will need to contact the City of New Braunfels at 830-221-4000 to verify this tract is compliant with their subdivision regulations and provide confirmation to our office that indicates this tract is compliant.

Thank you,



*Sandra Ann Hernandez*

**Subdivision Coordinator**

Comal County Engineer's Office

195 David Jonas Drive | 830-608-2090 | [www.cceo.org](http://www.cceo.org)

**RECORDED AS RECEIVED**  
**DOCUMENT HAS**  
**POOR QUALITY**

202206043131 09/30/2022 09:58:47 AM 1/3

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**WARRANTY DEED WITH VENDOR'S LIEN**

Date: Executed to be effective as of September 29, 2022

Grantor: Curtis Koehler and Laurie Koehler

Grantor's Mailing Address: 1009 Edwards Blvd  
New Braunfels, TX 78132

Grantee: Matthew Allen and spouse, Amber Allen

Grantee's Mailing Address: 1011 Mary Preiss Dr.  
New Braunfels, TX 78130

Consideration: Cash and note of even date executed by Grantee and payable to the order of Jefferson Bank ("Lender") in the principal amount of **FIVE HUNDRED NINETY-EIGHT THOUSAND EIGHTY AND NO/100 Dollars (\$598,080.00)**. The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust dated the same date as this deed in favor of Lender.

Property (including any improvements):

Being a Tract or Parcel of land situated in Comal County, Texas and being out of and a part of the Juan Martin De Veramendi Survey, Abstract No. 3, Comal County, Texas, and being out of and a part of Block 14 of Preiss Heights, a subdivision in Comal County, Texas, according to the Map or Plat thereof recorded in Volume 105, Page 316, Deed Records, Comal County, Texas, being and being all of a Tract of land conveyed to Ellen C. Milam by Deed recorded in Document No. 142-18-150570 of the Official Public Records of Comal County, Texas, and being more particularly described by metes and bounds in Exhibit "A" which is attached to this instrument and made a part of it by reference for all purposes.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:


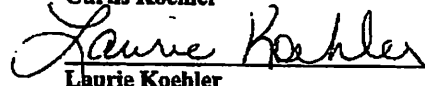
All ad valorem taxes for the current and all subsequent years, zoning ordinances and utility district assessments, if any, applicable to and enforceable against the Property and all conditions, covenants, options, restrictions, easements, charges and liens for assessments, setbacks, encroachments, reservations, and mineral reservations affecting the Property that are shown in the Real Property Records of Comal County, Texas.

Grantor, for the Consideration 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 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, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

Lender, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of Lender and are transferred to Lender without recourse against Grantor.

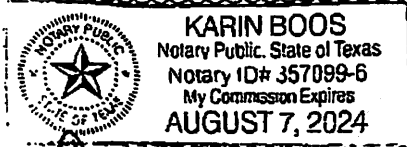
When the context requires, singular nouns and pronouns include the plural.

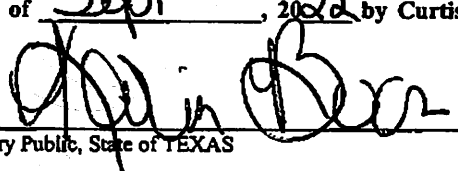
  
Curtis Koehler  
  
Laurie Koehler

STATE OF TEXAS  
COUNTY OF Comal

This instrument was acknowledged before me on the 29 day of Sept, 2022 by Curtis Koehler.

(SEAL)

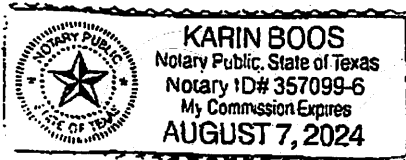


  
Notary Public, State of TEXAS

STATE OF TEXAS  
COUNTY OF Comal

This instrument was acknowledged before me on the 29 day of Sept, 2022 by Laurie Koehler.

(SEAL)



  
Notary Public, State of TEXAS

AFTER RECORDING RETURN TO:  
Matthew Allen and Amber Allen  
1011 Mary Preiss Dr.  
New Braunfels, TEXAS 78130

# POOR QUALITY

~~SECTION 5A~~

## FIELD NOTE DESCRIPTION TRACT FOR A 2.217 ACRE TRACT OF LAND

BEING A TRACT OR PARCEL OF LAND SITUATED IN COMAL COUNTY, TEXAS AND BEING OUT OF AND A PART OF THE JOAN MARTINEZ DE VERAMENDO SURVEY, ADDITION NO. 3, COMAL COUNTY, TEXAS, AND BEING OUT OF AND A PART OF BLOCK 14 OF TREISS HEIGHTS, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAN THEREOF RECORDED IN VOLUME 105, PAGE 316, DEED RECORDS, COMAL COUNTY, TEXAS, BEING AND BEING ALL OF A TRACT OF LAND CONVEYED TO ELLEN C. MILAM BY DEED RECORDED IN DOCUMENT NO. 142-18-150570 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found on the southwest right-of-way line of Mary Preiss Drive, for the south corner of a tract of land conveyed to Bruce Alan Schwarz in a deed recorded in Document No. 202206017375, Deed Records, Comal County, Texas; and being the east corner and POINT OF BEGINNING of herein described tract;

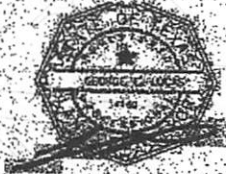
THENCE with the southeast line of this tract and the southwest right-of-way line of Mary Preiss Drive, South 52°10'00" West a distance of 350.08 feet to an iron rod found for the south corner of this tract;

THENCE with the southwest line of this tract and the northeast right-of-way line of Robinhood Lane, North 37°17'14" West a distance of 275.99 feet to an iron rod found for the west corner of this tract and the south corner of a tract of land conveyed to Gilbert G. Martinez and Maricela T. Martinez in a deed recorded in Document No. 201706015203, Official Public Records, Comal County, Texas;

THENCE with the northwest line of this tract and the southeast line of the Martinez tract, North 52°14'22" East a distance of 350.58 feet to a calculated point for the north corner of this tract and the west corner of the Schwarz tract;

THENCE with the northeast line of this tract and the southwest line of the Schwarz tract, South 37°50'00" East a distance of 275.45 feet to the POINT OF BEGINNING, containing 2.217 acres of land, more or less.

CELCO Surveying  
2205 Stonecrest Path  
Near Braunfels, Texas 78131  
Firm Registration No. 16193973  
PHONE: 830-214-5100  
FAX: 866-571-8323  
e-mail: [celco@celcosurveying.com](mailto:celco@celcosurveying.com)



BY: GEORGE F. LUCAS  
R.P.L.S. No. 4160  
State of Texas  
March 16, 2020  
2020-0284

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
09/30/2022 09:58:47 AM  
LOUISA 3 Pages(s)  
202206043131



*Bobbie Koepf*



**CCEO** 2/m ②  
**COPY**



201306028825 07/09/2013 03:57:14 PM 1/4

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### **SPECIAL WARRANTY DEED**

**Grantor:** ROLAND A. KRAFT BY ELLEN C. MILAM AS HIS AGENT UNDER DURABLE POWER ATTORNEY

**Grantor's Mailing Address:**

1011 Mary Preiss  
New Braunfels, TX 78132 (Comal County)

**Grantees:** ELNORA M. KRAFT, as her sole and separate property

**Grantee's Mailing Address:**

1011 Mary Preiss  
New Braunfels, TX 78132 (Comal County)

**Consideration:** Ten and no/100 (\$10.00) and other good and valuable consideration

**Property (including any improvements)**

All of my right, title and interest in the property more fully described in Exhibit "A", attached hereto and made a part hereof for all purposes.

**Reservations from and exceptions to conveyance and warranty:**

Any and all of record, if any.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantees the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantees, Grantees' heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantees' heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under us, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

→ The Law Office of Chris Pettit & Associates  
3610 Granby Court  
San Antonio, TX 78217

CCEO  
COPY

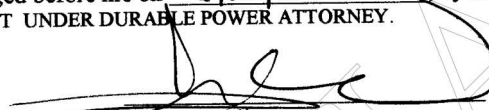
When the context requires, singular nouns and pronouns include the plural.

*Roland A. Kraft, Ellen C. Milam POA*  
ROLAND A. KRAFT BY ELLEN C. MILAM AS HIS  
AGENT UNDER DURABLE POWER ATTORNEY

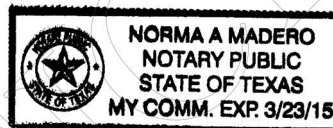
**Acknowledgment**

State of Texas       §  
                                 §  
County of Comal   §

This instrument was acknowledged before me on 6/20/2013, by ELLEN C. MILAM  
AS AGENT FOR ROLAND A. KRAFT UNDER DURABLE POWER ATTORNEY.

  
Notary Public

**AFTER RECORDING RETURN TO:**  
ELNORA M. KRAFT  
1011 Mary Preiss  
New Braunfels, TX 78132





CCEO  
COPY

NO. 66351 -

GENERAL WARRANTY DEED:  
THE STATE OF TEXAS }

COUNTY OF COMAL }

Exhibit "A"  
KNOW ALL MEN BY THESE PRESENTS:

That Bruno P. Preiss, Individually and as Attorney-in-Fact for Frieda Jarisch and husband, Alvin Jarisch, Anna Staats and husband, Walter Staats, Linda Welderoth, ~~and Daniel R. Preiss~~, and Daniel R. Preiss, of the County of Comal, State of Texas, for and in consideration of the sum of Ten Dollars and other good and sufficient consideration to me cash in hand paid by

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT -----

the receipt of which is hereby conclusively acknowledged and confessed:

HAS GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES GRANT, BARGAIN, SELL and CONVEY unto the said

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT -----

all that certain lot, piece or parcel of land lying and being situated in the County of Comal, State of Texas, and being situated in the County of Comal, State of Texas, and being more particularly described as follows, to-wit:

BEING a portion of Block No. 14 of PREISS HEIGHTS, a map of such subdivision being recorded in Volume 105, Page 316, Deed Records of Comal County, Texas; said portion being described by metes and bounds as follows:

BEGINNING at the South corner of Block No. 14 at the intersection of the Northwest line of Mary Preiss Drive with the Northeast line of Robinhood Lane, for South corner of this portion;

THENCE n. 37° 50' W. along the Northeast line of Robinhood Lane and the Southwest line of Blk. 14, 276.15 feet to stake for West corner of said portion;

THENCE N. 52° 10' E. 350 feet to stake for North corner;

THENCE S. 37° 50' E. 276.15 feet to stake in Northwest line of Mary Preiss Drive and in the Southeast line of Blk. 14, for East corner of this portion;

THENCE S. 52° 10' W. along the Northwest line of Mary Preiss Drive and the Southeast line of Blk. 14, 350 feet to South corner of Blk. 14 and the PLACE OF BEGINNING; and

CONTAINING 2.219 acres of land out of J. M. Veramendi Survey No. Two (2), the portion being herein conveyed is described according to field notes compiled April 7, 1962, by R. S. Jahn, Land Surveyor.

This conveyance is made subject to the following conditions, reservations, and exceptions, and neither the said grantee<sup>s</sup> herein, nor anyone claiming, by, through or under them, shall prior to the first day of January, 1985, violate any of the following restrictions:

1. No residence shall be erected within the boundaries of the hereinabove described tract unless the floor space is 600 square feet or more, and plans and specifications for such improvements shall first have the written approval of Bruno P. Preiss;

2. No building of any sort shall be placed or permitted to be placed within fifty (50) feet of the front line of any tract, or within five (5) feet of any other boundary line.

3. The above described tract of land is restricted for single residence purposes only, and only one such residence shall be erected on any one lot;

4. No noxious or offensive act or activity shall be carried on upon said tract of land, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood;

5. That no resident owning said tract shall have on his premises more than one large animal; that no swine shall be kept upon the above premises; and all fowl must be cooped or kept within a fence sufficient to hold them within the above premises;

The foregoing stipulations, exceptions, reservations and conditions are hereby declared to be covenants running with the land above conveyed, and shall be binding on the said Grantee<sup>s</sup> and all claiming by, through or under them, whether they be set out in subsequent conveyances of said property or not, and if the said Grantee<sup>s</sup>, or anyone claiming by, through or under them, shall at any time, violate or shall fail to observe or perform any of the foregoing stipulations, exceptions, reservations and conditions, it shall be lawful for the Grantor<sup>s</sup>, their, successors or assigns, to institute and prosecute appropriate proceedings at law or in equity to remedy or prevent the violation or attempt.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT, their -----  
heirs and assigns, forever, and I do hereby bind myself, my successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT, their -----  
heirs or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS MY HAND at New Braunfels, Texas, this 18<sup>th</sup> day of APRIL, A. D. 1962

Bruno P. Preiss  
Bruno P. Preiss, Individually and as Attorney-in-Fact for  
Frieda Jarisch, Alvin Jarisch, Anna Staats, Walter Staats,  
Linda Welderoth, ~~Alvin Jarisch~~ and Daniel R. Preiss

THE STATE OF TEXAS }



CCEO  
COPY

CONTAINING 2.219 acres of land out of J. M. Veramendi Survey No. Two (2), the portion being herein conveyed is described according to field notes compiled April 7, 1962, by R. S. Jahn, Land Surveyor.

This conveyance is made subject to the following conditions, reservations, and exceptions, and neither the said grantee<sup>s</sup> herein, nor anyone claiming by, through or under them, shall prior to the first day of January, 1985, violate any of the following restrictions:

1. No residence shall be erected within the boundaries of the hereinabove described tract unless the floor space is 800 square feet, or more, and plans and specifications for such improvements shall first have the written approval of Bruno P. Preiss;
2. No building of any sort shall be placed or permitted to be placed within fifty (50) feet of the front line of any tract, or within five (5) feet of any other boundary line.
3. The above described tract of land is restricted for single residence purposes only, and only one such residence shall be erected on any one lot;
4. No noxious or offensive act or activity shall be carried on upon said tract of land, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood;
5. That no resident owning said tract shall have on his premises more than one large animal; that no swine shall be kept upon the above premises; and all fowl must be cooped or kept within a fence sufficient to hold them within the above premises;

The foregoing stipulations, exceptions, reservations and conditions are hereby declared to be covenants running with the land above conveyed, and shall be binding on the said Grantee<sup>s</sup>, and all claiming by, through or under them, whether they be set out in subsequent conveyances of said property or not, and if the said Grantee<sup>s</sup>, or anyone claiming by, through or under them, shall at any time, violate or shall fail to observe or perform any of the foregoing stipulations, exceptions, reservations and conditions, it shall be lawful for the Grantor<sup>s</sup>, their, successors or assigns, to institute and prosecute appropriate proceedings at law or in equity to remedy or prevent the violation or attempt.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT, their -----  
heirs and assigns, forever, and I do hereby bind myself, my successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said

----- ROLAND A. KRAFT and wife, ELNORA M. KRAFT, their -----  
heirs or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS MY HAND at New Braunfels, Texas, this 18<sup>th</sup> day of APRIL, A. D. 1962

Bruno P. Preiss  
Bruno P. Preiss, Individually and as Attorney-in-Fact for Frieda Jarisch, Alvin Jarisch, Anna Staats, Walter Staats, Linda Welderoth, ~~Albert Welderoth~~ and Daniel R. Preiss

THE STATE OF TEXAS }  
COUNTY OF COMAL }

BEFORE ME, the undersigned authority, on this day personally appeared Bruno P. Preiss, Individually and as Attorney-in-Fact for Frieda Jarisch, Alvin Jarisch, Anna Staats, Walter Staats, Linda Welderoth, ~~Albert Welderoth~~ and Daniel R. Preiss, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 18<sup>th</sup> day of APRIL, A.D. 1962

Edward Badou H  
Notary Public in and for Comal County, Texas.

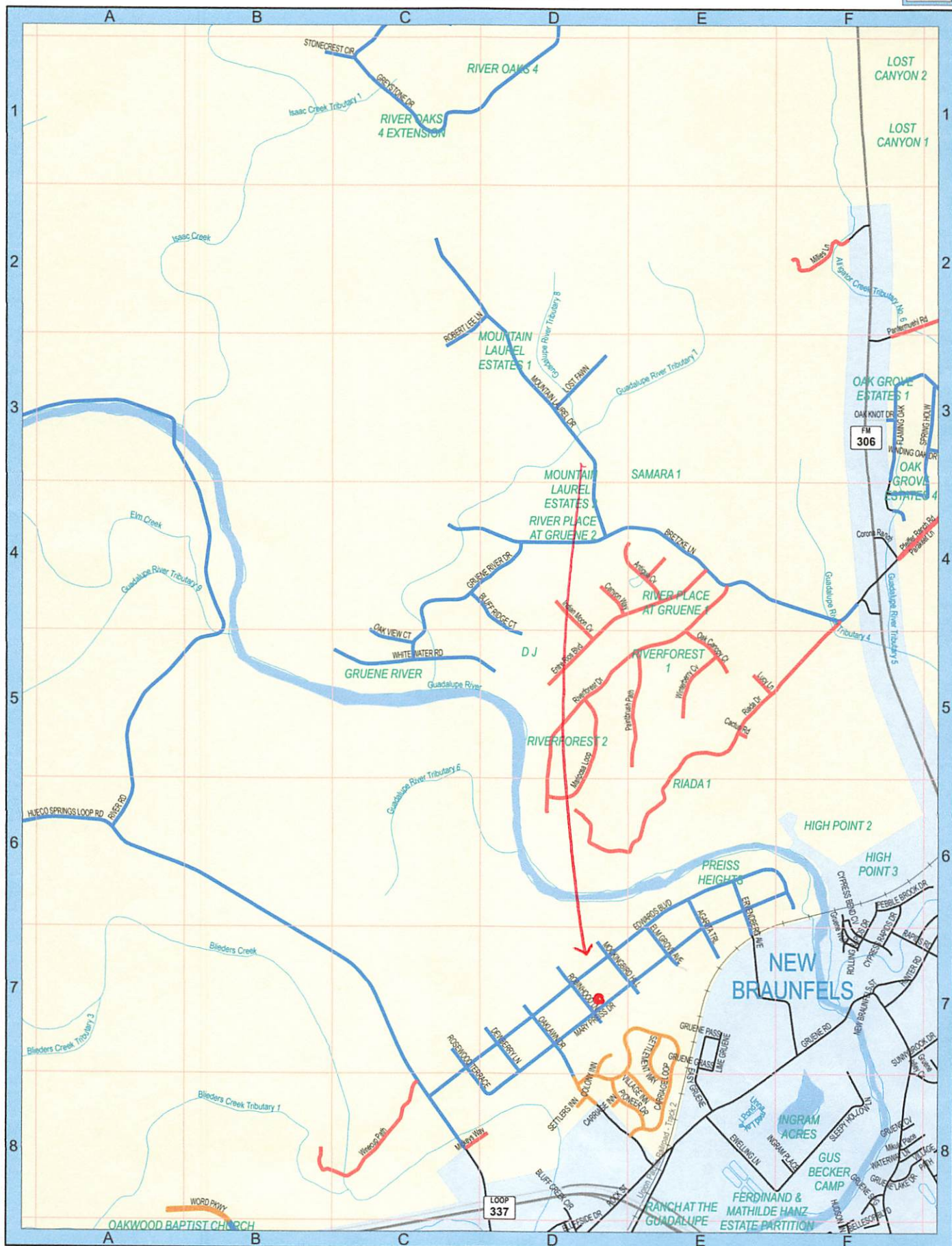
Recorder's Memorandum- Comal County  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility

Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
07/09/2013 03:57:14 PM  
LAURA 4 Page(s)  
201306028825



Joy Streater





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