

RESOLUTION #2026-224

A RESOLUTION BY THE BOARD OF TRUSTEES OF NEW BRAUNFELS UTILITIES AUTHORIZING AND APPROVING (I) THE CONVEYANCE OF THREE EASEMENTS TO LOWER COLORADO RIVER AUTHORITY TRANSMISSION SERVICES CORPORATION (“LCRA TSC”) TOTALING APPROXIMATELY 3.853 ACRES OUT OF PROPERTY OWNED BY NEW BRAUNFELS UTILITIES AT 434 MAYTOWN DRIVE, NEW BRAUNFELS, COMAL COUNTY, TEXAS, IN FURTHERANCE OF THE KOHLENBERG SUBSTATION PROJECT; (II) THE PARTIAL ASSIGNMENT OF A SEPARATE ACCESS AND UTILITY EASEMENT TO LCRA TSC BENEFITING THE FOREGOING PROPERTY; (III) THE CEO OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE CONVEYANCE THEREOF; AND (IV) OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, New Braunfels Utilities (“NBU”) is a Texas municipally owned utility that provides water, wastewater, and electric service to customers in its service territory;

WHEREAS, as part of the Kohlenberg Electric Substation Project (the “Project”), NBU intends to construct an electric substation (the “Kohlenberg Substation”) on a 10.441-acre tract of real property (the “Property”) located at 434 Maytown Drive, New Braunfels, Comal County, Texas to provide additional electric capacity and serve projected growth in the area;

WHEREAS, LCRA TSC intends to connect to and supply power to the Kohlenberg Substation through a transmission line, electric substation, and related infrastructure and appurtenances constructed on and adjacent to the Property (collectively, the “LCRA TSC Infrastructure”);

WHEREAS, NBU desires to convey the following three (3) permanent easements to LCRA TSC on, over, and across the Property for the construction of and access to the LCRA TSC Infrastructure: (1) a 1.656 acre easement for the construction, operation, and use of an electric substation and appurtenances related thereto; (2) a 1.658 acre access easement to be used by LCRA TSC in common with NBU to access the Kohlenberg Substation; (3) 0.5390 acre easement for the construction, operation, and use of a transmission line and related appurtenances and for drainage into the water quality basin intended to benefit the Project (collectively, the “Substation Easements”);

WHEREAS, NBU further desires to partially assign to LCRA TSC the right to use, in common with NBU, an access and utility easement conveyed to NBU with rights of assignment in Document No. 202506036386, Official Public Records, Comal County, Texas on, over, and across a 0.908 acre tract of real property adjacent to and contiguous with the Property for access and the construction of utilities to the Kohlenberg Substation (the “Access and Utility Easement”);

WHEREAS, NBU obtained a third-party appraisal of the Substation Easements, which value the Substation Easements at \$830,000.00, and NBU and LCRA TSC have agreed to the conveyance of the Substation Easements and the Access and Utility Easement from NBU to LCRA

TSC for the sum of \$830,000.00, upon the terms and conditions set forth in the Substation Easement Agreement attached as **Exhibit A** (the “Contract”), and subject to the approval of the NBU Board of Trustees (the “Board of Trustees”) and the LCRA TSC Board of Trustees; and

WHEREAS, the Board of Trustees has reviewed the Contract, together with the exhibits attached thereto, in relation to the proposed conveyance of the Substation Easements and Access and Utility Easement and is of the opinion that the same should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF NEW BRAUNFELS UTILITIES THAT:

SECTION 1. The Board of Trustees hereby approves the conveyance of the Substation Easements and the Access and Utility Easement to LCRA TSC upon the terms and conditions set forth in the Contract for the amount of \$830,000.00, plus closing costs in an amount not to exceed \$15,000.

SECTION 2. The Board of Trustees hereby authorizes the CEO or his designee to negotiate and execute any and all documents necessary to convey the Substation Easements and the Access and Utility Easement to LCRA TSC, including without limitation, the negotiation and acceptance of the Contract in substantially the form attached as Exhibit A. The Board of Trustees also authorizes the Chief Executive Officer or his designee to pay or arrange for payment or credit of the closing costs necessary to close the sale of the Substation Easements and the Access and Utility Easement to LCRA TSC.

SECTION 3. The recitals contained in the preamble hereof are found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board of Trustees.

SECTION 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board of Trustees hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, AND ADOPTED, this the 22nd day of September 2026.

Wayne Peters
President, Board of Trustees
New Braunfels Utilities

ATTEST:

Ryan Kelso
Secretary, Board of Trustees
New Braunfels Utilities

Exhibit A

Substation Easement Agreement