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Photo by Karla Held

NB Loop raises concerns over property rights

By David Saleh Rauf

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GUADALUPE COUNTY — Off an old country road, about three miles east of Interstate 35, the headstone of 10-day-old Ida Bartels rests under a Cedar tree, where it has been since 1877.

Just a few feet from the infant's grave are 10 other eroded headstones inscribed in German. Some date back more than 200 years and mark the final resting place for some of the earliest settlers who established farms just outside of New Braunfels.

The quarter-acre private cemetery, where at least three different families buried their dead as far back as the late 1700's, is about two blocks down the road from where Howard Altenhof was raised.

Altenhof's great-grandparents, William and Ida Bartels, were the original stewards of the 100-acre farm on which the cemetery was constructed. His parents purchased the land from the Bartels in 1923, six years before Altenhof was born. Since then the farm — where corn, cotton, milo and wheat are grown — has doubled in size and has been passed down from generation to generation.

But the proposed development of a 40-mile outer loop around portions of Comal and Guadalupe counties threatens to put a halt to that family tradition. Officials plotting a potential corridor for the loop have identified routes that will require right of way acquisition from what could be hundreds of private land owners like Altenhof and his family.

Consultants hired by the Texas Department of Transportation originally identified a 2-to-5-mile-wide yellow band around New Braunfels. Altenhof's family farm sat in the middle of the yellow band. At least four different potential corridors for the loop come within a half-mile of the farm on Union Wine Road off Farm-to-Market 725, Altenhof said. Some even cut right through the family's land, he said.

"You ain't going to stop it, so why try?" Altenhof asked. "This is going to help some people and it's going to hurt a lot of people."

Altenhof's feelings reflect the opinions of hundreds of property owners in both counties who have attended three public meetings over the last four months to hear TxDOT's plans for the loop. At each of the meetings, TxDOT officials and consultants tasked with conducting a route study for the loop have been barraged with questions and concerns over what impact the loop

Howard Altenhof pauses at the gravestones of his great-grandparents, William and Ida Bartels. This cemetery is one of many private burial sites that some are concerned might be impacted by the proposed Outer Loop.

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will have on their property. Many of the answers provided haven't offered much comfort to property owners.

"This land will never leave our family, except for the outer loop coming in and taking it," said Altenhof's niece, Janice Schwab-Mann, who lives in the house built on the farm land. "This is our roots. It's our earliest establishment."

On Wednesday, Schwab-Mann stood outside a beat-up wooden barn where her family used to house mules for farming and reinforced her initial feelings for the loop project.

"Our heritage will be wiped away because of urbanization," she said.

Schwab-Mann realized her family's land was in jeopardy at the first meeting for the outer loop in June, where consultants were beginning the process of identifying possible environmental constraints. At today's meeting, consultants will have a map with all the environmental constraints — wildlife habitat, historical properties, private cemeteries — identified so far. The process of identifying potential environmental constraints is necessary if TxDOT wishes to secure federal money for the loop, which is currently unfunded.

About 25 private cemeteries in both counties will be plotted on a map for the public to see.

Connie Krause, president of the Comal County Genealogy Society and a member of the outer loop technical work group, helped compile all the data on the private cemeteries for the consultants. Since the process of identifying private cemeteries for the loop was initiated in June, Krause said she has had only a "handful" of property owners approach her with information about previously unidentified private cemeteries. She had previously compiled most of the information that was submitted to the consultants and urged any property owners with a private cemetery to come forward with that information.

"If they pick a route and find out there's a cemetery there, it will cause the process to be put on hold while they look and see if there's another way to go within their identified corridor," Krause said.

She said officials planning the loop would most likely try to work around any identified private cemetery. If not, TxDOT officials, who can't build a road over a private cemetery, would be forced to move the entire cemetery, she said.

"They would have to move the graves," Krause said. "Most people don't want that to happen."

Kevin Kennedy, a physical engineer for Kennedy Consulting and a project manager for the outer loop project east of I-35, said consultants would do their best to follow property lines, but that some farms and privately-owned land would eventually be bi-sected by the loop.

"We're sensitive to all of those things," Kennedy said. "With a facility this size, you can't miss everything, but we'll try."

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