

FIRST AMENDMENT TO ECONOMIC DEVELOPMENT AGREEMENT

This First Amendment to Economic Development Agreement (this "**Amendment**") is entered into as of the ____ day of _____, 2025 (the "**Amendment Effective Date**"), by and between the City of Boerne, Texas, a Texas home-rule municipal corporation ("**City**"), and Buc-ee's, Ltd., a Texas limited partnership ("**Developer**"). City and Developer are sometimes individually referred to herein as "Party" and are sometimes collectively referred to herein as the "Parties."

RECITALS

WHEREAS, the City and Developer previously entered into that certain Economic Development Agreement dated August 29, 2016 (the "**Original Agreement**");

WHEREAS, since the execution of the Original Agreement, certain conditions and circumstances have changed requiring modification of the original terms;

WHEREAS, the Parties now desire to amend the Original Agreement to incorporate subsequent understandings, utility and roadway obligations, clarified project requirements, and to delete provisions no longer applicable;

WHEREAS, the City has determined that the Original Agreement as amended by this Amendment will promote local economic development and stimulate business and commercial activity in the City; and

WHEREAS, the City Council has determined that the terms and obligations of the City created by this Agreement as amended by this Amendment are in the best interests of the City and its residents.

AGREEMENT

NOW THEREFORE, in consideration of the mutual benefits described in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

1. Exhibits A, B, C, and E, of the Original Agreement are hereby replaced with Exhibits A, B, C, and E attached to this Amendment.
2. The fifth Recital of the Original Agreement, which references the Supplemental Project, is hereby deleted in its entirety.
3. Article 1, Section 1 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

"1. Project. Developer intends to construct, or cause to be constructed, a retail development consisting of a Buc-ee's travel center being no more than fifty-four thousand (54,000) square feet of building area and providing no more than one hundred (100) gas and/or diesel fueling

positions, serving 100 vehicles, and twenty-six (26) or more electric vehicle charging stations, as permitted, on the Property (the “**Project**”). Developer shall create within twelve (12) months of the opening of the Project to the public and maintain during the Project Term (defined in Article II, 1a) an average, annualized minimum of two hundred (200) full-time equivalent jobs at the Project. No tractor-trailer, commonly referred to as semi-truck or eighteen-wheelers, vehicles shall be permitted to be served at or on the Project, except those vehicles required for delivery and service to the store. The Project shall be developed generally in accordance with the Site Plan attached hereto as Exhibit B.”

4. Article 1, Section 2 of the Original Agreement which is therein titled ‘Supplemental Project’ is hereby deleted in its entirety.
5. Article II, Section 2 of the Original Agreement which is therein titled ‘Supplemental Project Economic Development Grant’ is hereby deleted in its entirety
6. Article II, Section 3 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

“3. Extension of Utilities to the Property

A. Extension of Water to the Property. The City warrants and represents that it has, at the City’s sole cost and expense, extended or caused to be extended to the southwestern Property boundary a water main no less than twelve inches (12") in diameter, and made such line available for connection by Developer, as shown on Exhibit G (the "**Water Extension**"). The City shall be wholly responsible for the installation, operation, maintenance, and costs thereof, of the Water Extension and any necessary off-Property water main looping. Except for the Water Extension and off-Property water main looping, Developer shall be wholly responsible for installation and costs of water main extensions and looping on the Property per approved plans.

B. Extension of Sanitary Sewer, Electric, and Gas to the Property. City shall, at the City’s sole cost and expense, for purposes of serving the full development and use of the Property for the Project:

(i) Prior to the commencement by Developer of vertical improvements on the Project, extend (or cause to be extended) to the northwestern Property boundary line and make available for connection by Developer a sanitary sewer main being no less than twelve (12) inches in diameter (the “Sewer Extension”), such sanitary sewer main shall be located as depicted on Exhibit G;

(ii) Prior to the commencement by Developer of vertical improvements to the Project, provide (or cause to be provided) to the eastern Property boundary line and make available for connection, a 3-phase overhead primary electric distribution line, such electric distribution line shall be located as depicted on Exhibit G; and

(iii) Prior to the commencement by Developer of vertical improvements to the Project, provide (or cause to be provided) to the eastern Property boundary line and make available for connection a 6-inch natural gas distribution main capable of providing a service flow no less than 776 cfm at 5 psi, such location of the natural gas distribution main shall be located as depicted on Exhibit G.

C. Developer may commence site grading, upon approval of a city grading permit for the site area, provided such activities do not conflict with the operation or maintenance of existing utilities prior to their abandonment.

D. Developer shall be responsible for all costs associated with providing any underground electric lines to serve the Property.

E. Developer shall be responsible for coordinating relocation/removal of all telecoms as necessary on utility poles serving the property to ensure timely removal.”

7. Article II, Section 4 of the Original Agreement which is therein titled ‘Credit Towards City Fees’ is hereby deleted in its entirety.
8. Article II, Section 5 of the Original Agreement is hereby amended to add, to the end of the section, the following sentence:

“The Parties acknowledge that the transfer of the TxDot Tract to Developer has been completed as evidenced by the instrument recorded at 383691 of the Official Public Records of Kendall County, Texas.”

9. Article II, Section 6 of the Original Agreement is hereby amended to add, to the end of the section, the following:

“The Parties acknowledge that the transfer of right-of-way from the Texas Department of Transportation to the City has been completed as evidenced by the instrument recorded at Document No. 389403 of the Official Public Records of Kendall County, Texas.

The extension of Buc-ee’s Way ROW shall be as set forth below:

A. Developer shall commence sitework for the Buc-ee's Way ROW improvements upon approval of final plat by the Planning & Zoning Commission and issuance of a Construction Release Permit.

B. The City shall reimburse Developer for costs incurred in the construction of the Buc-ee's Way ROW improvements, including roadway and drainage improvements, per Article II, Section 8 of this Agreement.

C. Any new signage modifications within TxDOT right-of-way required for Buc-ee's Way ROW improvements shall be at Developer's sole cost and expense.

D. Any traffic signal modifications within TxDOT right-of-way required for Buc-ee's Way ROW improvements shall be at Developer's sole cost and expense.

E. Developer shall dedicate the right-of-way as "Buc-ee's Way," with the final plat of the project. The official naming of the right-of-way as "Buc-ee's Way" is a material consideration for Developer's agreements herein, particularly the sign height reduction specified in Article III, Section 3 of this Agreement.

F. The City shall process any necessary zoning corrections for the TxDOT right-of-way tract to ensure consistency with the Project's zoning requirements.”

10. Article II, Section 7 of the Original Agreement which is therein titled ‘Texas Capital Fund Grant’ is hereby deleted in its entirety.

11. Article II, Section 8 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

“8. Funding for Improvements.

A. Developer shall procure bids for the Sewer Extension and Buc-ee's Way ROW improvements in accordance with Chapter 252 of the Texas Local Government Code, subject to City concurrence on bid form and advertisement.

B. Developer shall provide the City with anticipated costs based on accepted bids.

C. Developer shall separately account for costs of the Sewer Extension and Buc-ee's Way ROW improvements (the "**Cost of Work**") in periodic pay applications submitted to the City for review.

D. Within thirty (30) days of receipt of each pay application, the City shall either approve by written acceptance or request specific additional information or revisions.

E. Upon final completion and City acceptance of the Sewer Extension and Buc-ee's Way ROW improvements, Developer shall submit a statement of final Cost of Work.

F. Within thirty (30) days of receipt, the City shall either approve such statement by a final acceptance letter (“**Final Acceptance Letter**”) or request specific additional information or revisions and, upon receipt of such required additional information, issue a Final Acceptance Letter.

G. The Cost of Work as set forth in the Final Acceptance Letter shall be paid by the City to Developer in no more than five (5) equal annual installments (each an “**Annual Reimbursement Payment**”), subject to annual budget appropriation and available funds.

H. The City shall pay the first Annual Reimbursement Payment within thirty (30) days following the date of the Final Acceptance Letter, with subsequent payments due annually thereafter until the Cost of Work is paid in full. Prepayment is allowed.

12. Article III, Section 1 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

“1. Conveyance of Buc-ee’s Way ROW. Developer shall dedicate the Buc-ee’s Way Right of Way to the public as ‘Buc-ee’s Way’ with the final plat of the Project.”

13. Article III, Section 2 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

“2. Conveyance of Utility Easements. Developer shall dedicate the utility easements, as generally depicted on Exhibit G attached hereto and made a part or as otherwise approved by Developer and City, to the public with the final plat of the Project.”

14. Article III, Section 3 of the Original Agreement is hereby amended and restated to provide in its entirety as follows:

“3. Open Space Park Land and Developer Enhancements.

A. Prior to opening the Project to the public, Developer shall dedicate approximately nine (9) acres of open space as park land to the City, the exact acreage and location to be shown on the final plat.

B. In addition to the park land dedication, Developer agrees to provide the following enhancements to the Project prior to opening the Project to the public:

(i) **Sign Plan:** Developer shall reduce the height of the planned freestanding sign from seventy-five feet (75') to sixty feet (60') above finished grade per the grading plans as of the date of execution of this Amendment and as shown on Exhibit X, contingent upon: (1) the City's official acceptance of Buc-ee's Way right-of-way by plat, and (2) the inclusion of green exit signs, per TxDOT requirements for guide signs, for Buc-ee's Way at applicable locations in both directions on Interstate 10;

(ii) **Security Fencing:** Developer shall install eight-foot (8') security fencing of material complying with City standards along the rear property line of the Property discouraging pedestrian access from Buc-ee’s to the city-owned open space along Suggs Creek as shown on Exhibit Y. An 8 ft. black woven wire fence with a 16 ft. wide gated access to the dedicated open space is recommended;

(iii) **Enhanced Landscaping:** As shown on Exhibit Y, attached hereto, Developer is providing enhanced landscaping and planting areas that incorporate native, drought tolerant plant selections throughout the Property which exceeds the

City's minimum landscaping requirements. Unless utility or drainage conflicts exist, the final landscape design shall closely represent the more detailed plan sheets previously approved by the City of Boerne Design Review Committee Creative Alternative (2021-1009) on 12/9/2021. Tree preservation efforts exceed both the 2019 Zoning Ordinance and current UDC tree preservation requirements. The preservation of existing onsite trees and planting trees above minimum tree planting requirements result in no fee in lieu of mitigation payments by Developer to the Tree Restoration Fund;

(iv) **Site Lighting Plan:** Developer shall implement the site lighting plan previously approved under City review authority and attached as Exhibit Z which includes dark-sky compliant fixtures and prevents light spillage to adjacent properties. The Site Lighting Plan incorporates the Illuminating Engineering Society's (IES) recommended lighting levels for parking facilities and gas station canopies, and the incorporation of IES recommendations results in compliance with current UDC Dark Sky Regulations.

(v) **HVAC Condensate Recovery System:** Developer shall install and maintain an HVAC condensate recovery and irrigation system to promote water conservation at the Project, subject to City review authority.

15. The fifth line of Article III, Section 4 of the Original Agreement is hereby amended to delete the words "and the Supplemental Project". The seventh line of Article III, Section 4 of the Original Agreement is hereby amended to delete the words "and/or Supplemental Project[s]". The eighth line of Article III, Section 4 of the Original Agreement is hereby amended to delete the words "or Supplemental Project City Payment".
16. A new Section 6 is hereby added to Article III of the Original Agreement to provide in its entirety as follows:

"6. Construction Timeline. Developer shall commence construction of the Project by the date that is later of (i) eighteen (18) months from the Amendment Effective Date and (ii) thirty (30) days after issuance of all permits required to commence construction of the Project (the "Commencement Date") and shall complete construction and open the Project to the public within thirty-six (36) months of the Commencement Date, subject to *force majeure* provisions contained herein."
17. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall be deemed an original.
18. **Authority.** Each Party represents and warrants that it is duly authorized to enter into this Amendment and that the persons executing this Amendment on behalf of each Party have the authority to do so. Failure to commence construction within the required period shall constitute default unless extended by written agreement of the Parties due to force majeure or other mutually agreed cause.

19. **Terms.** Terms that are capitalized but not defined in this Amendment shall have the meaning as defined in the Agreement.
20. **Agreement.** Except as modified by this Amendment, the Agreement shall remain in full force and effect and the Parties affirm the terms and conditions of the Agreement.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to Economic Development Agreement as of the date first written above.

CITY OF BOERNE, TEXAS

By: _____

Ben Thatcher, City Manager

ATTEST:

Lori Carroll, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

BUC-EE'S, LTD.

By: Buc-ee's Management, LLC, a Texas limited liability company, its General Partner

By: _____

Name: _____ Title: _____

EXHIBITS

Exhibit A - Property Description

Exhibit B - Site Plan

Exhibit C - TxDot Tract Legal Description

Exhibit E - Buc-ee's Way ROW Legal Description

Exhibit G - Utility Extension Locations

Exhibit X - Sign Plan (60' Height)

Exhibit Y - Landscaping and Fencing Plan

Exhibit Z - Site Lighting Plan

EXHIBIT A
Property Description

METES AND BOUNDS DESCRIPTION FOR A 17.54 ACRE TRACT (764,172 SQ. FT.)

A **17.54 acre** tract of land, out of the John Small Survey No. 183, Abstract 441, Kendall County, Texas, being all of a called 2.873 acre tract as described to Buc-ee's, LTD. of record in Document Number 2023-383691 of the Official Public Records of Kendall County, Texas (O.P.R.), and a portion of a called 24.6833 acre tract as described to Buc-ee's, LTD. of record in Volume 1547, Page 937, O.P.R., and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" iron rod on the southwest right-of-way (R.O.W.) line of IH-10 Frontage Road (width varies) for the east corner of a called 313.40 acre tract as described to Balous T. Miller of record in Volume 411, Page 499, O.P.R., being the north corner of said called 24.6833 acre tract and the tract described herein;

THENCE: with the common line of the southwest R.O.W. line of said IH-10 Frontage Road and said called 24.6833 acre tract and a curve to the **right** having an arc length of **93.95 feet**, a radius of **663.10 feet**, a delta angle of **08°07'04"** and chord bears, **S 40°38'50" E**, distance of **93.87 feet** to a found TXDOT Monument Type II for the northwest corner of said called 2.873 acre tract and a point of tangency of the tract described herein;

THENCE: S 49°20'09" E, with the common line of the southwest R.O.W. line of said IH-10 Frontage Road and said called 2.873 acre tract, a distance of **450.81 feet** to a found TXDOT Monument Type II, for the northeast corner of a called 1.934 acre tract as described to the City of Boerne in Document Number 2024-389403, O.P.R., the northwest corner of said called 2.873 acre tract and the tract described herein;

THENCE: with the common line of said called 2.873 acre tract and said called 1.934 acre tract the following eight **(8)** courses and distances:

1. **S 01°36'00" W**, a distance of **76.63 feet** to a found ½" iron rod with a blue plastic cap stamped "COLLIERS PROP CORNER" (FIR) for a point of curvature to the left of the tract described herein,
2. with a curve to the **left** having an arc length of **142.55 feet**, a radius of **757.75 feet**, a delta angle of **10°46'42"** and chord bears, **S 03°47'21" E**, distance of **142.34 feet** to an FIR for a point of tangency of the tract described herein,
3. **S 18°28'43" E**, a distance of **25.88 feet** to an FIR for a point of curvature to the left of the tract described herein,

4. with a curve to the **left** having an arc length of **109.79 feet**, a radius of **754.00 feet**, a delta angle of **08°20'35"** and chord bears, **S 15°17'27" E**, distance of **109.70 feet** to a set ½" iron rod with a blue plastic cap stamped "COLLIERS PROP CORNER" (SIR) for a point of compound curvature of the tract described herein,
5. with a curve to the **left** having an arc length of **13.48 feet**, a radius of **90.00 feet**, a delta angle of **08°34'47"** and chord bears, **S 23°45'09" E**, distance of **13.46 feet** to an FIR for a point of compound curvature of the tract described herein,
6. with a curve to the **left** having an arc length of **126.08 feet**, a radius of **109650.09 feet**, a delta angle of **00°03'57"** and chord bears, **S 28°03'33" E**, distance of **126.08 feet** to an FIR for a point of tangency of the tract described herein,
7. **S 29°41'06" E**, a distance of **109.11 feet** to a found ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for a point of curvature to the right of the tract described herein,
8. with a curve to the **right** having an arc length of **84.54 feet**, a radius of **456.02 feet**, a delta angle of **10°37'17"** and chord bears, **S 24°22'26" E**, a distance of **84.42 feet** to an FIR for an interior angle of said 24.683 acre tract;

THENCE: through said 24.6833 acre tract, continuing with a curve to the **right** having an arc length of **153.72 feet**, a radius of **456.02 feet**, a delta angle of **19°18'52"** and chord bears, **S 09°24'21" E**, a distance of **153.00 feet** to an SIR on the north line of a called 5.218 acre tract as described to Balous Miller of record in Volume 1344, Page 948, O.P.R. for the southeast corner of the tract described herein;

THENCE: **N 89°35'18" W**, with the common line of said called 24.6833 acre tract and said called 5.218 acre tract, a distance of **77.15 feet** to a found ½" iron rod for the northwest corner of said called 5.218 acre tract and the northeast corner of a called 5.534 acre tract as described to Balous Miller in Volume 1344, Page 956, O.P.R., for an angle point of said called 24.6833 acre tract and the tract described herein;

THENCE: with the common line of said called 24.6833 acre tract, said called 5.534 acre tract the following two **(2)** courses and distances:

1. **N 89°31'39" W**, a distance of **525.08 feet** to an FIR for an angle point of said called 24.683 acre tract and the tract described herein,
2. **N 89°37'00" W**, a distance of **91.68 feet** to an SIR for the most southerly southwest corner of the tract described herein;

THENCE: through said called 24.6833 acre tract the following six **(6)** courses and distances:

1. **N 00°23'00" E**, a distance of **50.00 feet** to an SIR for an interior corner of the tract described herein,
2. **N 89°37'00" W**, a distance of **300.00 feet** to an SIR for a the most westerly southwest corner of the tract described herein,
3. **N 17°16'16" E**, a distance of **331.84 feet** to an SIR for an angle point of the tract described herein,
4. **N 18°14'10" W**, a distance of **329.97 feet** to an SIR for an angle point of the tract described herein,
5. **N 45°11'07" E**, a distance of **263.17 feet** to an SIR for an angle point of the tract described herein,
6. **N 01°27'18" E**, a distance of **216.29 feet** to an SIR on the common line of said called 24.6833 acre tract and said called 313.40 acre tract for the northwest corner of the tract described herein;

THENCE: N 68°33'23" E, with the common line of the said called 24.6833 acre tract and said called 313.40 acre tract, a distance of **193.38 feet** to the **POINT OF BEGINNING**, containing **17.54 acres**, 764,172 square feet more or less, in Kendall County, Texas. Basis of bearings is based on the Texas State Plane South Central Zone, 4204, North American Datum of 1983 (NAD83).



Corey Campbell
Registered Professional Land Surveyor No. 7076
State of Texas
Firm No. 10194550



12/19/2025

Date

Job No.: 23000164A
Prepared by: Colliers Engineering and Design
Date: December 18, 2025
File: S:\Draw 2017\17-089 Buc-ee's #41 – IH10, Boerne\DOCS\2025-11-13 17.54 AC.docx

[illegible]

EXHIBIT C
TxDOT Tract

**DESCRIPTION FOR
A 3.210 ACRE TRACT
SURPLUS SOUTH TRACT NO. 3A**

A **3.210 acre (139,843 square feet)** tract of land in the John Small Survey, Section No. 183, Abstract No. 441, City of Boerne, Kendall County, Texas, and being a portion of that called 12.663 acre tract of land as conveyed from Louise E. Storms, et al to the State of Texas and recorded in Volume 89, Page 632 in the Deed Records of Kendall County (D.R.), and also being a portion of that called 11.361 acre tract of land as conveyed from William W. Storms, et ux to the State of Texas and recorded in Volume 85, Page 507 in the D.R., said 3.210 acre tract being more particularly described by metes and bounds as follows:

COMMENCING a ½" iron rod found at the most easterly corner of a called 24.683 acre tract of land as conveyed to Buc-ee's, LTD and recorded in Volume 1547, Page 937 in the Official Records of Kendall County (O.R.K.C.), in the southwesterly right-of-way line of Interstate Highway 10;

THENCE N 76°28'17" W along the northeasterly line of said 24.683 acre tract and southwesterly right-of-way line of Interstate Highway 10 (IH-10), a distance of 49.80 feet to a set Texas Department of Transportation monument Type III (hereinafter referred to as TXDOT III**), for the southeasterly corner of Tract No. 3B (to be dedicated by separate instrument);

THENCE N 76°28'17" W continuing along the northeasterly line of said 24.683 acre tract and the southwesterly right-of-way line of IH-10, a distance of 231.12 feet to a ½" iron rod with a blue cap stamped "COLLIERS PROP CORNER" (hereinafter referred to as SIR) set for the southwesterly corner of said Tract No. 3B and the most southerly corner of this 3.210 acre tract to be cited as TRACT NO. 3A, same point being the **POINT OF BEGINNING** and having Surface Coordinates of N = 13827899.22 E = 2058395.04 with a combined scale factor of 0.99982606068;

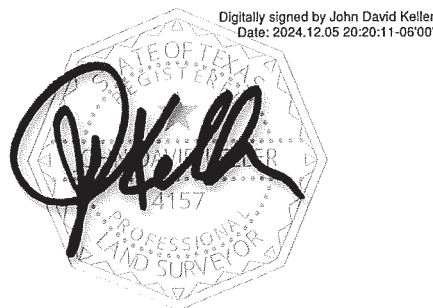
1. **THENCE N 76°28'17" W** continuing along the common line of said 24.683 acre tract and the southwesterly right-of-way line of IH-10 for a distance of **193.90 feet** to a TXDOT Type I Monument found for the beginning of a non-tangent curve to the left for the southeasterly corner of Tract No. 2 (to be dedicated by separate instrument);
2. **THENCE** across and through the 11.361 acre tract and said 12.663 acre tract, along the easterly line of said Tract No. 2 on a non-tangent curve concave southwesterly and to the **left**, having an arc length of **187.51 feet**, a radius of **566.00 feet**, a delta angle of **18°58'54"** with a chord bearing and distance of **N 20°11'33" W - 186.65 feet** to a SIR at a point of tangency;
3. **THENCE N 29°41'06" W** for a distance of **98.50 feet** to a SIR for the beginning of a curve to the right;

PAGE 1 OF 4

4. **THENCE** along the easterly line of said Tract No. 2 on a curve concave northeasterly and to the **right** having an arc length of **25.04 feet**, a radius of **100.00 feet**, a delta angle of **14°20'49" W** with a chord bearing and distance of **N 22°30'41" W - 24.97 feet** to a SIR at the point of tangency;
5. **THENCE N 15°20'17" W** for a distance of **197.27 feet** to a SIR for the beginning of a curve to the right;
6. **THENCE** along a curve concave southeasterly and to the **right** having an arc length of **49.70 feet**, a radius of **35.00 feet**, a delta angle of **81°21'17"** with a chord bearing and distance of **N 25°20'26" E - 45.63 feet** to a SIR at the point of tangency;
7. **THENCE N 66°01'10" E** for a distance of **38.44 feet** to a set TXDOT III**, on the southwesterly line of the proposed right of way line of Interstate Highway 10 (IH-10) at the baseline station of 139+85.80 of said IH-10, whence a TXDOT III** bears N 52°12'12" W - 256.53 feet;
8. **THENCE S 49°20'09" E** along the proposed IH-10 southwesterly right of way line for a distance of **609.55 feet** to a SIR, same point being the northerly corner of said Tract No. 3B;
9. **THENCE S 40°36'35" W** along the common line of this 3.210 acre tract and said Tract No. 3B for a distance of **235.91 feet** to the **POINT OF BEGINNING**.

Said tract contains 3.210 acres of land, as calculated and described being situated in the City of Boerne, Kendall County, Texas. This survey was performed on the ground by Colliers Engineering and Design.

** The monument described and set may be replaced with a Txdot Type II right-of-way marker upon completion of the highway construction project under the supervision of a registered professional land surveyor, either employed or retained by Txdot.



Job No.: 17-089
Prepared by: KFW Surveying
Date: February 19, 2024
Revised: October 22, 2024

File: S:\Draw 2017\17-089 Buc-ee's #41-IH 10 , Boerne\DOCS\17-089 3.21 AC SURPLUS 3A KNM.docx

NOTES:

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL CITY OF BOERNE AND KENDALL COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TxDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TxDOT.
5. ADJOINERS SHOWN HEREON ARE PER CURRENT KENDALL COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.
6. ALL UTILITIES AND IMPROVEMENTS SHOWN HEREON WERE FIELD COLLECTED ON 2/19/2024.
7. NORTH ARROW, LEGEND, NOTES, AND CERTIFICATION APPLY TO ALL SHEETS.
8. COORDINATES SHOWN ARE SURFACE COORDINATES.

SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "COLLIERS PROP CORNER"
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT TYPE I OR TYPE II AS NOTED
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT TYPE III AS NOTED
- O.R.K.C. OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
- D.R.K.C. DEED RECORDS OF KENDALL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ⊞ EBOX ELECTRIC BOX
- ⊞ GV GAS VALVE
- EP EDGE OF PAVEMENT
- PROW PROPOSED RIGHT-OF-WAY
- ⊞ UKV UNKNOWN VALVE
- ⊞ TPED TELEPHONE PEDASTAL
- ⊞ PP POWER POLE
- ⊞ LP LIGHT POLE



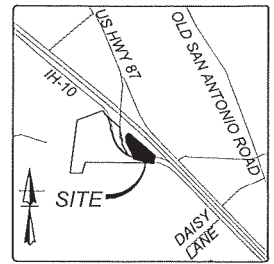
CONCRETE

Line Table

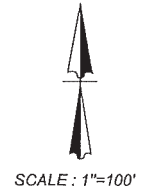
LINE #	LENGTH	DIRECTION
L1	193.90'	N76°28'17"W
L2	98.50'	N29°41'06"W
L3	197.27'	N15°20'17"W
L4	38.44'	N66°01'10"E

OWNERSHIP TABLE

- A CALLED 24.683 ACRES
BUC-EE'S, LTD
(VOL. 1547 PG. 937 O.R.K.C.)
RECORDED 10/25/2016
- B CALLED 5.534 ACRES
BALOUS MILLER
(VOL. 1344 PG. 956 O.R.K.C.)
RECORDED 12/28/2012
- C CALLED 5.218 ACRES
BALOUS MILLER
(VOL. 1344 PG. 948 O.R.K.C.)
RECORDED 12/28/2012
- D BUC-EE'S, LTD
CALLED 2.873 ACRES
Doc No. 2023-383691
RECORDED: 09/27/2023
- E CITY OF BOERNE, TEXAS
SURPLUS TRACT 2
Doc. No. 2024-389403 O.R.K.C.
RECORDED 05/30/2024



LOCATION MAP
NOT-TO-SCALE



SCALE: 1"=100'



Curve Table

Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	187.51'	565.84'	018°59'13"	N20°11'29"W	186.65'
C2	25.04'	100.00'	014°20'49"	N22°30'41"W	24.97'
C3	49.70'	35.00'	081°21'27"	N25°20'26"E	45.63'

STATE OF TEXAS:
COUNTY OF BEXAR:

I, J.D. KELLER, DO HEREBY CERTIFY TO THAT THIS TITLE SURVEY WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION. THE FIELDWORK WAS COMPLETED ON 02/02/2024.

Digitally signed by John David Keller
Date: 2024.12.04 12:08:57-06'00'



J.D. KELLER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4157
EMAIL: JD.KELLER@COLLIERSENG.COM
DATE OF SURVEY: 09/11/2024
REVISED: 10/22/2024, 12/04/2024
PROJECT NO.: 17-089

Colliers

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& Design

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KFW
KENDALL COUNTY FIELDWORK

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EXHIBIT OF
FOR
3.210 ACRE (139,843
SQUARE FEET) TRACT NO.
3A, SITUATED IN JOHN
SMALL SURVEY NO. 183,
ABSTRACT NO. 441,
KENDALL COUNTY, TEXAS



PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION
OF EXCAVATORS, DESIGNERS, OR
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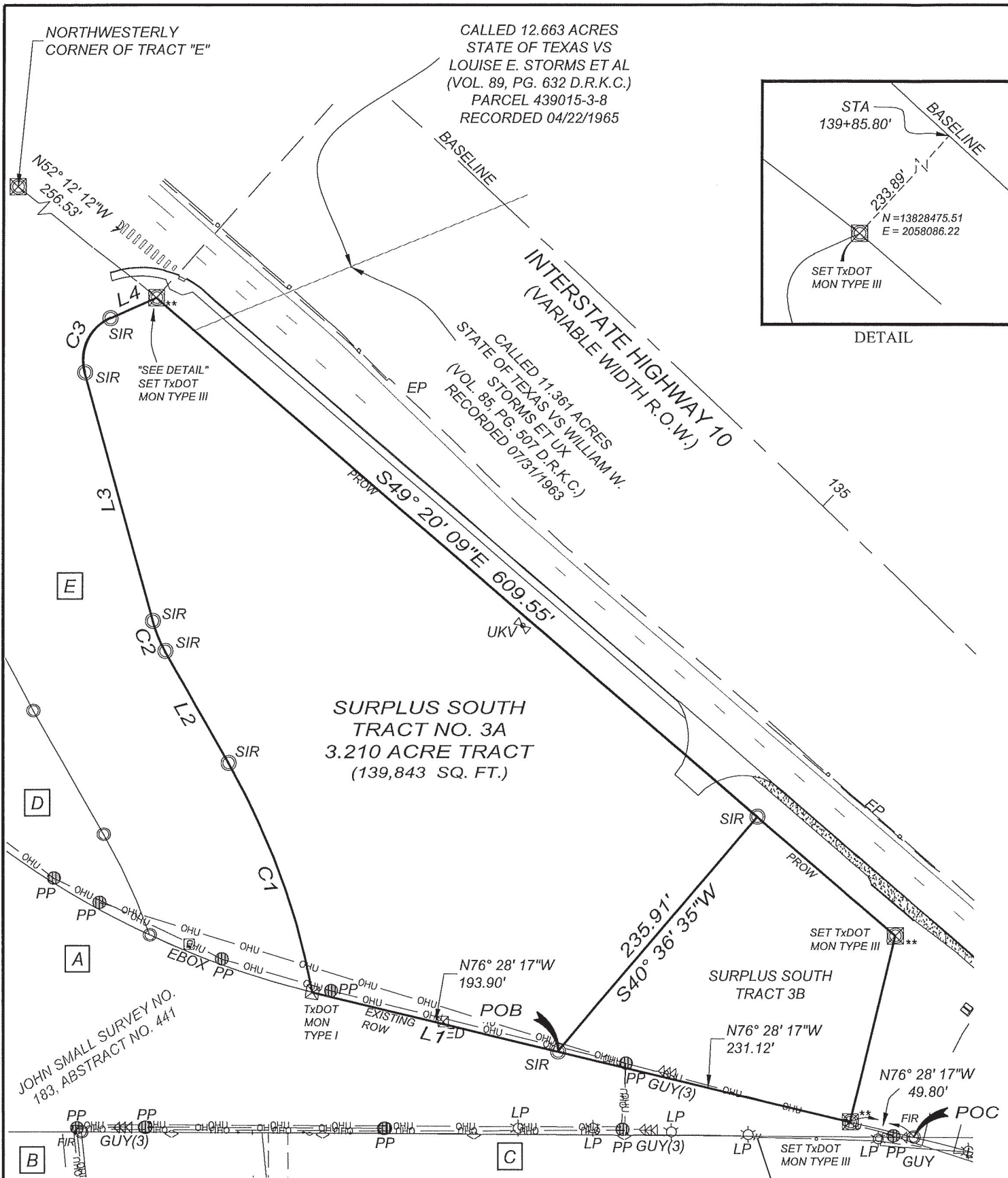
REPORT
TITLE

SCALE: AS SHOWN DATE: 2/19/24 DRAWN BY: MSN CHECKED BY: TCP
PROJECT NUMBER: 17-089 DRAWING NAME: BS17-089 BUC-EES #41-IH10-3A-M

SHEET TITLE:

SHEET NUMBER: 17
03 of 04

uc-ees #41-JH 10, Boerne\BS17-089 Buc-ees #41-JH10-MN.dwg\TXDOT Tract 3 A-B By: KIMBERLY MARTIN



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EXHIBIT OF
FOR
3.210 ACRE (139,843 SQUARE
FEET) TRACT NO. 3A,
SITUATED IN JOHN SMALL
SURVEY NO. 183, ABSTRACT
NO. 441, KENDALL COUNTY,
TEXAS



Before you dig,
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SAN ANTONIO (KFW)
3421 Paesanos
Parkway
San Antonio, TX 78231
Phone: 210.979.8444
COLLIERS ENGINEERING & DESIGN, INC.
TEXT FORM 17-4502
TUELS FORM 10124150

REPORT
TITLE

SCALE: AS SHOWN	DATE: 2/19/24	DRAWN BY: MSN	CHECKED BY: TCP
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PROJECT NUMBER: 17-089	DRAWING NAME: BS17-089 BUC-EES #41-JH10-MN
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SHEET TITLE:

SHEET NUMBER: **18**

04 of 04

**DESCRIPTION FOR
A 0.7660 ACRE TRACT
SURPLUS SOUTH TRACT NO. 3B**

A **0.7660 acre (33,366 square feet)** tract of land in the John Small Survey, Section No. 183, Abstract No. 441, City of Boerne, Kendall County, Texas, and being a portion of that called 12.663 acre tract of land as conveyed from Louise E. Storms, et al to the State of Texas and recorded in Volume 89, Page 632 in the Deed Records of Kendall County (D.R.), and also being a portion of that called 11.361 acre tract of land as conveyed from William W. Storms, et ux to the State of Texas and recorded in Volume 85, Page 507 in the D.R., said 0.7660 acre tract being more particularly described by metes and bounds as follows:

COMMENCING a ½" iron rod found at the most easterly corner of a called 24.683 acre tract of land as conveyed to Buc-ee's, LTD and recorded in Volume 1547, Page 937 in the Official Records of Kendall County (O.R.K.C.), in the southwesterly right-of-way line of Interstate Highway 10;

THENCE N 76°28'17" W along and with the northeasterly line of said 24.683 acre tract and the southwesterly right-of-way line of Interstate Highway 10, a distance of 49.80 feet to a set Texas Department of Transportation monument Type III ** (hereinafter referred to as TXDOT III) for the **POINT OF BEGINNING** of this 0.7660 tract described herein and having Surface Coordinates of N =13827845.15 E = 2058619.75 with a combined scale factor of 0.99982606068;

1. **THENCE N 76°28'17" W** continuing along and with the northeasterly line of said 24.683 acre tract and the southwesterly right-of-way line of Interstate Highway 10 for a distance of **231.12 feet** to a ½" iron rod with a blue cap stamped "COLLIERS PROP CORNER" set for the southeasterly corner of Tract No. 3A (to be dedicated by separate instrument), whence a found TXDOT Type I Monument bears N 76°28'17" W - 193.90 feet;
2. **THENCE: N 40°36'35" E**, with the southeasterly line of a 3.210 acre tract and the northwesterly line of this 0.7660 acre tract for a distance of **235.91 feet** to a ½" iron rod with a blue cap stamped "COLLIERS PROP CORNER" set on the proposed right-of-way line of Interstate Highway 10 (IH-10), for the easterly corner of the 3.210 acre tract (to be cited as Tract No. 3A dedicated by separate instrument);

3. **THENCE S 49°20'09" E** along the proposed southwesterly right of way line of IH-10 for distance of **139.36 feet** to a set TXDOT III **;

4. **THENCE S 13°38'33" W** for a distance of **146.49 feet** to the **POINT OF BEGINNING**.

Said tract contains 0.7660 acres of land, as calculated and described as situated in the City of Boerne, Kendall County, Texas. This survey was performed on the ground by Colliers Engineering and Design.

** The monument described, and set may be replaced with a Txdot Type II right-of-way marker upon completion of the highway construction project under the supervision of a registered professional land surveyor, either employed or retained by Txdot.



Job No.: 17-089
Prepared by: KFW Surveying
Date: February 19, 2024
Revised: October 22, 2024

File: S:\Draw 2017\17-089 Buc-ee's #41-IH 10 , Boerne\DOCS\17-089 0.7660 AC SURPLUS 3B KNM.docx

NOTES:

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL CITY OF BOERNE AND KENDALL COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TxDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TxDOT.
5. ADJOINERS SHOWN HEREON ARE PER CURRENT KENDALL COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.
6. ALL UTILITIES AND IMPROVEMENTS SHOWN HEREON WERE FIELD COLLECTED ON 2/19/2024.
7. NORTH ARROW, LEGEND, NOTES, AND CERTIFICATION APPLY TO ALL SHEETS.
8. COORDINATES SHOWN ARE SURFACE COORDINATES.

SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "COLLIERS PROP CORNER"
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT TYPE I OR TYPE II AS NOTED
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT TYPE III AS NOTED
- O.R.K.C. OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
- D.R.K.C. DEED RECORDS OF KENDALL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ⊞ EBOX ELECTRIC BOX
- ⊞ GV GAS VALVE
- EP EDGE OF PAVEMENT
- PROW PROPOSED RIGHT-OF-WAY
- ⊞ UKV UNKNOWN VALVE
- ⊞ TPED TELEPHONE PEDASTAL
- ⊞ PP POWER POLE
- ⊞ LP LIGHT POLE



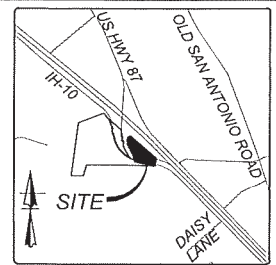
CONCRETE

Line Table

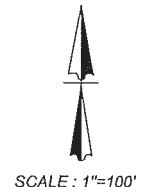
LINE #	LENGTH	DIRECTION
L1	231.12'	N76°28'17"W
L2	139.36'	S49°20'09"E
L3	146.49'	S13°38'33"W

OWNERSHIP TABLE

- A CALLED 24.683 ACRES
BUC-EE'S, LTD
(VOL. 1547 PG. 937 O.R.K.C.)
RECORDED 10/25/2016
- B CALLED 5.534 ACRES
BALOUS MILLER
(VOL. 1344 PG. 956 O.R.K.C.)
RECORDED 12/28/2012
- C CALLED 5.218 ACRES
BALOUS MILLER
(VOL. 1344 PG. 948 O.R.K.C.)
RECORDED 12/28/2012
- D BUC-EE'S, LTD
CALLED 2.873 ACRES
Doc No. 2023-383691
RECORDED: 09/27/2023
- E CITY OF BOERNE, TEXAS
SURPLUS TRACT 2
Doc. No. 2024-389403 O.R.K.C.
RECORDED 05/30/2024



LOCATION MAP
NOT-TO-SCALE



STATE OF TEXAS:
COUNTY OF BEXAR:

I, J.D. KELLER, DO HEREBY CERTIFY TO THAT THIS TITLE SURVEY WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION. THE FIELDWORK WAS COMPLETED ON 02/02/2024.

Digitally signed by John David Keller
Date: 2024.12.04 12:10:20-06'00'



J.D. KELLER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4157
EMAIL: JD.KELLER@COLLIERSENG.COM
DATE OF SURVEY: 09/11/2024
REVISED: 10/22/2024, 12/04/2024
PROJECT NO.: 17-089



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EXHIBIT OF
FOR
0.7660 ACRE (33,366
SQUARE FEET) TRACT NO.
3B, SITUATED IN JOHN
SMALL SURVEY NO. 183,
ABSTRACT NO. 441,
KENDALL COUNTY, TEXAS



PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION
OF EXCAVATORS, DESIGNERS, OR
ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE
ANYWHERE IN ANY STATE
STATE REQUIRED FILE NUMBER
FOR STATE SPECIFIC DIRECT PHONE NUMBERS
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SAN ANTONIO (KFW)
3421 Pacesanos
Parkway
San Antonio, TX 78231
Phone: 210.979.8444
COLLIERS ENGINEERING & DESIGN, INC.
10155 Avenue 11, Suite 400
TERESITA, TX 78150

REPORT
TITLE

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	2/19/24	MSN	TCP
PROJECT NUMBER:	17-089	DRAWING NAME:	BS17-089 BUC-EES #441-18110-3.B1

SHEET TITLE:

SHEET NUMBER:

21
03 of 04

**FIELD NOTES
FOR SURPLUS NORTH
A 2.85 ACRE TRACT**

A **2.85 acre** tract of land, out of the John Small Survey, Section No. 183, Abstract No. 441, Kendall County, Texas, being a portion of a proposed TXDOT Surplus right-of-way, and being more particularly described by metes and bounds as follows:

COMMENCING at a found ½" iron rod in the current southwest line of IH-10, a variable width right-of-way, for the east corner of a called 313.40 acre tract conveyed to Balous T. miller, of record in Volume 411, Page 499, of the official Records of Kendall County, Texas, the north corner of a called 24.683 acre tract conveyed to Buc-ee's, Ltd., of record in Volume 1547, Page 937, of the official Records of Kendall County, Texas, from which a found TXDOT Type I Monument bears along a curve to the left having a radius of 663.10 feet, an arc length of 75.85 feet, a delta angle of 006°33'14" and a chord bears N 47°57'34" W, a distance of 75.81 feet;

THENCE: S 68°33'23" W, leaving the current southwest line of IH-10, along and with the southeast line of the 313.40 acre tract, the northwest line of the 24.683 acre tract, a distance of 16.04 feet to a point on the proposed southwest right-of-way line of IH-10, as supplied by HALFF on March 8, 2018 per the Plans Of Proposed State Highway Improvement, Project No. C 72-6-75, per Page 6, as signed by Johnny L. Clayton, License No. 107215, on 12/12/17, for the proposed north corner of the Buc-ee's tract, from which a found ½" iron rod bears S 68°33'23" W, a distance of 571.26 feet for the northwest corner of the 23.683 acre tract;

THENCE: S 49°20'09" E, leaving the southeast line of the 313.40 acre tract, the northwest line of the 24.683 acre tract, over and across the 24.683 acre tract, along and with the proposed southwest right-of-way line of IH-10, the proposed northeast line of the Buc-ee's tract, a distance of 100.30 feet to a point on the current southwest right-of-way line of IH-10, the current northeast line of the 24.683 acre tract for the northwest corner, and **POINT OF BEGINNING** of the tract described herein;

THENCE: S 49°20'09" E, continuing along and with the proposed southwest right-of-way line of IH-10, the proposed northeast line of the Buc-ee's tract, a distance of **450.81 feet** to a point for the northeast corner of the tract described herein;

THENCE: leaving the proposed southwest right-of-way line of IH-10, the proposed northeast line of the Buc-ee's tract, into and across the current IH-10 right-of-way the following five (5) courses:

1. **S 02°29'27" W**, a distance of **59.39 feet** to a point for a point of curvature to the left of the tract described herein,
2. With the curve to the left having a radius of **809.00 feet**, an arc length of **298.14 feet**, a delta angle of **021°06'55"** and a chord bears **S 08°04'01" E**, a distance of **296.46 feet** to a point for the end of curve of the tract described herein,
3. **S 34°51'27" E**, a distance of **63.33 feet** to a point for a point of curvature to the left of the tract described herein,

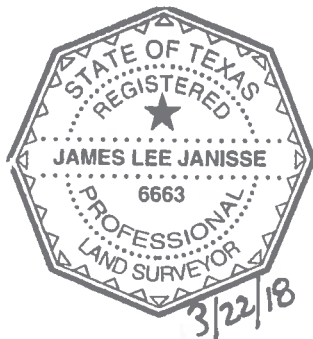
4. With the curve to the left having a radius of **814.25 feet**, an arc length of **156.06 feet**, a delta angle of **010°58'53"** and a chord bears **S 27°50'32" E**, a distance of **155.82 feet** to a point for a reverse curve to the right of the tract described herein, and
5. With the curve to the right having a radius of **456.00 feet**, an arc length of **113.57 feet**, a delta angle of **014°16'12"** and a chord bears **S 26°11'53" E**, a distance of **113.28 feet** to a point in the current southwest right-of-way line of IH-10, the current northeast line of the 24.683 acre tract, for a point of curvature to the right and the southeasterly corner of the tract described herein;

THENCE: along and with the current southwest right-of-way line of IH-10, the current northeast line of the 24.683 acre tract the following three (3) courses:

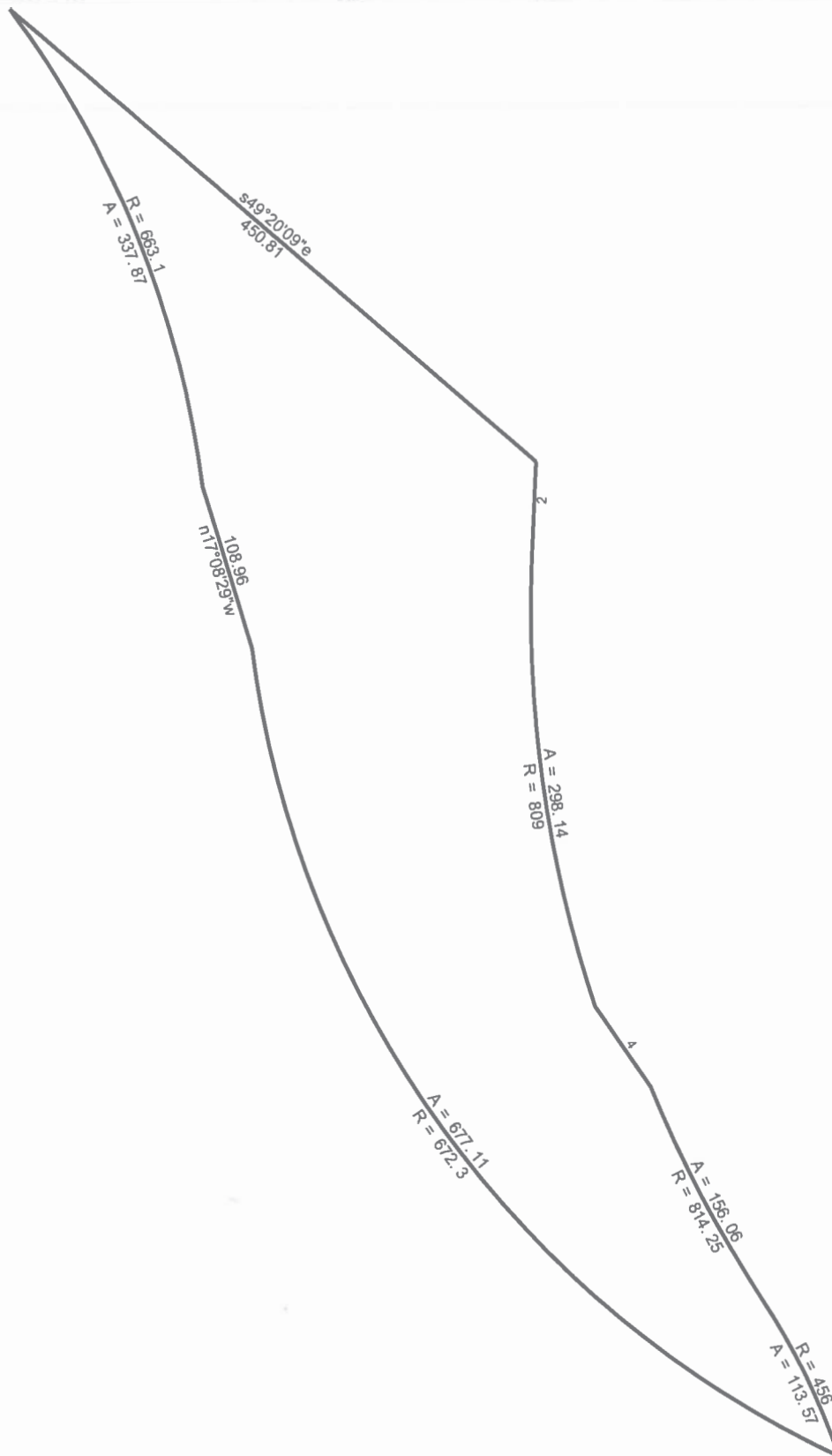
1. With the curve to the right having a radius of **672.30 feet**, an arc length of **677.11 feet**, a delta angle of **057°42'21"** and a chord bears **N 36°08'32" W**, a distance of **648.85 feet** to a found TXDOT Type I Monument for the end of curve of the tract described herein,
2. **N 17°08'29" W**, a distance of **108.96 feet** to a found TXDOT Type I Monument for a curve to the left of the tract described herein, and
3. With the curve to the left having a radius of **663.10 feet**, an arc length of **337.87 feet**, a delta angle of **029°11'38"** and a chord bears **N 21°59'28" W**, a distance of **334.23 feet** to the **POINT OF BEGINNING** and containing **2.85 acres**, more or less, situated in Kendall County, Texas. Bearings are based on NAD83 (2011) Texas State Plane South Central Zone, 4204.

"This document was prepared from files and documents provided by HALFF on March 8, 2018 per the Plans Of Proposed State Highway Improvement, Project No. C 72-6-75, per Page 6, as signed by Johnny L. Clayton, License No. 107215, on 12/12/17, and an on the ground survey. This document is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the Surplus Tract for which it was prepared."

Job No.: 17-089
Prepared by: KFW Surveying
Date: March 7, 2018
File: S:\Draw 2017\17-089 Buc-ee's #41 - IH 10, Boerne\DOCS\ FN - Buc-ee's Surplus North 2.85Ac.doc



James Janisse



3/22/2018

Scale: 1 inch= 110 feet

File: 2.85 ac 2.ndp

Tract 1: 2.8450 Acres (123927 Sq. Feet), Closure: s03.2612w 0.01 ft. (1/257379), Perimeter=2265 ft.

01 s49.2009e 450.81

02 s02.2927w 59.39

03 Lt, r=809.00, arc=298.14, chord=s08.0401e 296.46

04 s34.5127e 63.33

05 Lt, r=814.25, arc=156.06, chord=s27.5032e 155.82

06 Rt, r=456.00, arc=113.57, chord=s26.1153e 113.28

07 Rt, r=672.30, arc=677.11, chord=n36.0832w 648.85

08 n17.0829w 108.96

09 Lt, r=663.10, arc=337.87, chord=n21.5928w 334.23

EXHIBIT E
Buc-ee's Way ROW Legal Description

**DESCRIPTION FOR
A 1.934 ACRE TRACT
SURPLUS R.O.W. TRACT NO. 2**

A **1.934 acre (84,244 square feet)** tract of land in the John Small Survey, Section No. 183, Abstract No. 441, City of Boerne, Kendall County, Texas, and being a portion of that called 12.663 acre tract of land as conveyed from Louise E. Storms, et al to the State of Texas and recorded in Volume 89, Page 632 in the Deed Records of Kendall County (D.R.), and also being a portion of that called 11.361 acre tract of land as conveyed from William W. Storms, et ux to the State of Texas and recorded in Volume 85, Page 507 in the D.R., said 1.934 acre tract being more particularly described by metes and bounds as follows:

COMMENCING a found $\frac{1}{2}$ " iron rod at the most easterly corner of a called 24.683 acre tract of land as conveyed to Buc-ee's, LTD and recorded in Volume 1547, Page 937 in the Official Records of Kendall County (O.R.K.C.), and for the most northeasterly corner of a 5.218 acre tract of land as conveyed to Balous Miller and recorded in Volume 1344, Page 948, O.R.K.C., in the southwesterly right-of-way line of Interstate Highway 10;

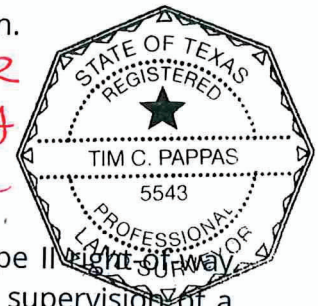
THENCE: N 76°28'17" W, along and with the northeasterly line of said 24.683 acre tract and the southwesterly right-of-way line of Interstate Highway 10, passing a set Texas Department of Transportation monument Type III (hereinafter referred to as TXDOT III) at a distance of 49.80 feet, and for a total distance of 474.82 feet to a set Texas Department of Transportation monument Type I (hereinafter referred to as TXDOT I) (having Surface Coordinates of N:13,827,944.58 E: 2,058,206.55 with a combined scale factor of 0.99982606068) for the beginning of a tangent curve to the right and the **POINT OF BEGINNING** of the tract described herein;

1. **THENCE:** along said tangent curve to the **right**, having an arc length of **132.70 feet**, a radius of **672.30 feet**, a delta angle of **11°18'34"** and a chord which bears **N 70°38'59" W**, a distance of **132.49 feet** to a set $\frac{1}{2}$ " iron rod with a blue cap stamped "COLLIERS PROP CORNER" (hereinafter referred to as SET CED), for the most southeasterly corner of a called 2.873 acre tract of land as conveyed to Buc-ee's LTD and recorded in Document No. 2023383691, O.R.K.C., and for the beginning of a non-tangent curve to the left;
2. **THENCE:** into and across said 11.361 acre tract and said 12.663 acre tract, along and with northeasterly line of said 2.873 acre tract, the following eight (8) courses:

1. along said non-tangent curve to the **left**, having an arc length of **84.54 feet**, a radius of **456.02 feet**, a delta angle of **10°37'17"** and a chord which bears **N 24°22'26" W**, a distance of **84.42 feet** to a set ½" iron rod with a blue cap stamped "COLLIERS PROP CORNER" (hereinafter referred to as SET CED);
 2. **N 29°41'06" W**, a distance of **109.11 feet** to a SET CED for the beginning of a curve to the right;
 3. along said curve to the **right** having an arc length of **126.08 feet**, a radius of **109650.09 feet**, a delta angle of **00°03'57"** and a chord which bears **N 22°30'41" W**, a distance of **126.08 feet** to a SET CED for a point of compound curvature;
 4. along said curve to the **right** having an arc length of **13.48 feet**, a radius of **90.00 feet**, a delta angle of **08°34'47"** and a chord which bears **N 23°45'09" W**, a distance of **13.46 feet** to a SET CED for a point of compound curvature;
 5. along said curve to the **right** having an arc length of **109.79 feet**, a radius of **754.00 feet**, a delta angle of **08°20'35"** and a chord which bears **N 15°17'27" W**, a distance of **109.70 feet** to a SET CED;
 6. **N 18°28'43" W**, a distance of **25.88 feet** to a SET CED for the beginning of a curve to the right;
 7. along said curve to the **right** having an arc length of **142.55 feet**, a radius of **757.75 feet**, a delta angle of **10°46'42"** and a chord which bears **N 03°47'21" W**, a distance of **142.34 feet** to a SET CED;
 8. **N 01°36'00" E**, a distance of **76.63 feet** to a set TXDOT III **(See note below), on the proposed southwesterly right of way line of Interstate Highway 10, for the northeasterly corner of said 2.873 acre tract, from which a found TXDOT III bears N 49°20'09" W, a distance of 450.81 feet;
3. **THENCE:** along and with the proposed southwesterly right of way line of Interstate Highway 10, the following two (2) courses:
1. **S 52°24'15" E**, a distance of **239.75 feet** to a set TXDOT III **(See note below);
 2. **S 49°20'09" E**, a distance of **16.81 feet** to a set TXDOT III **(See note below);
4. **THENCE:** into and across said 11.361 acre tract and said 12.663 acre tract, and with the northwesterly line of Tract No. 3 (to be dedicated by separate instrument), the following six (6) courses:

1. **S 66°01'10" W**, a distance of **38.44 feet** to a SET CED for the beginning of a curve to the left;
2. along said curve to the **left** having an arc length of **49.70 feet**, a radius of **35.00 feet**, a delta angle of **81°21'27"** and a chord which bears **S 25°20'26" W**, a distance of **45.63 feet** to a SET CED;
3. **S 15°20'17" E**, a distance of **197.27 feet** to a SET CED for the beginning of a curve to the left;
4. along said curve to the **left** having an arc length of **25.04 feet**, a radius of **100.00 feet**, a delta angle of **14°20'49"** and a chord which bears **S 22°30'41" E**, a distance of **24.97 feet** to a SET CED;
5. **S 29°41'06" E**, a distance of **98.50 feet** to a SET CED for the beginning of a curve to the right;
6. along said curve to the **right** having an arc length of **187.51 feet**, a radius of **565.84 feet**, a delta angle of **18°59'13"** and a chord which bears **S 20°11'29" E**, a distance of **186.65 feet** to the **POINT OF BEGINNING** and containing **1.934 acres** of land, more or less, situated in the City of Boerne, Kendall County, Texas, and is the result of an on the ground survey performed by Colliers Engineering and Design.

7 MAR 2024
[Handwritten signature]



** The monument described, and set may be replaced with a Txdot Type II Right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by Txdot.

Job No.: 17-089
Prepared by: KFW Surveying
Date: February 19, 2024
Revised: March 7, 2024

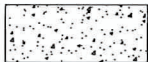
File: S:\Draw 2017\17-089 Buc-ee's #41-IH 10 , Boerne\DOCS\17-089 1.934 AC SURPLUS ROW KNM 021924.docx

NOTES:

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL CITY OF BOERNE AND KENDALL COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
5. ADJOINERS SHOWN HEREON ARE PER CURRENT KENDALL COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.
6. ALL UTILITIES AND IMPROVEMENTS SHOWN HEREON WERE FIELD COLLECTED ON 2/19/2024.
7. NORTH ARROW, LEGEND, NOTES, AND CERTIFICATION APPLY TO ALL SHEETS.
8. COORDINATES SHOWN ARE SURFACE COORDINATES.
9. LINE AND CURVE TABLES ARE SHOWN ON SHEET 6.

SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "COLLIERS PROP CORNER"
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MON MONUMENT TYPE I OR TYPE II AS NOTED
- ⊗ TXDOT TEXAS DEPARTMENT OF TRANSPORTATION MON MONUMENT TYPE III AS NOTED
- O.R.K.C. OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS
- D.R.K.C. DEED RECORDS OF KENDALL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ⊞ EBOX ELECTRIC BOX
- ⊞ GV GAS VALVE
- EP EDGE OF PAVEMENT
- PROW PROPOSED RIGHT-OF-WAY



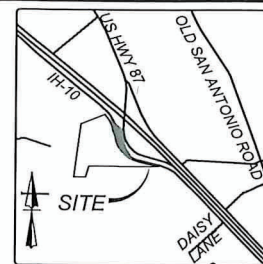
CONCRETE

**

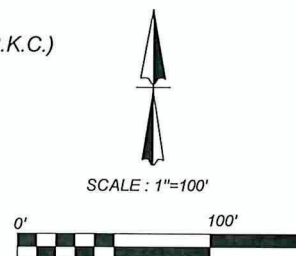
THE MONUMENT DESCRIBED, AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

OWNERSHIP TABLE

- A CALLED 24.683 ACRES
BUC-EE'S, LTD
(VOL. 1547 PG. 937 O.R.K.C.)
RECORDED 10/25/2016
- B BUC-EE'S, LTD
CALLED 2.873 ACRES
Doc No. 2023-383691
RECORDED: 09/27/2023
- C SURPLUS TRACT 3
(STILL OWNED BY TXDOT)
TO BE DEDICATED BY
SEPARATE INSTRUMENT
- D CALLED 5.218 ACRES
BALOUS MILLER
(VOL. 1344 PG. 948 O.R.K.C.)
RECORDED 12/28/2012



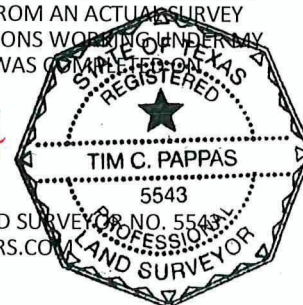
LOCATION MAP
NOT-TO-SCALE



STATE OF TEXAS:
COUNTY OF BEXAR:

I, TIM C. PAPPAS, DO HEREBY CERTIFY TO THAT THIS TITLE SURVEY WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION. THE FIELDWORK WAS COMPLETED ON 02/02/2024.

TIM C. PAPPAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5543
EMAIL: TPAPPAS@KFWENGINEERS.COM
DATE OF SURVEY: 02/19/2024
REVISED: 03/07/2024
PROJECT NO.: 17-089



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EXHIBIT OF

FOR
1.934 ACRES (84,244 SQUARE
FEET) TRACT NO. 2,
SITUATED IN JOHN SMALL
SURVEY NO. 183, ABSTRACT
NO. 441, KENDALL COUNTY,
TEXAS



PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION
OF EXCAVATORS, DESIGNERS, OR
ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE
ANYWHERE IN ANY STATE
STATE REQUIRED FILE NUMBER
FOR STATE SPECIFIC DIRECT PHONE NUMBERS
VISIT: WWW.CALL811.COM

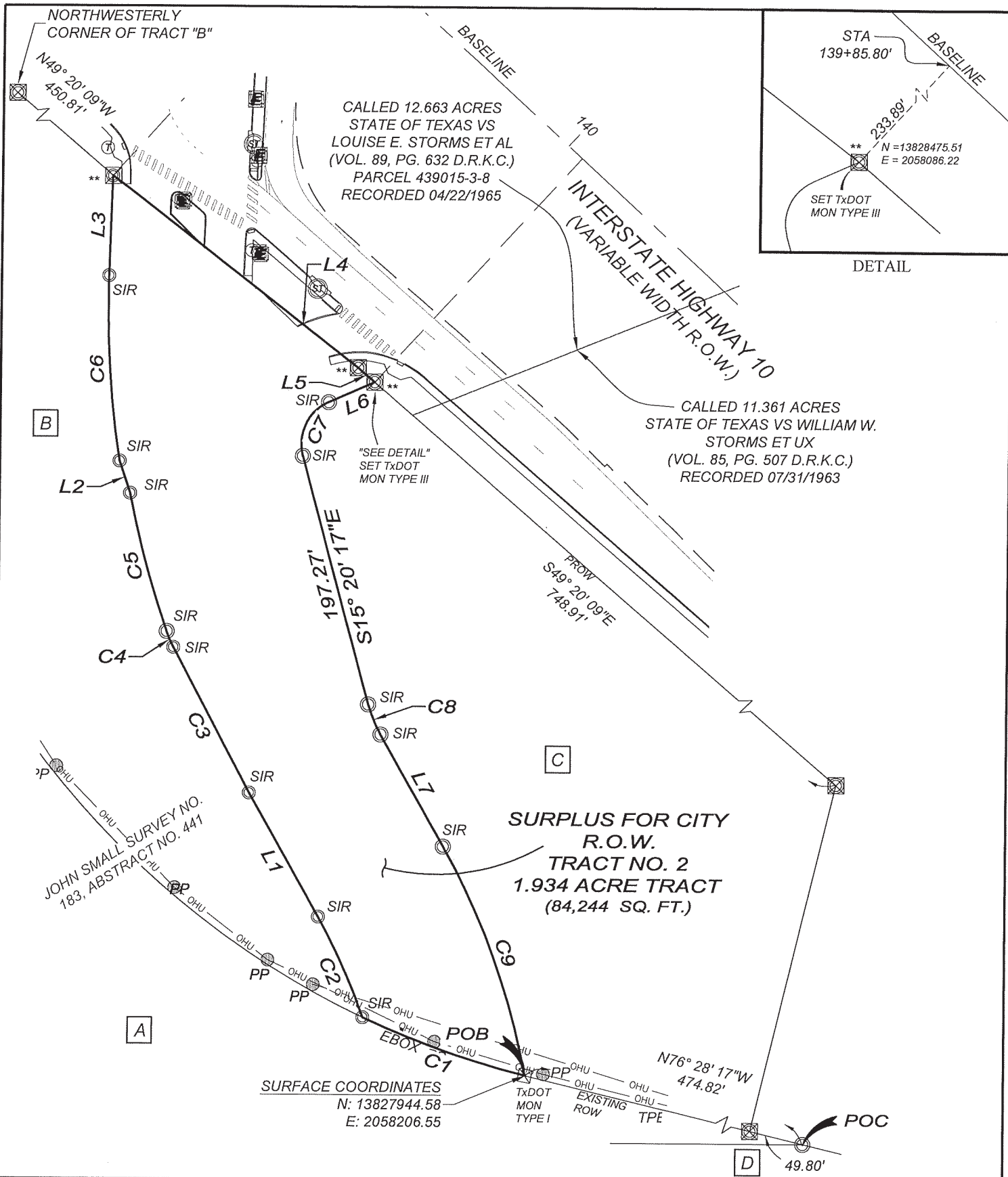


SAN ANTONIO (KFW)
3421 Paesanos
Parkway
San Antonio, TX 78231
Phone: 210.979.8444
COLLIERS ENGINEERING & DESIGN, INC.
TYPE Firm # F-14209
TEPLS Firm # 10194550

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	02/19/2024	KNM	TCP
PROJECT NUMBER:	7-089 / 23000164	DRAWING NAME:	B517-089 BUC-EE'S #41-IH10-MN

SHEET TITLE:

SHEET NUMBER:
30
04 of 06



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SAN ANTONIO (KFW)
3421 Paisanos Parkway
San Antonio, TX 78231
Phone: 210.979.8444
COLLIERS ENGINEERING & DESIGN, INC.
TXDOT PROJECT # 1010450

SCALE: AS SHOWN	DATE: 02/19/2024	DRAWN BY: KNM	CHECKED BY: TCP
PROJECT NUMBER: 7-089 / 23000164	DRAWING NAME: BS17-089 BUC-EES #41-JH10-MN		

SHEET TITLE: FIELD BOOK: XX PAGE: XX

SHEET NUMBER:

34

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Line Table		
LINE #	LENGTH	DIRECTION
L1	109.11'	N29°41'06"W
L2	25.88'	N18°28'43"W
L3	76.63'	N01°36'00"E
L4	239.75'	S52°24'15"E
L5	16.81'	S49°20'09"E
L6	38.44'	S66°01'10"W
L7	98.50'	S29°41'06"E

Curve Table					
Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	132.70'	672.30'	011°18'34"	N70°38'59"W	132.49'
C2	84.54'	456.02'	010°37'17"	N24°22'26"W	84.42'
C3	126.08'	109650.09'	000°03'57"	N28°03'33"W	126.08'
C4	13.48'	90.00'	008°34'47"	N23°45'09"W	13.46'
C5	109.79'	754.00'	008°20'35"	N15°17'27"W	109.70'
C6	142.55'	757.75'	010°46'42"	N03°47'21"W	142.34'
C7	49.70'	35.00'	081°21'27"	S25°20'26"W	45.63'
C8	25.04'	100.00'	014°20'49"	S22°30'41"E	24.97'
C9	187.51'	565.84'	018°59'13"	S20°11'29"E	186.65'



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NO. 441, KENDALL COUNTY,
TEXAS



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**Engineering
& Design**

SAN ANTONIO (KFW)
3421 Paesanos
Parkway
San Antonio, TX 78231
Phone: 210.979.8444
COLLIERS ENGINEERING & DESIGN, INC.
TELEPHONE: 214.425.1000
TELEFAX: 214.425.1000

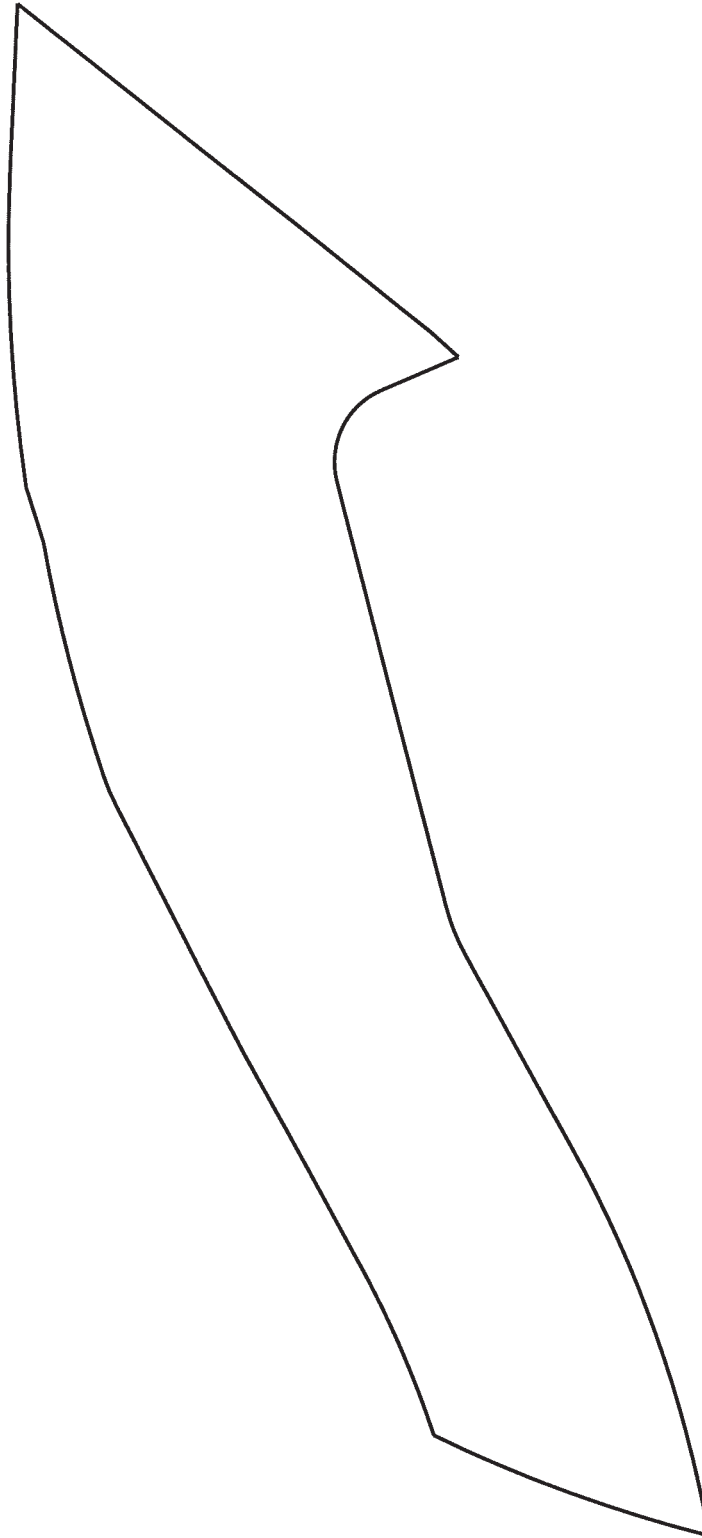
SCALE: AS SHOWN DATE: 02/19/2024 DRAWN BY: KNM CHECKED BY: TCP

PROJECT NUMBER: 7-089 / 23000164 DRAWING NAME: B517-089 BUC-EES

SHEET TITLE: FIELD BOOK: XX PAGE: XX

SHEET NUMBER: 32

06 of 06



2/19/2024

Scale: 1 inch= 87 feet

File: 1.934 AC.ndp

Tract 1: 1.9340 Acres (84244 Sq. Feet), Closure: n56.0414w 0.01 ft. (1/183478), Perimeter=1674 ft.

01 Rt, r=672.30, delta=011.1834, arc=132.70, chord=n70.3859w 132.49
02 Lt, r=456.02, delta=010.3717, arc=84.54, chord=n24.2226w 84.42
03 n29.4106w 109.11
04 Rt, r=109650.09, delta=000.0357, arc=126.08, chord=n28.0333w 126.08
05 Rt, r=90.00, delta=008.3447, arc=13.48, chord=n23.4509w 13.46
06 Rt, r=754.00, delta=008.2035, arc=109.79, chord=n15.1727w 109.70
07 n18.2843w 25.88
08 Rt, r=757.75, delta=010.4642, arc=142.55, chord=n03.4721w 142.34
09 n01.3600e 76.63
10 s52.2415e 239.75
11 s49.2009e 16.81

12 s66.0110w 38.44
13 Lt, r=35.00, delta=081.2127, arc=49.70, chord=s25.2026w 45.63
14 s15.2017e 197.27
15 Lt, r=100.00, delta=014.2049, arc=25.04, chord=s22.3041e 24.97
16 s29.4106e 98.50
17 Rt, r=565.84, delta=018.5913, arc=187.51, chord=s20.1129e 186.65

EXHIBIT G

Utility Extension Locations

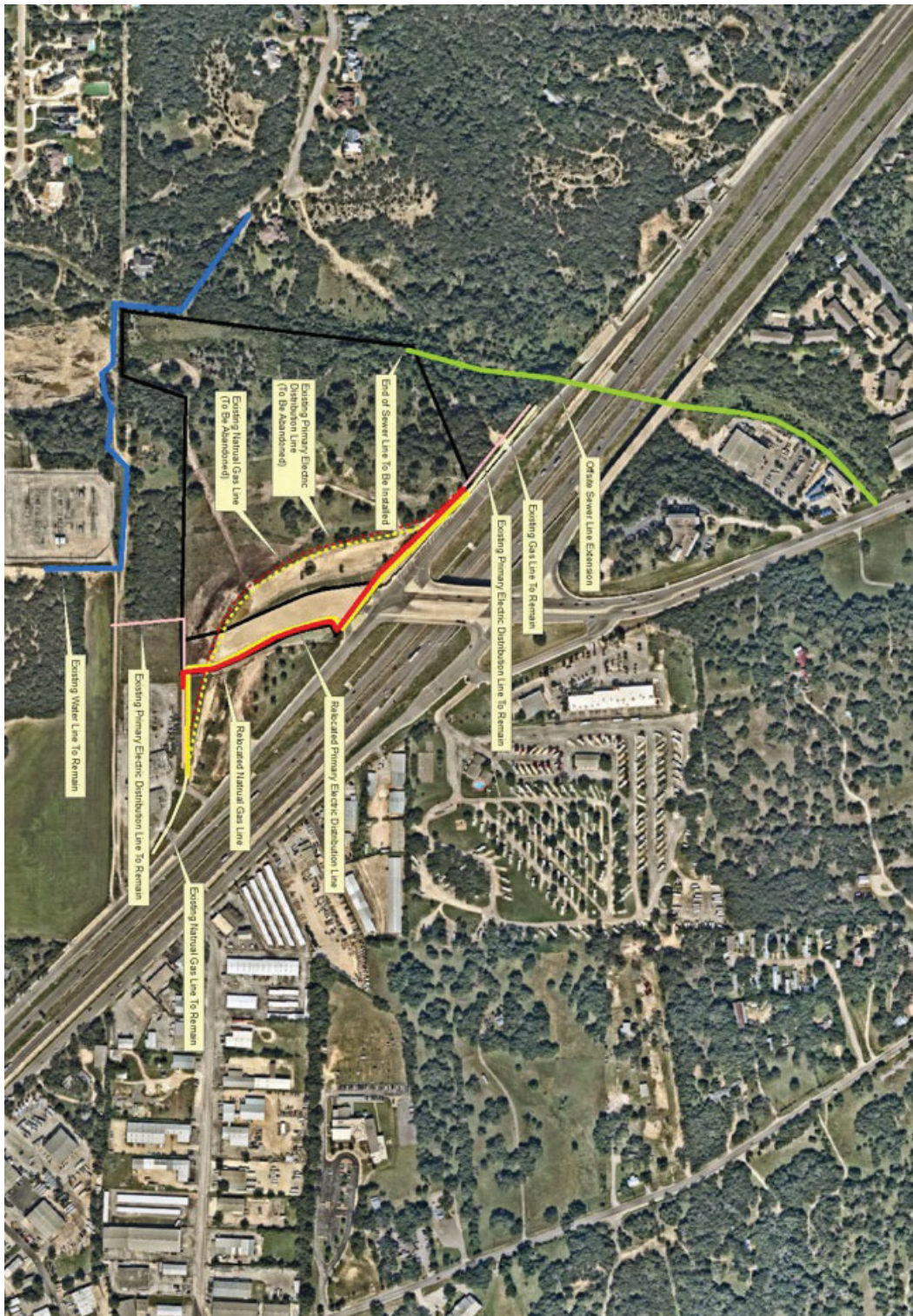
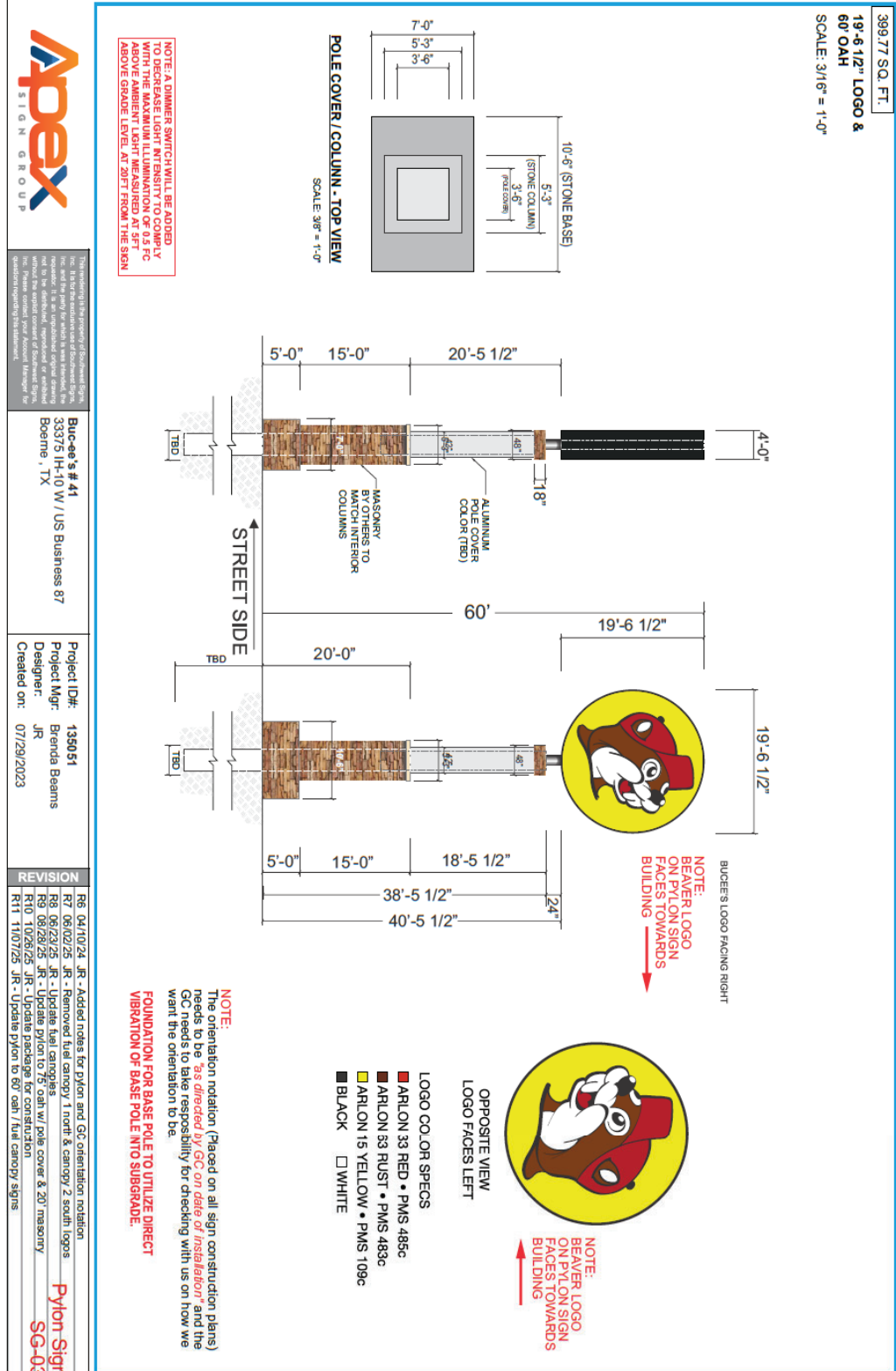


EXHIBIT X

Sign Plan (60 Ft. Height)



[illegible]

EXHIBIT Z

Site Lighting Plan

