STATE OF TEXAS COUNTY OF KENDALL

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF



JOSHUA J. VALENTA LICENSED PROFESSIONAL ENGINEER #114592 MATKIN HOOVER ENGINEERING

STATE OF TEXAS COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED 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 CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_DAY OF\_\_\_

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS COUNTY OF KENDALL

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION



KYLE L. PRESSLEF REGISTERED PROFESSIONAL LAND SURVEYOR #6528 MATKIN HOOVER LAND SURVEYING

STATE OF TEXAS COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED 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 CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS

BEFORE ME. THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR

STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_DAY OF\_\_

THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN

NOTARY PUBLIC KENDALL COUNTY, TEXAS

OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_

STATE OF TEXAS COUNTY OF KENDALL

COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH THIS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE \_\_\_\_\_ DAY OF \_\_\_\_ THE PLAT RECORDS OF SAID COUNTY IN DOCUMENT NO. \_\_\_ A.D. 202\_\_ AT \_\_\_ , KENDALL COUNTY TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. OFFICIAL RECORDS. IN TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF

\_\_\_ A.D. 202\_\_.

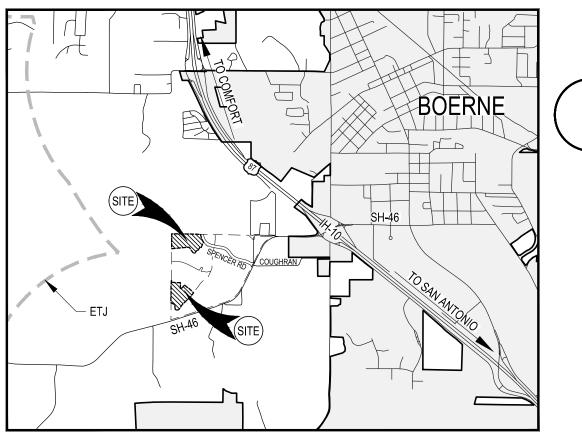
COUNTY CLERK, KENDALL COUNTY, TEXAS

DEPUTY

# A PRELIMINARY PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 3

BEING A 22.62 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A 71.12 ACRE TRACT, RECORDED IN VOLUME 1735, PAGE 54, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

70 NEW RESIDENTIAL LOTS, 5 OPEN SPACE LOTS, 3.35 ACRES RIGHT-OF-WAY.



**LOCATION MAP - BOERNE, TEXAS** NOT TO SCALE

## **PLAT NOTES:**

LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT. THE USE THAT IS BEING CONSTRUCTED AND THE LOT SIZE SHALL DETERMINE WHICH SETBACK SHALL APPLY.

GATES ACROSS EASEMENT: DOUBLE SWING GATES WITH A MINIMUM CLEAR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.

OBSTRUCTIONS OF DRAINAGE: ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.

# LANDSCAPE NOTE:

RESIDENTIAL LOTS IN EXCESS OF 12,500 SQ FT SHALL ONLY IRRIGATE THE AREA THAT LIES WITHIN 75 FEET OF THE MAIN RESIDENCE. TURF GRASSES SHALL BE LIMITED TO ZOYSIA, BUFFALO OR BERMUDA GRASSES OR OTHER GRASSES APPROVED BY THE CITY MANAGER OR HIS OR HER DESIGNATED REPRESENTATIVE. (ORD. NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE, ARTICLE 3, SECTION 3.07.003D

AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT \_\_ , KENDALL COUNTY OFFICIAL RECORDS.

# FIRE MARSHALL APPROVAL

AT TIME OF DEVELOPMENT OF THE SUBDIVISION, THE OWNER / DEVELOPMENT SHALL OBTAIN A DEVELOPMENT PERMIT FOR KENDALL COUNTY; SUBMIT A SITE PLAN FOR THE PROPOSED DEVELOPMENT AND A LETTER OF APPROVAL FROM THE KENDALL COUNTY

DETENTION SHALL BE PROVIDED FOR THE SUBDIVISION UNLESS OTHERWISE APPROVED BY THE CITY OF BOERNE AND KENDALL COUNTY, PRIOR TO ANY IMPROVEMENTS BEING MADE IN THE SUBDIVISION, CITY OF BOERNE SHALL REVIEW AND APPROVE DETENTION FOR THE SITE. KENDALL COUNTY RESERVES THE RIGHT TO COMMENT ON THE DETENTION PLAN.

# CK PERIMETER:

BLOCK PERIMETERS ARE AS FOLLOWS. THE SMALLEST PERIMETER (BLOCK 9) IS 580 FEET. THE LARGEST PERIMETER (BLOCK 8) IS 1,538 FEET

BLOCK 3 = 665 FEET BLOCK 12 = 270 FEET BLOCK 4 = 1630 FEET BLOCK 13 = 515 FEET

BLOCK 9 = 1015 FEET BLOCK 14 = 330 FEET BLOCK 10 = 765 FFFT

## BLOCK 11 = 405 FEET PROJECT SLIMMARY TARLE

PROJECT SUMMARY TABLE		
DESCRIPTION	PHASE 3	
TOTAL RESIDENTIAL LOTS	70	
TOTAL OPEN SPACE LOTS	5	
TOTAL ACREAGE	22.62 AC	
AVERAGE DWELLINGS/ACRE	3.09	
LINEAR FEET OF STREET	2,831 LF	
OPEN SPACE	6.59 AC	
ROW ACREAGE	3.35 AC	

# IMPERVIOUS COVER CALCULATION

ı	DESCRIPTION	PHASE 3
l	STREETS & SIDEWALK	2.34 AC
l	HOUSES	4.35 AC
l	DRIVEWAYS	0.57AC
l	CONC. RIP-RAP/DRAINS	0.20 AC
l	STOOPS & AC PADS	0.17 AC
l	TOTAL	7.62 AC
l	% IMPERVIOUS	32.2%

	CH PHASE 3, HAS BEEN SUBMITTED TO AND CONSIDERED BY T ERNE, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSIO
DATED THISDAY OF	, A.D. , 20 <u> </u>
BY :	CHAIR
BY:	SECRETARY

- THE AREA OF THE SMALLEST LOT IN THIS SUBDIVISION IS 0.04 ACRES.
- 2. THIS SUBDIVISION CONTAINS 22.62 TOTAL ACRES WITH 70 LOTS FOR A GROSS DENSITY OF 3.09 LOTS PER ACRE.
- NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- WATER SERVICE SHALL BE PROVIDED BY KENDALL WEST UTILITIES. SEWAGE FACILITIES SHALL BE PROVIDED BY KENDALL WEST UTILITIES
- THIS SUBDIVISION IS LOCATED WITHIN THE BOERNE INDEPENDENT SCHOOL DISTRICT.
- BASIS OF BEARING WAS ESTABLISHED USING THE TRIMBLE VRS NETWORK, NAD (83), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, US SURVEY FOOT, GRID.
- 8. UNLESS OTHERWISE NOTED, ALL CORNERS AND ANGLES ARE SET 1/2" REBAR WITH RED "MATKIN HOOVER ENG. & SURVEY"
- PLASTIC CAPS 9. THERE ARE 20 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.
- 10. THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- 11. ALL STREETS WITHIN THIS SUBDIVISION WILL BE PRIVATE 12. THE PROVIDED AREA OF OPEN SPACE IS 6.59 AC, THE REQUIRED OPEN SPACE IS 4.52 AC.
- 13. THIS PLAT IS LOCATED WITHIN CITY OF BOERNE ETJ. 14. LOTS 908, 909, 910, 912, AND 913 ARE DEDICATED AS OPEN SPACE, UTILITY AND DRAINAGE EASEMENT.
- 15. LOT 911 AND 914 ARE DEDICATED AS PRIVATE RIGHT-OF-WAY AND UTILITY EASEMENTS AND SHALL BE OWNED AND MAINTAINED BY
- 16. THE MINIMUM BUILDING SLAB ELEVATION SHALL BE 1 FOOT ABOVE 100-YEAR FLOODPLAIN BASE FLOOD ELEVATION. 17. SEWER SERVICE SHALL BE PROVIDED BY KENDALL WEST UTILITIES

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND / OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE OF THE DRAINAGE SYSTEM WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND / OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

- 15. THE GRANTOR SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND / OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE EASEMENT.
- 16. THE GRANTEE SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE GRANTEE'S USUAL AND CUSTOMARY PRACTICES.
- 17. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL OF THE CITY OF BOERNE TEXAS

UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE PASSABLE AREAS OF THE GRANTOR'S, ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE

- 1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
- 2. THE CITY SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.
- 3. PROPERTY OWNER SHALL NOT MAKE ANY IMPROVEMENTS IN THE UTILITY/ELECTRIC EASEMENTS THAT CONFLICTS WITH THE NATIONAL ELECTRIC SAFETY CODE (NESC). THE UTILITY IS NOT RESPONSIBLE FOR REMOVAL OF ANY IMPROVEMENTS IN CONFLICT WITH THE NESC.

ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 2019-56. SECTION 1.10(5)

# OWNER / DEVELOPER:

FORESTAR (USA) REAL ESTATE GROUP, INC CONTACT: MR. ELLIOT CONDOS 10700 PECAN PARK BLVD., SUITE 150 AUSTIN, TEXAS 78750PHONE: (817) 769-1875

SPENCER ROAD SUITE 100 BOERNE, TEXAS 78006 OFFICE: 830.249.0600 FAX:830.249.0099 TEXAS REGISTERED ENGINEERING FIRM F-004512

CIVIL ENGINEERS SURVEYORS LAND PLANNERS

& SURVEYING

JOB NO.

2782.33

DATE: JANUARY 2022

SHEET OF 3

