

**2023 ANNEXATION
CITY OF BOERNE, TEXAS
MUNICIPAL SERVICE PLAN AGREEMENT**

Property Subject to the Plan: Being a 3.877 acre tract of land, more or less, out of the Anton Lockmar Survey No. 311 in Kendall County, Texas; More particularly described as follows:

Said acre tract being more fully described in attached Exhibits "A" and "B", which is incorporated as if fully set forth herein and hereinafter referred to as the "Property" or the "Annexation Area".

Municipal services to the Annexation Area will be furnished by or on behalf of the City of Boerne, Texas, at the following levels and in accordance with the following service plan programs:

A. SPECIFIC FINDINGS

The City Council of the City of Boerne, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the Annexation Area, than were in existence at the time immediately preceding this territory's annexation to the City of Boerne, Texas.

B. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION.

The City will provide the following services in the Annexation Area on the effective date of the annexation unless otherwise noted. As used in this plan, the term "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

1. POLICE PROTECTION

The City of Boerne Police Department will provide regular and routine patrols to the Annexation Area at the same or similar level now being provided to other areas of the City with similar topography, land use and population densities.

The services will include, but are not limited to:

- Normal patrols and responses to calls for service;
- Handling of offense and incident reports;
- Special units, such as traffic enforcement, criminal investigations, narcotics law enforcement, gang suppression, and crime response team deployment when required; and
- Animal Control services.

2. FIRE SERVICE

The City of Boerne, Texas and its Fire Department will provide fire protection services to the Annexation Area at the same or similar level now being provided to other areas of the City with

similar topography, land use and population densities. The Fire Department will perform these duties as part of its overall activities. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

These services include, but are not limited to:

- Basic Life Support (BLS) 1st responder emergency medical services;
- Fire suppression and rescue;
- Hazardous materials mitigation and regulation;
- Technical rescue;
- Fire Safety Education;
- Aircraft/rescue/firefighting;
- Fire protection system plan review; and
- Inspections.

3. BUILDING INSPECTION AND CODE ENFORCEMENT SERVICES

The City of Boerne Code Enforcement Department activities will extend to Annexation Area, pursuant to applicable policies and/or ordinances of the City, now existing or as such policies and/or ordinances may be amended. These services include, but are not limited to, consultation with project developers for building code requirements, plan review for structures, issuance of building permits, and on-site inspection services for new construction.

The Code Enforcement Department will also enforce the City's code of ordinances and will respond to requests for inspection and complaints of suspected City Code violations including, but not limited to: high weeds and grass, trash and debris, solid waste, trash carts and illegal dumping, junked and abandoned vehicles, zoning, food, daycare, pool and spa inspections, stray animals, cruelty and bite investigations. Complaints of ordinance or regulation violations within the Annexation Area will be answered and investigated by existing personnel within the appropriate City department beginning on the effective date of the annexation.

4. PLANNING AND ZONING

The City of Boerne Planning and Zoning Department activities will extend to the Annexation Area, pursuant to applicable policies and/or ordinances of the City, now existing or as may be amended.

5. LIBRARY

Free library uses, and privileges will be available to residents of the Annexation Area, pursuant to applicable policies and/or ordinances as may be amended.

6. PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Residents of the Annexation Area may utilize all existing parks and community service facilities throughout the City subject to existing ordinances and policies as may be amended. Existing parks, playgrounds, swimming pools and other recreational and community facilities within the Annexation Area that are private facilities will be unaffected by the annexation.

7. SOLID WASTE COLLECTION

Solid waste collection is contracted for by the City's contracted agent upon annexation. Solid waste collection will be provided to the Annexation Area at the same or similar level of service now being provided to other areas of the City in accordance with existing ordinances and policies as may be amended from time to time.

8. STREET AND DRAINAGE MAINTENANCE

The effects of this addition on drainage will be addressed under the provisions of the City of Boerne ordinances and policies in effect at the time of platting.

Public roads, streets and drainage improvements that have been properly platted, duly dedicated, and accepted by the City of Boerne and/or Kendall County shall be maintained by City Street Department. All roads, streets or alleyways in the Annexation Area which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas of the City of Boerne with similar land use, population density and topography.

Construction of new roads and streets, if any, is the responsibility of the developer or landowner desiring them and must be designed and built in accordance with applicable City of Boerne ordinances and policies as may be amended.

The effects of this addition on drainage will be addressed under the provisions of the City of Boerne ordinances and policies in effect at the time of platting, if and when such platting occurs. The effects will be consistent with such maintenance provided by the City of Boerne to other areas within the City exhibiting land use, population density and topography similar to that of the Annexation Area.

9. ELECTRIC SERVICE

The annexation area is within the service territory of the City of Boerne. Electric service to and throughout the property can be extended according to City standards. Electric service is provided as it is to all other areas within the City of Boerne with the same or similar topography, land use, and population density. The nearest three-phase electric line is an underground line located at the intersection of Chisholm Dr. and Lattimore Blvd. The nearest single-phase electric line is an underground line located along Fischer Drive near the east boundary of the subject property. The nearest overhead electric primary distribution is a three-phase line along Johns Road at Lattimore Blvd.

10. GAS SERVICE

Natural gas service from the City of Boerne may be extended to and throughout the property according to City standards. Natural Gas service is provided for as it is to all other areas within the City of Boerne with the same or similar topography, land use, and population density. The nearest natural gas main of significant capacity is located along the east side of IH-10 adjacent to the subject property.

11. WATER SERVICE

Water service to the area from the City of Boerne may be extended to and throughout the property according to City standards. Extension of service shall comply with State law as provided

in Chapter 43 of the Local Government Code. The nearest water mains of significant capacity are located along the east side of IH-10 adjacent to the northwest corner of the subject property and along Fischer Drive adjacent to the east side of the subject property.

12. SEWER SERVICE

Sanitary sewer service to the area from the City of Boerne may be extended to and throughout the property according to City standards. Extension of service shall comply with applicable State law as provided in Chapter 43 of the Local Government Code. The nearest sewer main of significant capacity is located along Fischer Drive near the east side of the subject property.

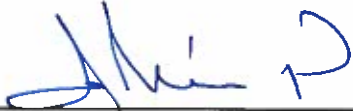
C. CAPITAL IMPROVEMENTS PROGRAM

No capital improvements are necessary at this time to provide services to the Annexation Area consistent with all other areas within the City of Boerne with the same or similar topography, land use, and population density. Need for construction of new facilities will be assessed periodically based on population growth and predicted growth. Any capital improvements deemed necessary to serve the subject annexation area shall be and shall remain the responsibility of the petitioner.

*THE STATE OF TEXAS
COUNTY OF KENDALL*


The undersigned acknowledge that the Municipal Service Plan Agreement has been read and the requirements and stipulations contained therein are understood.

ALEJANDRO CORTESERREZ
Printed Name


Signature

7/13/2023
Date

Printed Name


Signature

JULY 13 2023
Date

*THE STATE OF TEXAS
COUNTY OF KENDALL*

THE STATE OF TEXAS
COUNTY OF KENDALL

The undersigned acknowledge that the Municipal Service Plan Agreement has been read and the requirements and stipulations contained therein are understood.

ALEJANDRO CORTES PEREZ [Signature]
Printed Name Signature

7/13/2023
Date

Printed Name

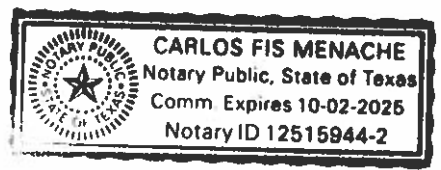
Signature

Date

This Municipal Service Plan Agreement was acknowledged before me on the day of

July 13, 2023

[Signature]
Notary Public In and For the State of Texas

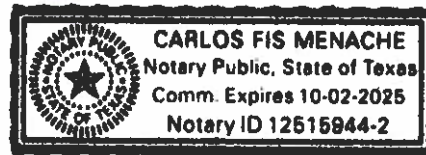


This Municipal Service Plan Agreement was acknowledged before me on the day of

July 13, 2023



Notary Public In and For the State of Texas



STATE OF TEXAS #
COUNTY OF KENDALL #

Fieldnotes for 3.877 acres of land, more or less, out of the Anton Lockmar Survey No. 178, Abstract No. 311 in Kendall County, Texas (locations and configurations of any original patents, etc. on or adjoining this tract are approximate, said patents, etc. were not researched or located on the ground. Patent problems and/or conflicts may exist.) and being the same tract of land conveyed to Mark G. Riser described as Tract 2 in deed recorded in Volume 892, Page 927 - Kendall County Official Records, said 3.877 acres of land, more or less, being more particularly described as follows:

All iron pins cited are $\frac{1}{4}$ " diameter.

Reference is made to a 12" X 18" plat of 3.877 acres of land dated October 20, 2004 and February 6, 2008 accompanying these fieldnotes.

BEGINNING at a found iron pin by fence corner on the west line of the adjoining THE WOODS OF FREDERICK CREEK, UNIT 2 recorded in Volume 5, Pages 276-280 - Kendall County Plat Records for the northeast corner of this tract and the southeast corner of the adjoining VILLAS AT HAMPTON PLACE, UNIT I PUD recorded in Volume 4, Page 183-185 - Kendall County Plat Records.

Thence along the westerly line of said adjoining THE WOODS OF FREDERICK CREEK, UNIT 2,

South $00^{\circ} 16' 50''$ West, (Bearing Base Used: Reference Volume 873, Page 559 - Kendall County Official Records), 575.68 feet to a found iron pin on the northeasterly line of Interstate Highway No. 10 for the south corner of this tract, another found iron pin used for reference only bears North $54^{\circ} 03' 35''$ West, 0.74 feet.

Thence along the northeasterly line of Interstate Highway No. 10,

EXHIBIT "A"

Page 1 of 2

An arc length of 805.06 feet along a curve to the right having a radius of 5559.70 feet and a chord that bears North 43° 58' 08" West, 804.36 feet to a found iron pin for the southwest corner of the above referenced adjoining VILLAS AT HAMPTON PLACE, UNIT I and the northwest corner of this tract.

Thence along the southerly line of the above referenced adjoining VILLAS AT HAMPTON PLACE, UNIT I,

South 89° 22' 40" East, 265.96 feet to a set P-K nail for the southwest corner of the adjoining Lot 10 in VILLAS AT HAMPTON PLACE, UNIT I,

South 89° 24' 07" East, 51.57 feet to a found iron pin for the southeast corner of the adjoining Lot 10 in VILLAS AT HAMPTON PLACE, UNIT I,

South 89° 33' 18" East, 48.39 feet to a found iron pin, and North 89° 49' 59" East, 195.36 feet to the PLACE OF BEGINNING.

I, Thomas C. Pfeiffer, Registered Professional Land Surveyor for the State of Texas, certify that the foregoing fieldnotes represents surveys made on the ground under my supervision.

October 20, 2004 and February 6, 2008.



Thomas C. Pfeiffer Pfeiffer Land Surveying
Registered Professional Land Surveyor No. 1973
Boerne, Texas 78006 Phone: 830-249-3385

EXHIBIT "A"

Page 2 of 2

Filed for Record in:

Kendall County
Darlene Herrin
County Clerk

On: Apr 11, 2008 at 04:28P

Document Number: 00230977
Total Fees : 31.00

Receipt Number - 109612
By Deputy: Paula Pfeiffer

This Document has been received by this Office
for Recording into the Official Public Records.
We do hereby swear that we do not discriminate
due to Race, Creed, Color, Sex or National
Origin.

KCAC

STATE OF TEXAS, COUNTY OF KENDALL
I hereby certify that this instrument was filed in File
Number Sequence on the date and at the time
stamped hereon and was duly recorded in the
Official Records of Kendall County, Texas on:



APR 14 2008
DARLENE HERRIN, County Clerk
Kendall County, Texas

By: *[Signature]* Deputy

FIELD NOTES FOR A 6.676 ACRE TRACT OF LAND

A **6.676 acre** tract of land, located in the Antonio Lockmar Survey No. 178, Abstract 311, Kendall County, Texas, and being a portion of a called 9.077 acre tract of land as described of record in Volume 87, Page 353 of the Deed Records of Kendall County, Texas, and also being a portion of the current right-of-way of Interstate Highway 10, as shown on the Texas Department of Transportation (TxDOT) Right-of-Way Map, Account No. I10-4(53)544. Said **6.676 acre** tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the northeast right-of-way line of Interstate Highway 10, for the southwest corner of Lot 1, Block 1 of the Villas At Hampton Place, Unit 1 of record in Volume 4, Pages 183-185 of the Deed and Plat Records of Kendall County, Texas, for the northwest corner of a called 3.877 acre tract of land as described of record in Volume 1483, Page 933 of the Official Records of Kendall County, Texas, for the north corner of said 9.077 acre tract and the tract described herein, from which a found ½” iron rod for the northeast corner of said 3.877 acre tract of land bears, S 89° 31’ 45” E, a distance of 366.34 feet and N 89° 37’ 55” E, a distance of 195.41 feet;

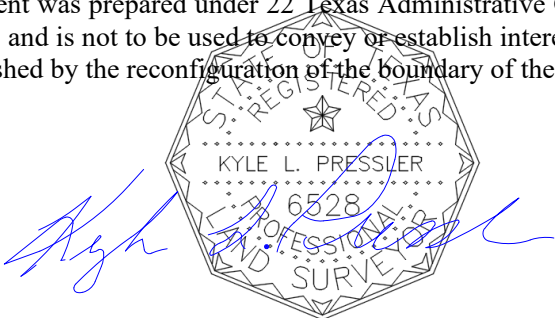
THENCE: With the northeast right-of-way line of Interstate Highway 10, the northeast line of said 9.077 acre tract, the southwest line of said 3.877 acre tract and a non-tangent curve to the left having a radius of **5559.70 feet**, an arc length of **805.46 feet**, a delta angle of **008° 18’ 03”** and a chord bears, **S 44° 07’ 11” E**, a distance of **804.76 feet** to a found ½” iron rod with a plastic cap stamped “Gibbons Survey RPLS 4716” for the westerly corner of an Open Space Lot as shown on the Woods of Frederick Creek, Unit 2 Subdivision Plat of record in Volume 6, Pages 323-327 of the Deed and Plat Records of Kendall County, Texas, for the northeast corner and a point of non-tangency of said 9.077 acre tract and the tract described herein;

THENCE: **S 41° 43’ 24” W**, into said 9.077 acre tract and said Interstate Highway 10 right-of-way, a distance of **349.96 feet** to a point in the southwest right-of-way line of Interstate Highway 10, the southwest line of said 9.077 acre tract, in the northeast line of a called 127.027 acre tract of land as described of record in Document No. 2021363240 of the Official Public Records of Kendall County, Texas, for the south corner and a point of curvature of the tract described herein, from which a found TxDOT Right-of-Way Monument for a point of tangency in said right-of-way line and the southwest line of said 9.077 acre tract bears, S 49° 42’ 54” E, a distance of 296.67 feet;

THENCE: With the southwest right-of-way line of Interstate Highway 10, the southwest line of said 9.077 acre tract and the northeast line of said 127.027 acre tract and a non-tangent curve to the right having a radius of **5909.70 feet**, an arc length of **856.17 feet**, a delta angle of **008° 18’ 03”** and a chord bears, **N 44° 07’ 35” W**, a distance of **855.42 feet** to a point for the west corner and a point of non-tangency of the tract described herein, from which a found ½” iron rod in the southwest right-of-way line of Interstate Highway 10, for the northeast corner of said 127.027 acre tract and the northwest corner of said 9.077 acre tract bears, N 38° 33’ 32” W, a distance of 292.28 feet;

THENCE: **N 50° 01’ 27” E**, into said 9.077 acre tract and said Interstate Highway 10 right-of-way, a distance of **350.05 feet** to the **POINT OF BEGINNING** and containing **6.676 acres** of land situated in Kendall County, Texas.

Note: The 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. A survey plat was prepared by a separate document. “This document was prepared under 22 Texas Administrative Code § 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the reconfiguration of the boundary of the political subdivision for which it was prepared.”



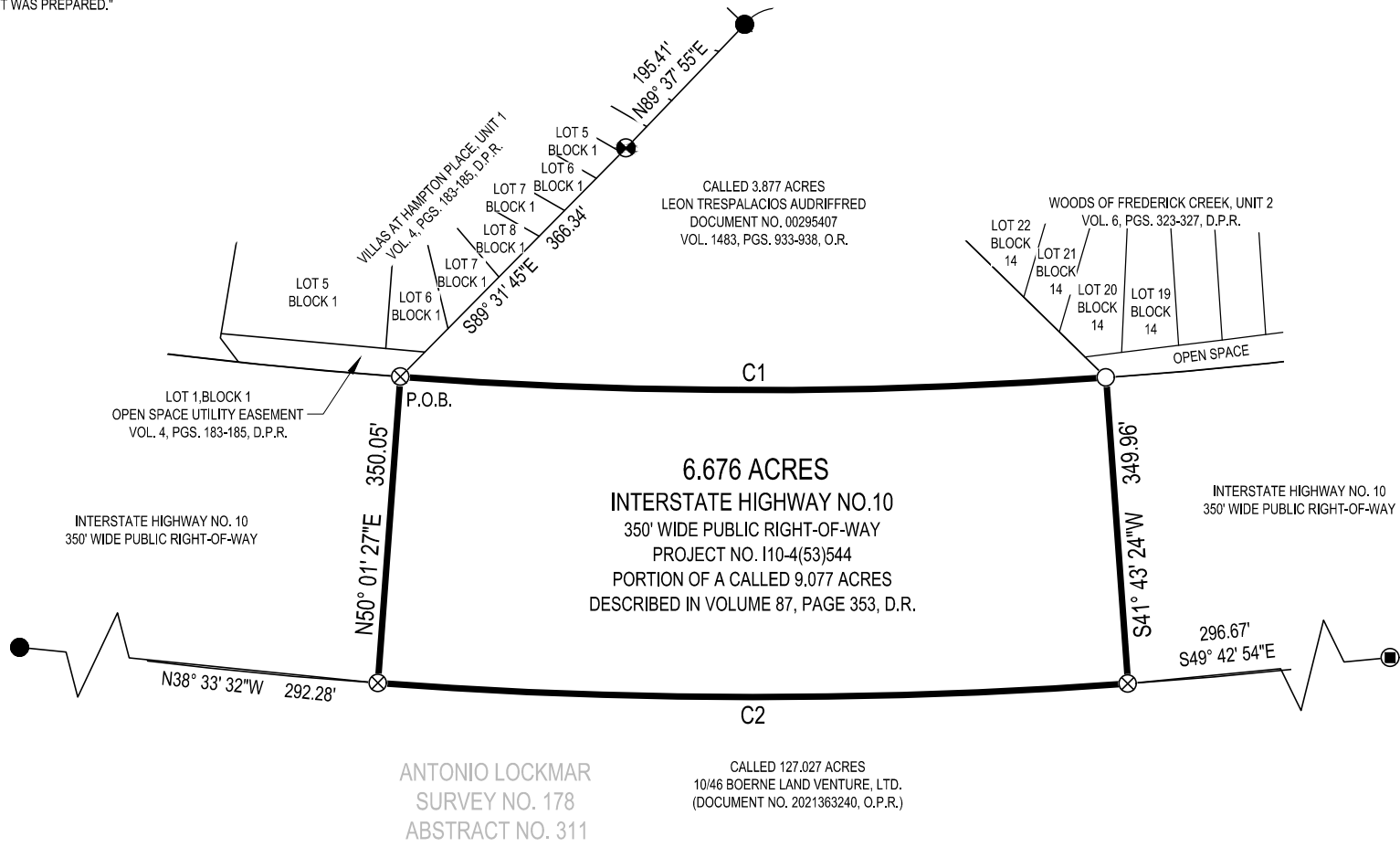
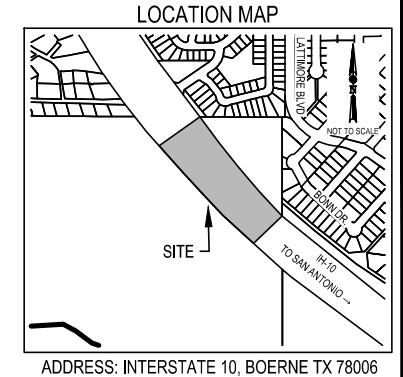
Job #22-4157 – 6.676 Acres
Date: July 7, 2023

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. "THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE § 138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."

EXHIBIT OF:

A 6.676 ACRE TRACT OF LAND, LOCATED IN THE ANTONIO LOCKMAR SURVEY NO. 178, ABSTRACT 311, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 9.077 ACRE TRACT OF LAND AS DESCRIBED OF RECORD IN VOLUME 87, PAGE 353 OF THE DEED RECORDS OF KENDALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE CURRENT RIGHT-OF-WAY OF INTERSTATE HIGHWAY 10, AS SHOWN ON THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) RIGHT-OF-WAY MAP, ACCOUNT NO. I10-4(53)544



LEGEND

- O.R. OFFICIAL RECORDS
- D.R. DEED RECORDS
- D.P.R. DEED & PLAT RECORDS
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- FOUND 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "GIBBONS SURVEY RPLS 4716"
- ⊗ POINT
- FOUND 1/2" IRON ROD
- ⊠ FOUND TxD.O.T. RIGHT-OF-WAY MONUMENT
- ⊗ FOUND 1/2" IRON ROD WITH A RED PLASTIC CAP

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	5559.70'	805.46'	8°18'03"	S44° 07' 11"E	804.76'
C2	5909.70'	856.17'	8°18'03"	N44° 07' 35"W	855.42'



Kyle L. Pressler
 KYLE L. PRESSLER DATE: JULY 7, 2023
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 6528
 KYLE.PRESSLER@MATKINHOOVER.COM
 JOB NO. 22-4157 - ANNEXATION EXHIBIT 6.676 Ac.

MATKINHOOVER
 ENGINEERING & SURVEYING
 HEADQUARTERS
 8 SPENCER ROAD SUITE 300
 BOERNE, TEXAS 78006
 OFFICE: 830.249.0600 FAX: 830.249.0099
 3303 SHELL ROAD SUITE 3
 GEORGETOWN, TEXAS 78628
 OFFICE: 512.868.2244
 BOERNE, TEXAS REGISTERED SURVEYING FIRM F-10024000
 BOERNE, TEXAS REGISTERED ENGINEERING FIRM F-004512
 CIVIL ENGINEERS SURVEYORS LAND PLANNERS
 CONSTRUCTION MANAGERS CONSULTANTS



SCALE: 1" = 100'

SURVEY SHOWING:
 3.877 ACRES OF LAND, MORE OR LESS, OUT OF THE ANTON LOCKMAR SUR. NO. 178, ABS. NO. 311 IN KENDALL COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND CONVEYED TO MARK G. RISER DESCRIBED AS TRACT 2 IN DEED RECORDED IN VOL. 892, PG. 927, KENDALL COUNTY OFFICIAL RECORDS.

CALLLED 3.877 ACRES
 LEON TRESPALACIOS AUDRIFFRED
 DOCUMENT NO. 00295407
 VOL. 1483, PGS. 933-938, O.R.

LEGEND

- P.O.B. POINT OF BEGINNING
- POINT

- NOTES:**
- 1) DATE PREPARED JUNE 12, 2023
 - 2) CLIENT, CITY OF SAN ANTONIO
 - 3) THIS EXHIBIT DOES NOT REPRESENT A SURVEY OF ANY KIND AND SHALL NOT BE USED FOR THE CONVEYANCE OF OWNERSHIP
 - 4) JOB NUMBER: 3253.01.01 WESTOVER AOG ANNEX

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	5559.70'	805.46'	8°18'03"	S44° 07' 11"E	804.76'

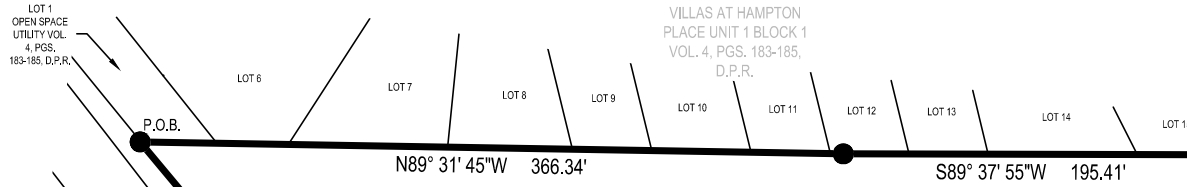
MATKIN HOOVER

ENGINEERING & SURVEYING

HEADQUARTERS
 8 SPENCER ROAD SUITE 300
 BOERNE, TEXAS 78006
 OFFICE: 830.249.0600 FAX: 830.249.0099
 3303 SHELL ROAD SUITE 3
 GEORGETOWN, TEXAS 78628
 OFFICE: 512.868.2244

GEORGETOWN, TEXAS REGISTERED SURVEYING FIRM F-10194347
 BOERNE, TEXAS REGISTERED SURVEYING FIRM F-10024000
 BOERNE, TEXAS REGISTERED ENGINEERING FIRM F-004512

CIVIL ENGINEERS SURVEYORS LAND PLANNERS
 CONSTRUCTION MANAGERS CONSULTANTS



LOT 1
 OPEN SPACE
 UTILITY VOL.
 4, PGS.
 183-185, D.P.R.

VILLAS AT HAMPTON
 PLACE UNIT 1 BLOCK 1
 VOL. 4, PGS. 183-185,
 D.P.R.

INTERSTATE HIGHWAY NO. 10 - FRONTAGE
 ROAD VARIABLE WIDTH R.O.W.

C1

N00° 08' 52"E 575.97'

OPEN SPACE
 VARIABLE WIDTH
 DRAINAGE
 EASEMENT

GREEN SPACE

