

HERITAGE LEGACY TREES:  
THERE ARE 37 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.

FENCE NOTES:  
GATES ACROSS EASEMENT: DOUBLE SWING GATES 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.

SIDEWALK NOTES:  
A FIVE-FOOT-WIDE REINFORCED CONCRETE SIDEWALK (INCLUDING CURB RAMPS) SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET AT SUCH TIME AS THAT LOT IS DEVELOPED.

TAX CERTIFICATE:  
TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME \_\_\_, PAGE \_\_\_, KENDALL COUNTY OFFICIAL RECORDS.

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

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; 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 RAMPS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTION, 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.

1. 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.
2. THE GRANTOR 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.
3. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL TO THE CITY OF BOERNE, TEXAS.

UTILITY EASEMENT (U.E.):  
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 ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTION, 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 THEREOF; 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 OBSTRUCTION, 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 UTILITIES.

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 UTILITY SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND THE UTILITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE 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 UTILITY'S USUAL AND CUSTOMARY PRACTICES.

IMPACT FEE ASSESSMENT:  
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 THE CITY ORDINANCE NO. 2019-56, SECTION 1.10(5).

SETBACK NOTE:  
LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON ZONING/LOT SIZE. UNLESS OTHERWISE IDENTIFIED, THE FRONT SETBACK FOR A PIE SHAPED LOT OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTOAGE REQUIREMENTS FOR THE LOT CATEGORY.

OPEN SPACE NOTE:  
5% OF ALL BUILDING FOOTPRINTS AND AREAS OF IMPERVIOUS SURFACE DEDICATED TO VEHICLE ACCESS AND PARKING.

DRAINAGE BASIN NOTE:  
NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.

TXDOT NOTES:

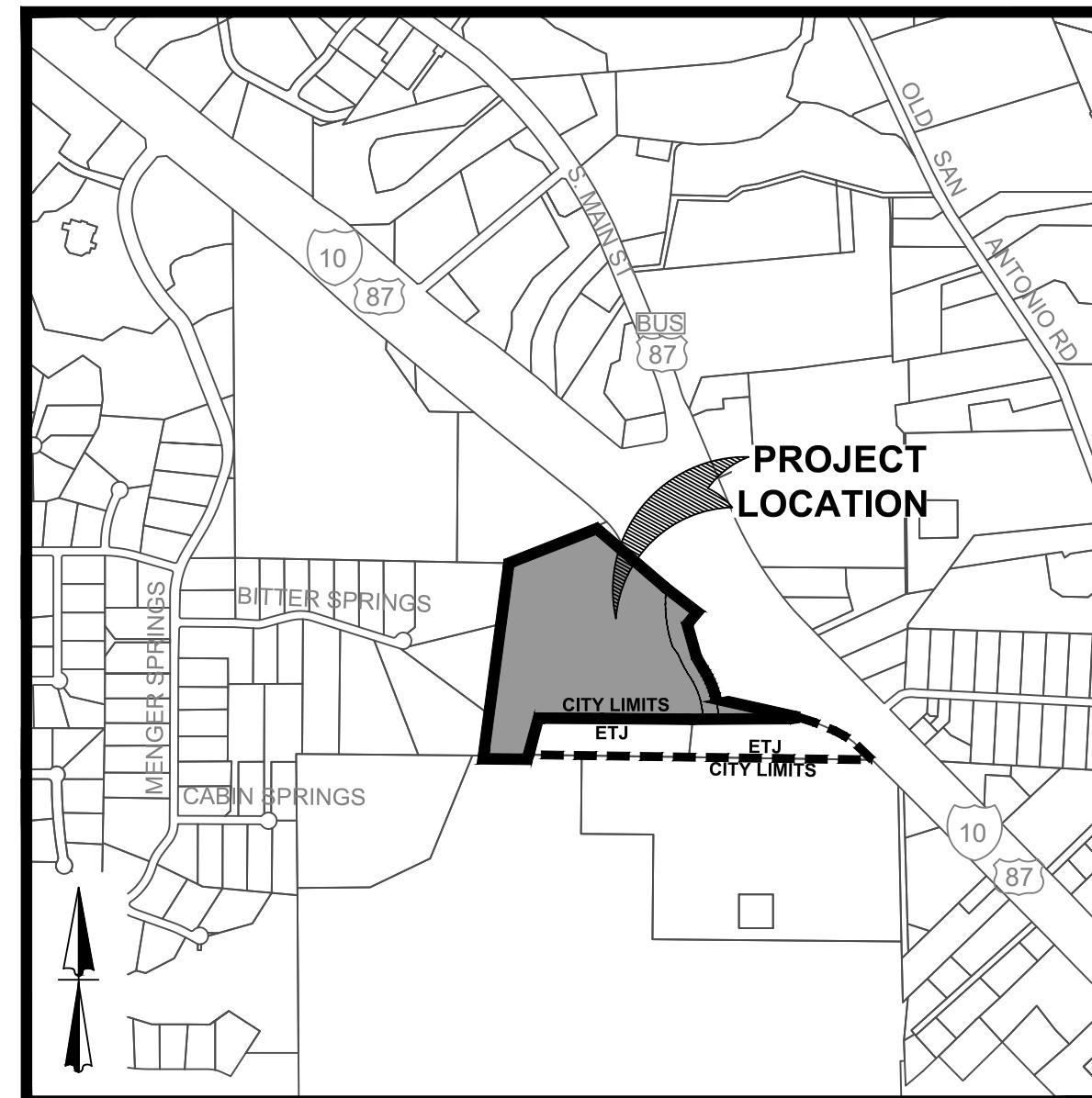
1. FOR DEVELOPMENTS DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER AND/OR LANDOWNER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR PRESENT AND/OR FUTURE NOISE MITIGATION.
2. THE DEVELOPER AND/OR FUTURE LANDOWNER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO TXDOT HIGHWAY AND DRAINAGE SYSTEM WITHIN THE RIGHT-OF-WAY. A HYDRAULIC REVIEW IS REQUIRED.
3. INTERSECTION AND/OR DRIVEWAY ACCESS TO THE STATE HIGHWAY, INCLUDING QUANTITY AND LOCATIONS OF DRIVEWAYS, WILL BE REGULATED AS DIRECTED BY THE CURRENT EDITION OF THE TXDOT ACCESS MANAGEMENT MANUAL.
4. IF SIDEWALKS ARE REQUIRED BY TXDOT OR THE APPROPRIATE CITY ORDINANCE, THE LOCATION, THE DESIGN, AND SPECIFICATIONS SHALL ADHERE TO TXDOT REQUIREMENTS WHEN PERMITTED IN TXDOT RIGHT-OF-WAY. A TDLR INSPECTION REPORT WILL BE REQUIRED.

5. TXDOT WILL USE THE CURRENT EDITIONS OF THE APPROPRIATE MANUALS WHEN ISSUING PERMITS. TYPICAL MANUAL USED, BUT NOT LIMITED TO ARE: TXDOT ACCESS MANAGEMENT MANUAL, SAN ANTONIO DISTRICT DRIVEWAY, SIDEWALK, LANDSCAPING, AND DRAINAGE PERMIT PACKAGE, TXDOT ROADWAY DESIGN MANUAL, TXDOT HYDRAULIC MANUAL, TXDOT CONSTRUCTION SPECIFICATIONS, AND TXDOT STANDARD SHEETS, WHEN SITE DEVELOPS.

6. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY "ACCESS MANAGEMENT MANUAL". THIS PROPERTY IS ELIGIBLE FOR A MAXIMUM COMBINED TOTAL OF THREE(3) ACCESS POINT(S) ALONG IH10 W FRONTOAGE RD BASED ON THE OVERALL PLATTED HIGHWAY FRONTOAGE OF 1168.31'.

## BUC-EE'S #41

PRELIMINARY PLAT - CREATING LOTS 1, 2, AND 3  
A 29.22 ACRE TRACT OF LAND, SITUATED IN THE CITY OF BOERNE,  
OUT OF THE JOHN SMALL SURVEY NO. 183, ABSTRACT 441,  
KENDALL COUNTY, TEXAS AS RECORDED IN VOLUME 1547 PAGES  
937 OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



### LOCATION MAP NOT TO SCALE

THIS PRELIMINARY PLAT OF BUC-EE'S #41 - CREATING LOTS 1, 2 & 3 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

BY: \_\_\_\_\_  
CHAIR

BY: \_\_\_\_\_  
SECRETARY

STATE OF TEXAS  
COUNTY OF KENDALL

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

OWNER / DEVELOPER:  
KYLE MADSEN  
RIGHT OF WAY DIVISION DIRECTOR  
125 E 11TH ST  
AUSTIN, TEXAS 78701

OWNER: KYLE MADSEN  
RIGHT OF WAY DIVISION DIRECTOR  
DULY AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER OF RECORD:  
TEXAS DEPARTMENT OF  
TRANSPORTATION  
125 E 11TH ST  
AUSTIN, TEXAS 78701

STATE OF TEXAS  
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN 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 BOERNE.

JASON LINK  
REGISTERED PROFESSIONAL ENGINEER NO. 106138  
KFW ENGINEERS  
JLINK@KFWENGINEERS.COM  
3421 PAESANOS PKWY, SUITE 200  
SAN ANTONIO, TEXAS 78231  
PHONE: 210-979-8444  
FAX: 210-979-8441

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE \_\_\_\_ DAY OF  
\_\_\_\_\_, 2020.

NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

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.

TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
KFW SURVEYING, LLC  
TSEIDEL@KFWENGINEERS.COM  
3421 PAESANOS PKWY, SUITE 101  
SAN ANTONIO, TEXAS 78231  
PHONE: 210-979-8444  
FAX: 210-979-8441

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE \_\_\_\_ DAY OF  
\_\_\_\_\_, 2020.

NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF KENDALL

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

OWNER / DEVELOPER:  
BUC-EE'S LTD.  
ATTN: STAN BEARD  
327 FM-2004  
LAKE JACKSON, TX 77566

OWNER: BUC-EE'S LTD.  
DULY AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE ABOVE 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 THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF KENDALL

I, \_\_\_\_\_, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020, AT \_\_\_\_ M., IN THE RECORDS OF DEEDS AND PLATS OF SAID COUNTY IN BOOK \_\_\_\_ VOLUME \_\_\_, ON PAGE \_\_\_, IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020. TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME \_\_\_\_ PAGE \_\_\_, KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020.

COUNTY CLERK, KENDALL COUNTY, TEXAS  
BY: \_\_\_\_\_ DEPUTY

