Easement notes

All properties designated as easements shall or may be utilized for the following purposes:

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 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 courses, 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 of

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 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.
- 3. 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 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 utilities.

- 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
- 2. The city (and/or district) shall make commercially reasonable efforts to ensure that 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.

PEDERNALES ELECTRIC COOPERATIVE NOTES:

It is understood and agreed that perpetual easements are reserved for the installation and maintenance of utilities and all necessary appurtenances thereto, whether installed in the air, upon the surface or underground, along and within fifteen feet (15') front lines of all lots and/or tracts and in the streets, alleys, boulevards, lanes and roads of the subdivision, and fifteen feet (15') along the outer boundaries of all streets, alleys, boulevards, lanes and roads where subdivision lines or lots of individual tracts are deeded to the centerline of the roadway. Nothing shall be placed or permitted to remain within the easement areas which may damage or interfere with the installation or maintenance of utilities. The easement area of each lot and all improvements within it shall be maintained by the owner of the lot, except for those facilities for which an authority or utility company is responsible. Utility companies or their employees shall have all of the rights and benefits necessary or convenient for the full enjoyment of the rights herein granted, including but not limited to the free right of ingress to and egress from the right-of-way and easements, and the right from time to time to cut all trees, undergrowth and other obstructions that may injure, endanger or interfere with the operation of said utility facilities. The easement rights herein reserved include the privilege of anchoring any support cables or other devices outside said easement when deemed necessary by the utility to support equipment within said easement and the right to install wires and/or cables over portions of said lots and/or tracts not within said easement so long as such items do not prevent the construction of buildings on any of the lots and/or tracts of this subdivision.

Fence Notes:

1. 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

2. 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 Note:
Five-foot wide reinforced concrete sidewalks shall be installed adjacent to all street frontage property lines of each lot fronting a street at such time as that lot is developed.

Impact fee assessment note:

sessment 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. 2023-18, Section 1.10(5).

Tax Certificate Note:

Tax Certificate Affidavit filed this date in Document No. ____ , Kendall County Official Records.

Building Setback Note:
Setbacks in the ETJ: 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 setbacks shall apply.

- Installation of potable water and wastewater services to open space lots may be performed by the developer, at his option, as part of the overall infrastructure design/construction process based upon the need for those services on individual lots. If potable water or wastewater services are not initially installed but are desired subsequent to the subdivision infrastructure development, the service applicant shall be financially responsible for the entirety of the design and installation costs for these services. In some instances, this work may also include the extension of utility mains to properly locate the desired utility
- 2. Open space Lot 103 Block 106, Lot 100, 101 & 102 Block 107 shall be Drainage, Pedestrian Access and Utility Easements.
- 3. Open Space Lot 104 Block 106 shall be Drainage, Emergency Secondary Access, Pedestrian Access and Utility Easement.

Residential lots in excess of 12,500 square feet 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.

Drainage Basin Note:

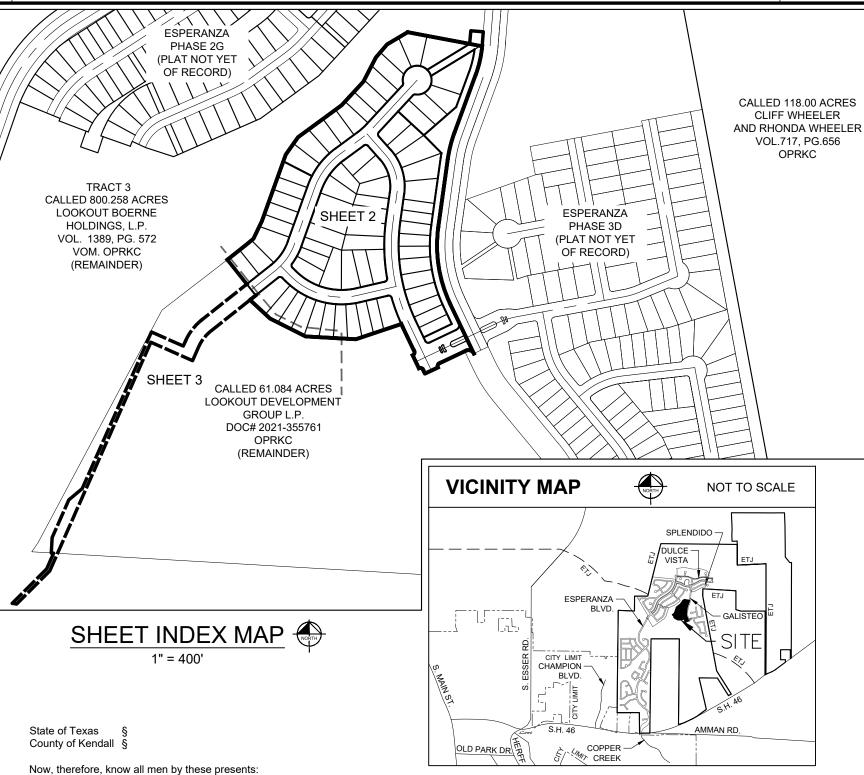
The subject area is not upstream from a City water supply lake.

- This subdivision contains 20.909 total acres with 70 residential lots for a density of 3.35 residential lots per acre.
- This subdivision contains 1.325 acres of open space.
- The area of the smallest lot is 0.003 acres. 4. The perimeter of the largest block is 3,289 LF. The perimeter of the smallest block is 308 LF.

Flood Statement

According to Map No. 48259C0415F & 48259C0420F, dated December 17, 2010 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Kendall County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, the property is within Zone "X" (un-shaded) defined by FEMA as "areas determined to be outside the 0.2% annual chance floodplain." All zone delineations shown hereon are approximate. This statement does not imply that any portion of the subject tract is totally free of potential flood hazard. Localized flooding can occur due to natural and/or man-made influences. This flood statement shall create no liability on the part of Kimley-Horn or the undersigned.

There are 32 Heritage Legacy Trees, as defined in Subsection 2.02.002, identified on this plat.



That Lookout Development Group, L.P., acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Esperanza, Phase 3E, an addition to Kendall County, Texas, and does hereby dedicate to the public and the City of Boerne, the public utility easements shown hereon for the mutual use and accommodation of the City of Boerne and all public utility providers desiring to use or using the same. Lookout Development Group, L.P., does hereby dedicate to the public and Kendall County Water Control and Improvement District No. 2B (the district) the streets hereon together with the drainage easements, and public use areas shown hereon, and do hereby dedicate the easements shown on the plat for the purposes as indicated to the district's exclusive use forever, said dedications being free and clear of all liens and encumbrances except as shown herein. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easements of said plat. At the sole and exclusive discretion of the district and subject to its written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, sold use by public utilities being subordinate to the district's use thereof. Any public utility given the right by the district to use said easements shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements. Any public utility shall at all times have the rights of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring the permission of anyone. I do hereby bind myself, my successors and assigns forever, to warrant and defend all and singular the above described streets, alleys, easements and rights unto the district against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within the extraterritorial jurisdiction of the City of Boerne. This plat approved subject to all the platting ordinances, rules and regulations of the City of Boerne.

State of Texas County of

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public, forever all streets, allevs, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner's Acknowledgement:

Lookout Development Group, L.P. Leander, Texas 78641

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 consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____day of ______, 20__.

Notary Public, State of Texas

Approval of the Planning and Zoning Commission:

This plat of ESPERANZA PHASE 3E 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 ______ 20__.

Secretary

LOOKOUT DEVELOPMENT GROUP, L.P. 1001 CRYSTAL FALLS PARKWAY LEANDER, TEXAS 78641 CONTACT: MIKE SIEFERT, P.E.

CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 10101 REUNION PLACE, SUITE 400 SAN ANTONIO, TEXAS 78216

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC. 10101 REUNION PLACE, SUITE 400 SAN ANTONIO, TEXAS 78216

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 John G. Mosier Registered Professional Land Surveyor #6330 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 consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this ____day of ____ Notary Public, State of Texas State of Texas County of Bexar 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 Boerne. Michael A. Scholze, P.E. #131737 Licensed Professional Engineer Before me, the undersigned authority on this day personally appeared _ 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 consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this ____day of ____ Notary Public, State of Texas

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, on the _____ day of "A.D. 202_ at ____. m.in the plat records of said county in Document No.

Tax Certificate Affidavit filed this date in Document No. ____ __, Kendall County Official Records. In testimony whereof, witness my hand and seal of office, this ____ day of _____

County Clerk Kendall County, Texas

PRELIMINARY PLAT ESTABLISHING

ESPERANZA PHASE 3E

20.909 ACRES

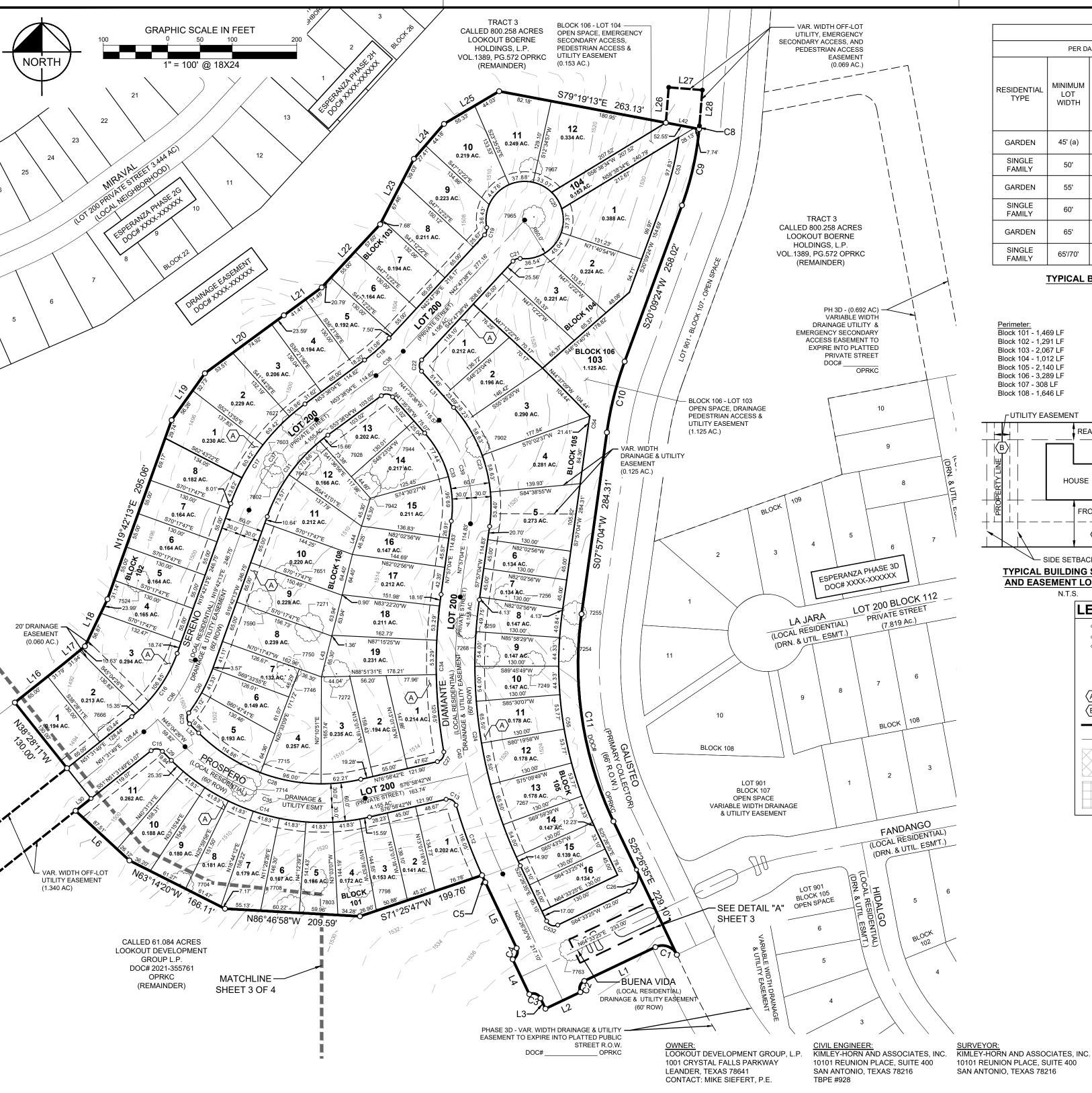
4.155 (PRIVATE) RIGHT-OF-WAY 70 RESIDENTIAL LOTS 4 OPEN SPACE LOTS

BEING A PORTION OF THAT CERTAIN TRACT 3 - 800.258 ACRE TRACT RECORDED IN VOLUME 1389, PAGE 572, PORTION OF THAT CERTAIN 61.084 ACRE TRACT RECORDED DOCUMENT NO. 2021-355761, IN THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS

JUAN ORTIZ SURVEY NO. 190, ABSTRACT NO. 363 KENDALL COUNTY, TEXAS



San Anto	nio, Texas 782	0193973	www.kimley-ho	rn.c	
Scale	<u>Drawn by</u>	Checked by	<u>Date</u>	Project No.	<u>S</u>
NWOHE	SVI	IGM	10/23/2023	068686334	



			BUILDING S	SETBACKS			
	PER DA	A AMENDED 2	/16/2023 & PER (CITY COUNCIL 2	/14/2023 APPRO	OVAL	
RESIDENTIAL TYPE	MINIMUM LOT WIDTH	MINIMUM LOT SQ. FEET	MINIMUM SIDE YARD SETBACK - PER SIDE(c)	MINIMUM SIDE YARD SETBACK ON STREET FACING CORNER LOT	MINIMUM FRONT FACING GARAGE FRONT SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM REAR YARD SETBACK
GARDEN	45' (a)	4,500	0'-10' (<i>b</i>)	10'	25'	15'	15'
SINGLE FAMILY	50'	5,500	5'	10'	25'	15'	15'
GARDEN	55'	6,000	0'-10' (b)	10'	25'	20'	15'
SINGLE FAMILY	60'	6,500	5'	10'	25'	20'	15'
GARDEN	65'	7,000	0'-10' (b)	10'	25'	20'	15'
SINGLE FAMILY	65'/70'	8,000	5'	10'	25'	20'	15'

TYPICAL BUILDING SETBACK ON INTERIOR PROPERTY LINE

Block 101 - 1,469 LF Block 102 - 1,291 LF Block 103 - 2,067 LF Block 104 - 1,012 LF Block 105 - 2,140 LF Block 106 - 3,289 LF Block 107 - 308 LF

Block 108 - 1,646 LF

(a) Add 5 additional feet of frontage for a corner lot. (b) The total combined side yard setbacks must be a minimum of 10 feet. (c) Setbacks less than 5' are allowed, including 0-lot line development provided a minimum 10' separation between buildings and any necessary maintenance easements are indicated on a recorded final plat.

CUTILITY EASEMENT

REAR SETBACK LINE HOUSE FRONT SETBACK LINE A UTILITY EASEMENT UTILITY

SIDE SETBACK LINE

TYPICAL BUILDING SETBACK

AND EASEMENT LOCATIONS

Surveyors Notes:

- 1. Property corners are monumented with 1/2" iron rod with a plastic cap stamped "KHA" prior to lot sales unless noted
- 2. The bearings shown hereon are the Texas State Plane System, South Central Zone (FIPS 4204) (NAD'83). All distances shown hereon are on the Surface. The Grid to Surface Scale Factor is 1.000090 feet. The unit of linear measurement is U.S. Survey

LEGEND ∘ 1/2" IRF 1/2" IRON ROD FOUND IRSC 1/2" IRON ROD W/ "KHA" CAP SET IRFC 1/2" IRON ROD FOUND W/ CAP BUILDING SETBACK LINE B.S.L. OFFICIAL PUBLIC RECORDS OPRKC OF KENDALL COUNTY, TEXAS **BLOCK 24 BLOCK IDENTIFICATION** A 15' UTILITY EASEMENT B 5' UTILITY EASEMENT CENTERED ON PROPERTY LINE PROPOSED PLAT BOUNDARY ADJACENT PROPERTY BOUNDARY EXISTING SLOPES 15%-25% EXISTING SLOPES >25%

PRELIMINARY PLAT ESTABLISHING

ESPERANZA PHASE 3E

20.909 ACRES

4.155 (PRIVATE) RIGHT-OF-WAY 70 RESIDENTIAL LOTS 4 OPEN SPACE LOTS

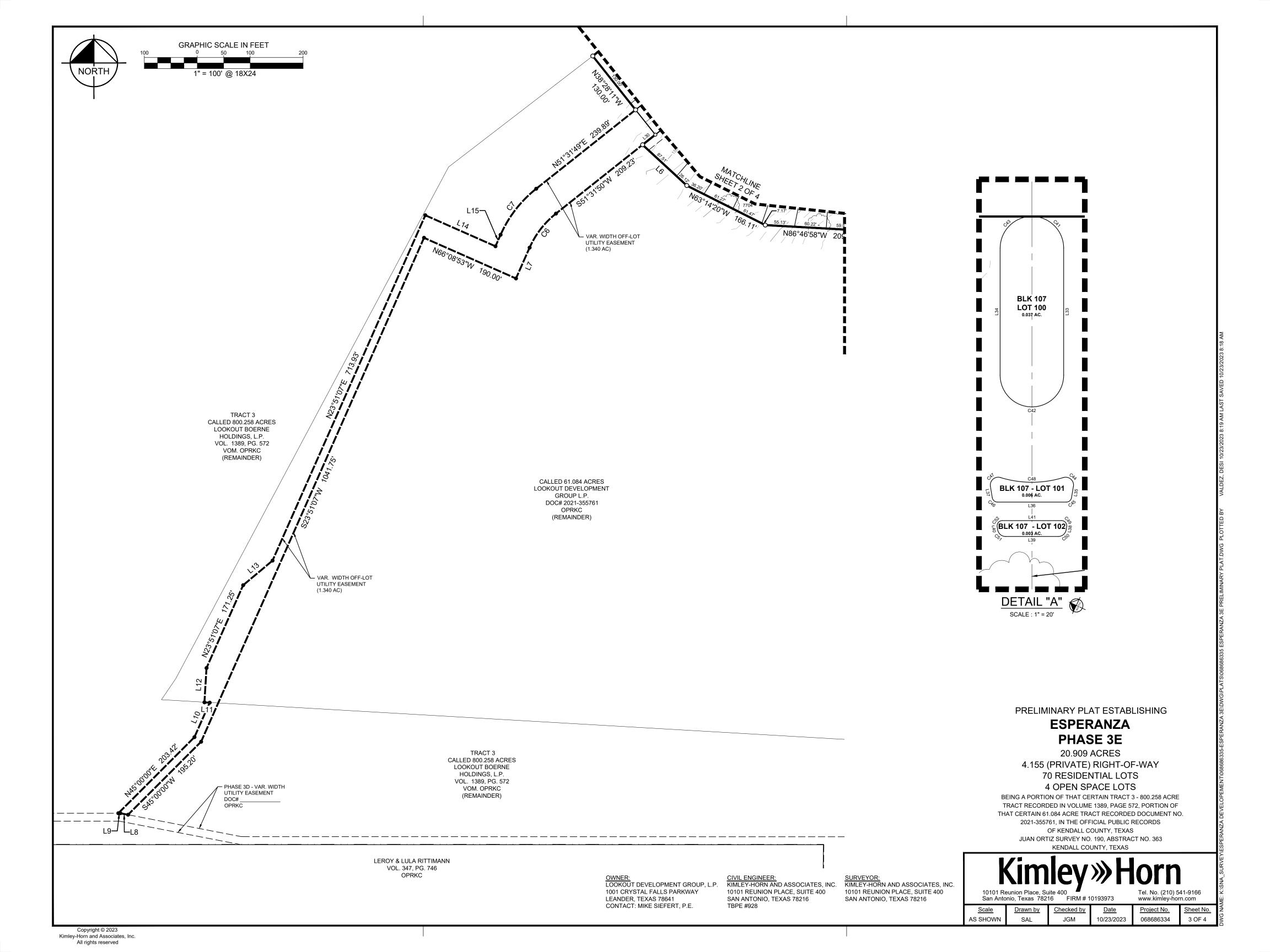
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JUAN ORTIZ SURVEY NO. 190, ABSTRACT NO. 363 KENDALL COUNTY, TEXAS

10101 Reunion Place, Suite 400 FIRM # 10193973 San Antonio, Texas 78216

Tel. No. (210) 541-9166

Scale Drawn by Checked by Project No. Sheet No. AS SHOWN SAL JGM 10/23/2023 068686334 2 OF 4



756.00' 440.63'

70.68' C40 33°23'39"

	LINE TABL	.E		LINE TABL	.E		LINE TABL	.E
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S64°33'25"W	122.00'	L16	N51°31'49"E	96.79'	L31	S41°35'38"E	75.14'
L2	S64°33'25"W	60.00'	L17	N50°38'06"E	42.57'	L32	S45°04'26"E	19.99'
L3	N25°26'35"W	18.00'	L18	N25°37'19"E	80.86'	L33	S64°33'25"W	48.00'
L4	N25°26'35"W	60.00'	L19	N35°24'40"E	88.99'	L34	N64°33'25"E	48.00'
L5	N25°26'35"W	113.10'	L20	N53°43'31"E	152.02'	L35	S74°03'25"W	4.30'
L6	N47°17'05"W	113.63'	L21	N53°38'04"E	72.89'	L36	N25°26'35"W	26.00'
L7	S23°51'07"W	63.71'	L22	N42°47'38"E	133.39'	L37	N55°03'25"E	4.30'
L8	N79°03'12"W	14.84'	L23	N27°15'33"E	114.17'	L38	S74°03'25"W	1.18'
L9	N89°59'19"W	3.83'	L24	N40°45'45"E	71.60'	L39	N25°26'35"W	19.96'
L10	N23°51'07"E	71.34'	L25	N59°22'36"E	99.36'	L40	N55°03'25"E	1.18'
L11	N86°40'43"W	9.92'	L26	N04°38'30"E	55.00'	L41	S25°26'35"E	22.32'
L12	N03°23'54"E	65.00'	L27	S85°21'26"E	52.28'	L42	N79°19'13"W	52.55'
L13	N50°03'48"E	72.45'	L28	S04°38'34"W	55.75'	L43	S14°13'21"W	65.30'
L14	S66°08'53"E	145.00'	L29	N45°04'26"W	19.84'	L44	S17°44'30"W	46.25'
L15	N23°51'07"E	23.71'	L30	N51°31'49"E	30.66'			

S47°12'22"E

TRE	E TABLE	
NO.	DESCRIPTION	TREE TAG
7249	26" LIVE OAK (TC 82")	(3683)
7254	27" LIVE OAK (TC 85")	(3688)
7255	25" LIVE OAK (TC 79")	(3689)
7256	26" LIVE OAK (TC 82")	(3690)
7259	27" LIVE OAK (TC 85")	(3693)
7267	31" LIVE OAK (TC 97")	(3701)
7268	26" LIVE OAK (TC 82")	(3702)
7271	30" LIVE OAK (TC 94")	(3705)
7272	29" LIVE OAK (TC 91")	(3706)
7524	24" LIVE OAK (TC 75")	(3741)
7590	27" LIVE OAK (TC 85")	(3806)
7602	25" LIVE OAK (TC 79")	(3818)
7603	24" LIVE OAK (TC 75")	(3819)
7627	24" LIVE OAK (TC 75")	(3843)
7642	25" LIVE OAK (TC 79")	(3858)
7651	27" LIVE OAK (TC 85")	(3867)
7666	24" LIVE OAK (TC 75")	(3882)
7704	28" LIVE OAK (TC 88")	(3920)
7708	30" LIVE OAK (TC 94")	(3924)
7714	27" LIVE OAK (TC 85")	(3930)

434.42'

N08°44'45"W

NO.	DESCRIPTION	TREE TAG
7715	36" LIVE OAK (TC 113")	(3931)
7746	26" LIVE OAK (TC 82")	(3959)
7750	27" LIVE OAK (TC 85")	(3963)
7763	24" LIVE OAK (TC 75")	(3976)
7798	27" LIVE OAK (TC 85")	(5974)
7803	30" LIVE OAK (TC 94")	(5979)
7902	25" LIVE OAK (TC 79")	(3463)
7928	33" LIVE OAK (TC 104")	(3489)
7942	29" LIVE OAK (TC 91")	(2303)
7944	37" LIVE OAK (TC 116")	(2305)
7965	24" LIVE OAK (TC 75")	(2326)
7967	24" LIVE OAK (TC 75")	(2328)

PRELIMINARY PLAT ESTABLISHING

ESPERANZA PHASE 3E

20.909 ACRES

4.155 (PRIVATE) RIGHT-OF-WAY 70 RESIDENTIAL LOTS 4 OPEN SPACE LOTS

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JUAN ORTIZ SURVEY NO. 190, ABSTRACT NO. 363 KENDALL COUNTY, TEXAS

10101 Reunion Place, Suite 400

10/23/2023

FIRM # 10193973 San Antonio, Texas 78216 Scale Drawn by Checked by

JGM

SAL

AS SHOWN

Project No.

068686334

4 OF 4

OWNER: LOOKOUT DEVELOPMENT GROUP, L.P. 1001 CRYSTAL FALLS PARKWAY LEANDER, TEXAS 78641 CONTACT: MIKE SIEFERT, P.E.

CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 10101 REUNION PLACE, SUITE 400 SAN ANTONIO, TEXAS 78216

SURVEYOR: KIMLEY-HORN AND ASSOCIATES, INC. 10101 REUNION PLACE, SUITE 400 SAN ANTONIO, TEXAS 78216

C20 287°49'19"

60.00'

301.41'