

Easement Notes

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

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 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 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 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.

Utility Easement:

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.

- 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 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.

Fence Notes:

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 easements.

General Notes:

- 1. Total open space provided shall be 5% of all building footprints and areas of impervious surface dedicated to vehicle access and parking on each lot.
2. The subject area is not upstream from a city water supply lake.
3. The centerline of Menger Creek is approximately the westerly property line of H.B. Subdivision.
4. The approximate area of the smallest lot is 2.8972 acres (126,201 square feet).
5. Street right of way deviations as shown were approved by City Council on March 22, 2016.
6. No right of way is being dedicated with this plat.

Sidewalk Notes:

- 1. At such time as a lot is developed, a five-foot wide reinforced concrete sidewalks shall be installed adjacent to all property lines of each lot where the lot abuts public or private street.

Building Setback Note:

- 1. 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 frontage requirements for the lot category.

Landscape Note:

- 1. 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.

Heritage Legacy Tree Note:

- 1. There are eleven (11) heritage legacy trees, as defined in Subsection 2.02.002, identified on this plat.
2. Heritage legacy trees shown on this plat are based on the location and size of heritage legacy trees shown on the plat of Menger Place recorded in Volume 6, Pages 152-154 of the Plat Records of Kendall County and were not field verified.

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 the future landowner is responsible for preventing any adverse impact to TXDOT highway and drainage system within in the right-of-way. A hydraulic review is required.
3. Intersection and/or driveway access to the state highway will be regulated as directed by the current edition of the TXDOT access management manual. IH-10 is a controlled access highway, this area has no frontage roads. No direct access is allowed to IH-10.
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. A sidewalk easement is required.
5. TXDOT will use the current editions of the appropriate manuals when issuing permits. Typical manuals used, but not limited to are:
a. TXDOT Access Management Manual, San Antonio district driveway, sidewalk, landscaping, and drainage permit package
b. TXDOT Roadway Design Manual
c. TXDOT Hydraulic Manual
d. TXDOT Construction Specifications
e. TXDOT standard sheets when the site develops.

Floodplain Note:

According to Community Panel No. 48259C0415F, dated December 17, 2010 of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), a portion of the subject tract is located within Zone "AE" which is defined by FEMA as "1% annual flood chance area with base flood elevations determined". The remainder of 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.

Plat Notes:

Impact Fee Assessment Note:

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. 2017-13, section 1.10 (5)

Tax Certificate Note:

Tax Certificate Affidavit filed this date in Volume _____, Page _____, Kendall County Official Records.

Surveyors Notes:

- 1. Property corners are monumented with a 1/2-inch iron rod with a plastic cap stamped "KHA" set, unless noted otherwise.
2. Coordinates shown are based on the North American Datum of 1983 from the Texas Coordinate System established for the South Central Zone displayed in grid values.
3. Bearings are based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System Established for the South Central Zone.

Owner's Acknowledgement:

State of Texas
County of Kendall

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, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Santa Rosa Health Care Corporation
6363 N. Hwy 161
Irving, Texas 75038

By: _____
Dean Alexander, President & CEO

State of Texas

County of _____

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 _____, 2018.

_____,
Notary Public, State of Texas

Owner's Acknowledgement:

State of Texas
County of Kendall

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, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

City of Boerne

By: _____
Title

State of Texas

County of _____

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 _____, 2018.

_____,
Notary Public, State of Texas

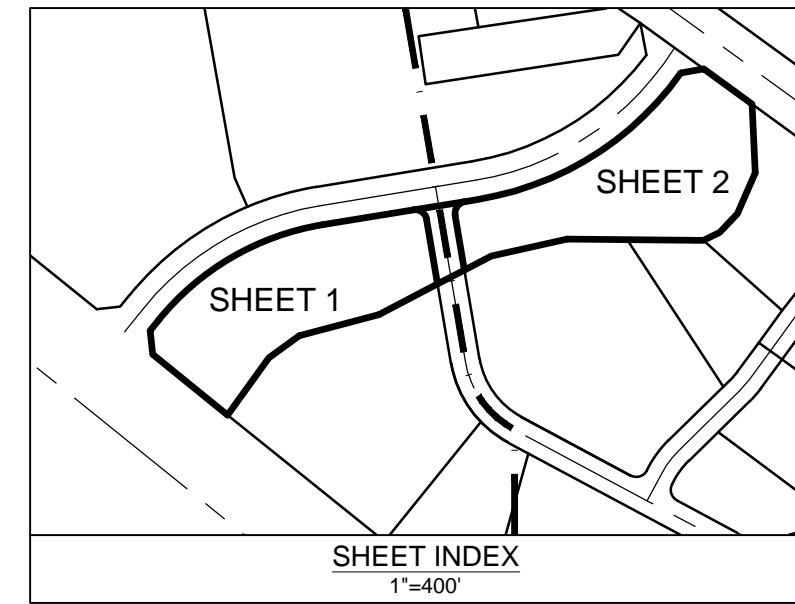
Approval of the Planning and Zoning Commission:

This Replat of Menger Place 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__.

By: _____
Chair

By: _____
Secretary



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

State of Texas
County of Bexar

Before me, the undersigned authority on this day personally appeared John G. Mosier 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 _____, 2018.

_____,
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.

_____,
Jeffrey D. Carroll, P.E. (93625)
Licensed Professional Engineer

State of Texas
County of Bexar

Before me, the undersigned authority on this day personally appeared Jeffrey D. Carroll 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 _____, 2018.

_____,
Notary Public, State of Texas

I, _____ County Clerk of said county, do hereby certify that this plat was filed for record in my office, on the ____ day of _____, A.D. 20__ at ____ M, and duly recorded the ____ day of _____, A.D. 20__ at ____ M in the records of _____ of said county, in Book Volume _____ on Page _____.

In testimony whereof, witness my hand and seal of office this ____ day of _____, A.D. 20__.

_____,
County Clerk, Kendall County, Texas

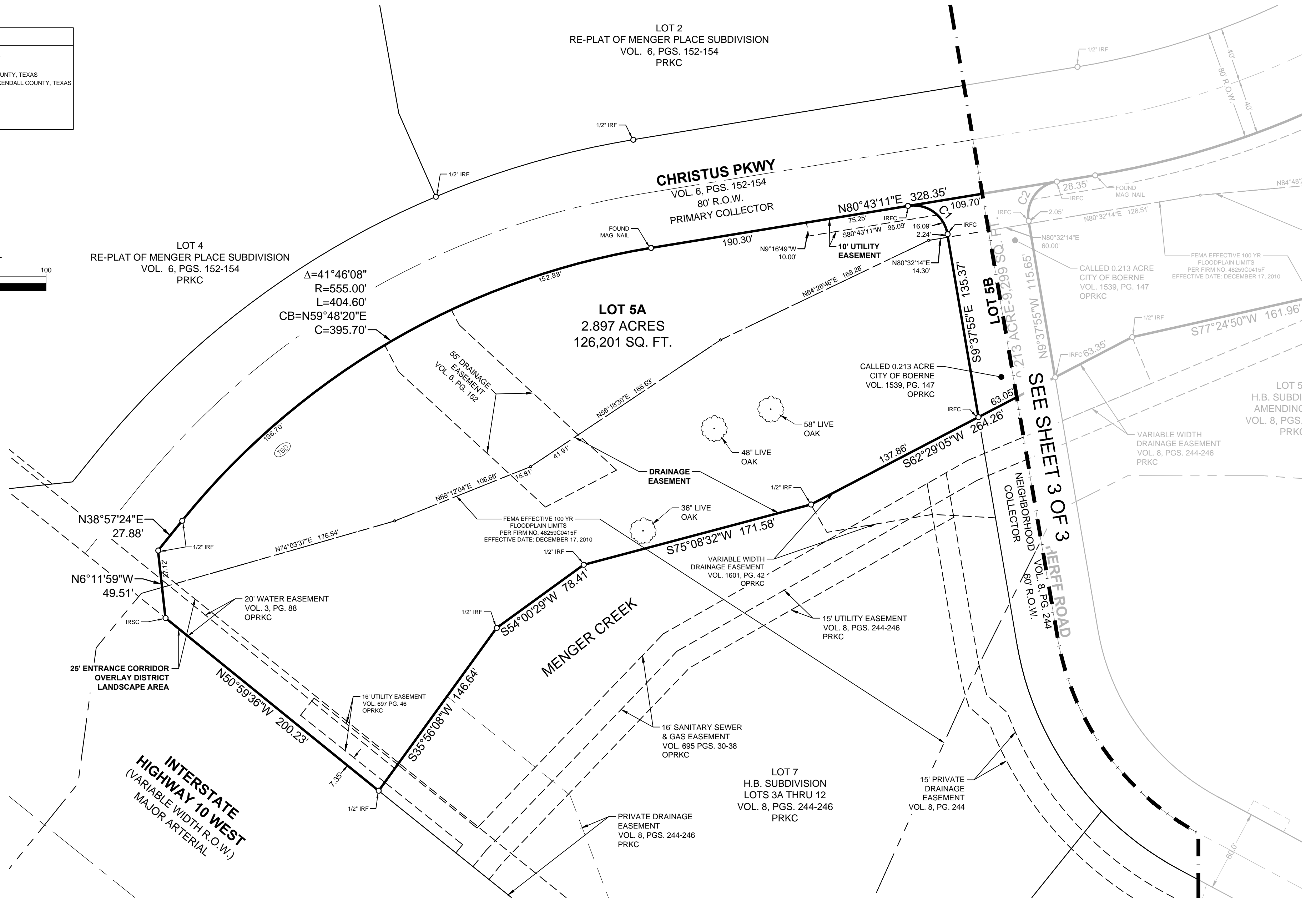
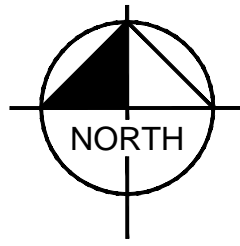
By: _____, Deputy.

FINAL REPLAT OF
MENGER PLACE
THREE LOTS
A REPLAT OF 6.047 ACRES OF LAND BEING ALL OF LOT 5 OF MENGER PLACE RECORDED IN VOLUME 6, PAGES 152-154 OF THE PLAT RECORDS OF KENDALL COUNTY, AND BEING SITUATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441 CITY OF BOERNE, KENDALL COUNTY, TEXAS

Kimley»Horn
601 NW Loop 410, Suite 350 San Antonio, Texas 78216 FIRM # 10193973 Tel. No. (210) 541-9166 www.kimley-horn.com
Scale: N/A, Drawn by: APS, Checked by: JGM, Date: JULY 2018, Project No.: 068657008, Sheet No.: 1 OF 3

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
PRKC	PLAT RECORDS OF KENDALL COUNTY, TEXAS
OPRKC	OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
T.B.M.	BENCH MARK
XXX	ADDRESS
XF	"X" CUT IN CONCRETE FOUND



CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	89°38'54"	25.00'	39.12'	S54°06'16"E	35.25'
C2	89°38'54"	25.00'	39.12'	N35°32'38"E	35.25'

FINAL REPLAT OF MENGER PLACE
 THREE LOTS
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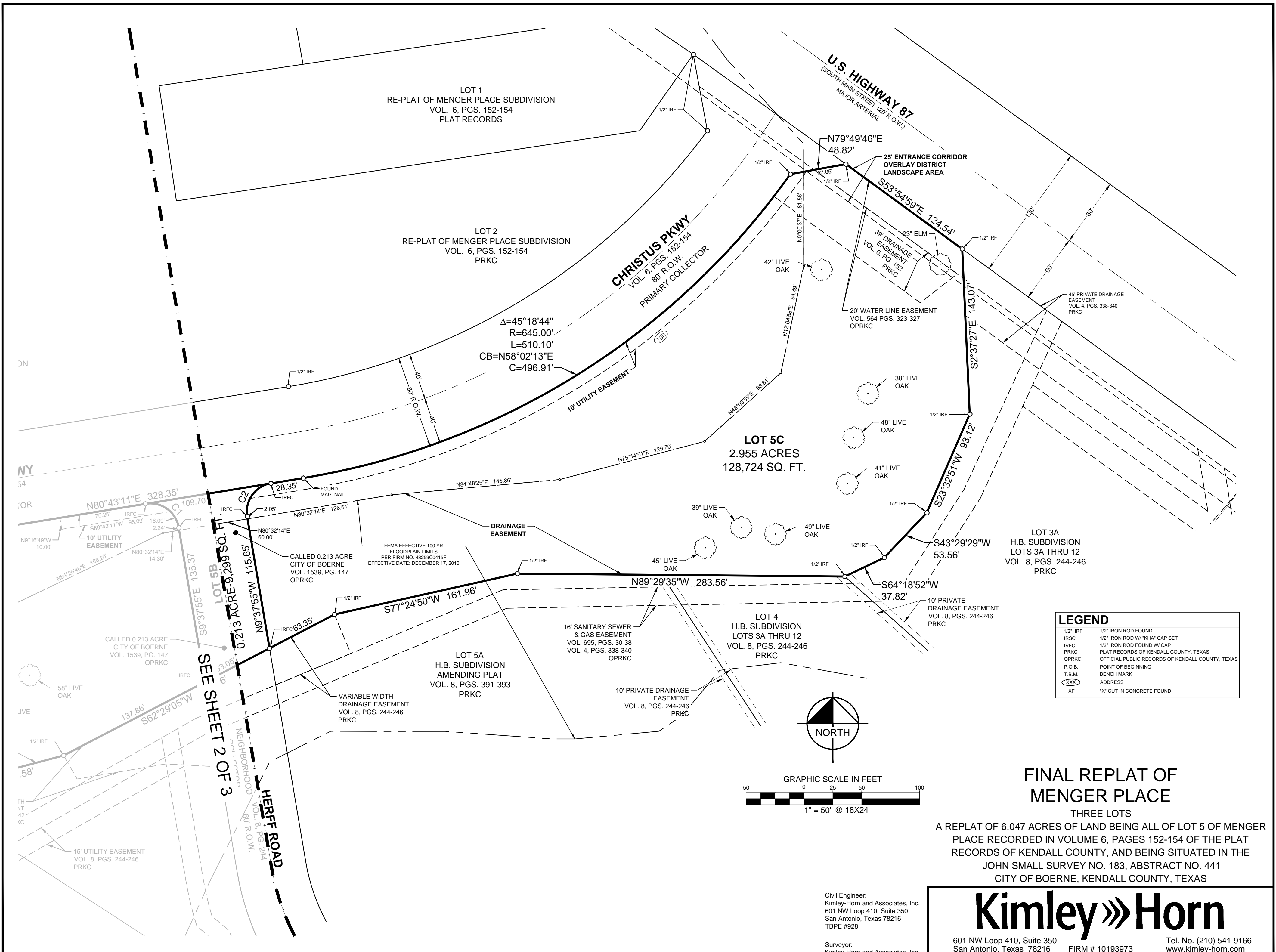
Civil Engineer:
 Kimley-Horn and Associates, Inc.
 601 NW Loop 410, Suite 350
 San Antonio, Texas 78216
 TBPE #928

Surveyor:
 Kimley-Horn and Associates, Inc.
 601 NW Loop 410, Suite 350
 San Antonio, Texas 78216
 TBPLS #10193973

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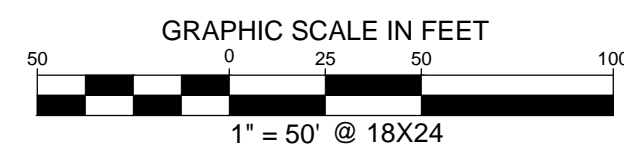
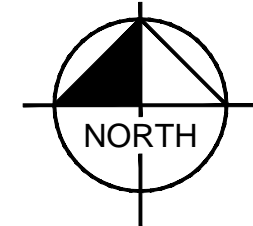
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	APS	JGM	JULY 2018	068657008	2 OF 3



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SEE SHEET 2 OF 3

LEGEND	
1/2" IRF	1/2" IRON ROD FOUND
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IRFC	1/2" IRON ROD FOUND W/ CAP
PRKC	PLAT RECORDS OF KENDALL COUNTY, TEXAS
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P.O.B.	POINT OF BEGINNING
T.B.M.	BENCH MARK
XXX	ADDRESS
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FINAL REPLAT OF MENGER PLACE

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	APS	JGM	JULY 2018	068657008	3 OF 3

DWG NAME: K:\SNA_SURVEY\068657008-REPLAT-MENGER.DWG 068657008 MENGER REPLAT.DWG PLOTTED BY: STENDALL, ABEL 7/20/18 5:31 PM LAST SAVED: 7/20/18 5:31 PM