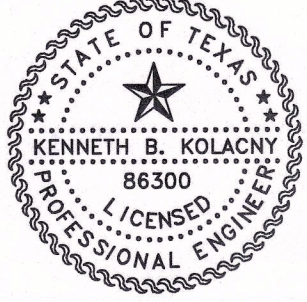


STATE OF TEXAS
COUNTY OF KENDALL

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 BOERNE.



KENNETH B. KOLACNY
LICENSED PROFESSIONAL ENGINEER #86300
MATKIN HOOVER ENGINEERING

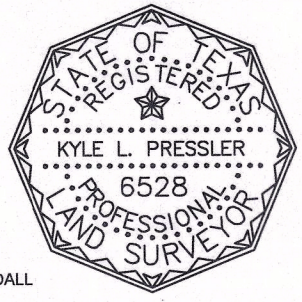
STATE OF TEXAS
COUNTY OF KENDALL

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/SHE 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 ____ A.D. 20__.

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. PRESSLER
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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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, 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 OF THE 71.12 AC TRACT OF LAND

DULY AUTHORIZED AGENT

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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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, 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 OF THE 148.247 AC AND 6.00 AC TRACTS OF LAND

OWNER/AUTHORIZED AGENT
JOHN MARK MATKIN
EQUITY TRUST COMPANY
CUSTODIAN FBO
28615 IH 10 WEST,
BOERNE, TX 78006
JOHN MARK MATKIN
MATKIN PROPERTIES LP
8 SPENCER ROAD,
BOERNE, TX 78006

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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

I, _____ 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 ____ 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 OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF ____ A.D. 202__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

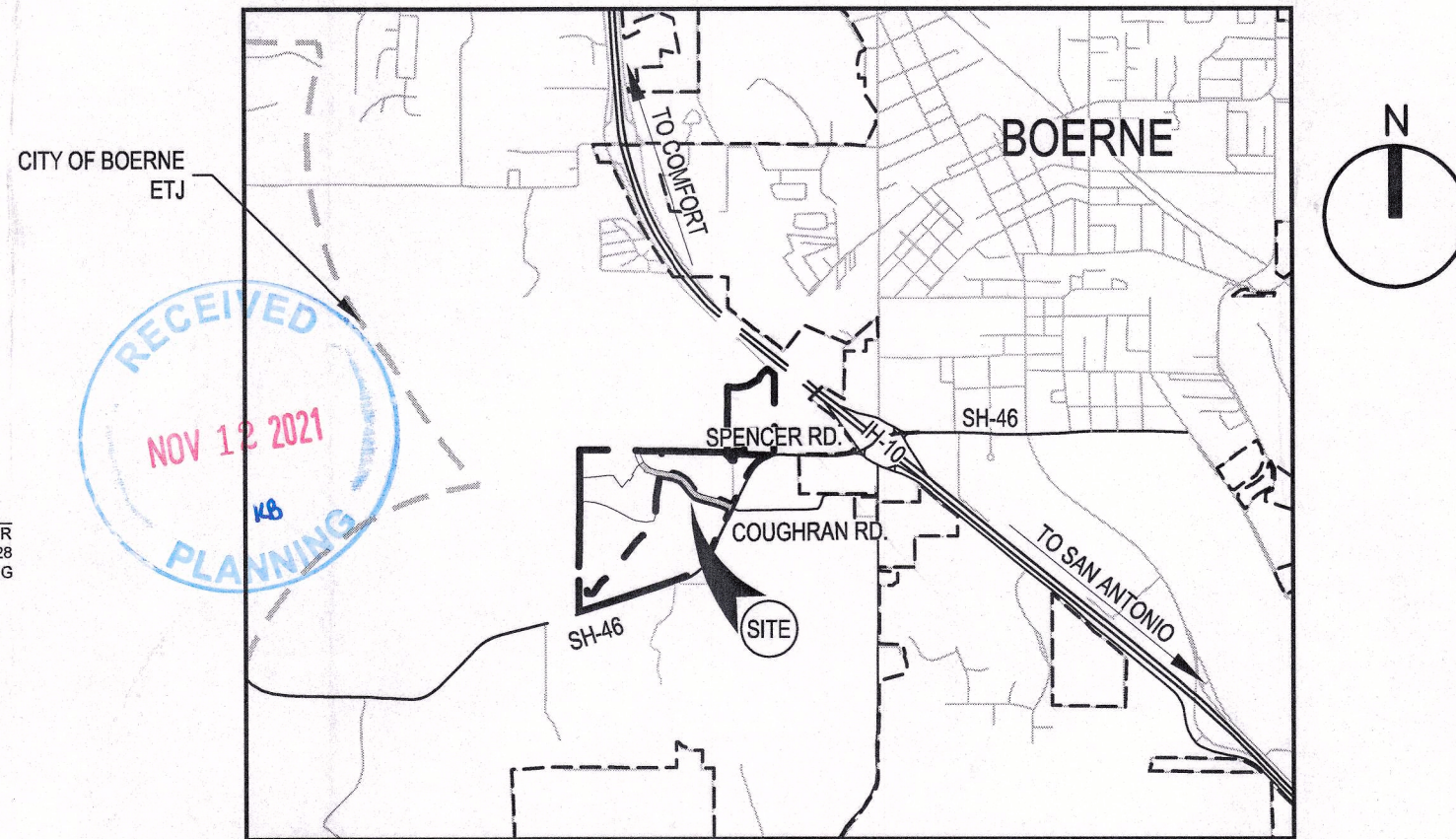
STATE OF TEXAS
COUNTY OF KENDALL

BY: _____ DEPUTY

COUNTY CLERK, KENDALL COUNTY, TEXAS

A FINAL PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 1A

BEING A 4.77 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 71.12 ACRE TRACT AS DESCRIBED IN VOLUME 1735, PAGE 54, AND BEING A PORTION OF A CALLED 148.247 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, AND BEING A PORTION OF A CALLED 6.00 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



LOCATION MAP - BOERNE, TEXAS
NOT TO SCALE

PLAT NOTES:

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 SETBACK SHALL APPLY.

FENCE NOTE:

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.

SIDEWALK NOTE:

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:

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____, PAGE _____, KENDALL COUNTY OFFICIAL RECORDS.

PROJECT SUMMARY TABLE

	PHASE 1A
TOTAL LOTS:	0
TOTAL ACREAGE:	4.77 AC
AVERAGE LOTS/ACRE:	---
LINEAR FEET OF STREET:	2,195 LF
OPEN SPACE:	0.0 AC
ROW ACREAGE:	4.77 AC

IMPERVIOUS COVER CALCULATIONS

DESCRIPTION	IMPERVIOUS COVER
STREETS & SIDEWALK	2.37 AC
CONC. RIP-RAP/DRAINS	0.10 AC
TOTAL	2.47 AC
% IMPERVIOUS	51.8%

GENERAL NOTES:

- NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- 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.
- UNLESS OTHERWISE NOTED, ALL CORNERS AND ANGLES ARE SET 1/2" REBAR WITH RED "MATKIN HOOVER ENG. & SURVEY" PLASTIC CAPS.
- THERE ARE 6 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.
- THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- ALL STREETS WITHIN THIS SUBDIVISION WILL BE PUBLIC.
- THIS PLAT IS LOCATED WITHIN CITY OF BOERNE ETJ.
- THE KVVU INGRESS/EGRESS EASEMENT IS FOR THE SOLE BENEFIT OF KENDALL WEST UTILITIES AND ITS SUCCESSORS.
- LOT 901 IS HEREBY A POA OWNED AND MAINTAINED LOT DESIGNATED AS A PRIVATE ROAD TO BE DEDICATED TO THE CITY IN THE FUTURE AS ROW DEDICATION. LOT 902 IS HEREBY DEDICATED AS PUBLIC RIGHT OF WAY.

FIRE MARSHAL 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 FIRE MARSHAL.

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.

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, 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.

- 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.
- THE GRANTEE SHALL MAKE COMMERCIALY 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.
- 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 (I.E.):

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

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 TEN (10) FEET OF THE REAR, FRONT, AND SIDE LINES OF ALL LOTS AND TRACTS AND IN THE STREETS, ALLEYS, LANES, AND ROADS OF THIS SUBDIVISION, AND TEN (10) FEET ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEEDED TO THE CENTER LINE OF THE ROADWAY. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND 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 EASEMENT, THE RIGHT TO CLEAR THE EASEMENT AREA AND TO KEEP IT CLEAR OF ALL BRUSH, TREES, STRUCTURES, AND OTHER OBSTRUCTIONS, INCLUDING THE RIGHT TO CUT ALL WEAK, LEANING, OR DANGEROUS TREES LOCATED OUTSIDE THE EASEMENT AREA WHICH ARE TALL ENOUGH TO STRIKE THE ELECTRIC FACILITIES IN FALLING. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF CLEARING A RIGHT-OF-WAY FOR AND ANCHERING OF 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 SOME 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. UTILITIES SHALL HAVE THE RIGHT TO INSTALL AND MAINTAIN LOCKS IN GATES AS NECESSARY OR APPROPRIATE FOR THE RIGHT OF INGRESS TO AND EGRESS FROM THE EASEMENT AREA. THE FOREGOING NOTWITHSTANDING, THE UTILITY MAY RELOCATE ITS FACILITIES AND RIGHT-OF-WAY OVER THE PREMISES TO CONFORM TO ANY FUTURE HIGHWAY OR STREET RELOCATION, WIDENING, OR IMPROVEMENT.

- 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.
- THE CITY SHALL MAKE COMMERCIALY 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.
- PROPERTY OWNER SHALL NOT MAKE ANY IMPROVEMENTS IN THE UTILITY/ELECTRIC EASEMENTS THAT CONFLICTS WITH THE NATIONAL ELECTRIC SAFETY CODE (NEC). THE UTILITY IS NOT RESPONSIBLE FOR REMOVAL OF ANY IMPROVEMENTS IN CONFLICT WITH THE NEC.

TxDOT NOTES:

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.

THE DEVELOPER AND/OR FUTURE LANDOWNER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO TxDOT HIGHWAY AND DRAINAGE SYSTEM WITHIN THE RIGHT-OF-WAY. ANY ADDITIONAL DISCHARGE FROM THE DEVELOPED PROPERTY WILL REQUIRE A HYDRAULIC REVIEW.

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. THIS PLAT WILL ALLOW ONE (1) DRIVEWAY ACCESS POINT, FOR LOT 901.

IF SIDEWALKS ARE REQUIRED BY TxDOT OR THE APPROPRIATE CITY ORDINANCE, THE LOCATION, DESIGN AND SPECIFICATIONS SHALL ADHERE TO TxDOT REQUIREMENTS WHEN PERMITTED IN TxDOT RIGHT-OF-WAY. A TOLR INSPECTION REPORT WILL BE REQUIRED.

TxDOT WILL USE THE CURRENT EDITIONS OF THE APPROPRIATE MANUALS WHEN ISSUING PERMITS. TYPICAL MANUALS 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.

MAXIMUM ACCESS POINT TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS COMBINED TOTAL OF ONE (1) ACCESS POINT(S) ALONG SH 46. NO ADDITIONAL ACCESS POINTS WILL BE GRANTED FOR FUTURE SUB-DIVISION OF THESE LOTS. ANY REQUIRED TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

REVIEWED
CITY OF BOERNE
Development Services
Cheryl J. Poyner
12/3/2021

Review & Resubmit

OWNER / DEVELOPER:

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

MATKIN HOOVER

P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 830.249.0600 FAX: 830.249.0099
TEXAS REGISTERED ENGINEERING FIRM F-004512

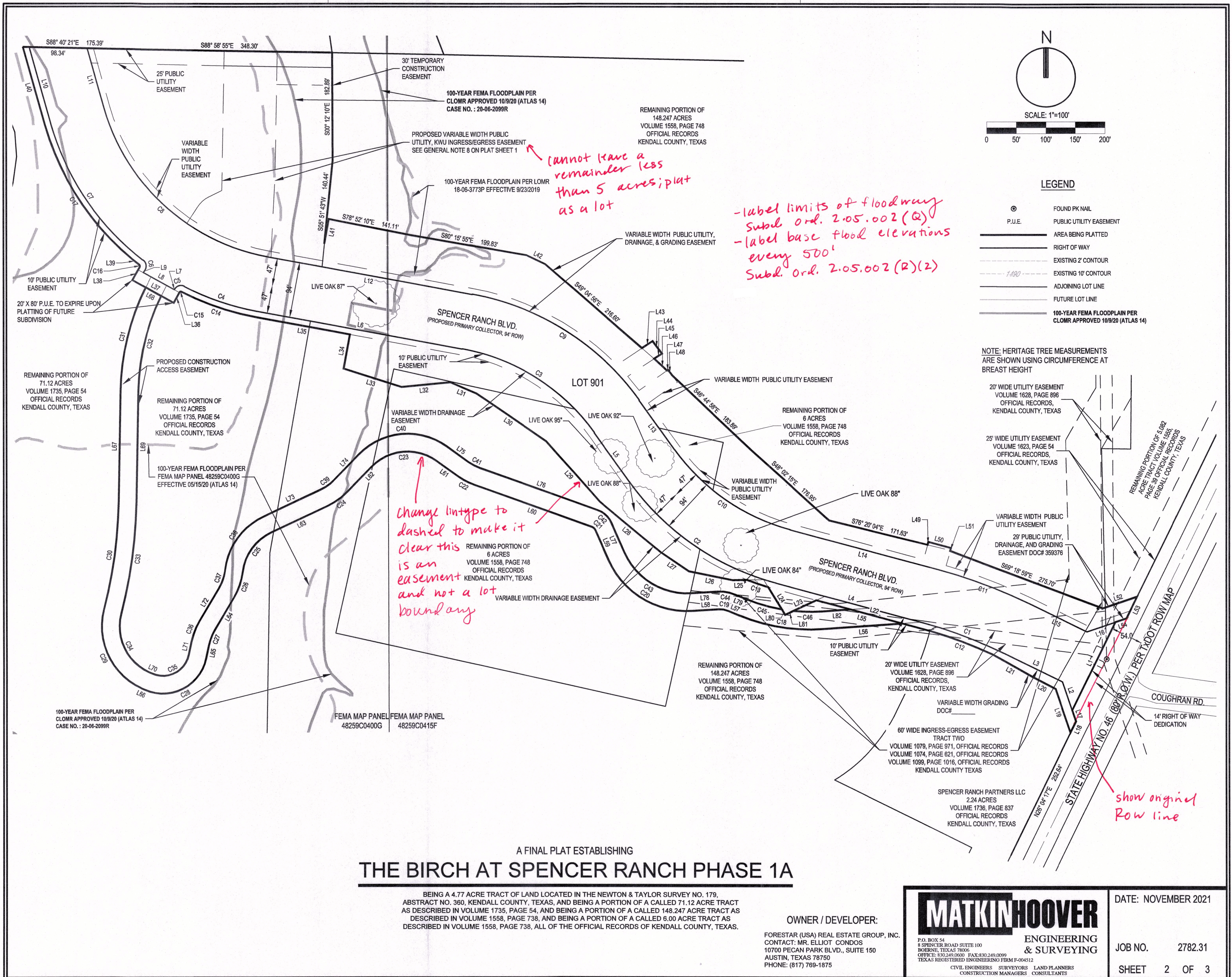
**ENGINEERING
& SURVEYING**

CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

DATE: NOVEMBER 2021

JOB NO. 2782.31

SHEET 1 OF 3



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	166.00'	S26°04'20"W
L2	50.91'	N18°55'43"W
L3	108.50'	N63°55'43"W
L4	259.73'	N75°03'25"W
L5	102.73'	N35°43'12"W
L6	353.43'	N79°34'19"W
L7	0.99'	S28°59'04"W
L8	60.00'	N61°05'47"W
L9	5.26'	N29°15'14"E
L10	133.87'	N15°48'15"W
L11	104.91'	S15°49'08"E
L12	353.43'	S79°34'19"E
L13	102.73'	S35°43'12"E
L14	259.73'	S75°03'25"E
L15	108.50'	S63°55'43"E
L16	50.92'	N71°04'11"E
L17	19.80'	S18°55'43"E
L18	21.21'	S26°04'15"W
L19	78.22'	N18°55'43"W
L20	42.42'	N62°42'24"W
L21	79.90'	N60°30'53"W
L22	199.39'	N75°01'19"W
L23	58.64'	S64°49'26"W
L24	55.13'	N31°35'56"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L25	23.47'	S88°35'51"W
L26	76.35'	N78°44'12"W
L27	57.40'	N55°34'51"W
L28	133.93'	N50°24'31"W
L29	136.12'	N41°35'25"W
L30	143.34'	N55°34'09"W
L31	47.71'	N66°56'10"W
L32	83.22'	S84°24'38"W
L33	102.67'	N72°19'24"W
L34	58.95'	N10°25'41"E
L35	161.77'	N79°34'19"W
L36	20.97'	S28°54'27"W
L37	80.00'	N61°05'47"W
L38	25.38'	N28°58'41"E
L40	136.96'	N15°48'15"W
L41	42.28'	N10°25'41"E
L42	34.54'	S64°35'00"E
L43	21.57'	N56°14'39"E
L44	26.41'	S36°10'05"E
L45	15.46'	S56°20'18"W
L46	27.28'	S46°44'58"E
L47	2.27'	N54°16'48"E
L48	12.13'	S36°10'05"E
L49	5.07'	N15°04'23"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L50	39.39'	S75°03'25"E
L51	5.22'	S15°04'23"W
L52	61.67'	N71°04'11"E
L53	41.02'	S26°04'55"W
L54	19.79'	S71°04'11"W
L55	91.08'	S75°01'19"E
L56	133.69'	S85°44'51"W
L57	20.53'	N67°38'14"W
L58	45.15'	S86°26'13"W
L59	55.09'	N23°41'20"W
L60	210.21'	N70°24'02"W
L61	44.14'	N54°20'49"W
L62	58.75'	S44°11'40"W
L63	105.46'	S64°52'27"W
L64	63.01'	S30°43'17"W
L65	22.33'	S11°48'44"W
L66	5.20'	N65°34'29"W
L67	185.94'	N01°02'28"E
L68	30.04'	S61°05'47"E
L69	185.94'	S01°02'28"W
L70	5.20'	S65°34'29"E
L71	22.33'	N11°48'44"E
L72	63.01'	N30°43'17"E
L73	105.46'	N64°52'27"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L74	58.75'	N44°11'40"E
L75	44.14'	S54°20'49"E
L76	210.21'	S70°24'02"E
L77	55.09'	S23°41'20"E
L78	45.15'	N86°26'13"E
L79	20.53'	S67°38'14"E
L80	10.84'	S31°35'56"E
L81	15.50'	N64°49'26"E
L82	47.69'	N85°44'51"E

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	146.25'	753.00'	011°07'42"	N69°29'34"W	146.02'
C2	306.89'	447.00'	039°20'13"	N55°23'18"W	300.90'
C3	270.17'	353.00'	043°51'07"	N57°38'45"W	263.63'
C4	131.29'	447.00'	016°49'44"	N71°09'27"W	130.82'
C5	18.49'	12.00'	088°16'21"	S73°07'14"W	16.71'
C6	18.54'	13.00'	081°43'25"	N11°15'27"W	17.01'
C7	283.32'	447.00'	036°18'55"	N33°57'42"W	278.60'
C8	392.87'	353.00'	063°46'04"	S47°41'17"E	372.91'
C9	342.12'	447.00'	043°51'07"	S57°38'45"E	333.83'
C10	242.36'	353.00'	039°20'13"	S55°23'18"E	237.62'
C11	164.51'	847.00'	011°07'42"	S69°29'34"E	164.25'
C12	111.89'	750.36'	008°32'36"	N69°42'20"W	111.78'
C13	38.04'	457.00'	004°46'10"	N71°17'00"W	38.03'
C14	134.23'	457.00'	016°49'44"	N71°09'27"W	133.75'
C15	3.08'	2.00'	088°16'19"	S73°07'15"W	2.79'
C16	4.33'	3.00'	082°46'56"	N11°47'13"W	3.97'
C17	274.13'	457.00'	034°22'07"	N32°59'18"W	270.04'
C18	146.32'	315.00'	026°36'54"	N80°56'41"W	145.01'
C19	15.84'	35.00'	025°55'33"	N80°36'01"W	15.70'
C20	176.83'	145.00'	069°52'28"	N58°37'33"W	166.08'

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C21	8.15'	10.00'	046°42'42"	N47°02'41"W	7.93'
C22	32.22'	115.00'	016°03'12"	N62°22'25"W	32.12'
C23	120.85'	85.00'	081°27'31"	S84°55'25"W	110.92'
C24	41.51'	115.00'	020°40'47"	S54°32'04"W	41.28'
C25	85.69'	85.00'	057°45'40"	S35°59'37"W	82.11'
C26	47.39'	115.00'	023°36'30"	S18°55'02"W	47.05'
C27	28.05'	85.00'	018°54'33"	S21°16'01"W	27.93'
C28	134.32'	75.00'	102°36'47"	S63°07'08"W	117.08'
C29	160.86'	115.00'	080°08'42"	N25°30'08"W	148.06'
C30	185.36'	785.00'	013°31'45"	N07°48'21"E	184.93'
C31	181.80'	415.00'	025°06'01"	N13°35'29"E	180.35'
C32	167.21'	385.00'	024°53'05"	S13°29'01"W	165.90'
C33	192.44'	815.00'	013°31'45"	S07°48'21"W	192.00'
C34	118.90'	85.00'	080°08'42"	S25°30'08"E	109.44'
C35	80.59'	45.00'	102°36'47"	N63°07'08"E	70.25'
C36	37.95'	115.00'	018°54'33"	N21°16'01"E	37.78'
C37	35.02'	85.00'	023°36'30"	N18°55'02"E	34.78'
C38	115.93'	115.00'	057°45'40"	N35°59'37"E	111.09'
C39	30.68'	85.00'	020°40'47"	N54°32'04"E	30.51'
C40	163.50'	115.00'	081°27'31"	N84°55'25"E	150.07'

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C41	23.82'	85.00'	016°03'12"	S62°22'25"E	23.74'
C42	32.61'	40.00'	046°42'42"	S47°02'41"E	31.72'
C43	140.25'	115.00'	069°52'28"	S58°37'33"E	131.72'
C44	29.41'	65.00'	025°55'33"	S80°36'01"E	29.16'
C45	63.37'	285.00'	012°44'23"	S74°00'26"E	63.24'
C46	49.14'	285.00'	009°52'41"	S89°18'48"E	49.07'

A FINAL PLAT ESTABLISHING

THE BIRCH AT SPENCER RANCH PHASE 1A

BEING A 4.77 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 71.12 ACRE TRACT AS DESCRIBED IN VOLUME 1735, PAGE 54, AND BEING A PORTION OF A CALLED 148.247 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, AND BEING A PORTION OF A CALLED 6.00 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

OWNER / DEVELOPER:

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

ENGINEERING
& SURVEYING

P.O. BOX 54
8 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
CONSTRUCTION MANAGERS CONSULTANTS

DATE: NOVEMBER 2021

JOB NO. 2782.31

SHEET 3 OF 3

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 BOERNE.



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/SHE 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 ____ A.D. 20__.

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.



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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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, 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.

put owner info here
as multiple owners

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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

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, 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.

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/SHE 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 ____ A.D. 20__.

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/SHE 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 ____ A.D. 20__.

NOTARY PUBLIC KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

I, _____, 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 ____ A.D. 202__ AT ____ M. IN THE PLAT RECORDS OF SAID COUNTY IN DOCUMENT NO. _____.

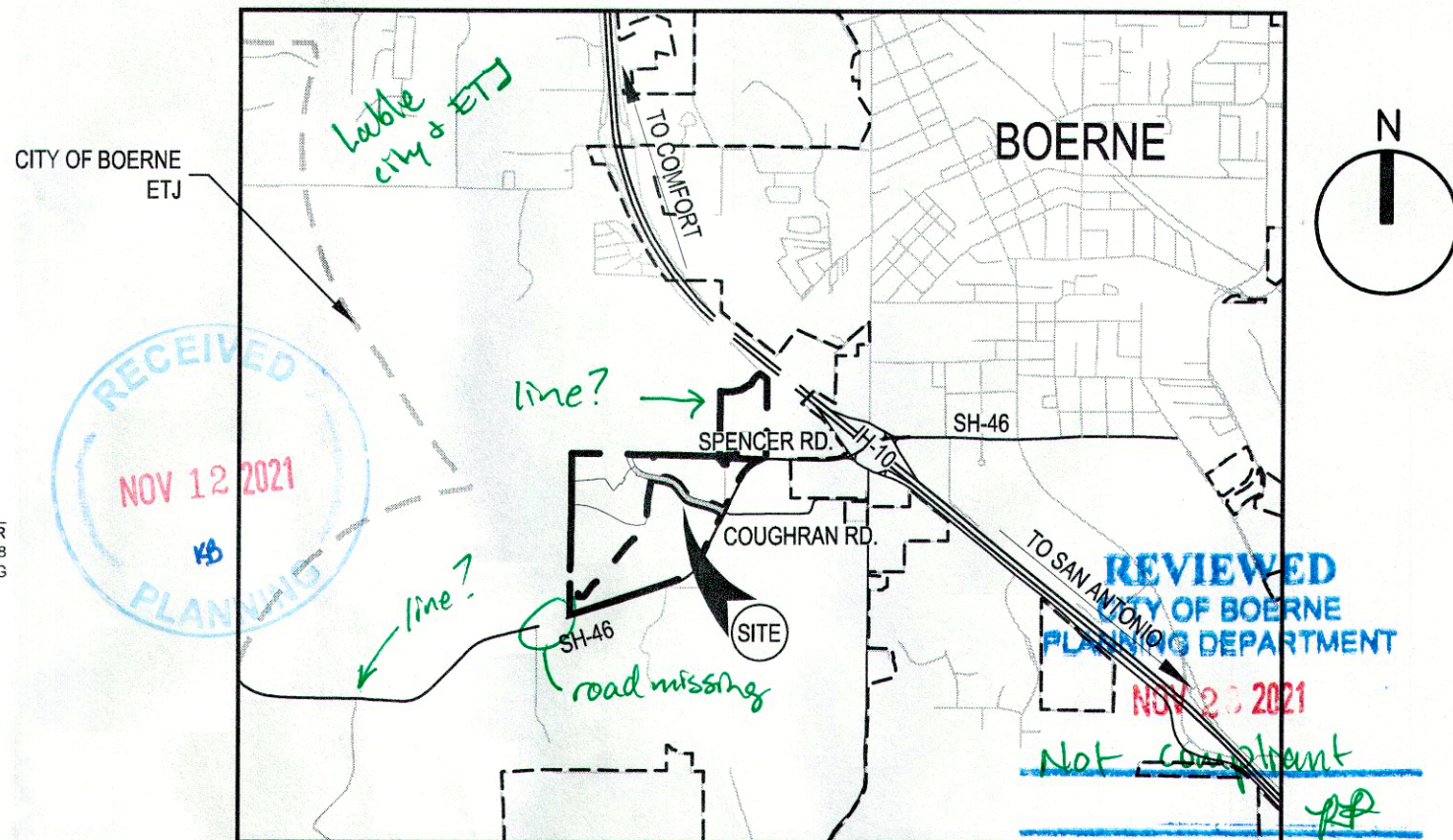
TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. _____ KENDALL COUNTY OFFICIAL RECORDS, IN TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF ____ A.D. 202__.

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

A FINAL PLAT ESTABLISHING THE BIRCH AT SPENCER RANCH PHASE 1A

BEING A 4.77 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 71.12 ACRE TRACT AS DESCRIBED IN VOLUME 1735, PAGE 54, AND BEING A PORTION OF A CALLED 148.247 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, AND BEING A PORTION OF A CALLED 6.00 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



LOCATION MAP - BOERNE, TEXAS
NOT TO SCALE

PLAT NOTES:

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 SETBACK SHALL APPLY.

FENCE NOTE:

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.

SIDEWALK NOTE:

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:

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____, PAGE _____, KENDALL COUNTY OFFICIAL RECORDS.

PROJECT SUMMARY TABLE

	PHASE 1A
TOTAL LOTS:	0
TOTAL ACREAGE:	4.77 AC
AVERAGE LOTS/ACRE:	---
LINEAR FEET OF STREET:	2,195 LF
OPEN SPACE:	0.0 AC
ROW ACREAGE:	4.77 AC

IMPERVIOUS COVER CALCULATIONS

DESCRIPTION	IMPERVIOUS COVER
STREETS & SIDEWALK	2.37 AC
CONC. RIP-RAP/DRAINS	0.10 AC
TOTAL	2.47 AC
% IMPERVIOUS	51.8%

GENERAL NOTES:

- NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- 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.
- UNLESS OTHERWISE NOTED, ALL CORNERS AND ANGLES ARE SET 1/2" REBAR WITH RED "MATKIN HOOVER ENG. & SURVEY" PLASTIC CAPS.
- THERE ARE 6 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.
- THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- ALL STREETS WITHIN THIS SUBDIVISION WILL BE PUBLIC *private?*
- THIS PLAT IS LOCATED WITHIN CITY OF BOERNE ETJ.
- THE KWU INGRESS/EGRESS EASEMENT IS FOR THE SOLE BENEFIT OF KENDALL WEST UTILITIES AND ITS SUCCESSORS. *- public easement?*
- LOT 901 IS HEREBY A POA OWNED AND MAINTAINED LOT DESIGNATED AS A PRIVATE ROAD TO BE DEDICATED TO THE CITY IN THE FUTURE AS ROW DEDICATION. LOT 902 IS HEREBY DEDICATED AS PUBLIC RIGHT OF WAY. *(where?)*

FIRE MARSHAL 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 FIRE MARSHAL.

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.

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, 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.

- 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.
- THE GRANTEE SHALL MAKE COMMERCIALY 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.
- 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 (I.E.):

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

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 TEN (10) FEET OF THE REAR, FRONT, AND SIDE LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, LANES, AND ROADS OF THIS SUBDIVISION, AND TEN (10) FEET ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEDICATED TO THE CENTER LINE OF THE ROADWAY. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND 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 EASEMENT, THE RIGHT TO CLEAR THE EASEMENT AREA AND TO KEEP IT CLEAR OF ALL BRUSH, TREES, STRUCTURES, AND OTHER OBSTRUCTIONS, INCLUDING THE RIGHT TO CUT ALL WEAK, LEANING, OR DANGEROUS TREES LOCATED OUTSIDE THE EASEMENT AREA WHICH ARE TALL ENOUGH TO STRIKE THE ELECTRIC FACILITIES IN FALLING. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF CLEARING A RIGHT-OF-WAY FOR AND ANCHORING OF 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 SOME 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. UTILITIES SHALL HAVE THE RIGHT TO INSTALL AND MAINTAIN LOCKS IN GATES AS NECESSARY OR APPROPRIATE FOR THE RIGHT OF INGRESS TO AND EGRESS FROM THE EASEMENT AREA. THE FOREGOING NOTWITHSTANDING, THE UTILITY MAY RELOCATE ITS FACILITIES AND RIGHT-OF-WAY OVER THE PREMISES TO CONFORM TO ANY FUTURE HIGHWAY OR STREET RELOCATION, WIDENING, OR IMPROVEMENT.

- 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.
- THE CITY SHALL MAKE COMMERCIALY 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.
- PROPERTY OWNER SHALL NOT MAKE ANY IMPROVEMENTS IN THE UTILITY/ELECTRIC EASEMENTS THAT CONFLICTS WITH THE NATIONAL ELECTRIC SAFETY CODE (NEC). THE UTILITY IS NOT RESPONSIBLE FOR REMOVAL OF ANY IMPROVEMENTS IN CONFLICT WITH THE NEC.

TxDOT NOTES:

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.

THE DEVELOPER AND/OR FUTURE LANDOWNER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO TxDOT HIGHWAY AND DRAINAGE SYSTEM WITHIN THE RIGHT-OF-WAY. ANY ADDITIONAL DISCHARGE FROM THE DEVELOPED PROPERTY WILL REQUIRE A HYDRAULIC REVIEW.

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. THIS PLAT WILL ALLOW ONE (1) DRIVEWAY ACCESS POINT, FOR LOT 901.

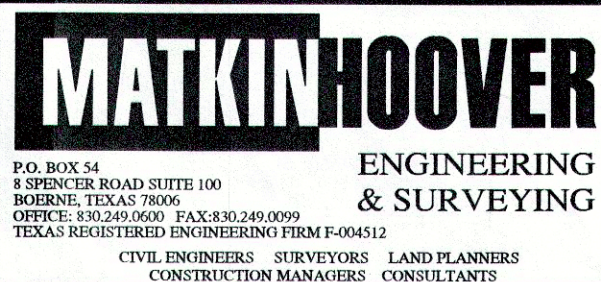
IF SIDEWALKS ARE REQUIRED BY TxDOT OR THE APPROPRIATE CITY ORDINANCE, THE LOCATION, DESIGN AND SPECIFICATIONS SHALL ADHERE TO TxDOT REQUIREMENTS WHEN PERMITTED IN TxDOT RIGHT-OF-WAY. A TdR INSPECTION REPORT WILL BE REQUIRED.

TxDOT WILL USE THE CURRENT EDITIONS OF THE APPROPRIATE MANUALS WHEN ISSUING PERMITS. TYPICAL MANUALS 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.

MAXIMUM ACCESS POINT TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS COMBINED TOTAL OF ONE (1) ACCESS POINT(S) ALONG SH 46. NO ADDITIONAL ACCESS POINTS WILL BE GRANTED FOR FUTURE SUB-DIVISION OF THESE LOTS. ANY REQUIRED TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

OWNER / DEVELOPER:

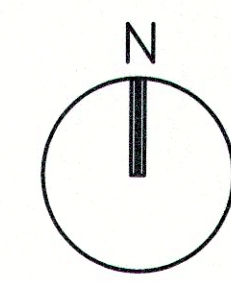
FORESTAR (USA) REAL ESTATE GROUP, INC.
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10700 PECAN PARK BLVD., SUITE 150
AUSTIN, TEXAS 78750
PHONE: (817) 769-1875



DATE: NOVEMBER 2021

JOB NO. 2782.31

SHEET 1 OF 3



LEGEND

- FOUND PK NAIL
- P.U.E. PUBLIC UTILITY EASEMENT
- AREA BEING PLATTED
- RIGHT OF WAY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- ADJOINING LOT LINE
- FUTURE LOT LINE
- 100-YEAR FEMA FLOODPLAIN PER CLOMR APPROVED 10/9/20 (ATLAS 14)

NOTE: HERITAGE TREE MEASUREMENTS ARE SHOWN USING CIRCUMFERENCE AT BREAST HEIGHT

20' WIDE UTILITY EASEMENT VOLUME 1628, PAGE 896 OFFICIAL RECORDS, KENDALL COUNTY, TEXAS

25' WIDE UTILITY EASEMENT VOLUME 1623, PAGE 54 OFFICIAL RECORDS, KENDALL COUNTY, TEXAS

20' WIDE UTILITY EASEMENT VOLUME 1628, PAGE 896 OFFICIAL RECORDS, KENDALL COUNTY, TEXAS

25' WIDE UTILITY EASEMENT VOLUME 1623, PAGE 54 OFFICIAL RECORDS, KENDALL COUNTY, TEXAS

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THE BIRCH AT SPENCER RANCH PHASE 1A

BEING A 4.77 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 71.12 ACRE TRACT AS DESCRIBED IN VOLUME 1735, PAGE 54, AND BEING A PORTION OF A CALLED 148.247 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, AND BEING A PORTION OF A CALLED 6.00 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

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FORESTAR (USA) REAL ESTATE GROUP, INC.
CONTACT: MR. ELLIOT CONDOS
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TEXAS REGISTERED ENGINEERING FIRM E-004512
CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

DATE: NOVEMBER 2021
JOB NO. 2782.31
SHEET 2 OF 3

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	166.00'	S26°04'20"W
L2	50.91'	N18°55'43"W
L3	108.50'	N63°55'43"W
L4	259.73'	N75°03'25"W
L5	102.73'	N35°43'12"W
L6	353.43'	N79°34'19"W
L7	0.99'	S28°59'04"W
L8	60.00'	N61°05'47"W
L9	5.26'	N29°15'14"E
L10	133.87'	N15°48'15"W
L11	104.91'	S15°49'08"E
L12	353.43'	S79°34'19"E
L13	102.73'	S35°43'12"E
L14	259.73'	S75°03'25"E
L15	108.50'	S63°55'43"E
L16	50.92'	N71°04'11"E
L17	19.80'	S18°55'43"E
L18	21.21'	S26°04'15"W
L19	78.22'	N18°55'43"W
L20	42.42'	N62°42'24"W
L21	79.90'	N60°30'53"W
L22	199.39'	N75°01'19"W
L23	58.64'	S64°49'26"W
L24	55.13'	N31°35'56"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L25	23.47'	S88°35'51"W
L26	76.35'	N78°44'12"W
L27	57.40'	N55°34'51"W
L28	133.93'	N50°24'31"W
L29	136.12'	N41°35'25"W
L30	143.34'	N55°34'09"W
L31	47.71'	N66°56'10"W
L32	83.22'	S84°24'38"W
L33	102.67'	N72°19'24"W
L34	58.95'	N10°25'41"E
L35	161.77'	N79°34'19"W
L36	20.97'	S28°54'27"W
L37	80.00'	N61°05'47"W
L38	25.38'	N28°58'41"E
L40	136.96'	N15°48'15"W
L41	42.28'	N10°25'41"E
L42	34.54'	S64°35'00"E
L43	21.57'	N56°14'39"E
L44	26.41'	S36°10'05"E
L45	15.46'	S56°20'18"W
L46	27.28'	S46°44'58"E
L47	2.27'	N54°16'48"E
L48	12.13'	S36°10'05"E
L49	5.07'	N15°04'23"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L50	39.39'	S75°03'25"E
L51	5.22'	S15°04'23"W
L52	61.67'	N71°04'11"E
L53	41.02'	S26°04'55"W
L54	19.79'	S71°04'11"W
L55	91.08'	S75°01'19"E
L56	133.69'	S85°44'51"W
L57	20.53'	N67°38'14"W
L58	45.15'	S86°26'13"W
L59	55.09'	N23°41'20"W
L60	210.21'	N70°24'02"W
L61	44.14'	N54°20'49"W
L62	58.75'	S44°11'40"W
L63	105.46'	S64°52'27"W
L64	63.01'	S30°43'17"W
L65	22.33'	S11°48'44"W
L66	5.20'	N65°34'29"W
L67	185.94'	N01°02'28"E
L68	30.04'	S61°05'47"E
L69	185.94'	S01°02'28"W
L70	5.20'	S65°34'29"E
L71	22.33'	N11°48'44"E
L72	63.01'	N30°43'17"E
L73	105.46'	N64°52'27"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L74	58.75'	N44°11'40"E
L75	44.14'	S54°20'49"E
L76	210.21'	S70°24'02"E
L77	55.09'	S23°41'20"E
L78	45.15'	N86°26'13"E
L79	20.53'	S67°38'14"E
L80	10.84'	S31°35'56"E
L81	15.50'	N64°49'26"E
L82	47.69'	N85°44'51"E

Tree table?

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	146.25'	753.00'	011°07'42"	N69°29'34"W	146.02'
C2	306.89'	447.00'	039°20'13"	N55°23'18"W	300.90'
C3	270.17'	353.00'	043°51'07"	N57°38'45"W	263.63'
C4	131.29'	447.00'	016°49'44"	N71°09'27"W	130.82'
C5	18.49'	12.00'	088°16'21"	S73°07'14"W	16.71'
C6	18.54'	13.00'	081°43'25"	N11°15'27"W	17.01'
C7	283.32'	447.00'	036°18'55"	N33°57'42"W	278.60'
C8	392.87'	353.00'	063°46'04"	S47°41'17"E	372.91'
C9	342.12'	447.00'	043°51'07"	S57°38'45"E	333.83'
C10	242.36'	353.00'	039°20'13"	S55°23'18"E	237.62'
C11	164.51'	847.00'	011°07'42"	S69°29'34"E	164.25'
C12	111.89'	750.36'	008°32'36"	N69°42'20"W	111.78'
C13	38.04'	457.00'	004°46'10"	N71°17'00"W	38.03'
C14	134.23'	457.00'	016°49'44"	N71°09'27"W	133.75'
C15	3.08'	2.00'	088°16'19"	S73°07'15"W	2.79'
C16	4.33'	3.00'	082°46'56"	N11°47'13"W	3.97'
C17	274.13'	457.00'	034°22'07"	N32°59'18"W	270.04'
C18	146.32'	315.00'	026°36'54"	N80°56'41"W	145.01'
C19	15.84'	35.00'	025°55'33"	N80°36'01"W	15.70'
C20	176.83'	145.00'	069°52'28"	N58°37'33"W	166.08'

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C21	8.15'	10.00'	046°42'42"	N47°02'41"W	7.93'
C22	32.22'	115.00'	016°03'12"	N62°22'25"W	32.12'
C23	120.85'	85.00'	081°27'31"	S84°55'25"W	110.92'
C24	41.51'	115.00'	020°40'47"	S54°32'04"W	41.28'
C25	85.69'	85.00'	057°45'40"	S35°59'37"W	82.11'
C26	47.39'	115.00'	023°36'30"	S18°55'02"W	47.05'
C27	28.05'	85.00'	018°54'33"	S21°16'01"W	27.93'
C28	134.32'	75.00'	102°36'47"	S63°07'08"W	117.08'
C29	160.86'	115.00'	080°08'42"	N25°30'08"W	148.06'
C30	185.36'	785.00'	013°31'45"	N07°48'21"E	184.93'
C31	181.80'	415.00'	025°06'01"	N13°35'29"E	180.35'
C32	167.21'	385.00'	024°53'05"	S13°29'01"W	165.90'
C33	192.44'	815.00'	013°31'45"	S07°48'21"W	192.00'
C34	118.90'	85.00'	080°08'42"	S25°30'08"E	109.44'
C35	80.59'	45.00'	102°36'47"	N63°07'08"E	70.25'
C36	37.95'	115.00'	018°54'33"	N21°16'01"E	37.78'
C37	35.02'	85.00'	023°36'30"	N18°55'02"E	34.78'
C38	115.93'	115.00'	057°45'40"	N35°59'37"E	111.09'
C39	30.88'	85.00'	020°40'47"	N54°32'04"E	30.51'
C40	163.50'	115.00'	081°27'31"	N84°55'25"E	150.07'

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C41	23.82'	85.00'	016°03'12"	S62°22'25"E	23.74'
C42	32.61'	40.00'	046°42'42"	S47°02'41"E	31.72'
C43	140.25'	115.00'	069°52'28"	S58°37'33"E	131.72'
C44	29.41'	65.00'	025°55'33"	S80°36'01"E	29.16'
C45	63.37'	285.00'	012°44'23"	S74°00'26"E	63.24'
C46	49.14'	285.00'	009°52'41"	S89°18'48"E	49.07'

A FINAL PLAT ESTABLISHING

THE BIRCH AT SPENCER RANCH PHASE 1A

BEING A 4.77 ACRE TRACT OF LAND LOCATED IN THE NEWTON & TAYLOR SURVEY NO. 179, ABSTRACT NO. 360, KENDALL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 71.12 ACRE TRACT AS DESCRIBED IN VOLUME 1735, PAGE 54, AND BEING A PORTION OF A CALLED 148.247 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, AND BEING A PORTION OF A CALLED 6.00 ACRE TRACT AS DESCRIBED IN VOLUME 1558, PAGE 738, ALL OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

multiple owners

OWNER / DEVELOPER:

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DATE: NOVEMBER 2021

JOB NO. 2782.31

SHEET 3 OF 3