

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 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.

- 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 THE CITY OF 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.

- 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 (AND/OR DISTRICT) SHALL MAKE COMMERCIALY 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.

PLAT NOTES:

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 DRAINAGE EASEMENTS.

SIDEWALK NOTE:

AT SUCH TIME AS LOT IS DEVELOPED, A TEN-FOOT WIDE REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL STREET FRONTAGE PROPERTY LINES OF EACH LOT FRONTING A STREET.

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. 2019-56, SECTION 1.10 (5)

TAX CERTIFICATE NOTE:

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

HERITAGE LEGACY TREE NOTE:

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

BUILDING 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 FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

OPEN SPACE NOTE:

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.

LANDSCAPE NOTE:

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 OF 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:

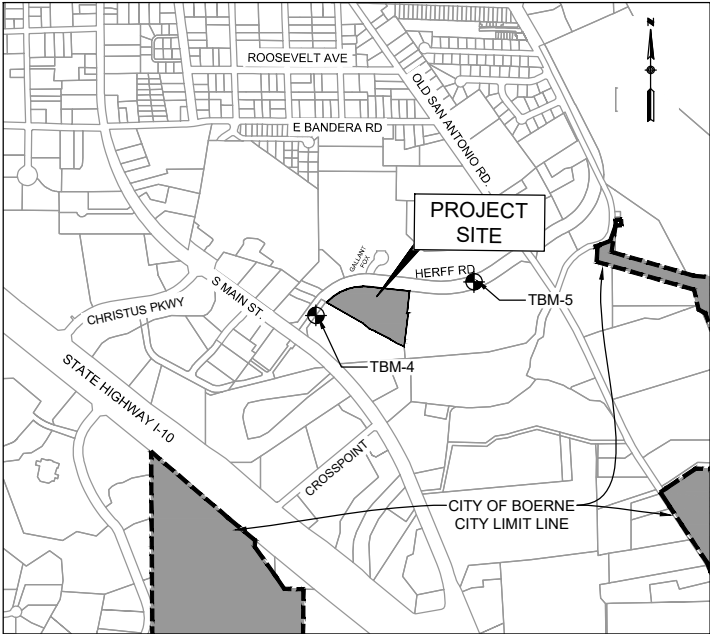
THE SUBJECT AREA IS NOT UPSTREAM FROM A CITY WATER SUPPLY LAKE.

TEMPORARY TURN-AROUND NOTE:

CROSS-HATHED AREA IN A TEMPORARY EASEMENT FOR TURN-AROUND PURPOSED UNTIL THE STREET IS EXTENDED TO THE EAST ON A RECORDED PLAT.

LOT SUMMARY:

TOTAL R.O.W.: 0.38 ACRES
PARKLAND DEDICATION: 1.18 ACRES
NO. OF LOTS: 3 NON-RESIDENTIAL & 1 OPEN SPACE
TOTAL ACREAGE: 3.49 ACRES
SMALLEST LOT: 0.95-AC.
PERIMETER BLOCK LENGTH: BLOCK D ± 1,904 LF, BLOCK E ± 2,212 LF



LOCATION MAP
NOT TO SCALE

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.

OWNER:
BOERNE COMMONS, LTD
1010 W. MLK, JR. BLVD
AUSTIN, TEXAS 78701
CONTACT: WILLIAM S. WALTERS

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 THE 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 _____, 2022.

NOTARY PUBLIC,
KENDALL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

I, _____ COUNTY CLERK OF KENDALL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF _____ A.D. 2022 ____ AT ____ M. AND DULY RECORDED THE ____ DAY OF _____ A.D. 2022 ____ AT ____ M. IN THE RECORDS OF _____ AND _____ OF SAID COUNTY, IN BOOK VOLUME _____ ON PAGE _____.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF _____ A.D. , 2022.

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____, DEPUTY

SURVEYOR NOTES:

- ALL HORIZONTAL DATA IS HELD TO TEXAS STATE PLANE COORDINATE SYSTEM OF 1983(2011) (EPOCH 2010), SOUTH CENTRAL ZONE (4204). U.S. SURVEY FOOT.
- ALL VERTICAL DATA IS HELD TO NAVD88 GEOID 18.
- ALL DISTANCES ARE SURFACE DISTANCE. GRID VALUES CAN BE OBTAINED BY DIVIDING BY A SCALE FACTOR OF 1.00013. ALL DISTANCE UNITS ARE U.S. SURVEY FEET.

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.

REGISTERED PROFESSIONAL LAND SURVEYOR
GORDON ANDERSON, R.P.L.S. #6617
TBPLS FIRM NO. 10194533

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC
BEXAR COUNTY, TEXAS

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 & ZONING COMMISSION OF THE CITY OF BOERNE.

TORRY LAYNE HURT, P.E., C.F.M.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 91844

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

APPROVAL OF THE PLANNING AND ZONING COMMISSION:

THIS PLAT OF THE COMMONS AT MENDER CREEK UNIT 7 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY.

DATED THIS ____ DAY OF _____, 20____.

BY: _____
CHAIR

BY: _____
SECRETARY

SUBDIVISION PLAT
OF
COMMONS OF MENDER
CREEK UNIT 7

BEING 5.05 ACRES OUT OF A 21.465 TRACT OF LAND LOCATED IN THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, CITY OF BOERNE, KENDALL COUNTY TEXAS; BEING A PORTION OF A CALLED 21.465 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN INSTRUMENT TO THE BOERNE COMMONS, LTD. RECORDED IN VOLUME 1614, PAGE 971 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.

LJA Engineering, Inc.

9830 Colonnade Blvd.,
Suite 300
San Antonio, Texas 78230

Phone 210.503.2700
Fax 210.503.2749
FRN - F-1386

LJA Surveying, Inc.

9830 Colonnade Blvd.,
Suite 300
San Antonio, Texas 78230

Phone 512.439.4700
T.B.P.L.S. Firm No. 10194382

SURVEYOR:
LJA SURVEYING
9830 COLONNADE BLVD., SUITE 300
SAN ANTONIO, TEXAS 78230
CONTACT: GORDON ANDERSON
PHONE # (512) 439-4700