

September 1, 2017

Ms. Laura Talley
Director - Planning and Community Development
City of Boerne
402 E. Blanco
Boerne, Texas 78006

Re:

Southglen Subdivision, Phase 8

Notice of Intent to File for Final Plat Planning and Zoning Commission Approval

Dear Ms. Talley,

This letter serves as the notice of intent to file for Final Plat approval by the Planning and Zoning Commission as outlined in section 2.02.004 of the Boerne Subdivision Ordinance. Included with this letter is twenty folded full size (18" x 24"), three signed and sealed mylars and a digital file of the final plat as reviewed and approved by the Public Works and Planning Departments. It is our intent to be on the September 11 P&Z agenda for consideration as a "conditional" approval outlined in subsection (C).

If you should have any questions or are in need of any additional information, please feel free to call at 210-681-2951.

Sincerely

David Cupit, P.E. Project Manager

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.

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 (ORDINANCE NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE, ARTICLE 3, SECTION 3.07.003D.

AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FEET WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO THE PROPERTY LINE OF EACH LOT THAT ABUTS A STREET. A FIVE-FEET WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ALONG THE MAJOR ARTERIAL AS THE ARTERIAL IS CONSTRUCTED.

ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN THE CITY ORDINANCE NO. 2015-03, SECTION 1.10(5).

THERE IS ONE (1) LARGE LEGACY TREE, AS DEFINED IN SUBSECTION 2.02.002. IDENTIFIED ON THE SUBSEQUENT PAGES ON THIS PLAT.

UPON TERMINATION OF THE DEVELOPMENT AGREEMENT DATED APRIL 7, 2014, EACH LOT SHALL PROVIDE SETBACKS AS DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE IN FORCE AT THE TIME OF DEVELOPMENT.

THE AREA OF THE SMALLEST LOT IS 0.900 ACRES (LOT 1, BLOCK 13).

THE PERIMETER OF BLOCK 13 IS 3,614 L.F.

- 1. THIS SUBDIVISION CONTAINS 10.562 TOTAL ACRES WITH 0 RESIDENTIAL LOTS FOR A DENSITY OF 0 RESIDENTIAL LOTS PER
- NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204),
- 4. UNLESS OTHERWISE NOTED, ALL CORNERS & ANGLE POINTS ARE 1/2" IRON RODS WITH A RED PLASTIC CAP STAMPED "CUDE" SET.
- THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- THE AREA OF RIGHT-OF-WAY (R.O.W.) IN THIS SUBDIVISION IS 3.094 ACRES.
- THE AREA OF OPEN SPACE REQUIRED FOR THE SOUTHGLEN SUBDIVISION IS 21.802 ACRES (20.00%). THIS SUBDIVISION PLAT CONTAINS 6.717 ACRES OF COMMUNITY OPEN SPACE.

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

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 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.
- 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").

OGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THI 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; 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.
- 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.

BANDERA ELECTRIC COOPERATIVE NOTES:

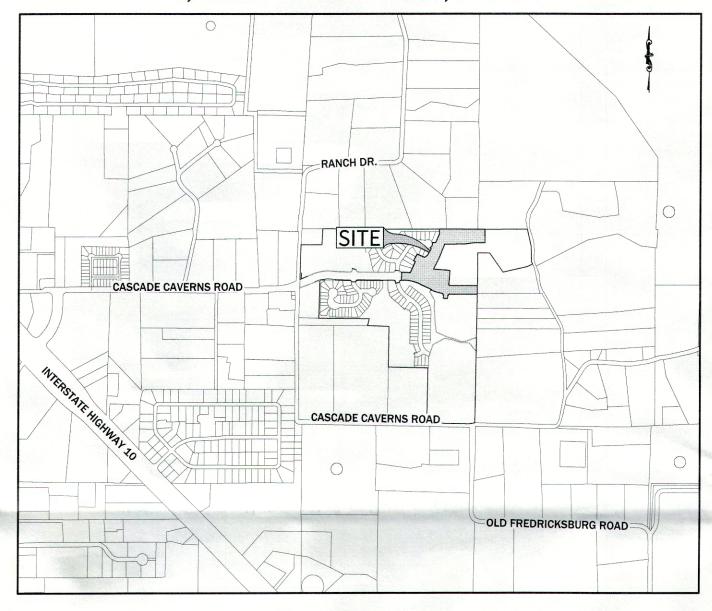
IT IS UNDERSTOOD AND AGREED THAT PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN TEN FEET (10') FRONT LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS OF THE SUBDIVISION, AND TEN FEET (10') 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.

A FINAL PLAT ESTABLISHING

SOUTHGLEN SUBDIVISION, PHASE 8

BEING 10.562 ACRES OF LAND IN THE J.R. AROCHA SURVEY NO. 171, ABSTRACT NO. 2, KENDALL COUNTY, TEXAS. BEING A PORTION OF A 33.705 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 1478. PAGE 481, ALSO BEING A PORTION OF A 29.873 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 1478, PAGE 492, ALSO BEING A PORTION OF A 24.334 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 1478, PAGE 559, ALSO BEING A PORTION OF A 8.769 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 1503, PAGE 171, IN THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

1 NEW OPEN SPACE LOT/1 AMENITY CENTER LOT 1,453 L.F. OF NEW STREET, 3.094 Ac.



LOCATION MAP

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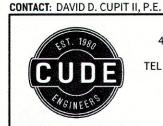
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CUDE ENGINEERS, L.L.C. 4122 POND HILL RD. • SUITE 101 SAN ANTONIO, TEXAS 78231 TEL 210.681.2951 • FAX 210.523.7112 WWW.CUDEENGINEERS.COM TBPE REGISTERED **ENGINEERING FIRM #455**

TBPLS FIRM # 10048500

PROJECT # 02889.080

DATE: AUGUST 2017

1 of 2

