

STATE OF TEXAS
COUNTY OF KENDALL

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 REGULATION, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING COMMISSION.



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 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 CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND.



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 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
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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.

EQUITY TRUST COMPANY
CUSTODIAN FBO
CLINTON LEE ORMS IRA
215 W. BANDERA RD #114
BOERNE, TX 78006

OWNER

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 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 ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF _____ A.D. 20__ AT _____ M. IN THE RECORDS OF DEEDS AND PLATS OF SAID COUNTY, IN BOOK _____ VOLUME _____ ON PAGE _____ IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF _____ A.D. 20__ TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____ PAGE _____ KENDALL COUNTY OFFICIAL RECORDS, IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF _____ A.D. 20__

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____ DEPUTY

A DEVELOPMENT PLAT ESTABLISHING THE PIZZA CAVE

A 1.046 ACRE TRACT OF LAND LOCATED IN THE M.J. LEA, SURVEY NO. 180, ABSTRACT NO. 298, BEING A PART OF ORIGINAL LOT NO. 44 IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, ESTABLISHING LOT 1 BEING 0.989 OF ONE ACRE AND A 7.5' RIGHT-OF-WAY DEDICATION BEING 0.057 OF ONE ACRE, AND BEING ALL OF A CALLED 1.046 ACRE TRACT OF LAND CONVEYED TO EQUITY TRUST COMPANY CUSTODIAN FBO CLINTON LEE ORMS IRA OF RECORD IN VOLUME 1523, PAGE 785 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.

1 COMMERCIAL LOT
0.0 L. F. OF NEW STREET



THIS DEVELOPMENT PLAT OF THE PIZZA CAVE 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 _____, A.D. 20__

BY:
CHAIR

BY:
SECRETARY

COUNTY CLERK'S CERTIFICATE OF AUTHENTICATION AS REQUIRED BY THE APPLICABLE COUNTY.



GENERAL NOTES:

- NO PART OF THIS SUBDIVISION IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- BEARINGS ARE BASED ON THE TRIMBLE VRS NETWORK, NAD83, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, US SURVEY FOOT, GRID.
- AT DATE OF PLAT APPROVAL, NO PORTION OF THIS PLAT IS WITHIN A FLOOD HAZARD ZONE AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR KENDALL COUNTY, TEXAS ON PANEL NUMBER 48259C0415F EFFECTIVE DATE DECEMBER 17, 2010 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
- LOCATIONS AND CONFIGURATIONS OF ANY ORIGINAL LOT LINES, ETC. ON OR ADJOINING THIS TRACT ARE APPROXIMATE, SAID LOT LINES AND/OR PATENTS, ETC. WERE NOT RESEARCHED OR LOCATED ON THE GROUND.
- TREES ARE AS SHOWN ON EXISTING CONDITIONS/TREE SURVEY.
- THE TOPOGRAPHIC INFORMATION IS BASED ON VERTICAL DATUM NAVD 88.
- REQUIRED OPEN SPACE: 250 SQFT PER DWELLING UNIT; AND 5% OF ALL BUILDING FOOTPRINTS AND AREAS OF IMPERVIOUS SURFACE DEDICATED TO VEHICLE ACCESS AND PARKING
- SETBACKS IN THE CITY: EACH LOT SHALL PROVIDE SETBACKS AS DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE IN FORCE AT THE TIME OF DEVELOPMENT.

EASEMENT NOTES

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 THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; 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:

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 THE ADJACENT LAND TO OR FROM 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 THEREOF; 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 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 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 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.

IMPACT FEE ASSESSMENT:

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:

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

LARGE LEGACY TREE:

THERE ARE TWO LARGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.

NOTE:

PLANNING AND ZONING COMMISSION APPROVED AN ONSITE SEPTIC SYSTEM FOR THIS SITE JULY 10, 2017.

SITE ADDRESS:
115 ADLER RD
BOERNE, TX 78006

OWNER:

EQUITY TRUST COMPANY
CUSTODIAN FBO
CLINTON LEE ORMS IRA
215 W. BANDERA RD #114
BOERNE, TX 78006



DATE: JULY, 2017

JOB NO. 2905.00

SHEET 1 OF 2