

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.

- 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.

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 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.

Plat notes

Fence Notes:

- Gates across easement:double swing gates with a minimum clear opening of 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:

Five-foot wide reinforced concrete sidewalks shall be installed adjacent to all street frontage property lines of each lot fronting a street at such time as that lot is developed.

Impact fee assessment note:

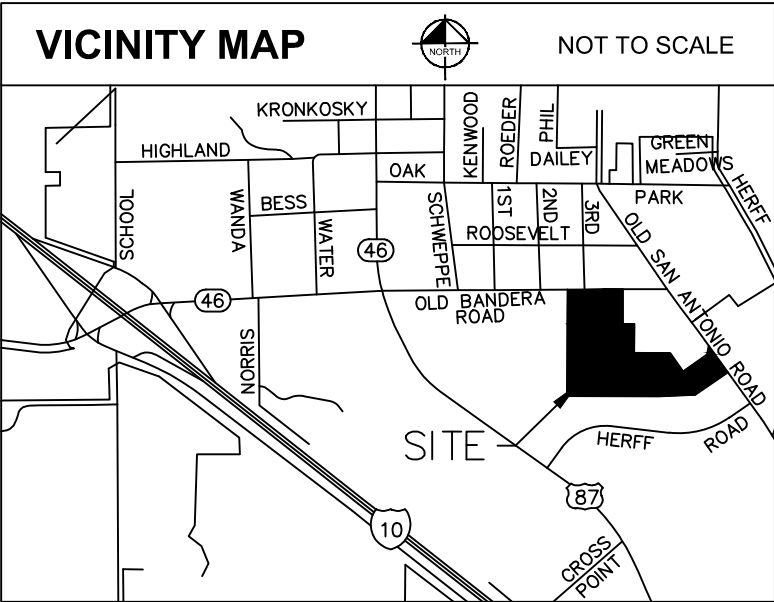
assessment and collection of the city of boerne water and wastewater utilities' capital recovery fees shall be the amount per lot as set forth in City Ordinance No. 2015-03, Section 1.10 (5)

Tax Certificate Note:

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

Large Legacy Tree Note:

There are sixty-four (64) large legacy trees, as defined in Subsection 2.02.002, identified on this plat.



Owner's Acknowledgement:

State of Texas
County of Bexar

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.

Judy Calder Foundation and Todd Calder
27338 Toutant Beauregard Road,
Boerne, Texas 78006

By: _____
Todd Calder, President

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 _____, 20__.

Notary Public, State of Texas

Approval of the Planning and Zoning Commission:

This plat of LOTS 1 & 2, BLOCK 1, CALDER ADDITION 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 Kendall

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

OWNER:
Judy Calder Foundation
27338 Toutant Beauregard Road
Boerne, Texas 78006

OWNER:
Todd Calder
27338 Toutant Beauregard Road
Boerne, Texas 78006

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

Surveyors notes:

- Property corners are monumented with 5/8" iron rod with a plastic cap stamped "KHA", unless noted otherwise.
- Bearing system based on the Texas Coordinate System of 1983, South Central Zone (4204), North American Datum of 1983.
- Dimensions shown hereon are surface values.

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 Greg Mosier
Registered Professional Land Surveyor #

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 Carroll, P.E. #93625
Licensed Professional Engineer

Notary Public
State of Texas

Sworn to and subscribed before me this the ____day of _____, 20__.

PRELIMINARY

THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

PRELIMINARY

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PRELIMINARY PLAT OF
LOTS 2 & 3, BLOCK A
THE COMMONS AT MENDER CREEK,
UNIT 2

BEING 24.555 ACRES OUT OF A CALLED 53.7 ACRE TRACT DESCRIBED IN VOLUME 1524, PAGE 576 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS AND A PORTION OF AN APPROXIMATELY 30.032 ACRE TRACT DESCRIBED IN VOLUME 1531, PAGE. 845 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS 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

CS

Date

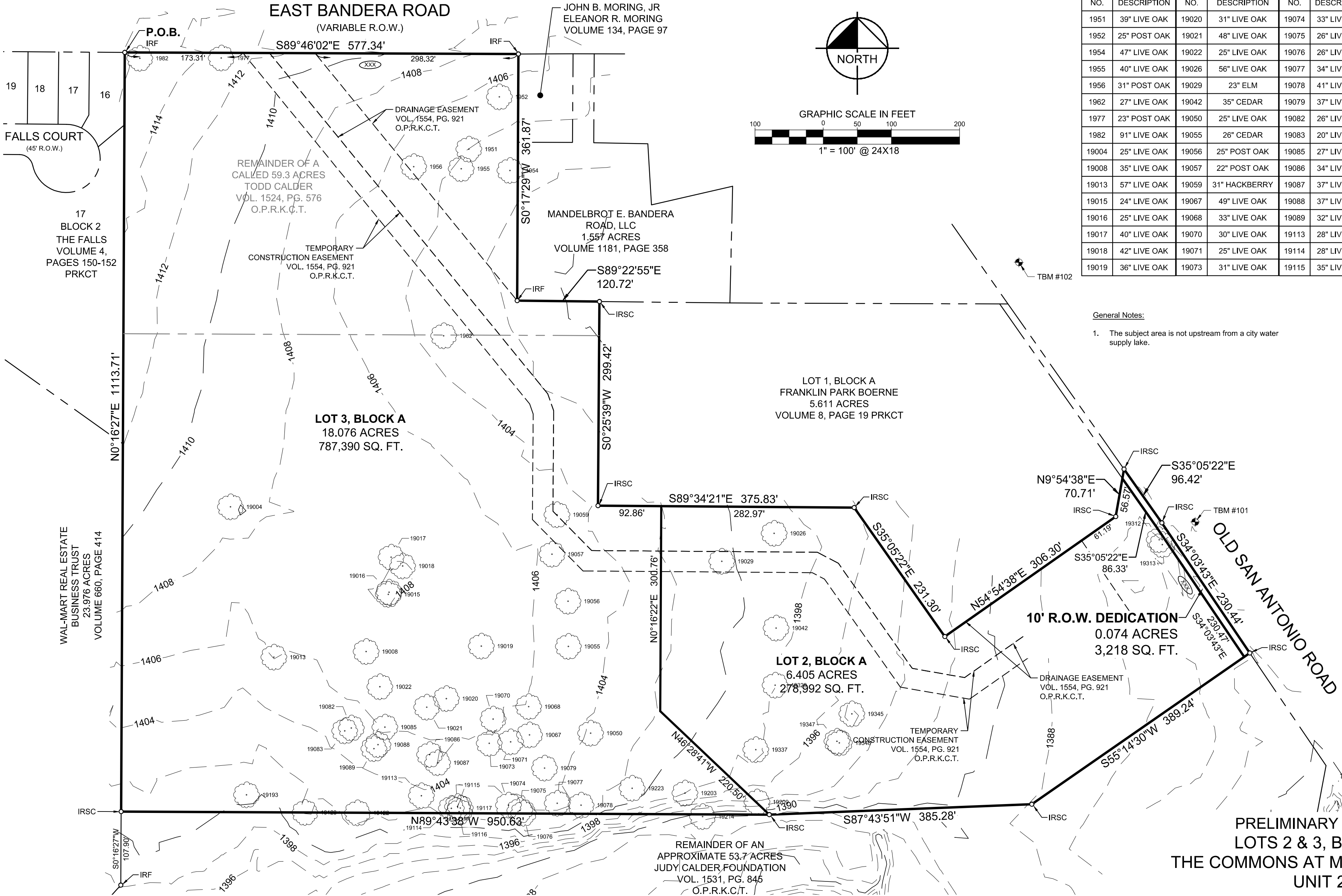
SEPT. 2017

Project No.

063929023

Sheet No.

1 OF 2



LEGEND

TBM #101 - MAG NAIL SET IN ASPHALT
LOCATED 130.01' FROM THE MOST EASTERLY
CORNER OF HEREIN DESCRIBED TRACT
ELEVATION =1386.01'

TBM #102 - MAG NAIL SET IN ASPHALT
LOCATED 67± FROM THE NORTHEASTERLY
CORNER OF LOT 1, BLOCK A, FRANKLIN PARK
ELEVATION =1393.57'

BENCH MARK LIST

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
P.O.B.	POINT OF BEGINNING
T.B.M.	TEMPORARY BENCH MARK
XXX	ADDRESS
⬤	ELEVATION BENCHMARK
XF	"X" CUT IN CONCRETE FOUND

OWNER:
Judy Calder Foundation
27338 Toutant Beauregard Road
Boerne, Texas 78006

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
TBPE #928

OWNER:
Todd Calder
27338 Toutant Beauregard Road
Boerne, Texas 78006

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216

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JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	APS	CTS	SEPT. 2017	063929023	2 OF 2

TREE TABLE		TREE TABLE		TREE TABLE		TREE TABLE	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1951	39" LIVE OAK	19020	31" LIVE OAK	19074	33" LIVE OAK	19116	34" LIVE OAK
1952	25" POST OAK	19021	48" LIVE OAK	19075	26" LIVE OAK	19117	27" LIVE OAK
1954	47" LIVE OAK	19022	25" LIVE OAK	19076	26" LIVE OAK	19122	41" LIVE OAK
1955	40" LIVE OAK	19026	56" LIVE OAK	19077	34" LIVE OAK	19123	46" LIVE OAK
1956	31" POST OAK	19029	23" ELM	19078	41" LIVE OAK	19193	25" LIVE OAK
1962	27" LIVE OAK	19042	35" CEDAR	19079	37" LIVE OAK	19203	24" LIVE OAK
1977	23" POST OAK	19050	25" LIVE OAK	19082	26" LIVE OAK	19209	29" LIVE OAK
1982	91" LIVE OAK	19055	26" CEDAR	19083	20" LIVE OAK	19214	30" LIVE OAK
19004	25" LIVE OAK	19056	25" POST OAK	19085	27" LIVE OAK	19223	26" LIVE OAK
19008	35" LIVE OAK	19057	22" POST OAK	19086	34" LIVE OAK	19312	25" LIVE OAK
19013	57" LIVE OAK	19059	31" HACKBERRY	19087	37" LIVE OAK	19313	35" LIVE OAK
19015	24" LIVE OAK	19067	49" LIVE OAK	19088	37" LIVE OAK	19329	29" LIVE OAK
19016	25" LIVE OAK	19068	33" LIVE OAK	19089	32" LIVE OAK	19337	21" LIVE OAK
19017	40" LIVE OAK	19070	30" LIVE OAK	19113	28" LIVE OAK	19345	29" LIVE OAK
19018	42" LIVE OAK	19071	25" LIVE OAK	19114	28" LIVE OAK	19347	26" LIVE OAK
19019	36" LIVE OAK	19073	31" LIVE OAK	19115	35" LIVE OAK	19348	24" LIVE OAK

General Notes:

- The subject area is not upstream from a city water supply lake.