

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.

1. 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.
2. 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.
3. 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.

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.
2. 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.

PLAT NOTES:

SETBACK NOTES:

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 NOTES:

The total acreage of open space is 2.4 acres, which meets the required open space set by the City’s Subdivision Ordinance (i.e. 5% of all building footprints and areas of impervious surface dedicated to vehicle access and parking).

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.

DEVELOPMENT PLAT FOR:
110 OLD SAN ANTONIO BUSINESS PARK

Creating Lot 1, being 5.006 acres out of Lot 2, ALAMO FIESTA as shown on VACATING and RESUBDIVISION plat thereof recorded in Volume 3, Pages 264–266, Plat Records, Kendall County, Texas and also being that certain 5.004 acre tract recorded in Volume 1333, Pages 1092–1097, Official Records, Kendall County, Texas.

ADDRESS:
110 Old San Antonio Road
Boerne, Texas 78006

OWNER:
TJ MOORE DEL RIO RANCH, LTD
110 OLD SAN ANTONIO ROAD
BOERNE, TEXAS 78006



DRAINAGE BASIN NOTE:

No portion of this tract is within a City of Boerne public water supply lake drainage basin.

SIDEWALK NOTES:

At such time as a lot is developed, a five-foot wide [Substitute ""larger where required] reinforced concrete sidewalks shall be installed adjacent to all property lines of each lot where the lot abuts public or private street.

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.

HERITAGE LEGACY TREE:

There are 9 Heritage Legacy Trees, as defined in subsection 2.02.002, identified on this plat.

GRID STREET SETBACKS:

Lots on Grid Network streets have varying setbacks as defined in the zoning ordinance.

APPROVAL OF THE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT AS FOLLOWS:

THIS PLAT OF 110 OLD SAN ANTONIO BUSINESS PARK HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & 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

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.

TJ MOORE DEL RIO RANCH, LTD
110 OLD SAN ANTONIO ROAD
BOERNE, TEXAS 78006

NAME OF OWNER AND ADDRESS

JOANIE SORENSEN–WEEKS
DULY AUTHORIZED AGENT

DEBBIE FLORES
DULY AUTHORIZED AGENT

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOANNIE SORENSEN–WEEKS AND DEBBIE FLORES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY 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 IN AND FOR
THE STATE OF TEXAS

SURVEYORS CERTIFICATE:

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.

REGISTERED PROFESSIONAL LAND SURVEYOR #4939
JEFF BOERNER
MDS LAND SURVEYING CO., INC.
8 SPENCER ROAD
BOERNE, TEXAS 78006

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

ENGINEER’S CERTIFICATE:

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 PLANNING COMMISSION OF THE CITY OF BOERNE.

EDGAR A. MUNOZ
LICENSED PROFESSIONAL ENGINEER #103673
MATKIN HOOVER ENGINEERING & SURVEYING

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

STATE OF TEXAS
COUNTY OF KENDALL

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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 PAGES _____. 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 _____ PAGES _____, KENDALL

COUNTY OFFICIAL RECORDS.

IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE,

THIS _____ DAY OF _____, A.D., 2018.

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____
DEPUTY

