

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. 2017-13, Section 1.10 (5)

Tax Certificate Note:

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

Building Setback Note:

With the exception of Lot 21, Block 9 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:

- Installation of potable water and wastewater services to open space lots may be performed by the developer, at his option, as part of the overall infrastructure design/construction process based upon the need for those services on individual lots. If potable water or wastewater services are not initially installed but are desired subsequent to the subdivision infrastructure development, the service applicant shall be financially responsible for the entirety of the design and installation costs for these services. In some instances, this work may also include the extension of utility mains to properly locate the desired utility services.
- Open space Lots 131-133 shall be Drainage, Sidewalk, and Utility Easements. Open space Lots 134-135 shall be for greenbelt/monument purposes only and shall not be drainage or utility easements.

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 or 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.

Acreage and Density:

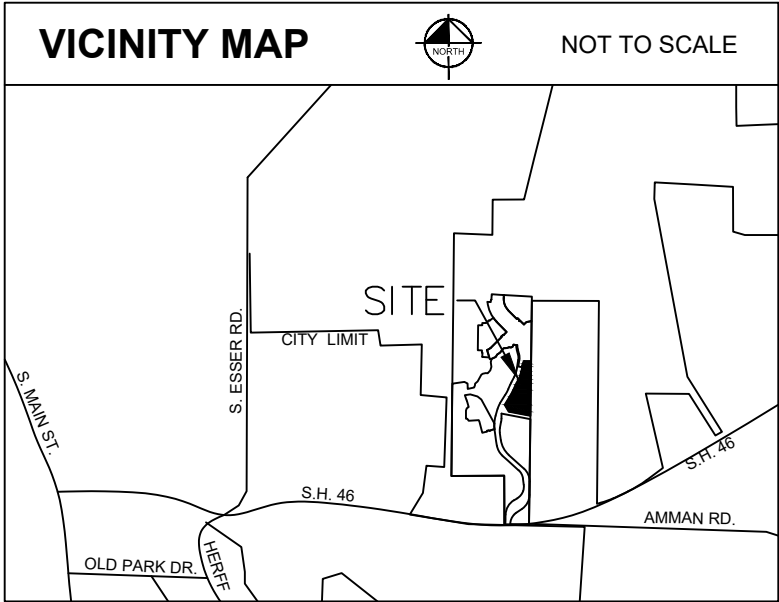
Total Right-of-way - 1.882 acres
Total Open Space - 5.194 acre
Total Residential - 6.420 acres
Density of Residential Lots - 5.296 Lots per acre

Flood Statement:

According to Map No. 48259C0415F, dated December 17, 2010 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Kendall County, Texas and Incorporated Areas, Federal Emergency Management Agency, Federal Insurance Administration, the property is within Zone "X" (un-shaded) defined by FEMA as "areas determined to be outside the 0.2% annual chance floodplain." All zone delineations shown hereon are approximate. This statement does not imply that any portion of the subject tract is totally free of potential flood hazard. Localized flooding can occur due to natural and/or man-made influences. This flood statement shall create no liability on the part of Kimley-Horn or the undersigned.

Heritage Legacy Tree Note:

There are 10 Heritage Legacy Trees, as defined in Subsection 2.02.002, identified on this plat.



State of Texas §
County of Kendall §

Now, therefore, know all men by these presents:

That Lookout Development Group, L.P., acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Esperanza, Phase 1C, an addition to Kendall County, Texas, and does hereby dedicate to the public and the City of Boerne, the public utility easements shown hereon for the mutual use and accommodation of the City of Boerne and all public utility providers desiring to use or using the same. Lookout Development Group, L.P., does hereby dedicate to the public and Kendall County Water Control and Improvement District No. 2a (the district) the streets hereon together with the drainage easements, and public use areas shown hereon, and do hereby dedicate the easements shown on the plat for the purposes as indicated to the district's exclusive use forever, said dedications being free and clear of all liens and encumbrances except as shown herein. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easements of said plat. At the sole and exclusive discretion of the district and subject to its written approval, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities, sold use by public utilities being subordinate to the district's use thereof. Any public utility given the right by the district to use said easements shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements. Any public utility shall at all times have the rights of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring the permission of anyone. I do hereby bind myself, my successors and assigns forever, to warrant and defend all and singular the above described streets, alleys, easements and rights unto the district against every person whomsoever comes lawfully claiming or to claim the same or any part thereof. This property is located within the extraterritorial jurisdiction of the City of Boerne. This plat approved subject to all the platting ordinances, rules and regulations of the City of Boerne.

Owner's Acknowledgement:

State of Texas §
County of _____ §

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.

Lookout Boerne Holdings, L.P.
2730 Rice Boulevard, Suite 200
Houston, Texas 77005

By: _____

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 ESPERANZA 1C 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

Surveyors notes:

- Property corners are monumented with 1/2" iron rod with a plastic cap stamped "KHA", unless noted otherwise.
- The bearings, distances, areas and coordinates shown hereon are Texas State Coordinate System GRID, South Central Zone (FIPS 4204) (NAD'83), as determined by the Global Positioning System (GPS). All distances shown hereon are on the GRID. The unit of linear measurement is 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.

John G. Mosier
Registered Professional Land Surveyor #6330

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

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

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

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:
LOOKOUT DEVELOPMENT GROUP, L.P.
MORNINGSIDE LAND & CATTLE CO., LLC
1789 S. BAGDAD ROAD, SUITE 104
PH. (512) 260-2066
CONTACT: MIKE SIEFERT

CIVIL 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

PRELIMINARY PLAT OF
ESPERANZA 1C
13.496 ACRES
34 RESIDENTIAL LOTS
6 OPEN SPACE LOTS

BEING A PORTION OF A CALLED 800.258 ACRES RECORDED IN
VOL. 1389, PG. 572 OF THE OFFICIAL PUBLIC RECORDS OF
KENDALL COUNTY, TEXAS
JUAN ORTIZ SURVEY NO. 190, ABSTRACT NO. 363
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

Drawn by

Checked by

Date

Project No.

Sheet No.

N/A

APS

JGM

5/13/2019

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1 OF 2

