



CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, April 13, 2023 at 6:30 PM

Public Safety Training Room in the Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Commission, please sign the Attendance Roster located on the table in the foyer of the Public Safety Training Room. In accordance with the Open Meetings Act, the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

CONSENT AGENDA

All of the following items are considered to be routine by the P&Z Commission, there will be no separate discussion on these items and will be enacted by one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

4. Approval of the March 9, 2023 Planning and Zoning Commission Regular Meeting Minutes.

Christina Picioccio, TRMC, City Secretary

CONSIDERATION / DISCUSSION ITEMS

5. Consideration and possible action recommending approval of a request for an extension of time for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road & Ralph Fair Road.

Kelsey Delgado, Environmental Program Manager
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

6. Consideration and possible action for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road & Ralph Fair Road.

Kelsey Delgado, Environmental Program Manager
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

7. Consideration and possible action on a Concept Plan request from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU). Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road.

Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

8. Request of extension of time for consideration and possible action regarding the approval of a Preliminary Plat request from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road.

Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

9. Consideration and possible action recommending the approval of Preliminary Plat request from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road.

Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

ADJOURNMENT

Request for P&Z commission topic needing information/research

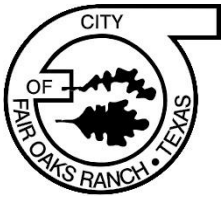
Signature of Agenda Approval: s/Carole Vanzant

Carole Vanzant, Assistant City Manager

I, Amanda Valdez, TRMC, Deputy City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, April 10, 2023 and remained so posted continuously for at least 72 hours before said meeting was convened.

<p>The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.</p>



CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, March 09, 2023 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Present: Chairperson Bobbe Barnes and Vice-Chairperson David Horwath
Commissioners: Linda Tom, Burney Martin, Dale Pearson, and Lamberto "Bobby" Balli

Absent: Commissioner: Marty Bryant

With a quorum present, the meeting was called to order at 6:00 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

CITIZENS and GUEST FORUM

3. Citizens to be heard:

The following citizens addressed the Commission regarding the Mixed-Use Development agenda item:

- | | |
|-----------------|--|
| Teal Harris | Thanked the Commission for volunteering on the P&Z Commission and encouraged continued efforts to be good stewards of the City. |
| Rebecca Terrell | Voiced her concerns that the proposed development would potentially have a detrimental effect on the police department, schools, traffic, Camp Bullis, trees, and property values. |
| Chris Cook | Questioned whether rental properties applied to mixed-used development and voiced preference of privately owned properties. Mr. Cook also mentioned concerns of the impacts 207 units would have on water and traffic. |
| Muriel Landford | Expressed her desire to keep the "small community feel". She also voiced her preference of owners versus renters. |
| Shari St. Clair | Disagreed with the notion that development was inevitable. She spoke regarding the negative impact this development would have on the community and her concern regarding "dark skies", water and police coverage. |
| Al Schmidt | Referenced "The Reserve Development" in regard to water availability and noted that the proposed development is worse due to its increased density. |

CONSENT AGENDA**4. Approval of the February 9, 2023, Planning and Zoning Commission Regular Meeting Minutes.**

MOTION: Made by Commissioner Tom, seconded by Commissioner Balli, to approve the Consent Agenda.

VOTE: 6-0, Motion Passed.

CONSIDERATION / DISCUSSION ITEMS**5. Consideration and possible action on a Concept Plan request from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU). Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Martin to approve the developer's request for an extension of time for the concept plan to the next P&Z Commission, April 13, 2023.

VOTE: 6-0, Motion Passed.

6. Consideration and possible action recommending approval of the proposed City of Fair Oaks Ranch Unified Development Code amendments and authorizing its presentation to the City Council.

MOTION #1: Made by Commissioner Horwath, seconded by Commissioner Balli to accept the changes as written.

MOTION #2 Made by Commissioner Horwath, seconded by Commissioner Pearson to accept the changes as written thus including the recommendations in the UDC Amendment Copy March 2023, with the following conditions:

1. To not include the language in 2.31 b i
2. To finalize the revisions to the sign provision, Chapter 9.
3. To reintroduce the golf cart parking requirements.

VOTE: 6-0, Motion Passed.

ADJOURNMENT

Chairperson Barnes adjourned the meeting at 9:12 PM.

ATTEST:

Bobbe Barnes, Chairperson

Christina Picioccio, TRMC, City Secretary



PLANNING & ZONING CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

April 13, 2023

AGENDA TOPIC: Consideration and possible action recommending approval of a request for an extension of time for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road & Ralph Fair Road

DATE: April 13, 2023

DEPARTMENT: Public Works

PRESENTED BY: Kelsey Delgado, Environmental Program Manager
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

REQUEST:

The applicant has requested an extension of time. If the extension is approved, no action is needed on the consideration item on the same Heritage Plan.

INTRODUCTION/BACKGROUND:

On March 16, 2023, a Heritage Plan for Botanica was submitted to the Public Works Department by the applicant Urbanist Inc. This Heritage Plan consists of the following types of trees to be removed:

Protected Trees

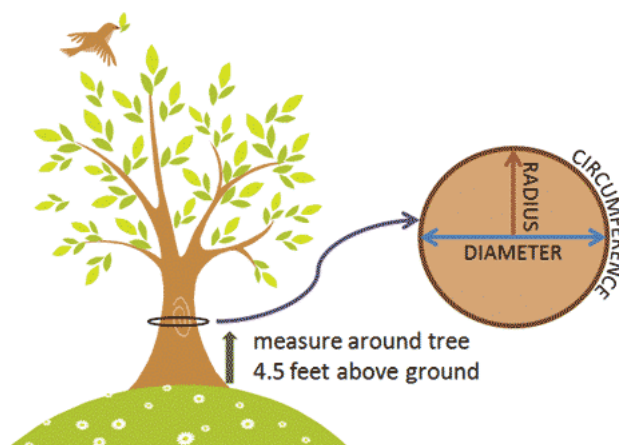
Circumference=28 inches or larger

Diameter=9 inches or larger

Heritage Trees

Circumference=75 inches or larger

Diameter=24 inches or larger



This Heritage Plan submission is currently vested under the City's Unified Development Code (UDC) adopted in 2019. Section 8.8 contains a requirement which states: "A Heritage Plan is required to be reviewed and approved by the Planning and Zoning Commission and City Council prior to any construction activity that is likely to endanger a Heritage Tree, TC 75 inches or larger. The tree trunk circumference is measured at diameter of breast height (DBH), or four and a half (4 ½) feet, as detailed by the Texas Forest Service." "A Heritage Plan must be submitted to the City, reviewed by City Staff, and voted on by the Planning and Zoning Commission before a Preliminary Plat or Site Development Permit is forwarded to City Council. It must be approved by City Council before a Preliminary Plat is approved." The submitted Heritage Plan shows the following Heritage Trees:

Tree #886 – 28" Oak – To Be Saved

Tree #879 – 28.5" Oak – To Be Saved

Tree #881 – 29" Oak – To Be Saved

Tree #5149 – 29" Oak – To Be Saved

Tree #887 – 29.5" Oak – To Be Saved

Tree #878 – 31" Oak – To Be Saved

Tree #888 – 31" Oak – To Be Saved

Tree #873 – 31.5" Oak – To Be Saved

Tree #885 – 28.5" Oak – To Be Saved

Tree #889 – 29" Oak – To Be Saved

Tree #884 – 30" Oak – To Be Removed

Tree #874 – 31.5" Oak – To Be Removed

Tree #875 – 35" Oak – To Be Removed

Tree #876 – 40" Oak – To Be Removed

Tree #880 – 34" Oak – To Be Removed

Please note that tree diameters between 9 and 28 inches have not yet been identified on the Heritage Plan.

Mitigation shall be at a 1:1 ratio for Tree Circumference (TC) inches to be removed. The applicant may plant smaller trees to replace Protected and Heritage Trees, provided that no tree smaller than a Tree Circumference (TC) of 8 inches (2.5 inch diameter) and that the total tree coverage on the lot (as measured in Tree Circumference (TC) inches) is approximately the same as pre-development conditions. In cases where soil, slope, lot size, or other natural constraints make replacing the same number of Tree Circumference (TC) inches unfeasible, the City Manager (or his designee), may, at their sole discretion, allow some or all of the mitigation to take place on a separate, public site within the City, or on lands owned by an association that operates and maintains trails, open space, or parkland within the City and that are usable by residents of the general area where the applicant's land is located.

To mitigate, sixty-nine (69) trees with a caliper of at least two and one half - inches (2.5") will need to be planted per the plan currently being provided (not including mitigation needed for tree diameters between 9 and 28 inches). The mitigation trees have not been identified in the current plan provided.

Additionally, any Heritage Trees planned for removal will require City Council approval prior to the removal of said trees.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City of Fair Oaks Ranch's current process requires the P & Z to consider the Heritage Plan and make a recommendation to the City Council. The City Council has the final authority to act on the Heritage Plan.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

Sec. 212.009 (b-2) of the Texas Local Government Code sets the following guidelines for approval of a plan.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

Additionally, the code allows for **extension of time** as follows:

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

- (1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and*
- (2) the municipal authority or governing body, as applicable, approves the extension request.*

RECOMMENDATION/PROPOSED MOTION:

Staff recommends approval of the extension of time.

Motion: I move to recommend approval of a request for an extension of time for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica.

Attachment:

1. Heritage Plan Extension Request

April 5, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

To whom it may concern:

Please consider this a letter of extension to Heritage plan the above referenced development. We are formally requesting a 30 day extension of the Heritage Plan.

The property is located east of Ralph Fair Road between Dietz Elkhorn Road and Arbor Falls. The site will be platted as one lot within the Fair Oaks Multifamily Plat. The new development's specific land uses will be determined as the planning process proceeds, but initial concept plans are proposing a multifamily development.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.



Andrew Belton, P.E.
Associate Vice President

Attachments

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PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 13, 2023

AGENDA TOPIC: Consideration and possible action for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road & Ralph Fair Road

DATE: April 13, 2023

DEPARTMENT: Public Works

PRESENTED BY: Kelsey Delgado, Environmental Program Manager
 Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

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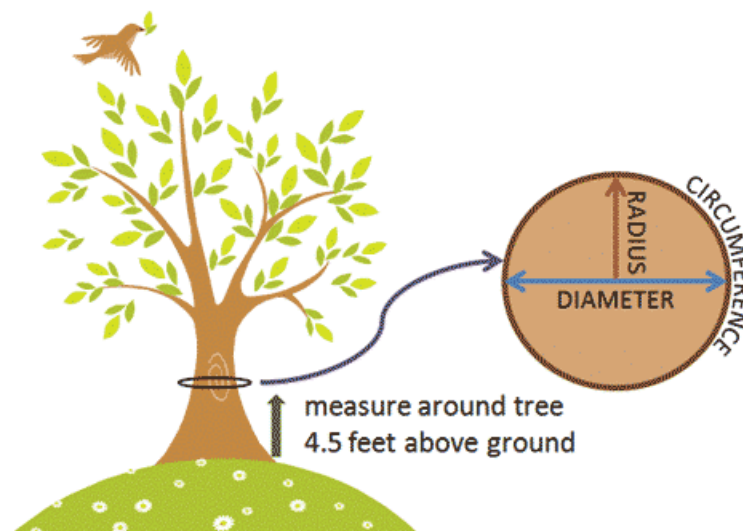
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trunk circumference is measured at diameter of breast height (DBH), or four and a half (4 ½) feet, as detailed by the Texas Forest Service.” “A Heritage Plan must be submitted to the City, reviewed by City Staff, and voted on by the Planning and Zoning Commission before a Preliminary Plat or Site Development Permit is forwarded to City Council. It must be approved by City Council before a Preliminary Plat is approved.” The submitted Heritage Plan shows the following Heritage Trees:

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Additionally, any Heritage Trees planned for removal will require City Council approval prior to the removal of said trees.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City of Fair Oaks Ranch's current process requires the P & Z to consider the Heritage Plan and make a recommendation to the City Council. The City Council has the final authority to act on the Heritage Plan.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

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RECOMMENDATION/PROPOSED MOTION:

Staff recommends approval of the extension of time.

Motion: I move to recommend approval of a request for an extension of time for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica.

If the Planning and Zoning Commission is not interested in recommending the approval of the extension of time, staff recommends adding the following as conditions of recommending approval.

Motion: I move to recommend approval for a Heritage Plan from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica with the following conditions:

1. Identify all Protected and Heritage Trees for removal on the Heritage Plan.
2. Identify all required mitigation trees on the Heritage Plan.

Attachment:

1. Heritage Plan Extension Request
2. Heritage Plan

April 5, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

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If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.



Andrew Belton, P.E.
Associate Vice President

Attachments

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HERITAGE TREES AT FAIR OAKS

#	Species	DBH	Condition	Status
886	Live Oak	28	Fair	Maintain
879	Live Oak	28.5	Fair	Maintain
881	Live Oak	29	Fair	Maintain
5149	Live Oak	29	Fair	Maintain
887	Live Oak	29.5	Fair	Maintain
878	Live Oak	31	Fair	Maintain
888	Live Oak	31	Fair	Maintain
873	Live Oak	31.5	Fair	Maintain
885	Live Oak	28.5	Good	Maintain
889	Live Oak	29	Poor	Maintain
884	Live Oak	30	Poor	Remove
874	Live Oak	31.5	Poor	Remove
875	Live Oak	35	Poor	Remove
876	Live Oak	40	Poor	Remove
880	Live Oak	34	Very Poor	Remove

Existing Tree - Maintain

Existing Tree - Remove

28" Tree
Fair or Good Condition (9)
Maintain: 9 (100%)

28" Tree
Poor Condition (5)
Maintain: 1 (20%)

28" Tree
Very Poor Condition (1)
Maintain: 0 (0%)

Significant Trees to Maintain: 81 of 386 (21%)

Calculation: $5,266'' - 1,197.5'' = 4068.5''$
(Existing) (Maintaining) (Removing)

TREE LEGEND:	
QUANTITY	SAVED TREES
10	HERITAGE TREES
81	SIGNIFICANT TREES
12	NON-PROTECTED TREES
104	TOTAL TREES SAVED

Significant Trees: (Good, Fair, Poor & Very Poor)
Good: 16 Trees - 269.5"
Fair: 370 Trees - 4,996.5"
Poor: 81 Trees - 1,245"
Very Poor: 13 Trees - 221.5"
TOTAL: 480 Trees - 6,732.5"

Trees in Good/Fair condition:
Good: 16 Trees - 269.5"
Fair: 370 Trees - 4,996.5"
TOTAL: 386 Trees - 5,266"

Trees to Maintain in Good/Fair condition:
Good: 5 Trees - 96.5"
Fair: 76 Trees - 1,101"
TOTAL: 81 Trees - 1,197.5"

TREE ANALYSIS AND OVERLAY PLAN

060'120'240'

SCALE : 1" = 120'-0"

02/01/23

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JDG
Johnson Design Group

urbanist.
WELLNESS BY DESIGN

BOTANICA FAIR OAKS

SITE PLAN

Page 14



PLANNING AND ZONING COMMISSION CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 13, 2023

AGENDA TOPIC: Consideration and possible action on a Concept Plan request from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU). Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road

MEETING DATE: April 13, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

SUMMARY:

This item was considered by the Planning and Zoning Commission (P & Z) on March 9, 2023.

At the meeting citizens voiced concerns regarding this development with 207 units. Their concerns included the detrimental effect of the increased density on the police department, schools, traffic, "dark skies", Camp Bullis, trees, water, property values, and small community feel. They also expressed their preference for ownership versus rental units.

The P & Z concerns included lack of ownership options, golf cart circulation, connectivity to surroundings; impact of traffic on surrounding streets and uses (including a school); and adequacy of utilities. The P & Z encouraged the applicant to comply with the Comprehensive Plan's vision for the Mixed Use district by incorporating a mix of uses and a "village" design concept.

The applicant requested an extension of time to modify the layout to address the items discussed at the meeting. The P & Z recommended approval of the extension of time at their meeting on March 9, 2023 and the City Council approved the extension on April 6, 2023.

APPLICANT'S MODIFICATIONS IN RESPONSE TO P & Z'S INPUT:

The applicant submitted revised plans on March 17, 2023 and has proposed the following modifications to the original proposal:

1. Total number of residential units decreased from 207 to 191.
2. Replaced 10 units with an approximately 10,000 sq. ft building containing retail and restaurant uses at the south-west corner of the subject parcel.

Based on the review of the applicant's resubmittal and supporting documents received on March 20, 2023, the responses (in italicized text) to the observations presented at the previous P & Z meeting are as follows:

1. The proposed use is allowed by the UDC, but the proposed development with only residential uses does not meet the intent of the Mixed Use district, as described in the Comprehensive Plan or the UDC.
 - Response:
Added approximately 10,000 sq. ft building containing retail and restaurant uses at the south-west corner of the subject parcel. The retail building and site design is not in conformance with the MU district zoning regulations that requires parking to be located behind the building and create pedestrian friendly building frontages and generally conform to a Hill Country Design aesthetic. See Additional Comments below.
2. The submittal does not include any plans or specific details showing conformance to the building design standards and landscaping standards required by the UDC. This information is required to confirm if the proposed development will meet the UDC requirements and the intent of the Comprehensive Plan.
 - Response:
Not addressed.
3. The proposed development may have a significant impact on public infrastructure such as roads, water, sewer, and drainage systems.
 - Response:
Not addressed.
4. The proposed development may have a significant impact on public services such as police and fire protection.
 - Response:
Not addressed.
5. Street improvements will be needed to alleviate congestion due to the development. Further study is needed for the extent of improvements needed.
 - Response:
Not addressed.
6. Staff review comments (All materials received by February 15, 2023):
 - i. A revised landscaping plan that matches the revised layout (addition of new parking spaces near parks 4, 6, 9, 10, 13, 14 etc.) are not found in the resubmittal. These parking spaces appear to be a part of the areas shown as parks in the previous submittal. This may also affect the area of landscaping.
 - Response:
Not addressed.
 - ii. Some fields in the Universal Application form are blank (e.g., contact name, address etc. in the Property owner Information section).
 - Response:
Universal Application was not included in the revision received on March 20, 2023. Universal Application included in the resubmittal received on February 27, 2023 contained only one application from UGRO P6 Botanica Fair Oaks LLC. However, the submittal (received February 1, 2023) included Universal Applications from UGRO P6 Botanica Fair Oaks LLC and Urbanist Inc.

ADDITIONAL COMMENTS

1. Newly added retail and restaurant uses do not meet the following requirements of the form based code:
 - a. Building Frontage: Minimum 40% of building frontage is not located between 10' min. -20' max. setback from the property line along Ralph Fair Road (Secondary Frontage) as required by the UDC.
 - b. Continuous pedestrian walkway to the entrances from the sidewalk on Ralph Fair Road to the building is not provided. (see illustrations from UDC below).
 - c. Parking is not located behind the principal building along Ralph Fair Road as per UDC 6.8 (1) d. (see illustrations from UDC below).

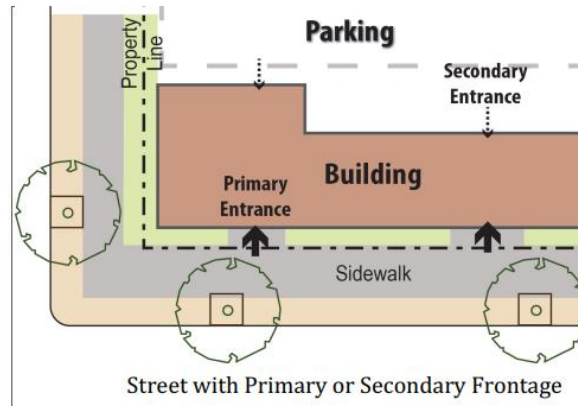
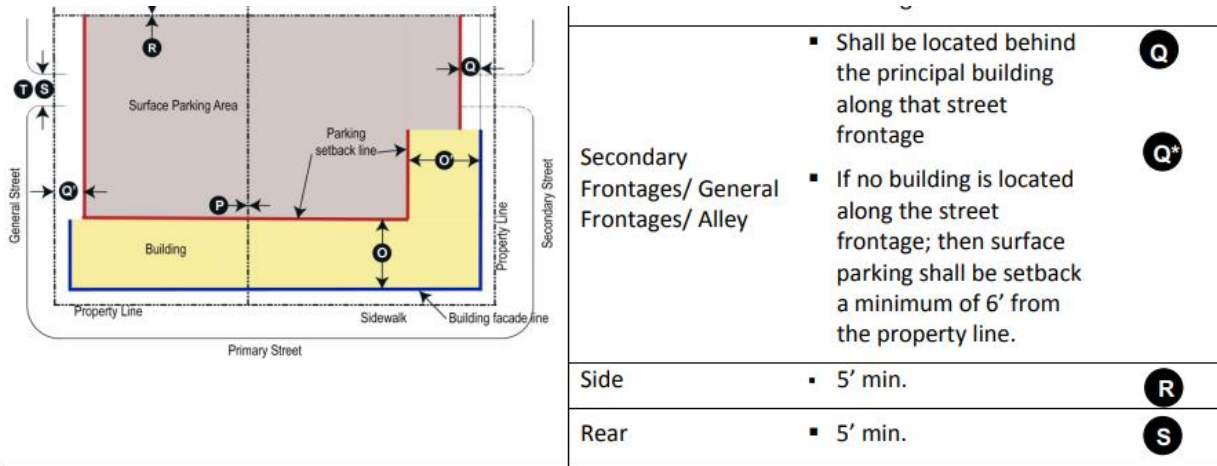


Figure 7-1 Figure showing required building orientation and location of primary entrances



Figures 7-2 Examples of Primary Entrance Designs

2. Parking

analysis and land use table do not reflect the addition of retail and restaurant components.

3. The submittal does not include any plans or specific details showing conformance to the building design standards and landscaping standards required by the UDC. This information is required to confirm if the proposed development will meet the UDC requirements and the intent of the Comprehensive Plan. Examples of those requirements include:
 - a. Shaded sidewalk alongside at least 25 percent of the building facades with frontage along an off-street surface parking lot.
 - b. Building entrances along Ralph Fair Road is located under a shade device, such as an awning or portico.

CRITERIA FOR REVIEW:

As per UDC, the Concept Plan needs to be reviewed for:

- a. Compliance with the Comprehensive Plan, UDC, and any additional adopted plans (e.g., Water, Wastewater, and Reuse Master Plan; Master Drainage Plan).
- b. Compatibility of land uses, and
- c. Coordination of improvements within and among individual parcels of land or phases of development.

Additional information required to ensure compliance may be requested. Concept Plans will be reviewed by the Planning and Zoning and the recommendation will be forwarded to City Council for review and final action.

RECOMMENDED MOTION:

Staff recommends that the applicant's letter and supporting documents dated February 15, 2023, and additional details regarding landscaping, buffers, conformance of the retail and restaurant component to UDC and building design be added as the conditions of approval if the Planning and Zoning Commission decides to recommend approval for this Concept Plan request.

Motion: I move to recommend approval of the Concept Plan approval request from the applicant Urbanist Inc. on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU), with conditions. (List conditions, if any)

EXCERPTS FROM PREVIOUS STAFF REPORT

ORIGINAL PROPOSAL:

The applicant is proposing a multi-unit rental residential community development consisting of one and two bedrooms units, duplexes, and quadplexes. The total number of units proposed is 207 units as per the Concept Plan. As per the Unified Development Code (UDC) Sec. 3.8 (3), a Concept Plan is required to be approved prior to the approval of the Preliminary Plat for this development since it will require off-site roadway, drainage, and utility connections or improvements that will have a substantial impact or effect on other properties or developments.

The subject tract is zoned Mixed Use Village District (MU) and the current UDC allows the entire tract to be developed as multi-family residential use, as proposed.

The 19.8-acre parcel is currently vacant and undeveloped.

The applicant sent a revised packet on March 17, 2023 and the report is based on the review of the revised submittal.

LOCATION AND SURROUNDINGS:

The site is generally located north-east of the intersection of Dietz Elkhorn Road and Ralph Fair Road. A summary of the surrounding land uses, and zoning designations can be found in the following table:

Zoning		Land Use
NORTH	Neighborhood Residential	Vacant
SOUTH	Mixed Use Village	Tri-county Meat Market, Brand Liquors, El Poblano Restaurant, Gas Station
WEST	Existing Residential 2	Single Family Residential
EAST	Neighborhood Residential	Vacant

CONFORMANCE WITH COMPREHENSIVE PLAN:

Background:

The City adopted the current Comprehensive Plan in 2018 as part of a mission to strengthen and preserve the City's character.

Purpose of the Comprehensive Plan:

The purpose of the Comprehensive Plan is to determine community vision, goals, and aspiration regarding community development. This living document is intended to guide City's land use, policies, and spending priorities for years to come. It addresses how "...thoughtful design can maintain and improve quality of life for the people who live in Fair Oaks Ranch, and how to balance personal freedom with rules for common protection of property values, safety, and the preservation (and enhancement) of the community character."

As per the Comprehensive Plan – "The Comprehensive Plan will help guide where and how the

development happens, and to shape the future growth in ways that will complement and protect the values of the existing community, and serve as a foundational rulebook for the landowners, developers, surveyors, engineers, and architects and for the City employees who will shepherd them.”

The Comprehensive Plan serves as a guide to frame zoning regulations that regulate all development and land uses.

Process of Adoption of Comprehensive Plan:

The current Comprehensive Plan was created by the citizens of Fair Oaks Ranch and the process spanned over two years (2017-2018). It was led by a steering committee appointed by the City Council who worked with staff and the professional planning team. The citizens and other stakeholders were heard through workshops and City-wide “Town Hall” meetings, as well as numerous smaller meetings, planning exercises, and community surveys. The plan reflected the vision of the community.

Components of the Comprehensive Plan:

The Comprehensive Plan has two components:

1. Text - The Comprehensive Plan contains a Future Land Use chapter that includes the descriptions of the various land use classifications, and recommendations on the appropriate land uses, development regulations, design standards, and zoning categories for each of these land use classifications.
2. Map - The Future Land Use Map (FLUM) included in the Comprehensive Plan shows suitable locations in the City for the various land use classifications. The FLUM classifications should be used in conjunction with associated text descriptions to assess the types of land uses and development desired for in a particular area.

Comprehensive Plan Recommendations for this Property:

The FLUM (Exhibit C: Future Land Use Map (FLUM) adopted in June 2018 designates this property as Mixed Use Village. The Comprehensive Plan recommends the following standards:

Mixed-Use Village	
Permitted Uses	<ul style="list-style-type: none"> • Commercial (office, retail, restaurant) • Residential (Small Lot Single Family, Cottage, Townhouse, Multifamily, Aging Adult) • Auto-oriented site elements are restricted
Lot and Block Standards	<ul style="list-style-type: none"> • Walkable rectilinear and/or connected blocks
Building Form and Development Standards	<ul style="list-style-type: none"> • 3 stories (max.) 4 stories (max.) allowed within 500’ of Old Fredericksburg Road. • Buildings generally placed with pedestrian friendly frontage at the front of lot facing the primary street or open space • Location of parking regulated (behind or to the side of the primary building)
Building Design Standards	<ul style="list-style-type: none"> • Buildings to be oriented towards the primary street with at least one pedestrian entrance on primary street • Compatible with “Hill Country” aesthetic. Generally, masonry or comparable for ground floor facades
Transportation (Street Types)	<ul style="list-style-type: none"> • State Highway Major Thoroughfare • Local Multimodal Street • Neighborhood Street • Alley

Relevant Excerpts from the Comprehensive Plan:

The MU designation is described as – “... areas within the City of Fair Oaks Ranch where the City encourages a mixture of uses that create pedestrian scaled development at major transportation nodes. The City encourages development in this area to generally conform to a Hill Country design aesthetic, similar to the materials and massing that can be found in downtown commercial districts in communities such as Boerne, Fredericksburg and Comfort. Sites in the MU district are appropriate for direct access to primarily Arterial, Collector streets and Local Connector Streets.”

The Comprehensive Plan identifies undeveloped or underdeveloped tracts in locations that would be appropriate for MU zones to create unique opportunities for higher quality mixed-use developments. In addition to the subject tract, some of the areas designated as such in the City are following intersections:

- Old Fredericksburg Road and Fair Oaks Parkway
- I-10 Frontage and Leslie Pfeiffer
- I-10 Frontage and Fair Oaks Parkway
- Dietz Elkhorn Road and Elkhorn Ridge Road

The Comprehensive Plan also envisions that mixed-use developments in the MU district will:

- Relieve fiscal pressures by encouraging developments with a stronger tax base
- Create stronger, more resilient development in the core focus areas
- Protect adjacent residential areas and other environmentally sensitive areas
- Incorporate a mix of housing types, including aging adult options allowing older residents the option to downsize their home but remain in the community
- Promote walkability, with a mix of retail, restaurants, offices, civic uses, and housing options
- Serve as connections to the trail system and serve as “gateways” that create gravity for higher-quality development throughout the City
- Promote a sense of “community” and “place”

The Comprehensive Plan recommends that - “Typical development that does not consider adjacent neighborhoods, adjacent parcels or align with the broader goals of the City should be discouraged, in favor of higher-quality developments. Projects that are master planned and developed in a cohesive manner often achieve higher returns and hold stronger values than typical centers.”

Applicant’s response: As per the applicant, the following measures are proposed to meet the vision of the Comprehensive Plan:

1. In addition to the apartment homes and apartment flats, the community will be staffed full time and operated as a commercial (multifamily) business.
2. Landscaping plan will be submitted as required with the permit submittal.
3. Providing a “neighborhood focus” specifically for the residents of the community and their visitors which may include:
 - A 5,000 sf Amenity Center containing:
 - Leasing Offices
 - Clubroom and Multipurpose Areas
 - Great Room and Kitchen
 - Full-service Fitness Center
 - Mail room

- Pool, landscaped Pool Deck, and lounge and outdoor dining seating
- Outdoor Kitchen
- Pickleball Courts
- Pocket Parks throughout the community
- Dog Park
- Community Plaza with benches under the existing (saved) Heritage trees, grassy play areas, landscaped edges and showcases, trellises, and a central plaza area for events like group resident activities and family gatherings.

Updated response of March 17, 2023: The revised site plan proposes restaurant and retail use at the south-west corner of the subject parcel. However, it is not

Findings:

- The proposed development is not consistent with the recommendations of the Comprehensive Plan that envisions a mixed use development consisting of retail, restaurants, offices, and civic uses. The proposal is for a rental residential only community comprising of one and two bedrooms units, duplexes, and quadplexes.
- The applicant has not submitted specific site plans that show the proposed landscaping with details, buffers, and building design.
- It is not clear how the images of the proposed buildings relate to the types of the residential and where they are located on the site plan.

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE:

The property is currently zoned as MU. As per the UDC, MU zoning encourages a mixture of uses that create pedestrian scaled development at major nodes in the City that generally conform to a Hill Country Design aesthetic.

The Concept Plan provided by the applicant does not propose a mixture of uses as it includes only residential uses such as one bedroom and two bedrooms units, duplexes, and quadplexes. However, these uses are permitted by right in MU Zone as per the UDC use table. As currently written, the MU district does not contain any restriction on the distribution of uses or ratios. The property can be used for any single use or multiple uses permitted in that zone. (See attached Use Table).

Applicant's response:

As per the applicant, the intent of the proposed community is to create a vibrant, pedestrian-friendly community that conforms to a Hill Country aesthetic as recommended by the UDC. The Concept Plan, imagery examples, and the response letter February 15, 2023 indicate that the applicant will conform to the UDC requirements including the design principles required by UDC Sec. 7.4. The applicant has indicated the proposed development will:

- Create a pedestrian oriented public and private realm
- Meet the design compatibility requirements through the use of variations in building elements
- Strengthens Fair Oak Ranch's desire for the Hill Country aesthetic
- Use architectural details to create interest
- Incorporate open spaces (Community Plaza, Amenity decks, Dog Park, and Heritage tree parks) into the fabric of the development

- Create designs that increase the quality, adaptability and sustainability of Fair Oak Ranch's building stock.

As per the applicant, the proposal includes:

- A series of street facing 2-story buildings (labeled A & B in the site plan) with pedestrian entrances facing Ralph Fair Road. It is indicated that direct pedestrian access to the public sidewalk on Ralph Fair Road can occur at each of these buildings if required. Central pedestrian access is shown adjacent to the Amenity Center and the Community Plaza.
- Multiple areas where heritage and small trees being retained within resident parks. Placement of single story residential with conforming to residential transition standards along north, east, and south property lines. Parks, detention, and tree save areas are also designed along these property lines. As per the response letter and example imagery, the applicant has indicated to conform to the UDC recommendation regarding the building form and design.

Findings:

- Use - The proposed residential uses are permitted in the MU District.
- Mix of uses – The proposed development does not include other non-residential uses as per the intent of the MU District in the UDC.
- Concept Plan details- The submittal does not include any specific details of the proposed building design as required by the UDC. The concept imagery provided does not clarify how the images of the proposed buildings relate to the types of the residential units and where they are located on the site plan.
- The landscaping plan provided does not match the revised Concept Plan. An updated landscaping plan with details of the landscaping elements is required to confirm if the proposed development will meet the UDC requirements.

CONFORMANCE WITH THE CHARACTER OF THE AREA:

Existing character:

The adjacent properties on the north and east are zoned Neighborhood Residential which permits one-acre single family uses. Currently these areas are vacant and undeveloped. The area on the west is zoned Existing Residential 2 and consists of existing single-family residences.

Applicant's response:

The setbacks that abut residential zones on the north and east are ten-foot wide, the minimum setbacks required by the UDC for mixed use developments.

As per the applicant, buildings along the north, east, and south will be single story residential and will comply with the residential standards required by the UDC. A six foot high fence, landscaping, several parks, detention, and tree save areas are also proposed along these property lines. Additionally, building in the transition area will not exceed a height of 30 feet.

Findings:

- Setbacks required for residential developments are typically a minimum of 20' in the rear. The proposed 10' setback for units along the property line may adversely affect the proposed residential units as well as the future single-family neighborhoods.
- The traffic generated by the proposed use may have an adverse impact on circulation and safety on surroundings due to inadequate capacity, street continuity, and linkages. This will need to be properly reviewed with a Traffic Impact Analysis report.

CONFORMANCE WITH THE AVAILABILITY OF UTILITIES:

Location of utilities:

City water and sewer is not available in the immediate vicinity of the subject property. The applicant will need to put in water and sewer main connections as well as up size a portion for the sewer system.

Capacity: The adequacy of water and sewer utilities and the City's infrastructure, including roadway and storm drainage facilities, will need to be reevaluated to ensure adequacy for the proposed development, due to the higher intensity of the proposed use.

Applicant's proposal:

The applicant is proposing water and sewer extensions from the Arbors subdivision, located to the north of the subject property.

Findings:

- This property is within water and wastewater certificates of convenience and necessity (CCN) for the City of Fair Oaks Ranch and therefore the City of Fair Oaks Ranch is obligated to provide these services to the property.
- A study for water and wastewater will be needed to verify existing infrastructure is adequate for the proposed use. Any inadequacies will need to be upgraded at the expense of the developer.

CONFORMANCE WITH THE TRANSPORTATION MAP:

The traffic generated by the proposed development will impact City roads. The site is directly accessed by Dietz Elkhorn Road. Fair Oaks Parkway and Dietz Elkhorn Road provide connections from I-10 to the proposed development.

- Fair Oaks Parkway is a Collector Road. Currently it is a two-lane road. The typical right of way width required is 83'. No significant expansion is contemplated for this road. Improvements may be needed to adequately support a mixed-use development. A Traffic Impact Analysis (TIA) will be required to determine the extent of improvements.
- Dietz Elkhorn Road is a Collector Road. Currently it is a two-lane road. The typical right of way width is 83'. No expansion is recommended for this road; however, improvements may be needed to adequately support a mixed use development. A Traffic Impact Analysis (TIA) will be required to determine the extent of improvements.

Applicant's proposal:

The applicant has provided a preliminary traffic analysis and is proposing a detailed Traffic Impact Analysis (TIA). As per the applicant, a right-hand deceleration lane for northbound traffic on Ralph Fair Road is proposed. Secondary access will be limited to residents exiting and emergency only. This will need to be coordinated with TXDOT as FM3351 is a TXDOT road.

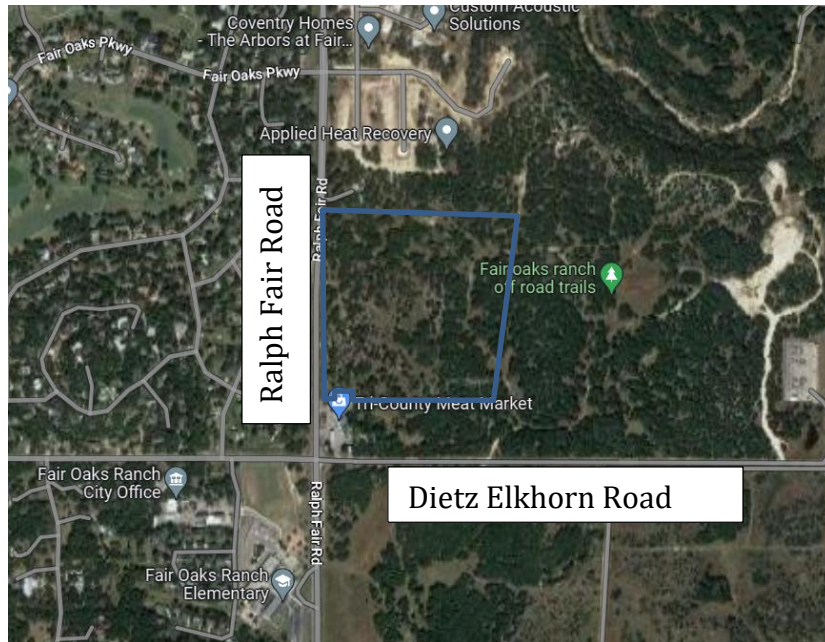
Findings:

- City's roadway infrastructure may not be suitable and adequate for the proposed development. Further study with a Traffic Impact Analysis (TIA) is needed.

STAFF ANALYSIS:

Based on the review of the application and supporting documents, UDC, Comprehensive Plan, and other applicable City standards, the staff's observations are as follows:

7. The proposed use is allowed by the UDC, but the proposed development with only residential uses does not meet the intent of the Mixed Use district, as described in the Comprehensive Plan or the UDC.
8. The submittal does not include any plans or specific details showing conformance to the building design standards and landscaping standards required by the UDC. This information is required to confirm if the proposed development will meet the UDC requirements and the intent of the Comprehensive Plan.
9. The proposed development may have a significant impact on public infrastructure such as roads, water, sewer, and drainage systems.
10. The proposed development may have a significant impact on public services such as police and fire protection.
11. Street improvements will be needed to alleviate congestion due to the development. Further study is needed for the extent of improvements needed.
12. Staff review comments (All materials received by February 15, 2023):
 - iii. A revised landscaping plan that matches the revised layout (addition of new parking spaces near parks 4, 6, 9, 10, 13, 14 etc.) are not found in the resubmittal. These parking spaces appear to be a part of the areas shown as parks in the previous submittal. This may also affect the area of landscaping.
 - iv. Some fields in the Universal Application form are blank (e.g. contact name, address etc. in the Property owner Information section).



Source: Google

Exhibit B: Current Zoning Map

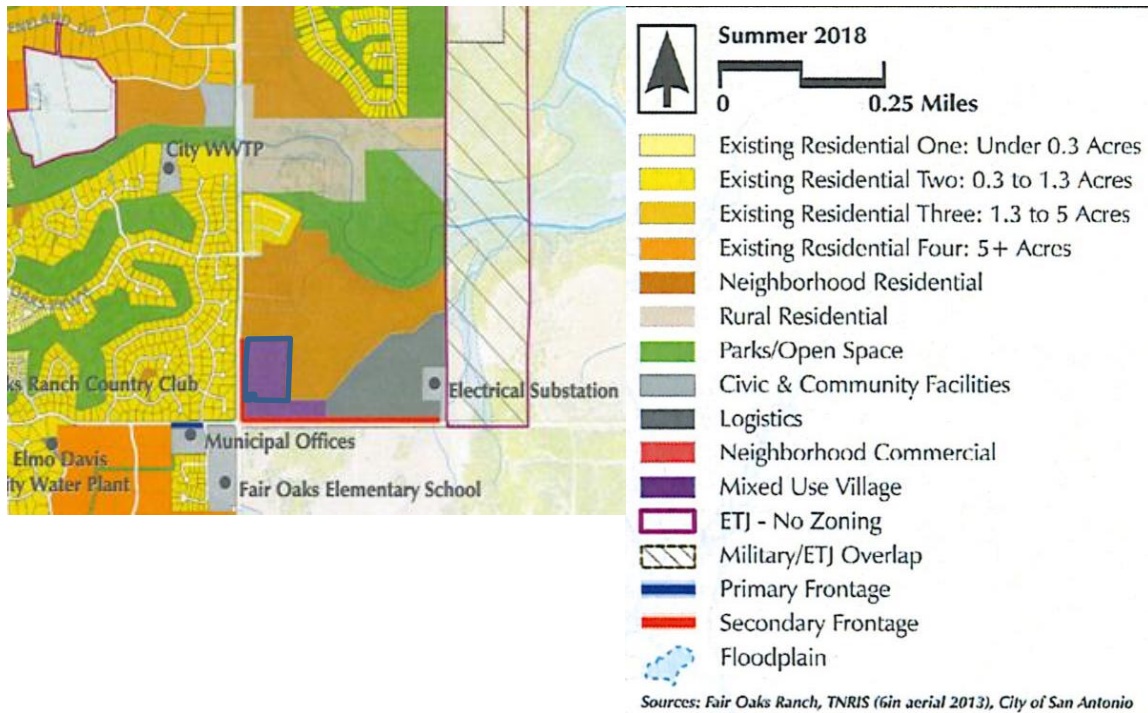
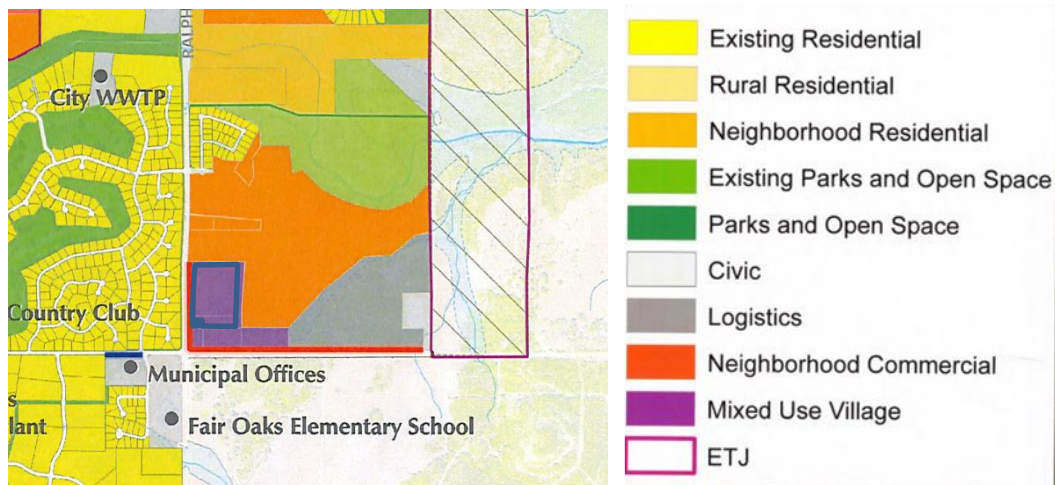


Exhibit C: Future Land Use Map (FLUM)

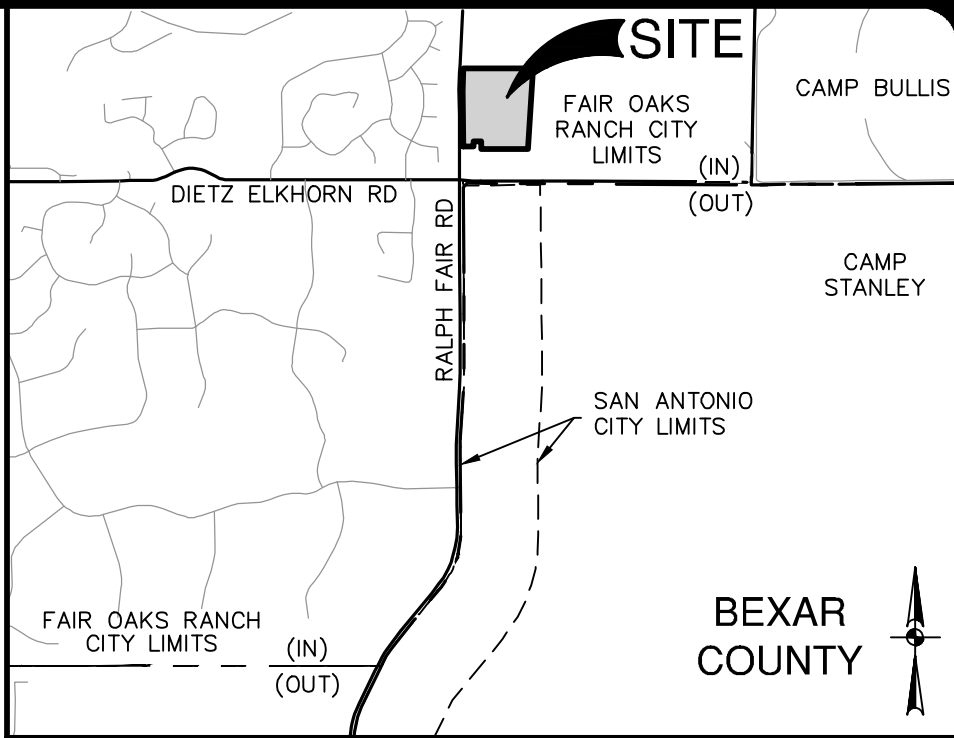
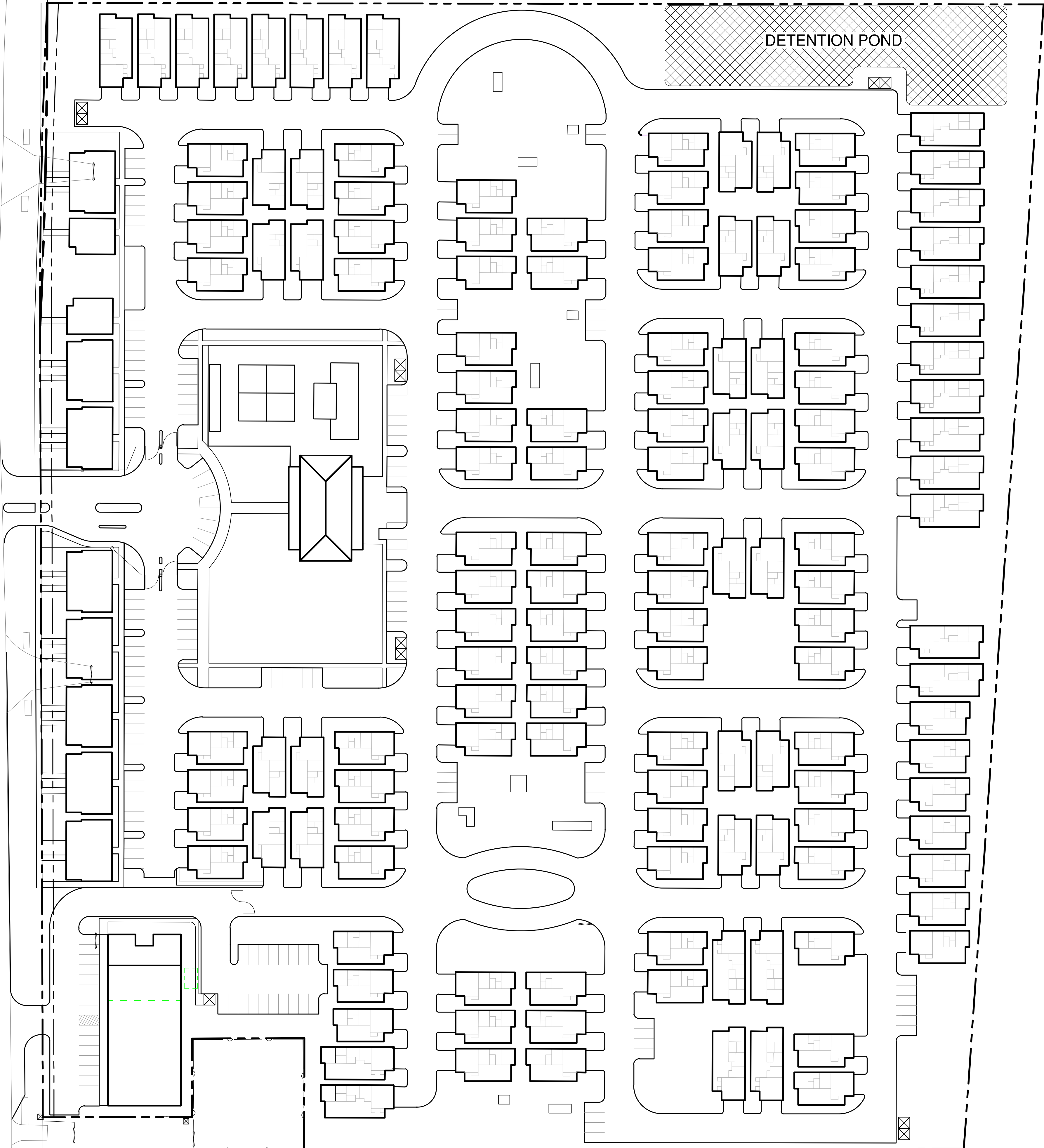


Attachments:

1. Revised submittal received on March 20, 2023
2. Previous submittal included in the March 9, 2023 P & Z packet

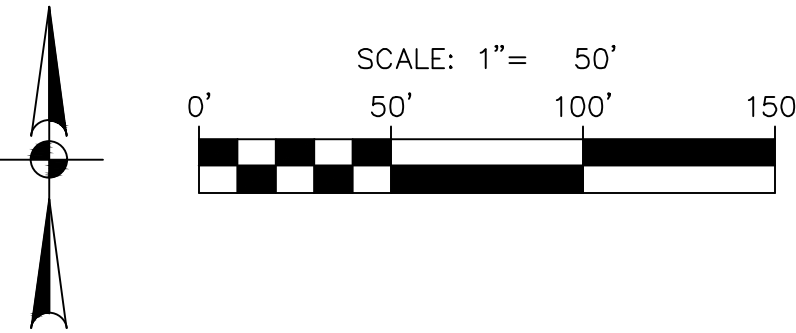
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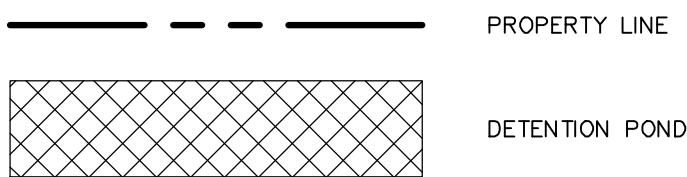


LOCATION MAP

NOT-TO-SCALE



LEGEND



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PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

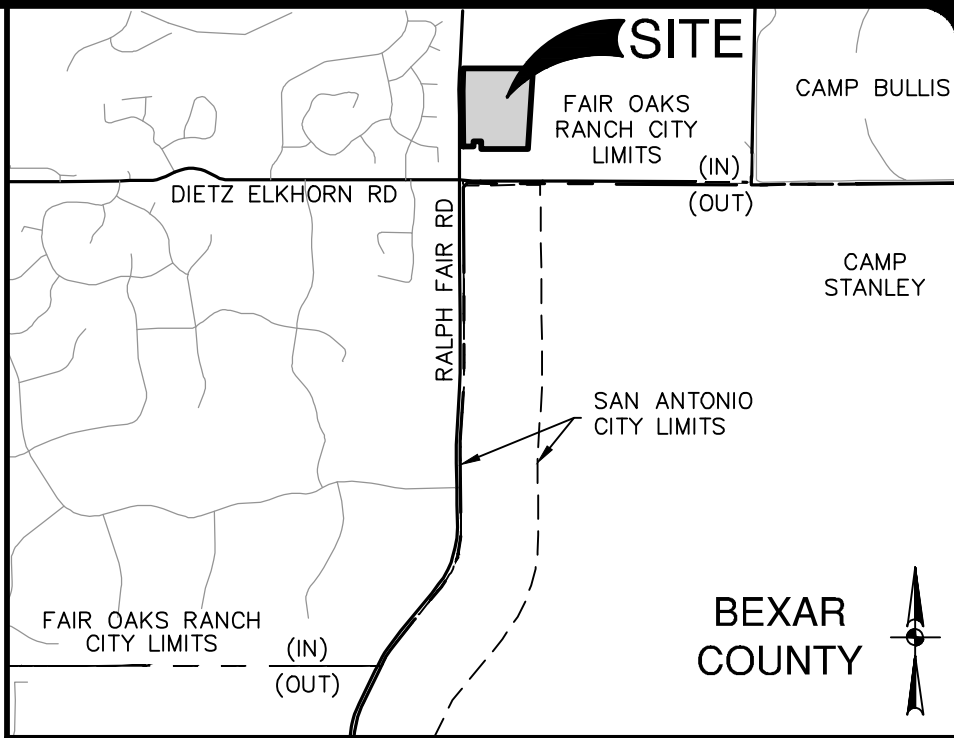
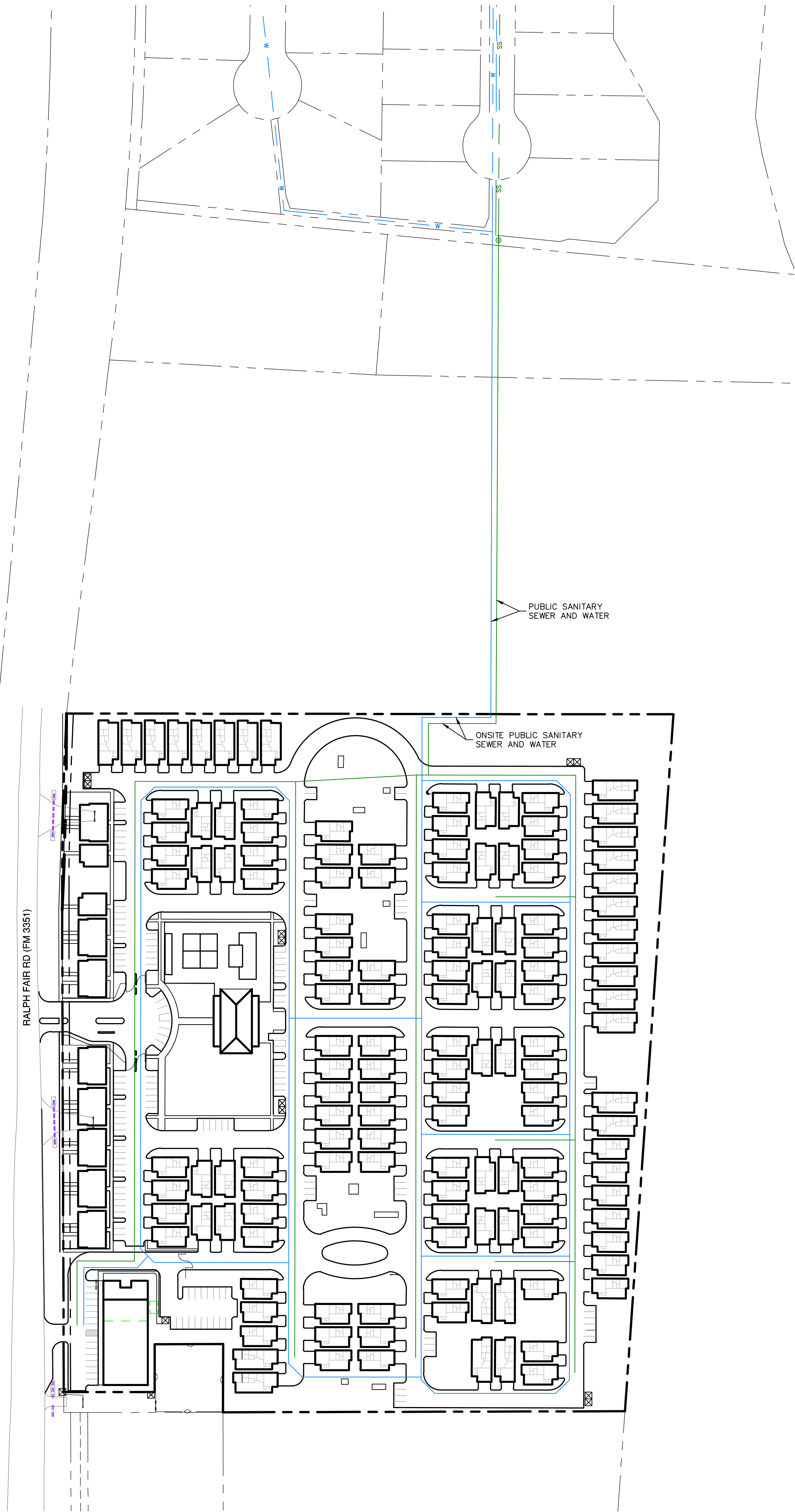
FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

OVERALL SITE PLAN

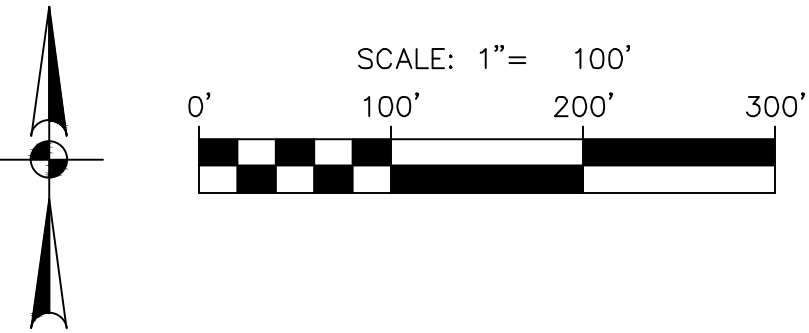
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JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	1 OF 3

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LOCATION MAP
NOT-TO-SCALE



LEGEND

- PROPERTY LINE
- PROPOSED 8" FIRE/WATER LINE
- EXISTING 8" WATER LINE
- PROPOSED 8" SEWER LINE
- EXISTING 8" SEWER LINE

*ON-SITE UTILITIES TO BE PRIVATE

**PAPE-DAWSON
ENGINEERS**

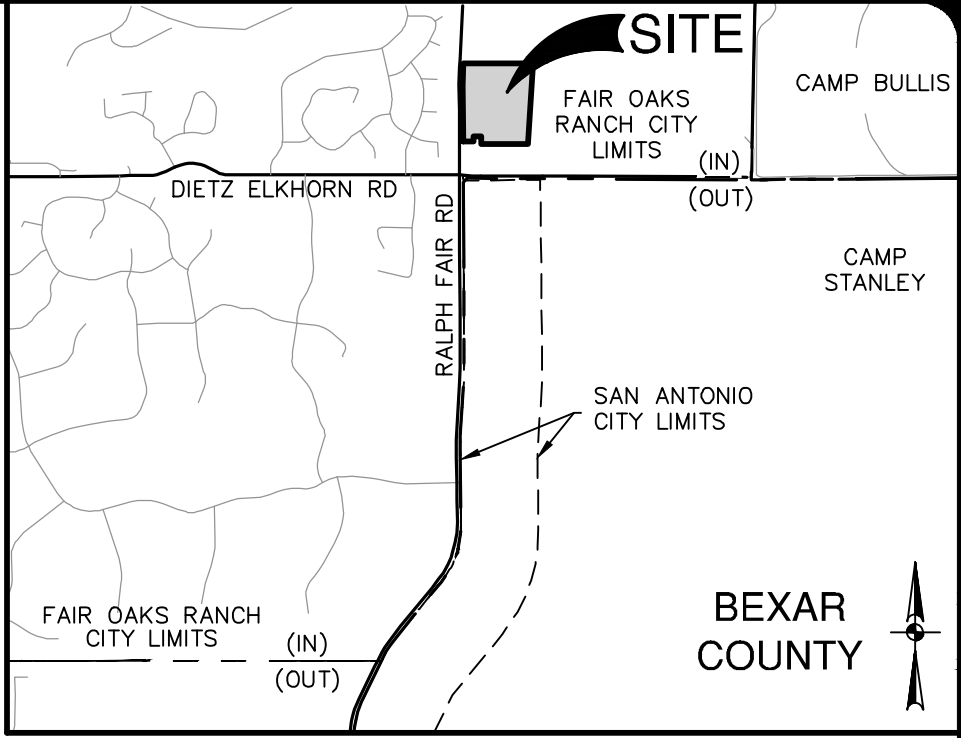
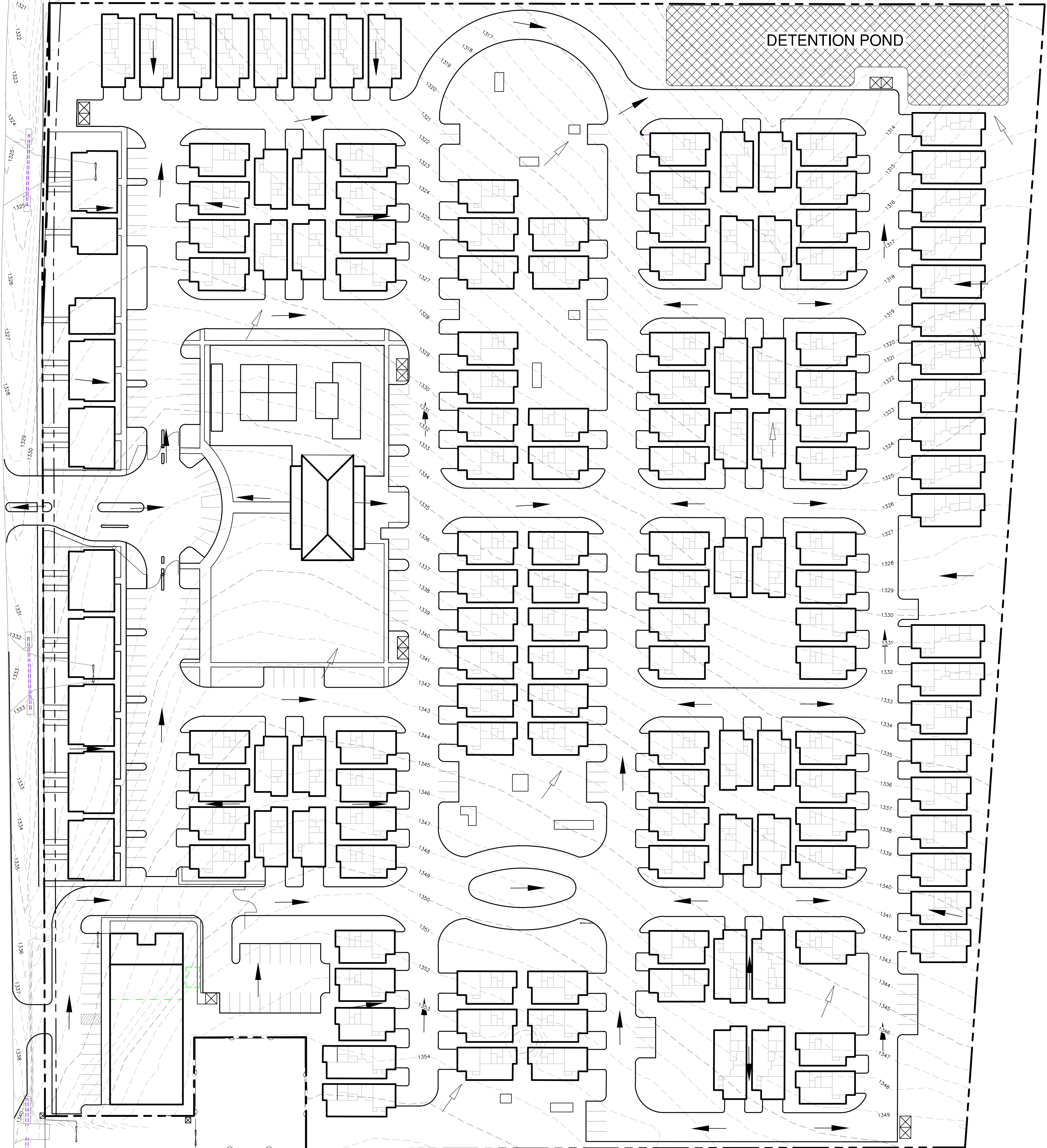
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FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

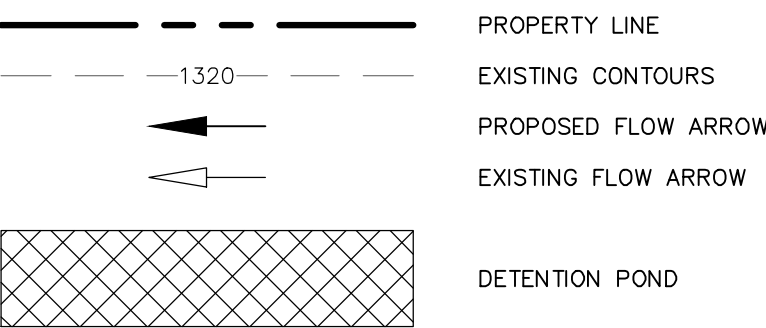
OVERALL UTILITY EXHIBIT

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JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	2 OF 3

RALPH FAIR RD (FM 3351)



LEGEND



Precipitation		Area		PA1		Peak Flow (cfs)	
Watershed	Area (ac)	CN (unitless)	Tc (min)	5	25	100	
Existing Conditions							
Existing Overall Watershed	21.944	77.00	24	64.88	130.12	206.06	
Proposed Conditions							
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03	222.01	

- 1 Watershed from watershed tab
- 2 Area from watershed tab
- 3 CN from coefficient tab
- 4 Tc from time of concentration tab
- 6 Peak Flow determined utilizing the unit hydrograph method

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

GRADING AND DRAINAGE EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK
DRAWN	AA
SHEET	3 OF 3

RESIDENTIAL UNIT TABULATIONS

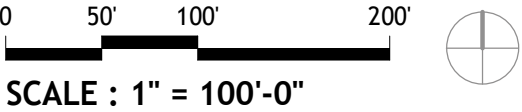
UNIT TYPES	NO. OF BLDGS	UNITS PER BLDG	TOTAL UNITS	NET UNIT AREA	GROSS UNIT AREA	TOTAL GROSS AREA
ONE-STORY, ONE BEDROOM UNITS	100	1	100	963 SF	1,360 SF	136,000 SF
ONE-STORY, TWO BEDROOM UNITS	27	1	27	1,312 SF	1,709 SF	46, 143 SF
TWO-STORY, DUPLEX (D) ONE BEDROOM UNITS	14	2	28	946 SF	1,249 SF	34,972 SF
TWO-STORY, TWO BEDROOM QUADPLEX (B) UNITS	8	4	32	1,009 SF	1,114 SF	35,648 SF
TWO-STORY, TWO BEDROOM QUADPLEX (A) UNITS	2	2	4	1,009 SF	1,167 SF	4,668 SF
TOTALS			191			257, 431 SF
AMENITY CENTER					5,480 SF	

Attachment 1

PARKING TABULATIONS

UNIT TYPE	DESCRIPTION	NO. OF BLDGS	UNITS	TOTAL UNITS	# BRs	REQ'D PARKING
A	TWO-STORY, 2-BR DUPLEX	2	2	4	8	6
B	TWO-STORY, 2-BR QUADPLEX	8	4	32	64	48
D	TWO-STORY, 1-BR DUPLEX	14	2	28	28	42
1	ONE-STORY, 1-BR	100	1	100	100	150
2	ONE-STORY, 2-BR	27	1	27	54	41
TOTALS		151		191	254	287

PARKING	PROVIDED
GARAGE SPACES	288
SURFACE (RESIDENT)	72
SURFACE (VISITOR)	48
SURFACE (RETAIL/RESTAURANTS)	34
TOTALS	442





HERITAGE TREES AT FAIR OAKS

#	Species	DBH	Condition	Status
886	Live Oak	28	Fair	Maintain
879	Live Oak	28.5	Fair	Maintain
881	Live Oak	29	Fair	Maintain
5149	Live Oak	29	Fair	Maintain
887	Live Oak	29.5	Fair	Maintain
878	Live Oak	31	Fair	Maintain
888	Live Oak	31	Fair	Maintain
873	Live Oak	31.5	Fair	Maintain
885	Live Oak	28.5	Good	Maintain
889	Live Oak	29	Poor	Maintain
884	Live Oak	30	Poor	Remove
874	Live Oak	31.5	Poor	Remove
875	Live Oak	35	Poor	Remove
876	Live Oak	40	Poor	Remove
880	Live Oak	34	Very Poor	Remove

- 0000 EXISTING TREE - MAINTAIN
- 0000 EXISTING TREE - REMOVE
- 28" TREE
FAIR OR GOOD CONDITION(9)
MAINTAIN: 9 (100%)
- 28" TREE
FAIR OR GOOD CONDITION(5)
MAINTAIN: 1 (20%)
- 28" TREE
FAIR OR GOOD CONDITION(1)
MAINTAIN: 0 (0%)

SIGNIFICANT TREES TO MAINTAIN: 81 OF 386 (21%)
CALCULATION : 5,266" - 1,197.5" = 4068.5"
(EXISTING) (MAINTAINING) (REMOVING)

TREE LEGEND:

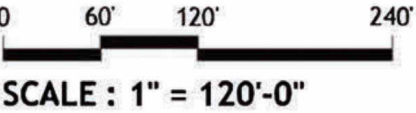
QUANTITY	SAVED TREES
10	HERITAGE TREES
81	SIGNIFICANT TREES
12	NON-PROTECTED TREES
104	TOTAL TREES SAVED

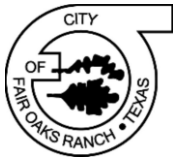
SIGNIFICANT TREES: (FAIR, GOOD, POOR, VERY POOR)
GOOD: 16 TREES - 269.5"
FAIR: 370 TREES - 4,996.5"
POOR: 81 TREES - 1,245"
VERY POOR: 13 TREES - 221.5"
TOTAL: 480 TREES - 6,732.5"

TREES IN GOOD/FAIR CONDITION:
GOOD: 16 TREES - 269.5"
FAIR: 370 TREES - 4,996.5"
TOTAL: 386 TREES - 5,266"

TREES TO MAINTAIN IN GOOD/FAIR CONDICTION
GOOD: 5 TREES - 96.5"
FAIR: 76 TREES - 1,101"
TOTAL: 81 TREES - 1,197.5"

TREE ANALYSIS AND OVERLAY PLAN





7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org**UNIVERSAL APPLICATION (FORM UA)**

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: **BOTANICA FAIR OAKS** Acreage: **19.799**
 Brief Description of Project: **LUXURY BUILD TO RENT COMMUNITY**
 Is property platted? ☒ No ☐ Yes Subdivision name: **TBD (PLATTING)** No. of Lots: **N/A**
 Recordation #: **TBD (PLATTING)** Parcel(s) Tax ID#: **PROP ID - 1049681 (BEXAR CO.)**
 Existing Use: **RANGE NATIVE PASTURE** Proposed Use: **MULTI-UNIT RESIDENTIAL COMMUNITY**
 Current Zoning: **MIXED USE VILLAGE** Proposed Zoning: **NO CHANGE**
 Occupancy Type: **R-2** Sq. Ft: **1,048 AVG.** Bed #: **1 & 2** Bath #: **1 & 2** Car Garage #: **2**
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: **Mark & Brenda Minahan** Contact Name:
 Address: City/State/ZIP:
 Phone: Email:

APPLICANT INFORMATION

Applicant/Developer: **Urbanist Inc.** Contact Name: **Jonathan Bursey**
 Address: **5851 San Felipe, Suite 230** City/State/ZIP: **Houston, TX 77057**
 Phone: **310.871.9027** Email: **jon@urbanistusa.com**

KEY CONTACT INFORMATION

Name of the Individual: **Sean York, Development Mgr.** Contact Name:
 Address: City/State/ZIP:
 Phone: **832.250.3203** E-mail: **syork@reddcoredevco.com**

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Jonathan Bursey, Urbanist, Inc.

Signature:  Date: 2/1/2023

(Signed letter of authorization required if the application is signed by someone other than the property owner)

ATTACHED

*****OFFICE USE ONLY*****

DATE REC'D: 2/27/2023 BY: KGS
 FEES PAID: \$100 (already paid) APPROVED BY: _____
 DATE APPROVED: _____
 APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☐ Rezoning/ FLUM amendment* - Form S2
- ☐ Special Use Permit* - Form S3
- ☐ Planned Unit Development (PUD)* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☒ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit* - Form S14
- ☐ Special Exception* - Form S15
- ☐ Site Development Permit* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit* - Form S17
- ☐ Stormwater Permit* - Form S18
- ☐ Certificate of Design Compliance* - Form S19
- Appeal of an Administrative Decision
- ☐ Zoning ☐ Others
- Variance
- ☐ Policy ☐ Judicial* - Form S20
- ☐ Sign Special Exception/Appeal to an Administrative Decision
- ☐ Administrative Exception
- ☐ Permit for Repair of Non-Conforming Use/Building
- ☐ Letter of Regulatory Compliance
- ☐ On-Site Sewage Facility Permit (OSSF)
- ☐ Certificate of Occupancy (CO)* - Form S21
- ☐ Relief from Signage Regulations
- ☐ Group Living Operation License* - Form S22
- ☐ Grading/Clearance Permit - Form S23

Building Permits Related**Commercial**

- ☐ New/Remodel/Addition* - Form S24
- ☐ Fence* - Form S25
- ☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
- ☐ Remodel/Addition* - Form S28
- ☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
- ☐ Swimming Pool* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign* (Permanent) - Form S34 A
- ☐ Sign* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan* - Form S35
- ☐ Water Heater or Water Softener* - Form S36
- ☐ Right-of-Way Construction* - Form S37
- ☐ Flatwork* - Form S38

Inspections

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others _____

Water- Wastewater Service

- ☐ Connect/ Disconnect Form* - Form S39

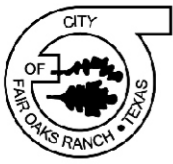
*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees. **APPLICATION FEE WIRED TO CITY**
- ☒ Letter of intent explaining the request in detail and reason for the request.
- ☒ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☒ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements) **INCLUDED W/TITLE COMMITMENT & TAX RECORD ATTACHED**
- ☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required) **ITEMS PROVIDED VIA E-MAIL**

¹For items that are duplicated in the specific type of application, only one copy is required.

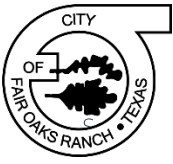


S9 SPECIFIC APPLICATION FORM - CONCEPT PLAN

Section 3.8 (3) of the Unified Development Code

The following steps must be completed and the following items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal.
- ☒ A completed Universal Application and checklist signed by the owner/s of the property.
- ☒ Title report.
- ☒ Payment of all other applicable fees (see Schedule of Fees). **APP. FEE WIRED TO CITY**
- ☒ 8½ x 11 copy of the legal description (metes and bounds) of the area. If the property is platted, a copy of the plat should be provided.
- ☒ Location/vicinity map showing the location, boundaries of the proposed development, adjacent subdivisions, and the streets in the vicinity of the site. Indicate scale or not to scale (NTS) and provide north arrow. **PROVIDED ON ALL CIVIL PLANS**
- ☒ Conceptual plans in conformance with the Unified Development Code (UDC) and Comprehensive Plan showing the following:
 - ☒ General topographic conditions, floodplains, watercourses, recharge zones, geological features, protected areas, and any other significant environmental features that may affect the site.
 - ☒ General layout of proposed buildings, the forms and densities proposed, cultural and recreational facilities, and amenities, if applicable.
 - ☒ Total acreage of the site, areas of residential and non-residential development proposed, the number of acres proposed to be dedicated as community open space, and area of impervious cover.
 - ☒ Total number of residential dwelling units of each type proposed, and the approximate gross square footage of each type of non-residential development proposed.
 - ☒ General layout of pathways, driveways and streets in the subdivision, and any on-site or off-site traffic improvements proposed.
- ☒ Conceptual plan for the provision of water and waste water.
- ☒ Conceptual drainage plan.
- ☒ Conceptual tree protection plan.
- ☐ Phasing plan, if applicable. **NOT APPLICABLE**
- ☒ Evidence or proof that all taxes and obligations have been paid for the subject property.



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable in a USB flash drive or via email.

Urbanist, Inc
5851 San Felipe, Suite 230
Houston, TX 77057

urbanist.

February 1, 2023

Katherine Schweitzer, PE
Manager of Engineering Services
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks – Luxury Build-to-Rent Concept Plan Submission

Dear Ms. Schweitzer,

This submittal is to submit the Concept Site Plan for the proposed Botanica Fair Oaks community, to be developed on one land parcel in its entirety of approximately 19.799 acres of undeveloped land located on Ralph Fair Road (the “**Project**”).

The Project will consist of single-story 1 & 2 bedroom units and two-story duplex and fourplexes with 2 bedroom units. The total unit count is 210 units with a 5,480 SF amenity center and over 135,000 SF of park/commons area.

Sincerely,



Jonathan Bursey

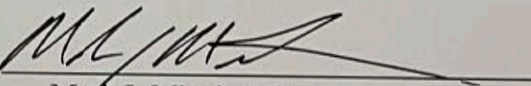
Managing Director and General Partner of
UGro-P6 Botanica Fair Oaks, LLC

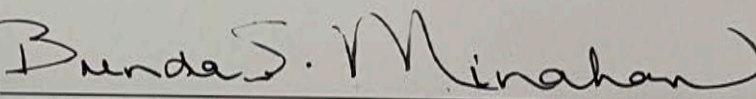
Letter of Authorization

The undersigned, being the owner (the "**Owner**") of approximately 19.799 acres of undeveloped land located on Ralph Fair Road in San Antonio, Texas (the "**Property**"), does hereby authorize Jonathan Bursey to submit a Concept Plan to the City of Fair Oaks for a proposed development provisionally named Botanica Fair Oaks, a multi-unit residential community.

The Owner understands that this Concept Plan is, as the name suggests, for now only a concept. The purpose of the Concept Plan is for the City of Fair Oaks to officially assess the merits and viability of the proposed development and provide feedback and comments. The Owner understands that an approval of a Concept Plan does not cause any change the Property nor provide any rights to change the Property such as a building permit or a replat approval.

Owner

By: 
Mark J. Minahan Sr

By: 
Brenda S. Minahan

Date Signed: 1/30/2023

Payment Summary

Status**Bank Received****Entry Method**

Freeform

Entered on

02/01/2023 02:27 PM

Last Approved On

02/01/2023 02:28 PM

Extracted date/Released on

02/01/2023 02:28 PM

BankReceived on

02/01/2023 02:28 PM

First Confirmation Number

230201012096

Originator Information

Account Number UGRO P6 Botanica Fair Oaks LLC - XXXX1801 - CMATX - Comerica Texas**Internal Comment** Botanica Fair Oaks Concept Plan

Beneficiary Information

Name City of Fair Oaks Ranch**Country** UNITED STATES**Account Number**

310101524

Bank Code Type ABA**Bank Entry Method** Bank Code Look-up**Bank** 114000093

FROST BANK

SAN ANTONIO, TX

US

Date & Amount**Value Date**

02/01/2023

Charges Shared**Credit Amount** 100.00 USD

Additional Information



METES AND BOUNDS DESCRIPTION FOR

A 19.799 acre, or 862,452 square feet more or less, tract of land comprised of all of the 3.5 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 16788, Page 898 in the Official Public Records of Bexar County, Texas, and all of the 16.288 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 14756, Page 2229 in said Official Public Records, in the Maria De La Luz Guerra Survey No. 172, Abstract No. 257, County Block 4741, in the City of Fair Oaks Ranch, Bexar County, Texas. Said 19.799 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

- BEGINNING:** At a found ½" iron rod on the east right-of-way line of Ralph Fair Road (F.M. 3351), a variable width public right-of-way, at the southwest corner of said 3.5 acre tract and the most westerly northwest corner of the 0.321 acre tract described in Volume 9133, Page 1068 in said Official Public Records;
- THENCE:** N 00°11'48" W, along and with the east right-of-way line of said Ralph Fair Road and a west line of said 3.5 acre tract, at a distance of 170.87 feet passing a found iron rod with cap marked "ACES", at the northwest corner of said 3.5 acre tract and the southwest corner of said 16.288 acre tract, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, a total distance of 705.48 feet to a found mag nail;
- THENCE:** Northeasterly, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, along a tangent curve to the right, said curve having a radius of 5679.58 feet, a central angle of 02°54'18", a chord bearing and distance of N 01°15'21" E, 287.93 feet, for an arc length of 287.96 feet to a point, at the northwest corner of said 16.288 acre tract and the southwest corner of the 159.74 acre tract described in Volume 18763, Page 4 in said Official Public Records, from which a found ½" iron rod bears N 89°55'08" W, a distance of 0.62 feet;
- THENCE:** S 89°55'08" E, departing the east right-of-way line of said Ralph Fair Road, along and with the north line of said 16.288 acre tract and a south line of said 159.74 acre tract, a distance of 888.44 feet to a found ½" iron rod, at the northeast corner of said 16.288 acre tract and an angle point of said 159.74 acre tract;

Job No.:9110-21

16.299 Acres

Page 2 of 2

THENCE: S 03°59'17" W, along and with the east line of said 16.288 acre tract and a west line of said 159.74 acre tract, at a distance of 821.38 feet passing a found iron rod with cap marked "Pfeiffer", at the southeast corner of said 16.288 acre tract and the northeast corner of said 3.5 acre tract, continuing along and with an east line of said 3.5 acre tract and a west line of said 159.74 acre tract, a total distance of 1022.60 feet to a found ½" iron rod, at the southeast corner of said 3.5 acre tract, an angle point of said 159.74 acre tract and the northeast corner of the 4.939 acre tract described in Volume 4846, Page 1787 in said Official Public Records;

THENCE: S 89°50'53" W, along and with a south line of said 3.5 acre tract and the north line of said 4.939 acre tract, a distance of 588.07 feet to a found iron rod with cap marked "Reaves", at an angle point of said 3.5 acre tract, the northwest corner of said 4.939 acre tract, the northeast corner of Lot 1, Block 1, RFR Subdivision recorded in Volume 9532, Page 203 in the Deed and Plat Records of Bexar County, Texas, and the southeast corner of said 0.321 acre tract;

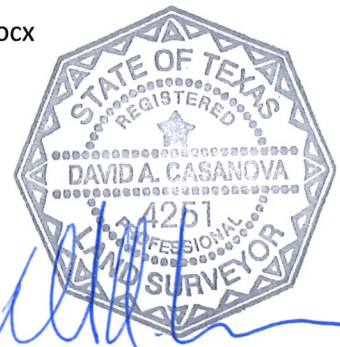
THENCE: N 00°00'27" E, along and with a west line of said 3.5 acre tract and the east line of said 0.321 acre tract, a distance of 100.00 feet to a found iron rod with cap marked "Pfeiffer", at an angle point of said 3.5 acre tract and the northeast corner of said 0.321 acre tract;

THENCE: S 89°48'39" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 100.00 feet to a found ½" iron rod, at an angle point of said 3.5 acre tract and most northerly northwest corner of said 0.321 acre tract;

THENCE: S 00°00'27" W, along and with an east line of said 3.5 acre tract and a west line of said 0.321 acre tract, a distance of 70.00 feet to a found iron rod with cap marked "Pfeiffer";

THENCE: S 89°58'12" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 133.14 feet to the POINT OF BEGINNING and containing 19.799 acres in the City of Fair Oaks Ranch, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9110-21 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
 DATE: August 23, 2021
 JOB NO. 9110-21
 DOC. ID. N:\Survey21\21-9100\9110-21\Word\9110-21 FN 19.799 AC.docx



NOTES:

- 1) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- 2) THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.

TABLE A ITEMS

- 1) 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- 2) THE SUBJECT PROPERTY'S ADDRESS HAS NOT BEEN ASSIGNED.
- 3) THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 4802900105F, DATED SEPTEMBER 29, 2010 FOR BEXAR COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV ZONE X (UNSHADED), DEFINED AS: "OTHER AREAS; AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN."
- FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.
- 4) GROSS LAND AREA IS 19.799 ACRES OR 862,452 SQUARE FEET (MORE OR LESS).
- 8) SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON THE SURVEY.
- 9) THE SUBJECT TRACT HAS ZERO (0) PARKING SPACES.

LINE LEGEND

- X — X — BARBED WIRE FENCE
- O — O — CHAIN LINK FENCE
- O — O — WROUGHT IRON/ORNAMENTAL FENCE

DEED/PLAT REFERENCE

- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- D.P.R. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS

SYMBOL LEGEND

- CBX COMMUNICATION JUNCTION BOX
- CMP — CORRUGATED METAL PIPE
- ET — ELECTRIC TRANSFORMER
- GATE — GATE
- RCP — REINFORCED CONCRETE PIPE
- SET 1/2" I.R. (PD) — SET 1/2" I.R. (PD)
- FOUND MONUMENT — FOUND MONUMENT

LEGEND

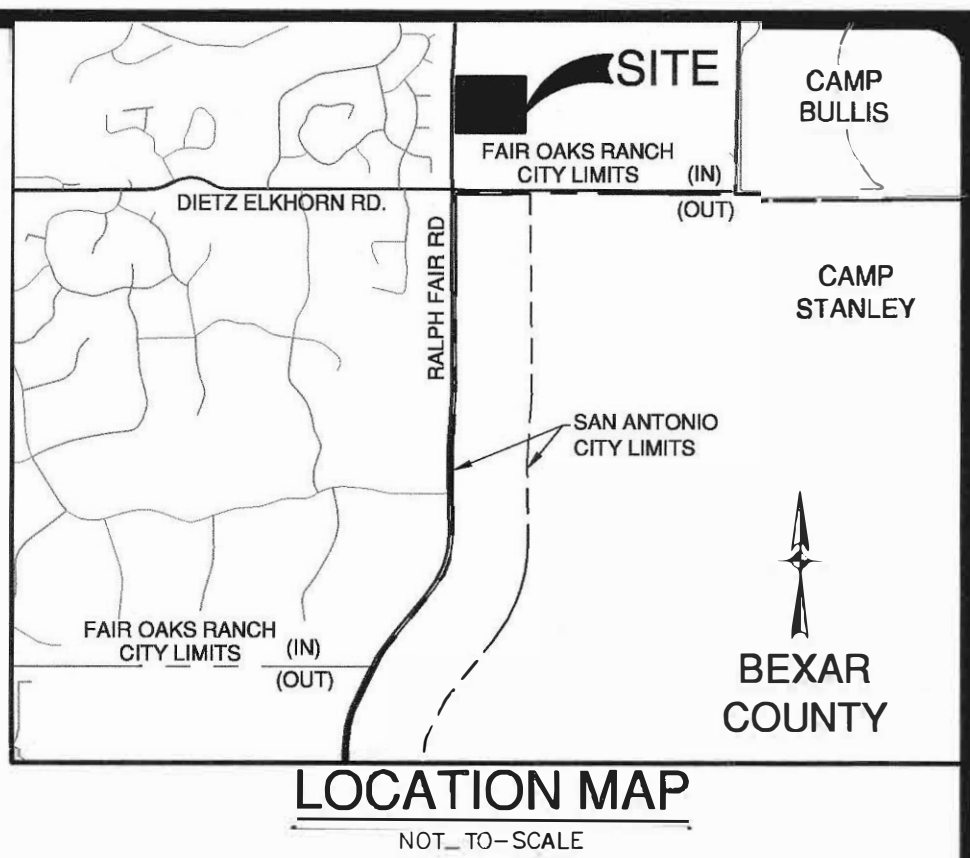
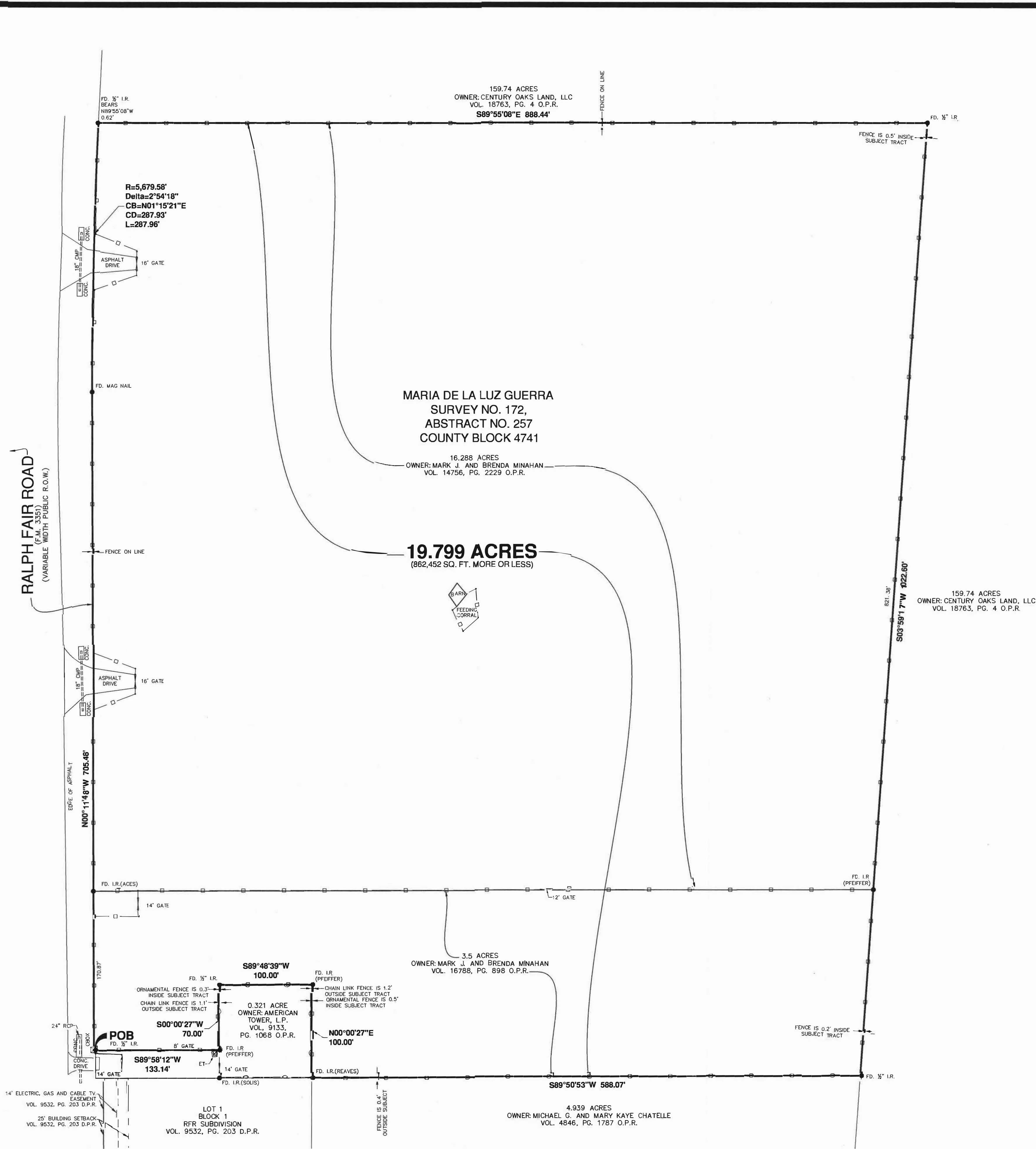
- CONC. CONCRETE
- FD. FOUND
- I.R. IRON ROD

REFERENCES:
THIS SURVEY WAS PREPARED IN CONJUNCTION WITH, BUT NOT SOLELY RELYING ON, THE TITLE COMMITMENT LISTED BELOW.

TITLE COMMITMENT: G.F. # SOT-48-4300112105188-08
CHICAGO TITLE INSURANCE COMPANY
DATE ISSUED: MAY 27, 2021
EFFECTIVE DATE: MAY 21, 2021

ONLY THOSE MATTERS IDENTIFIED IN THE TITLE COMMITMENT AND THOSE THAT THE SURVEYOR WAS AWARE OF AT THE TIME OF THIS SURVEY ARE SHOWN.

1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD ITEMIZED BELOW:
VOLUME 9133, PAGE 1073, REAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS (APPLIES)



METES AND BOUNDS DESCRIPTION FOR

A 19.799 acre, or 862,452 square feet more or less, tract of land comprised of all of the 3.5 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 16788, Page 898 in the Official Public Records of Bexar County, Texas, and all of the 16.288 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 14756, Page 2229 in said Official Public Records, in the Maria De La Luz Guerra Survey No. 172, Abstract No. 257, County block 4741, in the City of Fair Oaks Ranch, Bexar County, Texas. Said 19.799 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found 1/2" iron rod on the east right-of-way line of Ralph Fair Road (F.M. 3351), a variable width public right-of-way, at the southwest corner of said 3.5 acre tract and the most westerly northwest corner of the 0.321 acre tract described in Volume 9133, Page 1068 in said Official Public Records;

THENCE: N 00°11'48" W, along and with the east right-of-way line of said Ralph Fair Road and a west line of said 3.5 acre tract, at a distance of 170.87 feet passing a found iron rod with cap marked "ACES", at the northwest corner of said 3.5 acre tract and the southwest corner of said 16.288 acre tract, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, a total distance of 705.48 feet to a found mag nail;

THENCE: Northeasterly, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, along a tangent curve to the right, said curve having a radius of 5679.58 feet, a central angle of 02°54'18", a chord bearing and distance of N 01°15'31" E, 287.93 feet, for an arc length of 287.96 feet to a point, at the northwest corner of said 16.288 acre tract and the southwest corner of the 159.74 acre tract described in Volume 18763, Page 4 in said Official Public Records, from which a found 1/4" iron rod bears N 89°55'08" W, a distance of 0.62 feet;

THENCE: S 89°55'08" E, departing the east right-of-way line of said Ralph Fair Road, along and with the north line of said 16.288 acre tract and a south line of said 159.74 acre tract, a distance of 888.44 feet to a found 1/2" iron rod, at the northeast corner of said 16.288 acre tract and an angle point of said 159.74 acre tract;

THENCE: S 03°59'17" W, along and with the east line of said 16.288 acre tract and a west line of said 159.74 acre tract, at a distance of 821.38 feet passing a found iron rod with cap marked "Pfeiffer", at the southeast corner of said 16.288 acre tract and the northeast corner of said 3.5 acre tract, continuing along and with an east line of said 3.5 acre tract and a west line of said 159.74 acre tract, a total distance of 1022.60 feet to a found 1/2" iron rod, at the southeast corner of said 3.5 acre tract, an angle point of said 159.74 acre tract and the northeast corner of the 4.939 acre tract described in Volume 4846, Page 1787 in said Official Public Records;

THENCE: S 89°50'53" W, along and with a south line of said 3.5 acre tract and the north line of said 4.939 acre tract, a distance of 588.07 feet to a found iron rod with cap marked "Reaves", at an angle point of said 3.5 acre tract, the northwest corner of said 4.939 acre tract, the northeast corner of Lot 1, Block 1, RFR Subdivision recorded in Volume 9532, Page 203 in the Deed and Plat Records of Bexar County, Texas, and the southeast corner of said 0.321 acre tract;

THENCE: N 00°00'27" E, along and with a west line of said 3.5 acre tract and the east line of said 0.321 acre tract, a distance of 100.00 feet to a found iron rod with cap marked "Pfeiffer", at an angle point of said 3.5 acre tract and the northeast corner of said 0.321 acre tract;

THENCE: S 89°48'39" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 100.00 feet to a found 1/2" iron rod, at an angle point of said 3.5 acre tract and most northerly northwest corner of said 0.321 acre tract;

THENCE: S 00°00'27" W, along and with an east line of said 3.5 acre tract and a west line of said 0.321 acre tract, a distance of 70.00 feet to a found iron rod with cap marked "Pfeiffer";

THENCE: S 89°58'12" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 133.14 feet to the POINT OF BEGINNING and containing 19.799 acres in the City of Fair Oaks Ranch, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9110.21 by Pape-Dawson Engineers, Inc.

TO: MARK J. MINAHAN, BRENDA MINAHAN AND CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, AND 9 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 25, 2021.

DATE OF PLAT OR MAP: AUGUST 23, 2021

DAVID A. CASANOVA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4251
DCASANOVA@PAPE-DAWSON.COM



ALTA/NSPS LAND TITLE SURVEY

A 19.799 ACRE, OR 862,452 SQUARE FEET MORE OR LESS, TRACT OF LAND COMPRISED OF ALL OF THE 3.5 ACRE TRACT DESCRIBED IN INSTRUMENT TO MARK J. AND BRENDA MINAHAN RECORDED IN VOLUME 16788, PAGE 898 IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THE 16.288 ACRE TRACT DESCRIBED IN INSTRUMENT TO MARK J. AND BRENDA MINAHAN RECORDED IN VOLUME 14756, PAGE 2229 IN SAID OFFICIAL PUBLIC RECORDS, IN THE MARIA DE LA LUZ GUERRA SURVEY NO. 172, ABSTRACT NO. 257, COUNTY BLOCK 4741, IN THE CITY OF FAIR OAKS RANCH, BEXAR COUNTY, TEXAS.

JOB NO. 9110-21
DATE MAY 2021
CHECKED DAC DRAWN DOW
CIVIL JOB NO.
REFERENCE: 9244-17
SHEET 1 OF 1

THE LANGUAGE SET FORTH BELOW *MUST* BE INCORPORATED INTO A COVER LETTER ATTACHED TO ALL TITLE INSURANCE COMMITMENTS.

Required Language for a Title Insurance Commitment Cover Letter

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one (1) of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Our company's right to access and use Title Data's title plants is governed by the Subscription Agreement(s) we have with Title Data, which restricts who can receive and/or use a title insurance commitment, which is based in whole or in part, upon Title Data's records and information. The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.

This Title Insurance Commitment should not be re-distributed without first confirming with the issuing agent what is permissible under the terms of their Subscription Agreement with Title Data.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

COMMITMENT FOR TITLE INSURANCE (T-7)

Issued By:

Commitment Number:

**Chicago Title Insurance Company****CTT21749540**

THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

We (Chicago Title Insurance Company, a Florida corporation) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule B and Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Chicago Title Insurance Company

By:

Issued By:

Chicago Title of Texas, LLC

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary



Authorized Signatory

CONDITIONS AND STIPULATIONS

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment that is not shown in Schedule B you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.
2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements, or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations, and Exclusions.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO.: CTT21749540****SCHEDULE A**

Effective Date: January 22, 2023 at 8:00 AM

Commitment No.: CTT21749540-Commitment for Title Insurance (T-7)

GF No.: CTH-IL-CTT21749540KI

Issued: January 29, 2023 at 8:00 AM

1. The policy or policies to be issued are:

- (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)

Policy Amount:
Proposed Insured:

- (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
-- ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

Policy Amount:
Proposed Insured: Ralph Fair Road Capital LLC a Texas Limited Liability Company

- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (f) OTHER

Policy Amount:
Proposed Insured:

2. The interest in the land covered by this Commitment is:

Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

Mark J. Minahan and Brenda Minahan

SCHEDULE A

(continued)

4. Legal description of land:

Tract 1:

BEING 16.288 Acres out of the M. De La Luz Guerra Survey Number 172, Abstract Number 257, C.B. 4741, in Bexar County, Texas, and being part of a 20.139 acre tract of land recorded in Volume 5787, Page 1967 in the Bexar County Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING At a found 1/2" iron rod with "Pfeiffer Cap" for the southwest corner of this tract and the northwest corner of a 3.5 acre tract as recorded in Volume 12843, Page 2112 of the Public Records of Bexar County, Texas, said point being in the east right-of-way of FM 3351 (Ralph Fair Road);

THENCE North 00° 00' 07" West a distance of 534.59 feet with said right-of-way to a found 1/2" iron rod with "ACES" Cap for a point of curvature;

THENCE curving to the right with a central angle of 2° 54' 14", a radius of 5679.58, a curve length of 287.86 and a chord bearing and distance of N 01° 18' 06" East a distance of 287.83 feet at a found 1/2" iron rod with for a point of tangency, the northwest corner of this tract, the southwest corner of a 159.74 acre tract as recorded in Volume 9675, Page 2082 of the Public Records of Bexar County, Texas, and the east line of said FM 3351.

THENCE departing said right-of-way South 89° 42' 11" East a distance of 888.51 feet with the south line of said 159.74 acre tract to a found 1/2 " iron rod for the northeast corner of this tract;

THENCE South 04° 07' 46" West a distance of 820.52 feet with the line of said 159.74 acre tract to a found 1/2" iron rod with "Pfeiffer Cap" for the southeast corner of this tract and the northeast corner of the aforementioned 3.5 acre tract;

THENCE North 89° 57' 17" West a distance of 835.92 feet with the North line of said 3.5 acre tract to the POINT OF BEGINNING and containing 16.288 acres, more or less, in Bexar County, Texas.

Tract 2:

FIELD NOTES FOR 3.5 ACRES OF LAND, MORE OR LESS, OUT OF THE M. DE LA LUZ GUERRA SURVEY NUMBER 172, ABSTRACT NUMBER 257, COUNTY BLOCK 4741 IN BEXAR COUNTY, TEXAS, (LOCATIONS AND CONFIGURATIONS OF ANY ORIGINAL PATENTS, ETC. ON OR ADJOINING THIS TRACT ARE APPROXIMATE, SAID PATENTS, ETC. WERE NOT RESEARCHED OR LOCATED ON THE GROUND. PATENT PROBLEMS AND/OR CONFLICTS MAY EXIST.) AND BEING PART OF A 20.139 ACRE TRACT OF LAND CONVEYED TO MARIA E. GARZA RECORDED IN VOLUME 5787, PAGE 1967 IN THE BEXAR COUNTY OFFICIAL PUBLIC RECORDS; SAID 3.5 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL IRON PINS CITED ARE 1/2" DIAMETER.

REFERENCE IS MADE TO A 12" X 18" PLAT OF 3.5 ACRES DATED DECEMBER 27, 2004 AND APRIL 20, 2005 ACCOMPANYING THESE FIELD NOTES.

BEARING BASE USED: GEODETIC NORTH DERIVED FROM G.P.S. OBSERVATIONS.

BEGINNING AT A FOUND IRON PIN BY FENCE CORNER ON THE WEST LINE OF A 159.74 ACRE TRACT OF LAND CONVEYED TO THE CORLEY FAMILY, L.L.C. DESCRIBED IN EXHIBIT "A" IN DEED RECORDED IN VOLUME 9675, PAGE 2082 - BEXAR COUNTY OFFICIAL PUBLIC RECORDS FOR THE NORTHEAST CORNER OF THE ADJOINING 4.939 ACRE TRACT OF LAND CONVEYED TO MICHAEL G. CHATELLE, ET UX RECORDED IN VOLUME 4846, PAGE 1787 - BEXAR COUNTY

SCHEDULE A

(continued)

OFFICIAL PUBLIC RECORDS, THE SOUTHEAST CORNER OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE SOUTHERLY LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, NORTH 89° 57' 17" WEST, 587.81 FEET TO A FOUND IRON PIN BY FENCE CORNER FOR THE SOUTHEAST CORNER OF THE ADJOINING 0.321 ACRE TRACT OF LAND CONVEYED TO AMERICAN TOWER, LP. RECORDED IN VOLUME 9133, PAGE 1068 BEXAR COUNTY OFFICIAL PUBLIC RECORDS.

THENCE ALONG THE EAST, NORTH AND WEST LINES OF THE ABOVE REFERENCED AMERICAN TOWER 0.321 ACRE TRACT, NORTH 00° 81' 45" EAST, 100.00 FEET TO A FOUND IRON PIN FOR THE NORTHEAST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, NORTH 89° 57' 17" WEST, 100.00 FEET TO A SET IRON PIN WITH CAP FOR THE NORTH NORTHWEST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, SOUTH 00° 08' 45" WEST, 70.00 FEET TO A SET IRON PIN WITH CAP, AND NORTH 89° 57' 17" WEST, 133.24 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF RALPH FAIR ROAD FOR THE WEST NORTHWEST CORNER OF SAID AMERICAN TOWER, 0.321 ACRE TRACT AND SOUTHWEST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF RALPH FAIR ROAD, NORTH 00° 01' 35" WEST, 171.01 FEET TO A SET IRON PIN WITH CAP FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE CROSSING THROUGH THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, SOUTH 89° 57' 17" EAST, 835.78 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF SAID GARZA 20.139 ACRE TRACT AND THE WEST LINE OF THE ABOVE REFERENCED ADJOINING CORLEY FAMILY 159.74 ACRE TRACT FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE WEST LINE OF SAID CORLEY FAMILY 159.74 ACRE TRACT, SOUTH 04° 11' 24" WEST, 201.54 FEET TO THE PLACE OF BEGINNING.

Note: The Company is prohibited from insuring the area or quantity of the Land. Any statement in the legal description contained in Schedule A as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes and does not override Item 2 of Schedule B hereof.

END OF SCHEDULE A

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: CTT21749540

SCHEDULE B EXCEPTIONS FROM COVERAGE

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

[Volume 9133, Page 1073](#), Real Property Records, Bexar County, Texas.

 Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any of any spouse of any insured.

 (Applies to the Owner Policy only.)
4. Any title or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.
 (Applies to the Owner Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year 2021 and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax years. (If Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2021 and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)

SCHEDULE B EXCEPTIONS FROM COVERAGE

(continued)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage.
(Applies to Mortgagee Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) only. Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R).)
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):

- a. Rights of parties in possession.
- b. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements after reviewing said survey.

- c. Those liens created at closing, if any, pursuant to lender instructions.
- d. Visible or apparent easement(s) and/or rights of way on, over, under or across the Land.
- e. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated March 15, 1929, recorded March 28, 1929 at [Volume 1097, Page 281](#), Deed Records, Bexar County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
- f. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to \$ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO.: CTT21749540****SCHEDULE B
EXCEPTIONS FROM COVERAGE**

(continued)

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

SCHEDULE C

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

Your Policy will not cover loss, costs, attorney's fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
 - a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
 - b. all standby fees, taxes, assessments and charges against the property have been paid,
 - c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
 - d. there is legal right of access to and from the land,
 - e. (on a Mortgagee Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:
 - Confirmation prior to closing that the County Clerk of Bexar County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
 - Electronic recordation of the instruments to be insured in the Official Public Records of Bexar County, Texas.
 - Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
 - Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter 87.
6. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
7. The Company must be furnished with a marital affidavit from each record owner from the date of his/her acquisition of subject property to the present time. The spouse of each record owner must join in any conveyance of subject property.
8. The following note is for informational purposes only:

SCHEDULE C

(continued)

The following deed(s) affecting said land were recorded within twenty-four (24) months of the date of this report:

None found of record.

9. The last Deed found of record affecting the Land was recorded July 28, 2014, at Volume 16788, Page 898, Real Property Records, Bexar County, Texas, wherein Mark J. Minahan and Brenda Minahan acquired 3.5 acres of the subject property.

Other Deed found of record affecting the Land was recorded December 3, 2010, at Volume 14756, Page 2229, Real Property Records, Bexar County, Texas, wherein Mark J. Minahan and Brenda Minahan acquired 16.288 acres of the subject property.

10. Note –Important Notice

You have the right to have your funds deposited in an interest-bearing account.

If you choose to establish an interest-bearing account for your deposit, notify your escrow officer immediately. Thereafter you will be provided with a Notice of Election form which you should complete in writing by completing and returning the form, along with your taxpayer identification information, not later than five (5) days before the scheduled closing. If you choose to establish an interest-bearing account for your deposit, an additional charge of \$50.00 will be required. This charge may exceed the amount of interest to be earned on the deposit, depending on the amount, applicable interest rate, and the duration of the deposit.

As an example, the amount of interest you can earn on a deposit of \$1000.00 for a thirty-day period at an interest rate of 4% is \$3.33. Interest earned is dependent on the amount of deposit, time of deposit and the applicable interest rate.

If you do not choose to establish an interest-bearing account for your deposit, your funds will be deposited with other escrow funds in your escrow agent's general escrow account with an authorized financial institution and may be transferred to another general escrow account or accounts. By reason of the banking relationship between our Company and the financial institution, the Company may receive an array of bank services, accommodations or other benefits. The escrow funds will not be affected by such services, accommodations or other benefits.

Failure to notify your escrow officer and complete the additional required investment authorization form shall constitute waiver of any intention of establishing an interest-bearing account for your deposit(s).

11. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:

- Confirmation prior to closing that the County Clerk of Bexar County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
- Electronic recordation of the instruments to be insured in the Official Public Records of Bexar County, Texas.
- Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
- Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: CTT21749540

SCHEDULE C
(continued)

87.

SCHEDULE D

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

- The following individuals are officers and/or directors of **Chicago Title Insurance Company, a Florida corporation**:

Shareholders: Fidelity National Title Group, Inc. which is owned 100% by FNTG Holdings, LLC which is owned 100% by Fidelity National Financial, Inc.

Directors: Raymond Randall Quirk, Anthony John Park, Marjorie Nemzura, Michael J. Nolan, Edson N. Burton, Jr.

Officers: Raymond Randall Quirk (President), Anthony John Park (Executive Vice President), Marjorie Nemzura (Secretary), Daniel Kennedy Murphy (Treasurer)
- The following disclosures are made by the Title Insurance Agent issuing this Commitment:

Chicago Title of Texas, LLC

 - A listing of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.
Owners: FNTS Holdings, LLC owns 100% of Alamo Title Holding Company, which owns 100% of **Chicago Title of Texas, LLC**
 - A listing of each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.
Owners: FNTG Holdings, LLC owns 100% of FNTS Holdings, LLC
 - If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent.
Officers: Raymond Randall Quirk (President), Brian K. Baize (President), Gayle Brand (President), Jennifer Clarke (President), Michael J. DeBault (President), John Tannous (President), Anthony John Park (Executive Vice President and Chief Financial Officer), Joseph William Grealish (Executive Vice President), John Ernst (Executive Vice President), Todd Rasco (Executive Vice President), Jeffrey Colby (Senior Vice President), Winford Dubose (Vice President), Brewer Gregory (Vice President), Marjorie Nemzura (Vice President and Secretary)
 - The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive. NONE.
 - For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).
- You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owner's Policy	\$
Endorsement Charges	\$
Total	\$

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: CTT21749540

SCHEDULE D

(continued)

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

Percent/Amount

To Whom

For Services

*The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance.

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title.

The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.

El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.

Your Commitment for Title insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

--MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, insure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

---EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

---EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

---CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

TEXAS TITLE INSURANCE INFORMATION

(Continued)

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-442-7067 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

—Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

—Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

DELETION OF ARBITRATION PROVISION

(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

"Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

Signature

Date

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective August 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.



Effective Date: 5/1/2018

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.



Effective Date: 5/1/2018

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888)714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 714-2710 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer



Bexar CAD

Property Search > 1049681 MINAHAN MARK J &
BRENDA for Year 2022

Tax Year: 2022

Property

Account

Property ID:	1049681	Legal Description:	CB 4741 P-4B & P-4E ABS 257
Geographic ID:	04741-000-0046	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	002		
Property Use Description:	Rural		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	RALPH FAIR RD BOERNE, TX 78015	Mapsc0:	414A8
Neighborhood:	IH10/RALPH FAIR (BO)	Map ID:	21022
Neighborhood CD:	21022		

Owner

Name:	MINAHAN MARK J & BRENDA	Owner ID:	2743210
Mailing Address:	PO BOX 417 BOERNE, TX 78006-0417	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$1,250,000	\$1,310
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$1,250,000	
(-) Ag or Timber Use Value Reduction:	-	\$1,248,690	

(=) Appraised Value:	=	\$1,310	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$1,310	

Taxing Jurisdiction

Owner: MINAHAN MARK J & BRENDA
 % Ownership: 100.000000000000%
 Total Value: \$1,250,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$1,310	\$1,310	\$0.31		
08	SA RIVER AUTH	0.018360	\$1,310	\$1,310	\$0.24		
09	ALAMO COM COLLEGE	0.149150	\$1,310	\$1,310	\$1.95		
10	UNIV HEALTH SYSTEM	0.276235	\$1,310	\$1,310	\$3.62		
11	BEXAR COUNTY	0.276331	\$1,310	\$1,310	\$3.62		
45	FAIR OAKS RANCH	0.329100	\$1,310	\$1,310	\$4.31		
61	BOERNE ISD	1.178600	\$1,310	\$1,310	\$15.44		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,310	\$1,310	\$0.00		
Total Tax Rate:		2.251444					
Taxes w/Current Exemptions:					\$29.49		
Taxes w/o Exemptions:					\$29.49		

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RNP	Range Native Pasture	16.2880	709505.28	0.00	0.00	\$1,028,910	\$1,080
2	RNP	Range Native Pasture	3.5000	152460.00	0.00	0.00	\$221,090	\$230

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$1,250,000	1,310	1,310	\$0	\$1,310
2021	\$0	\$1,034,360	1,310	1,310	\$0	\$1,310
2020	\$0	\$1,095,000	1,310	1,310	\$0	\$1,310
2019	\$0	\$1,051,500	1,310	1,310	\$0	\$1,310

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/24/2010	WD	Warranty Deed	GARZA MARIA E	MINAHAN MARK J & BRENDA	14756	2229	20100217039

2023 data current as of Jan 31 2023 1:08AM.

2022 and prior year data current as of Jan 6 2023 6:47AM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.


ALBERT URESTI, MPA, PCAC
 Bexar County Tax Assessor-Collector

2022 REAL PROPERTY
04741-000-0046
 (ACCOUNT NUMBER)

01/31/2023

OWNER:
MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417
LEGAL DESCRIPTION:
CB 4741 P-4B & P-4E ABS 257
LOCATION: RALPH FAIR RD
ACREAGE: 19.7880

APPAISED VALUE		CAP VALUE	HOMESTEAD VALUE	NON-QUAL VALUE
LAND	IMPROVEMENT			
1,310	0	0	0	0
AGRI. MKT VALUE	PROD VALUE			ASSESSED VALUE
1,250,000	1,310			1,250,000

TAXING UNIT	EXEMPTIONS	TAXABLE VALUE	TAX RATE	TAX AMOUNT
ROAD AND FLOOD	0 0 0 0	1,310	0.023668	0.31
ALAMO COMM COLLEGE	0 0 0 0	1,310	0.149150	1.95
HOSPITAL DISTRICT	0 0 0 0	1,310	0.276235	3.62
BEXAR COUNTY	0 0 0 0	1,310	0.276331	3.62
SA RIVER AUTHORITY	0 0 0 0	1,310	0.018360	0.24
FAIR OAKS RANCH	0 0 0 0	1,310	0.329100	4.31
TAXES FOR 2022:				\$14.05

IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.
 TAXES MAY BE PAID BY E-CHECK OR CREDIT CARD VIA THE INTERNET AT WWW.BEXAR.ORG/TAX OR BY PHONE AT 1-888-852-3572.

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.

01/31/2023

2022 Payment Amount Due:

If paid in JAN 2023	14.05
If paid in FEB 2023	15.03
If paid in MAR 2023	15.33

DELINQUENT AFTER
FEBRUARY 1, 2023
AMOUNT PAID:

04741-000-0046

MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417
MAKE CHECK PAYABLE TO:
ALBERT URESTI, MPA, PCAC
 BEXAR COUNTY TAX ASSESSOR-COLLECTOR
 P O BOX 2903
 SAN ANTONIO, TX 78299-2903

047410000046900 000001405 000001503 000001533 000001559 000000000 000000000

5:27

◀ Messages

LTE

Thank You for Your Payment

Approved

1/31/2023 6:26 PM Central Standard Time



Customer Name Mark J Minahan

Effective Date

1/31/2023

Approved 21279404

Item	Amount
Property Tax ACT	\$14.05
Subtotal:	\$14.05
Transaction Fee:	\$0.30

AA

.collectorsolutions.com

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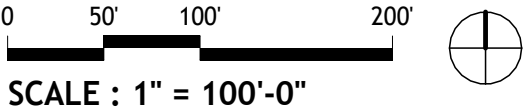
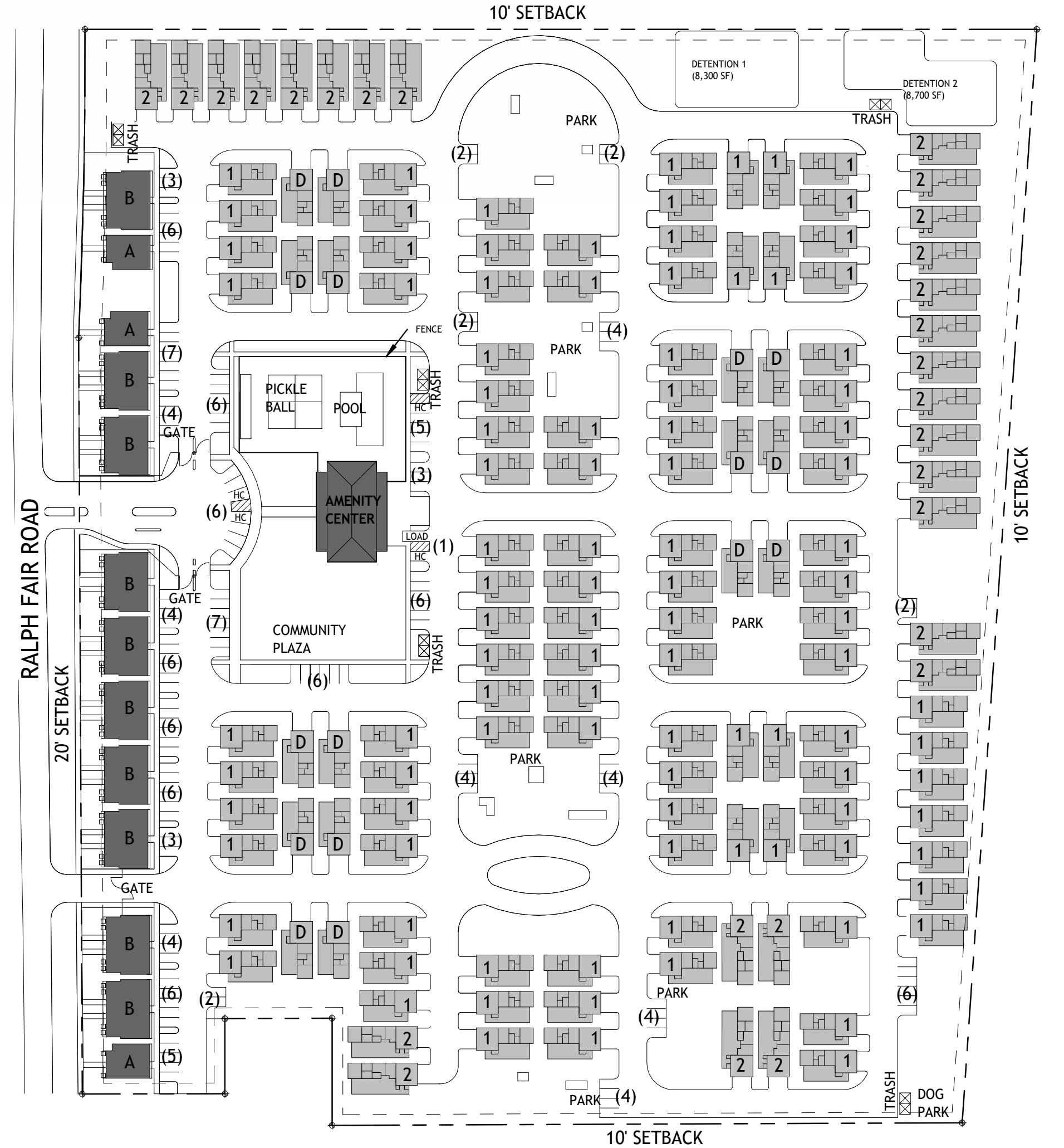
RESIDENTIAL UNIT TABULATIONS

UNIT TYPES	NO. OF BLDGS	UNITS PER BLDG	TOTAL UNITS	NET UNIT AREA	GROSS UNIT AREA	TOTAL GROSS AREA
ONE-STORY, ONE BEDROOM UNITS	102	1	102	963 SF	1,360 SF	138,720 SF
ONE-STORY, TWO BEDROOM UNITS	27	1	27	1,312 SF	1,709 SF	46,143 SF
TWO STORY, DUPLEX (D) ONE BEDROOM UNITS	16	2	32	946 SF	1,249 SF	39,968 SF
TWO-STORY, TWO BEDROOM QUADPLEX (B) UNITS	10	4	40	1,009 SF	1,114 SF	44,560 SF
TWO-STORY, TWO BEDROOM DUPLEX (A) UNITS	3	2	6	1,009 SF	1,167 SF	7,002 SF
TOTALS			207	1,048 SF	1,320 SF	273,240 SF
AMENITY CENTER					5,480 SF	

PARKING TABULATIONS

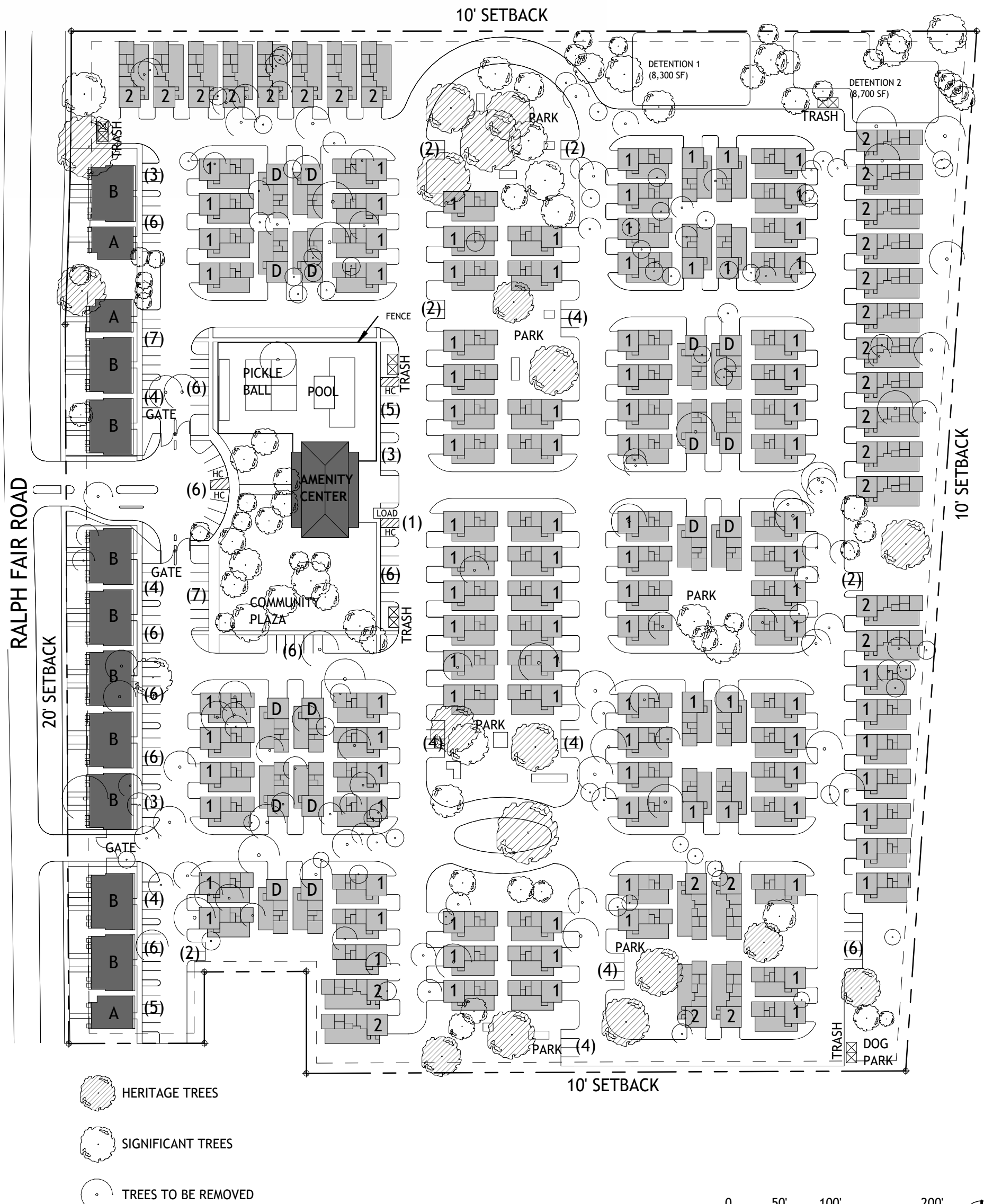
UNIT TYPE	DESCRIPTION	NO. OF BLDGS	UNITS	TOTAL UNITS	# BRs	REQ'D PARKING
A	Two Story 2-BR Duplex	3	2	6	12	9
B	Two-Story 2-BR Quadplex	10	4	40	80	60
D	Two Story 1-BR Duplex	16	2	32	32	48
1	One-Story 1-BR	102	1	102	102	153
2	One-Story 2-BR	27	1	27	54	41
		158		207	280	310

PARKING	PROVIDED
GARAGE SPACES	296
SURFACE (RESIDENT)	85
SURFACE (VISITOR)	52
	433




PARKING TABULATIONS

UNIT TYPE	DESCRIPTION	NO. OF BLDG'S	UNITS	TOTAL UNITS	# BR'S	REQ'D PARKING
A	Two Story 2-BR Duplex	3	2	6	12	9
B	Two-Story 2-BR Quadplex	10	4	40	80	60
D	Two Story 1-BR Duplex	16	2	32	32	48
1	One-Story 1-BR	102	1	102	102	153
2	One-Story 2-BR	27	1	27	54	41
		158		207	280	310
PARKING		PROVIDED				
GARAGE SPACES		296				
SURFACE (RESIDENT)		85				
SURFACE (VISITOR)		52				
		433				



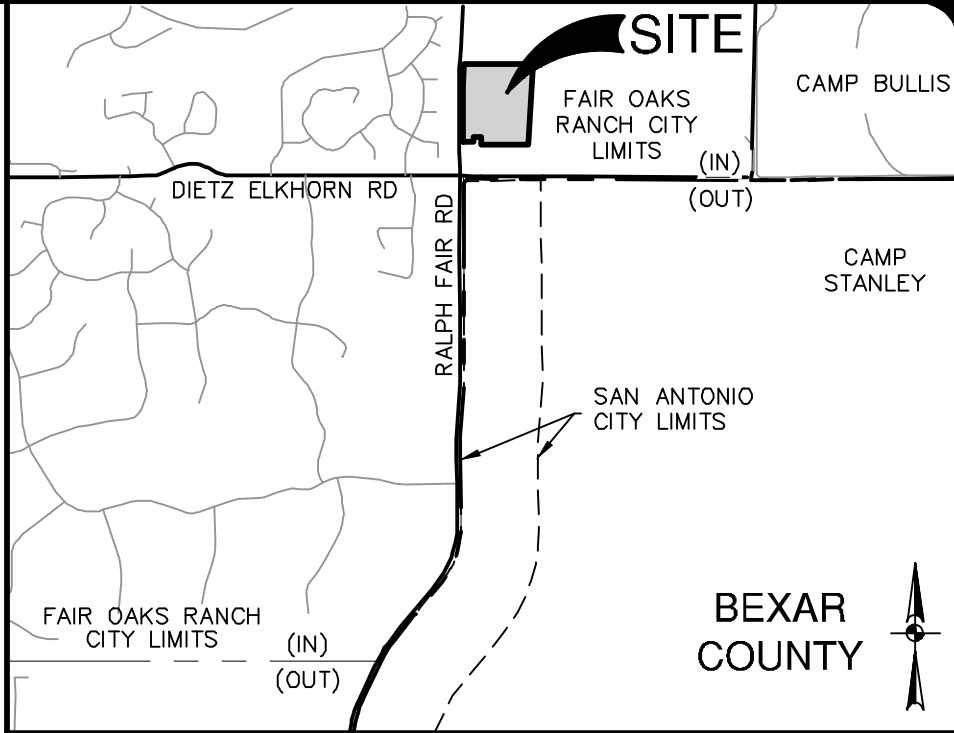
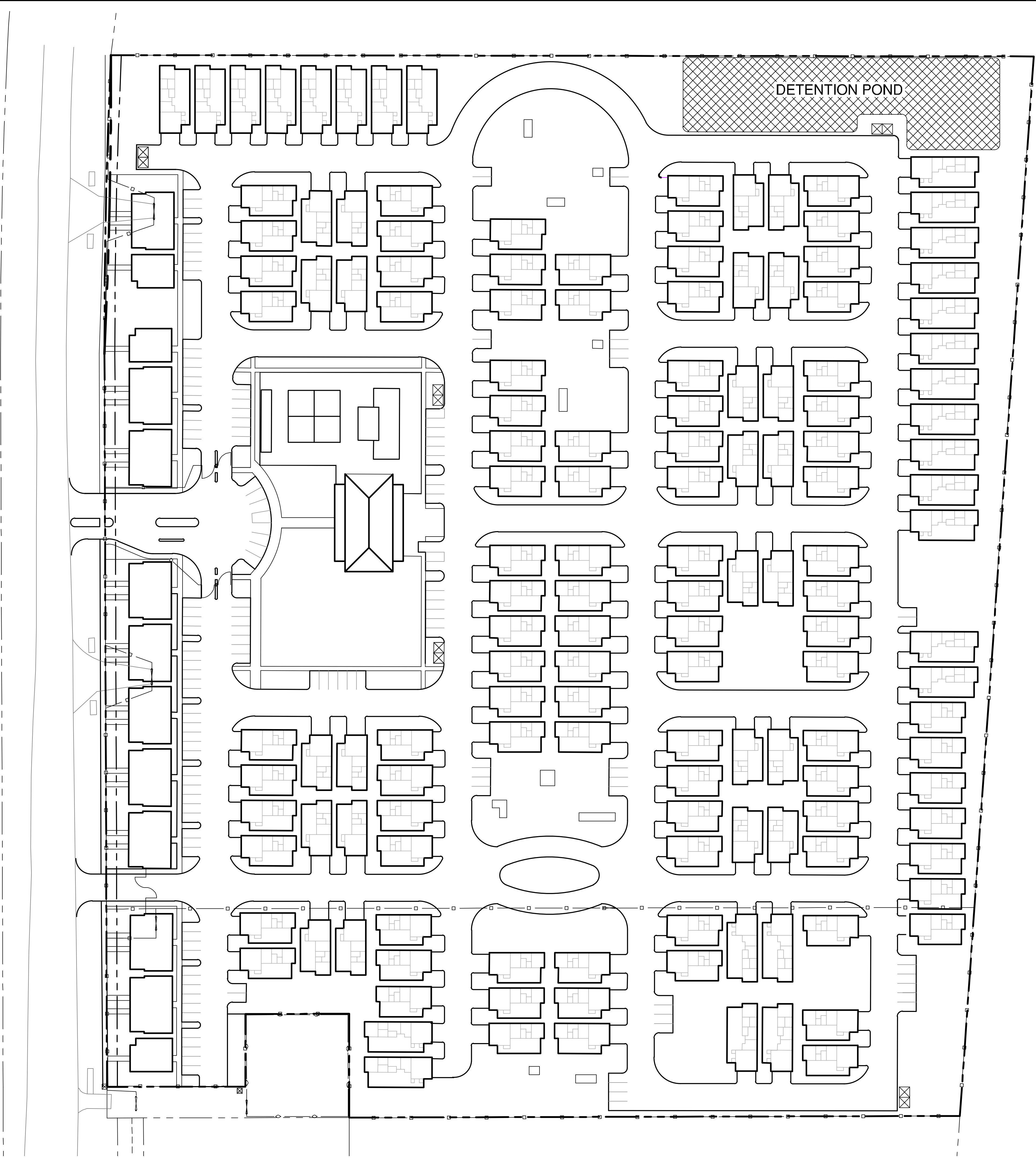
0 50' 100' 200'

SCALE : 1" = 100'-0"

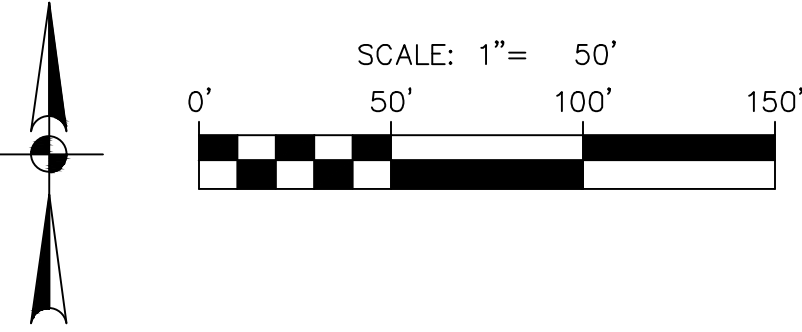


Date: Feb 15, 2023 10:18am User: ID: coryington
File: FA12313100 Design Exhibit 230227 Overall Siteplan.dwg

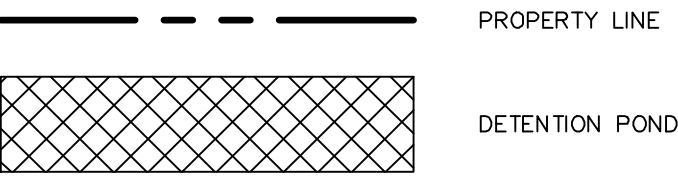
THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL. AERIAL IMAGERY PROVIDED BY GOOGLE; UNLESS OTHERWISE NOTED. Imagery © 2016,CAPCO,LLC/Digital Globe,Texas Orthology Program, USDA Farm Service Agency.



LOCATION MAP
NOT-TO-SCALE



LEGEND



This document is released
for INTERIM REVIEW
purposes ONLY under
the authorization of
Thomas Matthew Carter,
P.E., #79272 on 2/15/2023.
This document is not
to be used for
CONSTRUCTION.

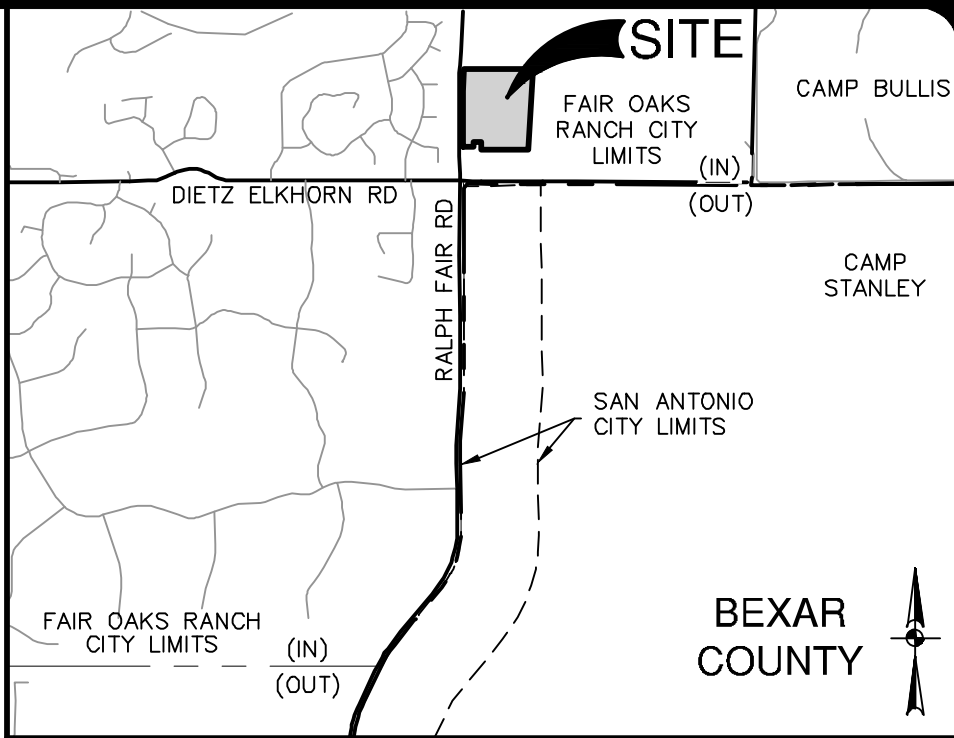
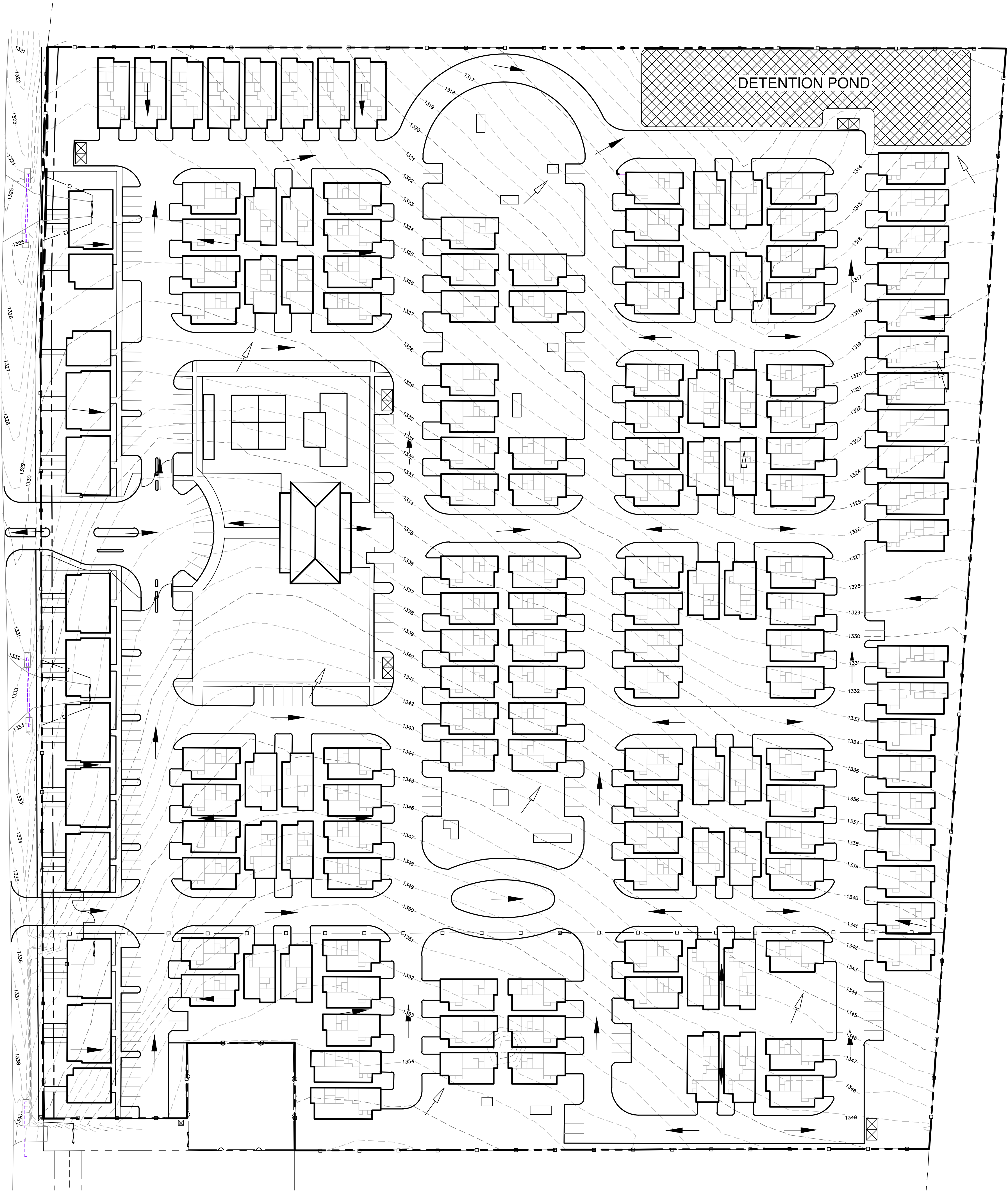
PAPE-DAWSON
ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #170 | TEXAS SURVEYING FIRM #10028800

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

OVERALL SITE PLAN

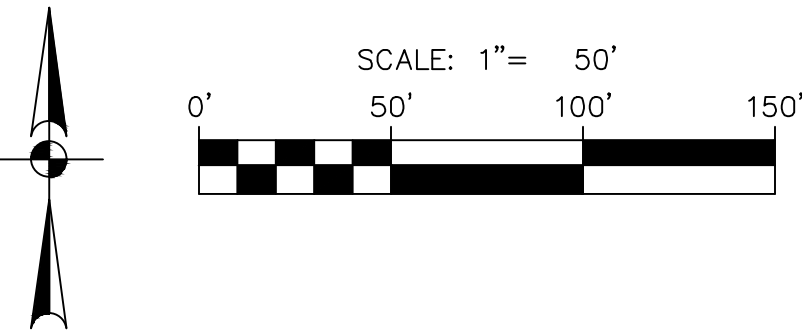
PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK
DRAWN	AA
SHEET	1 OF 3

RALPH FAIR RD (FM 3351)



LOCATION MAP

NOT-TO-SCALE



LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED FLOW ARROW
- EXISTING FLOW ARROW
- DETENTION POND

Precipitation		Area		PA1		Peak Flow (cfs)		
Watershed	Area (ac)	CN (unitless)	Tc (min)	5	25	100	5	25
Existing Conditions								
Existing Overall Watershed	21.944	77.00	24	64.88	130.12	206.06		
Proposed Conditions								
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03	222.01		

- 1 Watershed from watershed tab
- 2 Area from watershed tab
- 3 CN from coefficient tab
- 4 Tc from time of concentration tab
- 6 Peak Flow determined utilizing the unit hydrograph method

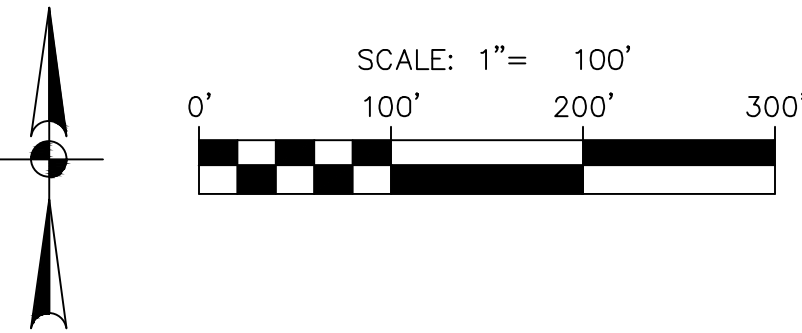
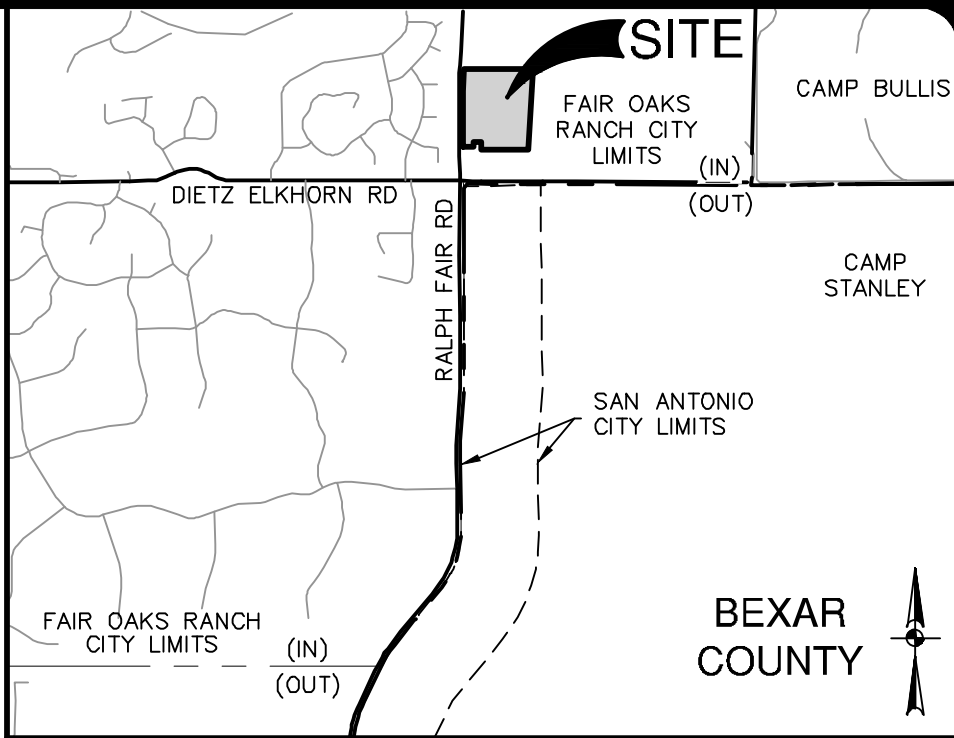
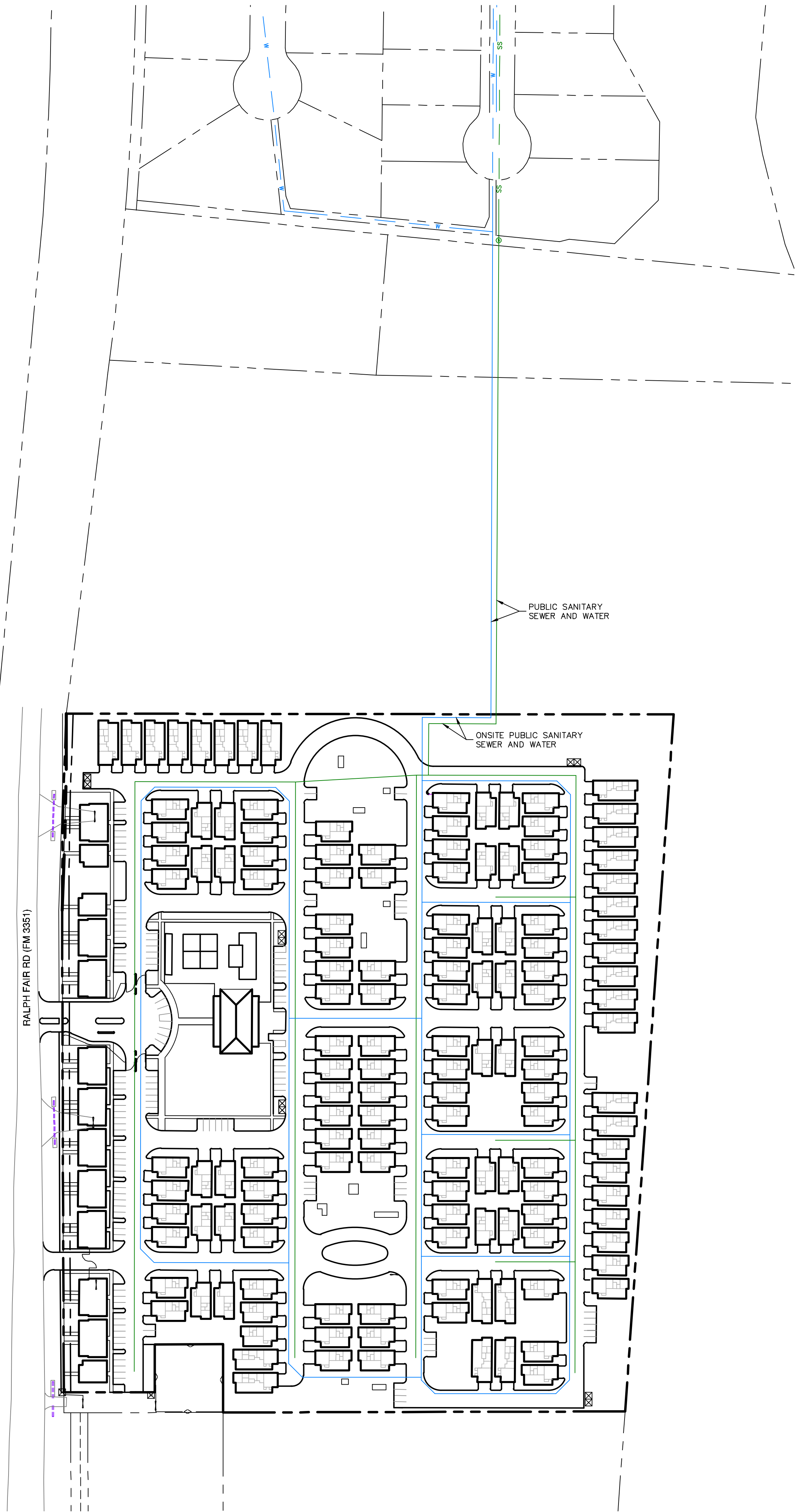
FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

GRADING AND DRAINAGE EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK
DRAWN	AA
SHEET	3 OF 3

Date: Feb 15, 2023 10:17am User: ID: caryington
File: FAIR OAKS OVERALL UTILITY EXHIBIT.dwg

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LEGEND	
	PROPERTY LINE
	PROPOSED 8" FIRE/WATER LINE
	EXISTING 8" WATER LINE
	PROPOSED 8" SEWER LINE
	EXISTING 8" SEWER LINE
*ON-SITE UTILITIES TO BE PRIVATE	

NO.	REVISION	DATE

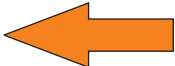

This document is released for INTERIM REVIEW purposes ONLY under the authorization of Thomas Matthew Carter, P.E., #79272 on 2/15/2023. This document is not to be used for CONSTRUCTION.

PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #170 | TEXAS SURVEYING FIRM #10028800


FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS
OVERALL UTILITY EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK
DRAWN	AA
SHEET	2 OF 3

LEGEND

- 
- COMMUNITY ENTRY/EXIT

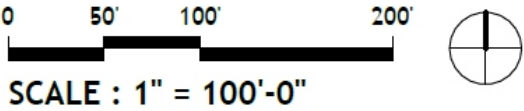
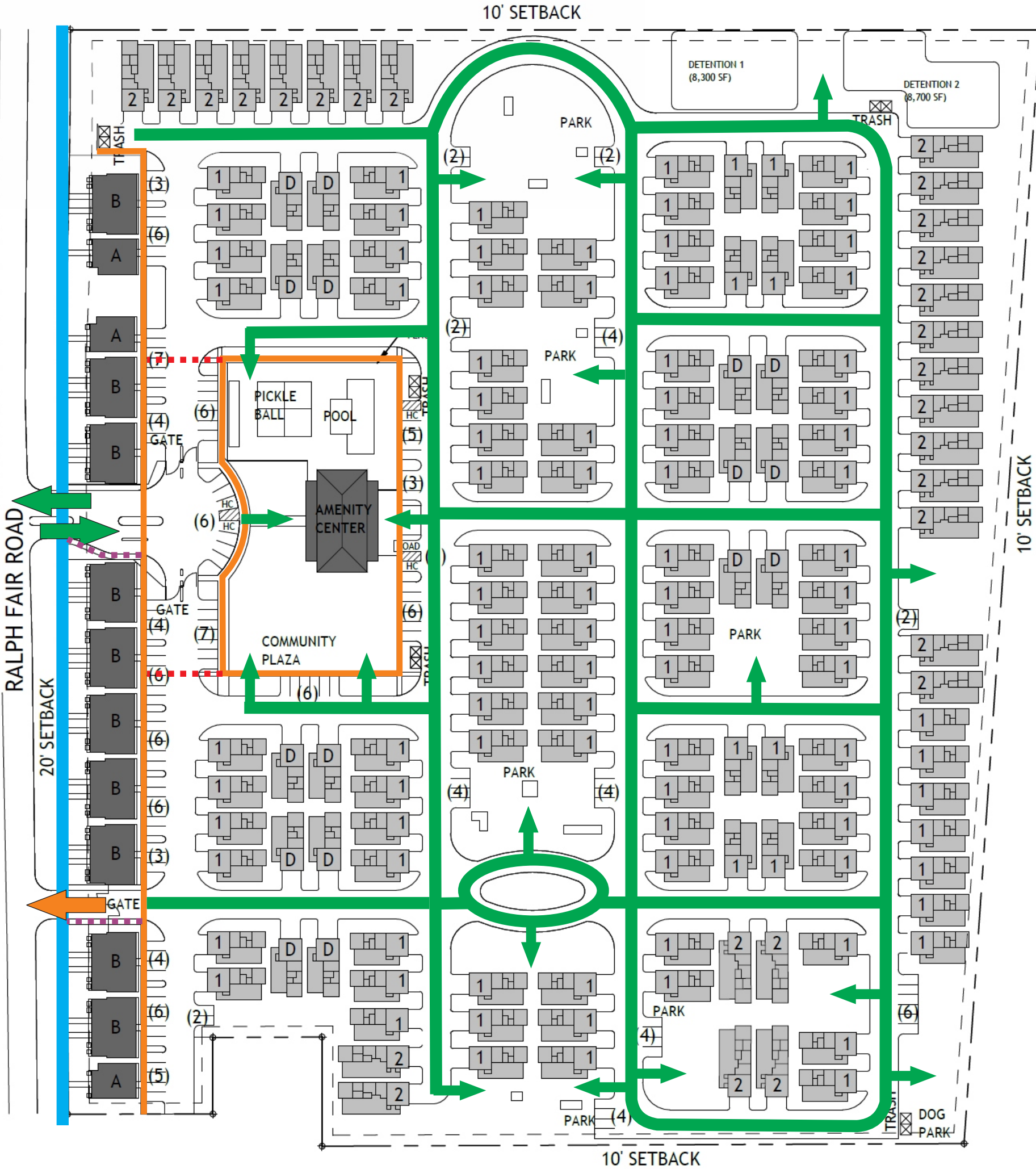
RESIDENT EXIT ONLY

SHARED ACCESS DRIVE
- 
- CROSS STREET CONNECTOR

INTERNAL SIDEWALK CONNECTOR

PUBLIC SIDEWALK (RALPH FAIR RD)

PUBLIC SIDEWALK CONNECTOR





Public Works ■ 7286 Dietz Elkhorn ■ Fair Oaks Ranch TX, 78015 ■ (210) 698-0900

February 8, 2023 / [February 15, 2023](#)

RE: Concept Plan Review - Botanica Fair Oaks Multi-unit Residential Community
North-east of the intersection of Dietz Elkhorn and Ralph Fair Rd. Road

Mr. Bursey,

The Concept Plan submittal for the proposed Fair Oaks Botanica Residential Community was received by the City on February 1, 2023 and deemed to be a complete submittal.

As per UDC. Sec 3.8 (3), a Concept Plan is required for this development since it will require off-site road, drainage, or utility connections or improvements that will have a substantial impact or effect on other properties or developments. The Concept Plan will be reviewed by the Planning and Zoning Commission and the Commission will forward its recommendation to the City Council, which is responsible for final action on Concept Plans.

Based on the review, the following items are outstanding or need to be addressed. Please note that these comments cannot be considered as Site Plan approval. A detailed Site Plan review will be conducted at the time of building permit submittal.

CLARIFICATIONS:

- Utility conflicts: Clarify the location of easements in setbacks. It appears that landscaping that is shown in the setbacks may be over proposed easements and utilities. Adding a table showing the required and proposed setbacks will be beneficial. Ralph Fair Secondary Frontage 10' min. setback – 20' max. setback. Side- 5' (min.), Rear -10'(min.).

[Easements/Setbacks are shown on revised site plan.](#)

North	East	West (Ralph Fair Rd)	South
10 feet*	10 feet*	20 feet	10 feet*

[*Assuming a stricter Residential to Commercial interface.](#)

- Provide more details about the restrictive covenants indicated on the survey.
[A copy of the one Restrictive Covenant is included.](#)

MAINTENANCE:

- Clarify who will be maintaining the landscaped area in the yards and other common open space and amenities.
[The Community will be managed by an institutional-grade property management company, e.g. Asset Living.](#)

CALCULATIONS:

1. Landscaping:

- a. Clarify if the parking lot landscaping is included in the 34.4% landscaped area.
The total site Landscaped area is 296,315 gsf, or 34.4% of the total site area. Of that total landscaped area, approx. 11,700 gsf (18.1%) is within the “front parking zone”.
- b. Show calculations to confirm that the following parking lot landscaping meets the UDC requirements:
 - i. Front: The landscaped area within the parking lot will be at least ten percent (10%) of that portion of the parking lot and circulation area that is located between the front facade building line and the primary right-of-way property line. The landscaped areas within these parking lots will contain at least one shade tree per twelve (12) parking spaces
We do not have parking “between the front façade building line and primary right-of-way” (Ralph Fair Road). Parking is internal and out of sight from public right-of-way.

However, the current front parking arrangement shows one new tree well for every 6 parking spaces which is double the requirement above.

- ii. Side: At least three percent (3%) of the parking lot and circulation area located between the side facade building line and the side property line where there is no right-of-way will be landscaped. The landscaped areas within parking lots will contain one shade tree per thirty (30) parking spaces.
Plans submitted will comply.

There is only one parking area on the south side of the parcel which has approx. 7,500 gsf of parking and circulation area. The current plan also shows landscaped areas of approx. 2,400 gsf on the east, south and west of the parking area adjacent to the south property line.

DEVELOPMENT DETAILS

4. UDC Section 7.5 (6) requires the community green or plaza to be developed to create a neighborhood focus.
UDC Section 7.5 refers to Water Conservation Education – We assume you mean Section 6.9 (10) which refers to community green or plaza.

Explain how this intent is met. Show the amenities proposed in the community plaza. Is this just an open space? How will this be the community focus as envisioned by the UDC?

The **central** “neighborhood focus” surpasses the vision of the UDC as it includes:
green open space

1. Amenity Club House w/leasing office, lounge & kitchen, community room & fitness center.
2. Community Pool
3. Pickle Ball Courts

4. Green open space plaza/park area with benches for gathering

In addition, there is a dog park and several other pocket parks with heritage and new trees evenly distributed throughout the community.

(A concept plan of the Amenity Center has been included in our submission.)

(The community green/plaza will be more fully developed by a landscape architect as part of the permit submittal.)

The Community Plaza will be adjacent to the Amenity Center, a hub of activity within the development. Here residents can have meetings, conferences, art classes, family gatherings, etc. It is important that all of these elements are central and adjacent coming together to provide the “neighborhood focus”.

It is important to have this indoor/outdoor space adjacent to the front entry to facilitate visitors and family members access to the group events. Additional parking is available adjacent to the Center if needed.

2. Currently the UDC requires information on building form to be submitted with the Concept Plan. We could not find this specific requirement within the UDC or Concept Plan Submittal Checklist, however we have included our previously submitted Concept Package to remind of our intent for a modern hill country design aesthetic. Information of building form, elevation, etc. is helpful to ensure conformance with the character envisioned for a The Mixed-Use Village District (MU). The Mixed Use District has specific requirements on the features listed below and as indicated in prior meetings. Please refer to the UDC for additional details.

- First floor to floor height: 11'-0" to 11'-9".
- Facade Composition, including rhythm, material, color, and/or texture: The façade materials include Hill Country limestone and stucco with accents, downspouts, and trim of painted metal to match. See further description below.
- Building design - building entrances, bay windows, display windows, storefronts, arcades, facade relief, panels, balconies, cornices, bases, pilasters, or columns, articulation, transparency. Typical one-story residences have gabled roofs and facades with generous sized windows, front and back to bring light into the interior spaces. This is also true of the A and B two-story buildings along Ralph Fair Road.
- The central Amenity Center mimics the residences with a symmetrical façade with a high bay, deep roof atrium space that has expanses of glass front and back. We meet the requirements of UDC Table 7.1 on Transparency (see below). Low roofed porches on the front and back temper and scale down the large atrium space with low slope roofs, columns and materials that conform to the Hill Country standards. Typical facades will have a distinct base middle and top configuration, with stucco above stone, mostly. The building types that we indicate on the current site plan have a fenestration of varying types of materials. The unit buildings that face Ralph Fair (Types A and B) are two story with changes in façade fenestration at 20 feet and 8 feet across the façade. This includes stone, stucco, wood-look tile, and dark gray slate. We also have corners and facades of “green wall” next to these materials. On the internal units we have a module of 28 feet on each unit lot which fits in the 20' to 30' module required. There will be façade and material selections within those parameters.

Vertically, interest is maintained by frames around window areas, stairs that

are delineated differently and the tripartite banding of materials. Horizontally the building massing of the residences (one and two story) and Amenity Center create a sense of scale and proportion similar to the Hill Country aesthetic examples found in Chapter 7 of the UDC. This type of character has been translated from the town center retail facades shown there into tasteful residential designs of all structures. Building entrances are articulated, trim is expressed and columns used where appropriate.

Table 7.1

Multifamily Buildings: Façade Frontage Type	Primary or Secondary Frontage	General Frontage/All other sides
Ground Floor	25% (min. req.) 29.9% Provided	None
Upper Floors	20% (min. req.) 20.2% Provided	None

- Roof design:** Roof design will be gabled roofs that have deep slopes (9/12) with adjacent porches or garage blocks of lesser slopes (3/13), typical of the Hill Country aesthetic. Residential roofs will have luxury composite shingles, the Amenity Building will be coated standing seam metal roofs. The A and B residential buildings will have metal canopies at both the parking lot and street elevations, and entrances from the public sidewalk. Shaded sidewalks shall be provided alongside at least a quarter of the A and B buildings frontage along the off-street surface parking lot to the east of the buildings. This includes a shaded sidewalk shall consist of a 5-foot clear zone and 5-foot planting zone, planted with trees no more than 30 feet on center. Building entrances along Ralph Fair shall have canopies. The facades along Ralph Fair are a balance of solid and glass with a 27% glass to solid ratio. Roof slopes vary between a 2 ½ to 12 slope and 4/12. No parapets are used-all roofs are sloped (gable or shed).
- Street Cross-sections and Standards, Planting Zone for the placement of street trees and placement of street furniture, etc.** See attached diagram for a typical street section showing dimension of the street edge conditions.



PARKING

5. Address the following regarding parking:

i. Will the garages be accessed through driveways?

Yes, all driveways for single story residential garages will be accessed from the internal 26-foot-wide drive aisles.

ii. Where will the visitor parking be located for the units at the rear? Will they have to walk from the visitors parking spaces located behind the quadruplexes located along Ralph Fair Road.

Visitor parking is distributed throughout the project. In general, parking for the A and B unit buildings occur along the rear (east) frontage parking areas and near the Amenity Center. Residential parking averaging just under at 2 per residence occur at the residential garages throughout. All other surface parking around the Amenity/Community Plaza (for visitors there) and near parks are designed for visitors or residents to be close to those adjacent residences or amenities within the parks or Community Plaza. The total number of visitor spaces is 52.

Parking/Loading: In addition, we indicate one small loading space as per UDC Table 6.4 and four handicap spaces (one van accessible) per UDC Table 6.3.

CONFORMANCE TO ADOPTED DOCUMENTS

1. Conformance with the Comprehensive Plan:

- a. The development does not propose a mix of uses. The site is proposed to be developed for all residential uses – duplex, fourplex, and single-family units. A landscaping plan has not been submitted. A landscaping plan will be submitted as required with the permit submittal.

It is not clear how the proposed development will meet the intent of the Comprehensive Plan in terms of mixed uses and hill-country character for this area:

Mixed-Use Village – The Mixed-Use Village District (MU) indicates areas within the City of Fair Oaks Ranch where the City encourages a mixture of uses that create pedestrian scaled development at major transportation nodes. The City encourages development in this area to generally conform to a Hill Country design aesthetic, similar to the materials and massing that can be found in downtown commercial districts in communities such as Boerne, Fredericksburg and Comfort. Sites in the MU district are appropriate for direct access to primarily Arterial, Collector streets and Local Connector Streets.

This has already been established in prior meetings with City staff and Gunda Corp who confirmed that a mixture of different uses is not required. Our previous pre-development submissions and meetings have all contained the same uses as within our Concept Plan and was confirmed to be acceptable.

In addition to the apartment homes and apartment flats, the community will be staffed full time and operated as a commercial (multifamily) business.

In addition, we are providing a “neighborhood focus” specifically for the residents of the community and their visitors which may include:

- A 5,000 sf Amenity Center containing:
 - Leasing Offices
 - Clubroom and Multipurpose Areas
 - Great Room and Kitchen
 - Full-service Fitness Center
 - Mail room
- Pool, landscaped Pool Deck, and lounge and outdoor dining seating
- Outdoor Kitchen
- Pickleball Courts
- Pocket Parks throughout the community
- Dog Park
- Community Plaza with benches under the existing (saved) Heritage trees, grassy play areas, landscaped edges and showcases, trellises, and a central plaza area for events like group resident activities and family gatherings.

2. Conformance with the Unified Development Code:

- a. The UDC requires that the development include a mixture of uses to create pedestrian scaled development that generally conforms to a Hill Country Design aesthetic. It is not clear from the Concept Plan, what features, pedestrian connectivity, design elements, building elevations will be proposed to achieve this.

The intent of this community has always been to create a vibrant, pedestrian-friendly community that conforms to a Hill Country aesthetic as recommended by the UDC. Please refer to the Concept Imagery provided with our response.

The design of the buildings and open areas of the development will comply with UDC Section 7.4 General Standards and Guidelines. As such, the development will follow the Design Principles of the section including: a.) Create a pedestrian oriented public and private realm, b.) Design compatibility through the use of variations in building elements, c.) strengthens Fair Oak Ranch's desire for the Hill Country aesthetic, d.) Use of architectural details to create interest, e.) Incorporation open spaces (Community Plaza, Amenity decks, Dog Park, and Heritage tree parks) into the fabric of the development, and f.) Create designs that increase the quality, adaptability and sustainability of Fair Oak Ranch's building stock.

As requested in a prior pre-development meeting, the current site plan includes a series of street facing 2-story buildings (labeled A & B) which have pedestrian entrances facing Ralph Fair Rd. Direct pedestrian access to the public sidewalk on Ralph Fair Rd can occur at each of these buildings if required.

The central pedestrian access is adjacent to the Amenity Center and the Community Plaza.

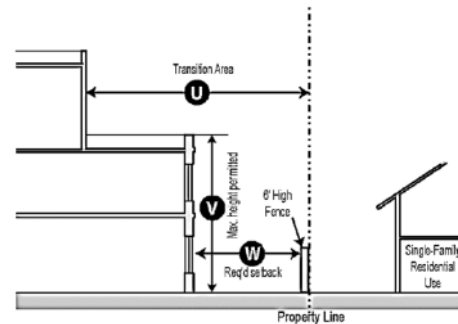
- b. The UDC requires that all Protected (TC 28 inches or larger) and Heritage (TC 75 inches or larger) trees meet mitigation and replacement conditions outlined in UDC 8.8(7)b other than qualified preservation exemptions. Mitigation shall be at a 1:1 ratio for TC inches to be removed, no trees smaller than TC 8 inches is allowed for mitigation, total tree coverage on the lot (as measured in TC inches) is approximately the same as pre-development conditions, the Tree Plan shall show a planting diagram where new trees will be planted, a warranty is required for all trees TC 28 inches or larger. The Project will comply with mitigation requirements. We are showing multiple areas where we are saving heritage and smaller trees within resident park areas.

3. Conformance with the character of the area and residential transition:

It is not clear from the Concept Plan how the placement, buffers, and other considerations have been incorporated to make the development compatible to adjacent property on the north and east that is zoned for one-acre single family uses. Buildings along north, east & south property lines will be single story residential which comply with the Residential Transition Standards of UDC Section 6.8 Mixed-Use Village (MU) residential buffer requirements (e). A 6-foot-high fence and landscaping will be part of the landscape design. Also, many of the parks, detention, and tree-save areas that are part of the overall plan are at these edge conditions. No Transition Area is required as the buildings are single story and do not exceed 30 feet in height.

The setbacks shown on the north and east are minimum setbacks required. The Project will comply w/all setback requirements. Additionally, it is not clear if residential transition standards in the UDC are met, as details have not been provided. See description above. Reference Diagram [e] below from the UDC.

Residential Transition Standards		
The following transition standards shall apply to all new building construction adjacent to a Residential Zoning District. This requirement shall NOT apply if a street, alley or other similar R-O-W separates the subject lot and adjoining Residential Zoning District		
i. Transition Area	25' min.	U
ii. Max. Building Height within Transition Area	2 stories or 30'	V
iii. Required setback	10' min.	W
iv. A maximum 6' high solid screening fence and landscaping screen shall also be required. The required fence shall NOT be chain link or vinyl. Wood fencing must be double-sided		



Conformance with the availability of utilities:

The City's infrastructure availability and capacity, including roadway adequacy and storm drainage facilities, need to be evaluated to ascertain improvements that may be needed. Water and sewer utilities have already been evaluated. An analysis of off-site utility connections has been performed and the results of those studies are included with this submission response.

4. Conformance with the Transportation Map:

The Concept plan does not address measures proposed to address the impact of the traffic generated by the proposed development on City roads. The site is accessed by Ralph Fair Road. Additionally, Fair Oaks Parkway and Dietz Elkhorn Road will also be impacted.

- Ralph Fair Road is an Arterial Road (proposed) as per the Transportation Map. Currently it is a two-lane road with no bike lane or sidewalks. Improvements will be needed to adequately support a mixed-use development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.
- Fair Oaks Parkway is a Collector Road. Currently it is a two-lane road. The typical right of way width required is 83'. No significant expansion is contemplated for this road. Improvements will be needed to adequately support a mixed-use

development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.

- Dietz Elkhorn Road is a Collector Road. Currently it is a two-lane road. The typical right of way width is 83'. No expansion is recommended for this road; however, improvements will be needed to adequately support a mixed-use development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.
- There might need to be additional deceleration lanes and acceleration lanes as well as turning lanes on Ralph Fair Rd. Per the scoping meeting w/COFOR, we are proposing a right-hand deceleration lane for northbound traffic on Ralph Fair Road. Secondary Access will be resident exit and emergency access only.

5. Other Concerns:

- a. Driveway separation, width, and turning radius to meet Fire Code. The development will meet all requirements for driveway separation, width and turn radius to meet Fire Code. The plans show a 26-foot width standards and 25 foot turning radius at all corners to meet fire code.
- b. Width of internal streets that area designed as driveways with 24' width. Will it be sufficient to support the density and vehicular traffic? Typically, local streets are 50' ROW. As confirmed in the pre-development courtesy review dated 12/09/22, the Project will not include any "internal streets". These will be maintained as shared access drive aisles similar to other multifamily projects with internal private drive aisles which are certainly sufficient to support the density of vehicular traffic within this gated community. As per the site section on page 4, internal drive aisles will be 26 feet in width and the building to building dimension will be 50 feet, allowing for 12 feet each side for green strips, paths/sidewalks, and a front yard planting area for trees and landscaping. In this respect, the profile view of building to building will look very similar (but a smaller scale) to the nearby prestigious community, The Dominion.

Staff may have additional comments after reviewing the information provided to address these comments.

Please address the comments listed above by February 15, 2023. If you have any questions, please feel free to contact us.

Sincerely,



Katie Schweitzer, P.E., Manager of
Engineering Services

cc: (via email)
Tobin Maples, AICP, City Manager
Carole Vanzant (Assistant City Manager)
Sandy Gorski, Public Works Admin. Assistant

Attached: Redlined Concept Plan
Botanica Fair Oaks

Botanica | Concept Presentation



Botanica Fair Oaks, A New Standard for Healthy Community Living

Set in the beautiful City of Fair Oaks Ranch, Botanica heralds a new design approach to modern development, cultural and community building.

Botanica residents will live in an exclusive, affordable-luxury, single-story apartment 55+ active adult Build-to-Rent community, with luxury amenities including a fitness center & pickleball courts, a community center & business lounge, outdoor 'secret garden' lounge spaces & outdoor summer kitchen, designer pool & relaxation cabanas, recessed fire pit, EV charging, and high-speed Internet connectivity throughout.

Botanica's ground-breaking health and wellness focused botanical village will combine Fair Oaks Ranch's aspirational rural residential lifestyle, with beautifully crafted, single story luxury apartments, which include the highest standard of design and finishes as standard.

We partnered with AgroSci, an industry leader in exterior and interior vertical wall manufacture and installation. Their line of Vertical Gardens, Green Walls and Boxwood designs add striking beauty and nature to our property, for the benefit of all residents.

Green open spaces and biophilic green walls and landscaping ensures that residents' health and wellbeing are at the center of Botanica's design. Designed to embody sustainability, longevity and greatly improve one's quality of life. Botanica has been carefully planned. The International WELL Building Institute's 'WELL Building Standard' will be met.

At Botanica, residents will benefit from construction and design philosophies that address standards in air, water, nourishment, light, fitness, and comfort. Our residents will enjoy a built environment that enhances quality of life. Botanica signals the arrival of a new standard in health & wellness living and community building.

Developed by Urbanist, Botanica blends sophisticated urban dynamics, with unique heritage and traditional neighborhood values. The result is a unique living environment, where people and the community at large will thrive.



Inspiration



Inspiration



Architectural Inspiration



Architectural Inspiration



Architectural Inspiration



Architectural Inspiration

It All Starts With A Plant

AgroSci Designs Soil Based Green Wall and Growing Systems that provides a consistently “managed root zone environment” = Simplicity and Sustainability.

Resulting In:

- Long Term Plant Sustainability
- Low Water and Resource Usage
- Low Maintenance



Versatile ~ Affordable ~ Sustainable



Outdoor

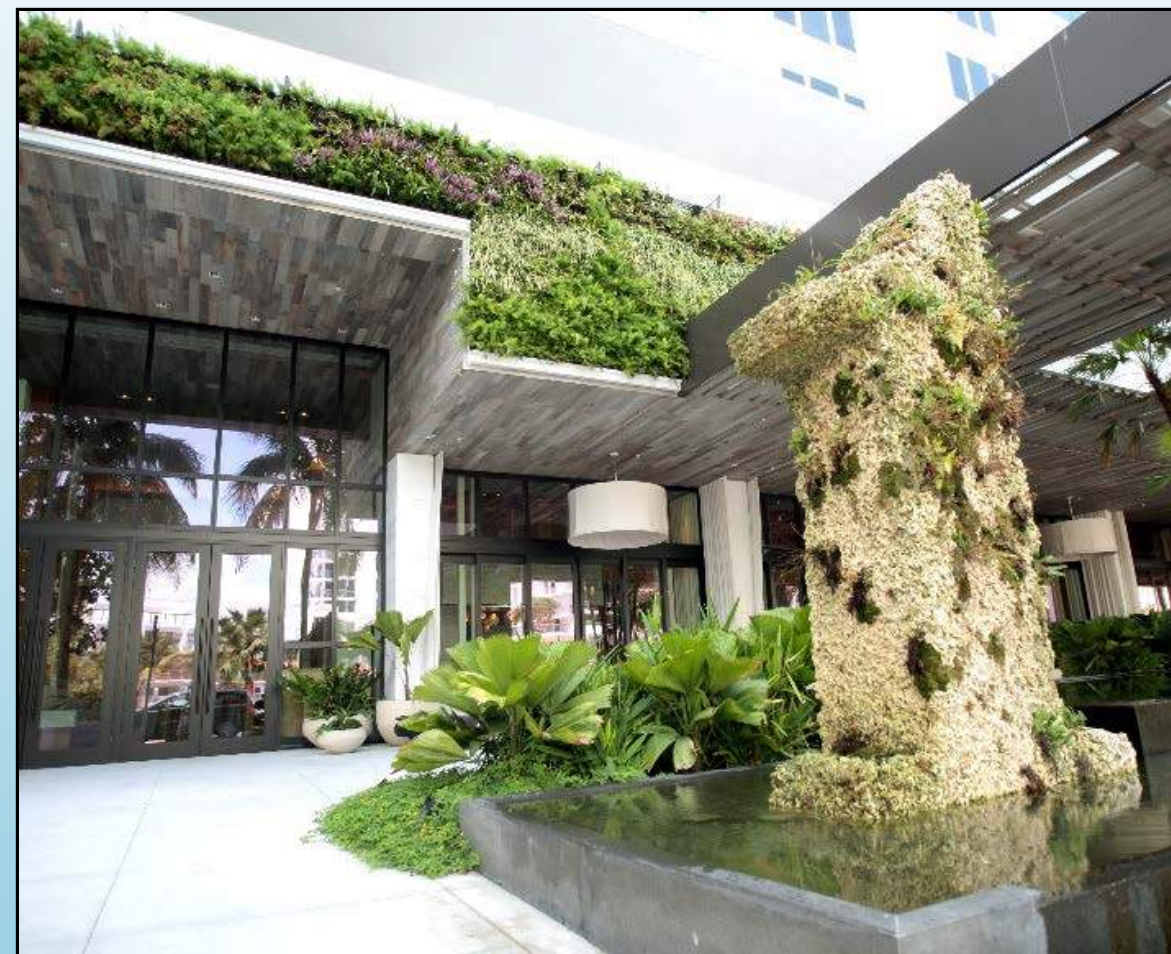
- Stainless steel grid panel structure
- Drip emitter system
- Individually planted pots

Indoor:

- Fully integrated panel system
- Self contained re-circulating watering
- Individually planted pots
- Phytoremediation system
- “Cleans and recycles indoor air”

Custom:

- Interior and Exterior Options
- Design Patterns with Base Planters



Green Wall Systems





LEGEND

- A-1
- A-2
- B

UNIT COUNT

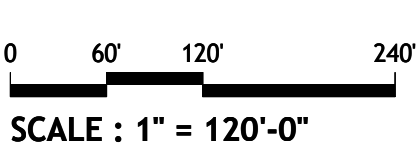
QUAD PLEXES: 10 BLOCKS x 4 =	40
ZERO-LOT- LINE: ORIGINAL COUNT =	184
- 21 UNITS =	163
+ 7 UNITS =	170
TOTAL UNITS	210
UPA =	10.60

AMENITY

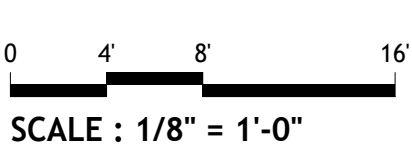
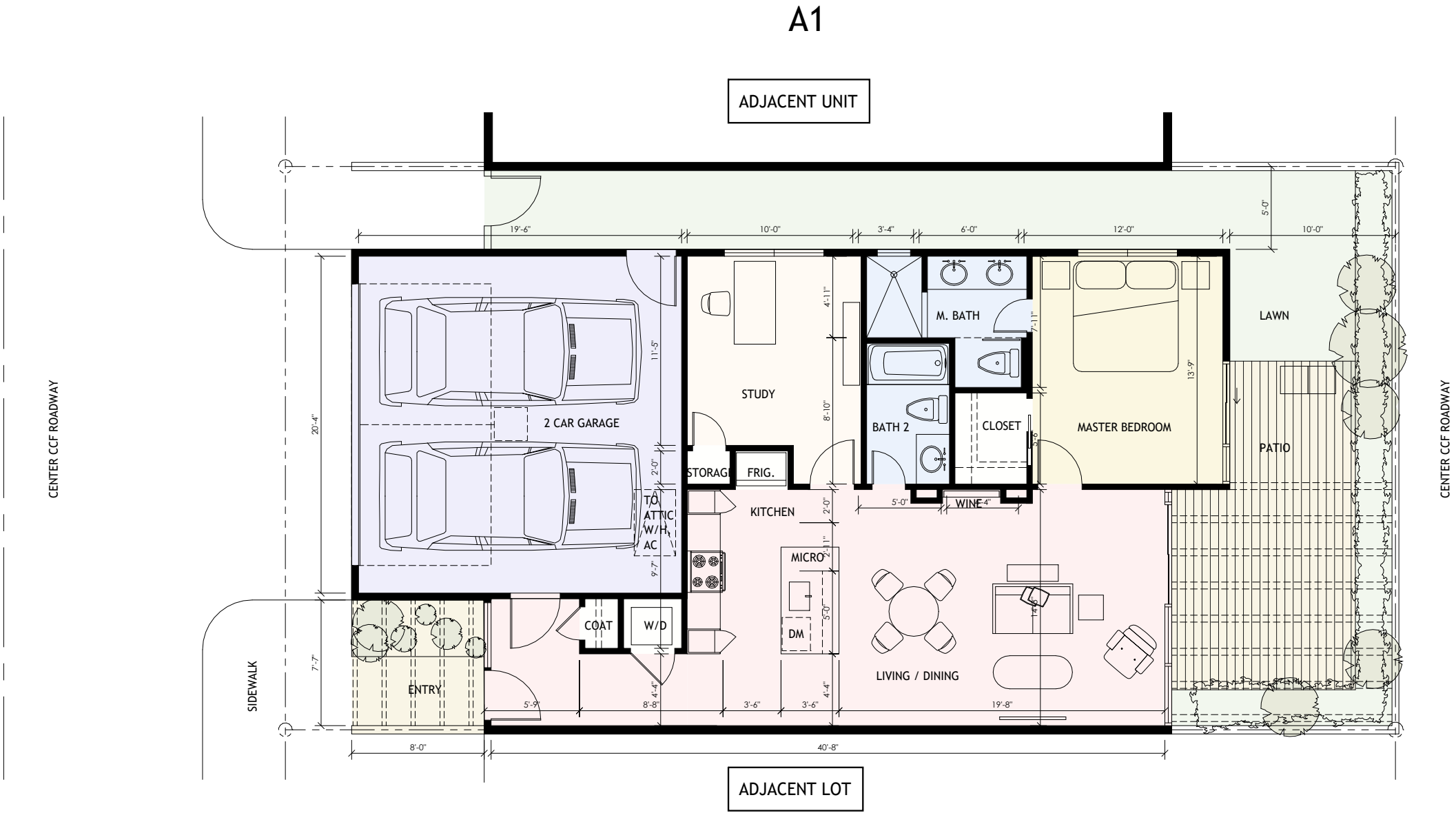
AMENITY BUILDING 5,000 SF

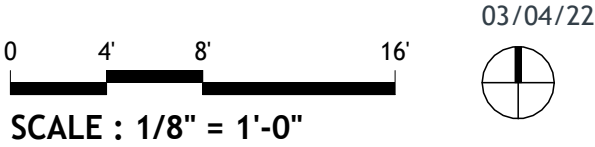
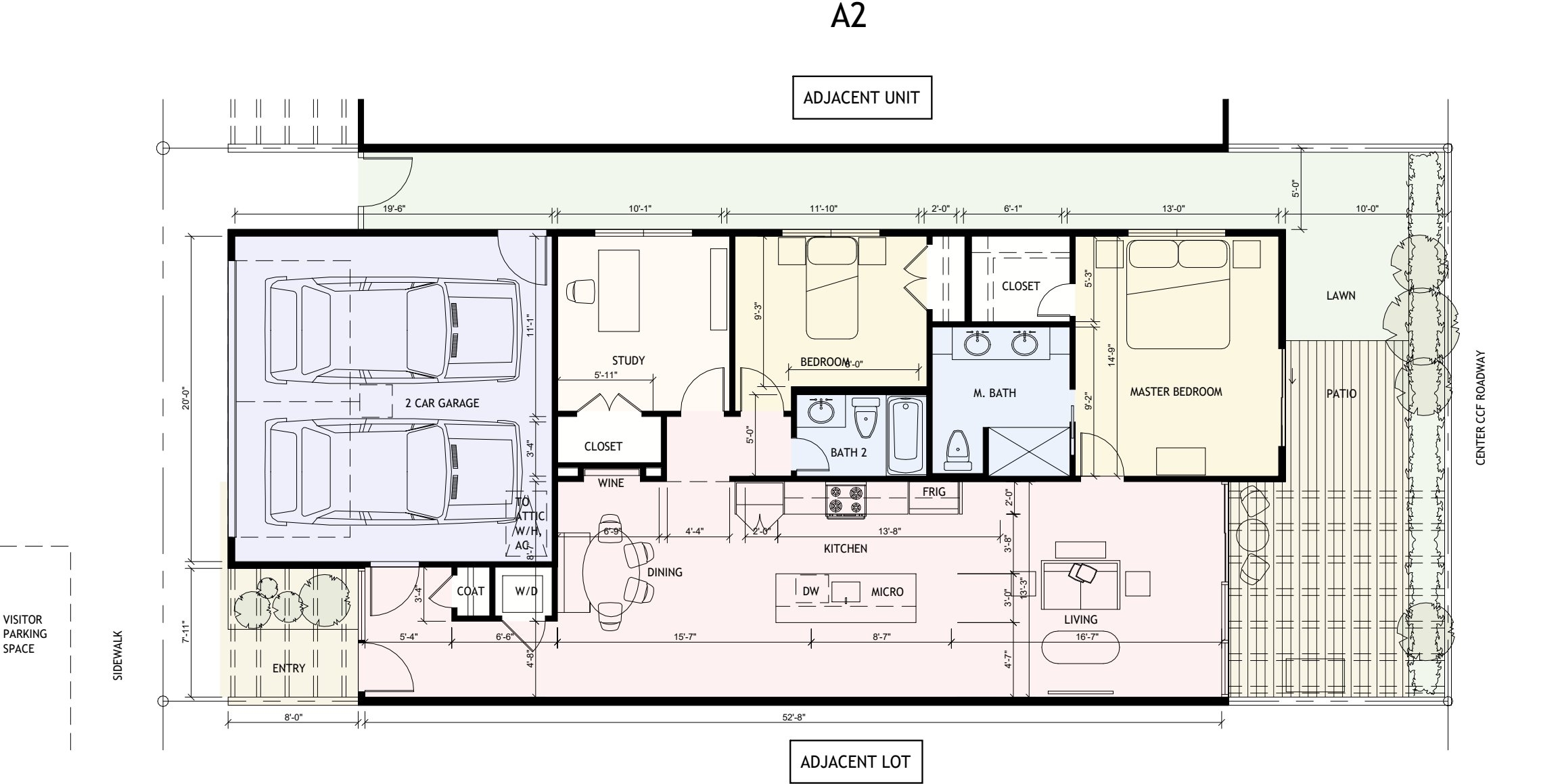
PARKING

UNITS	340
SURFACE	148

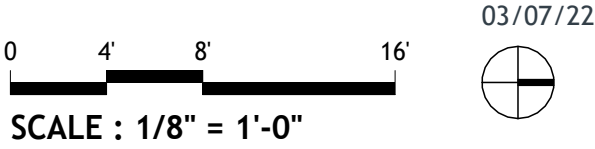
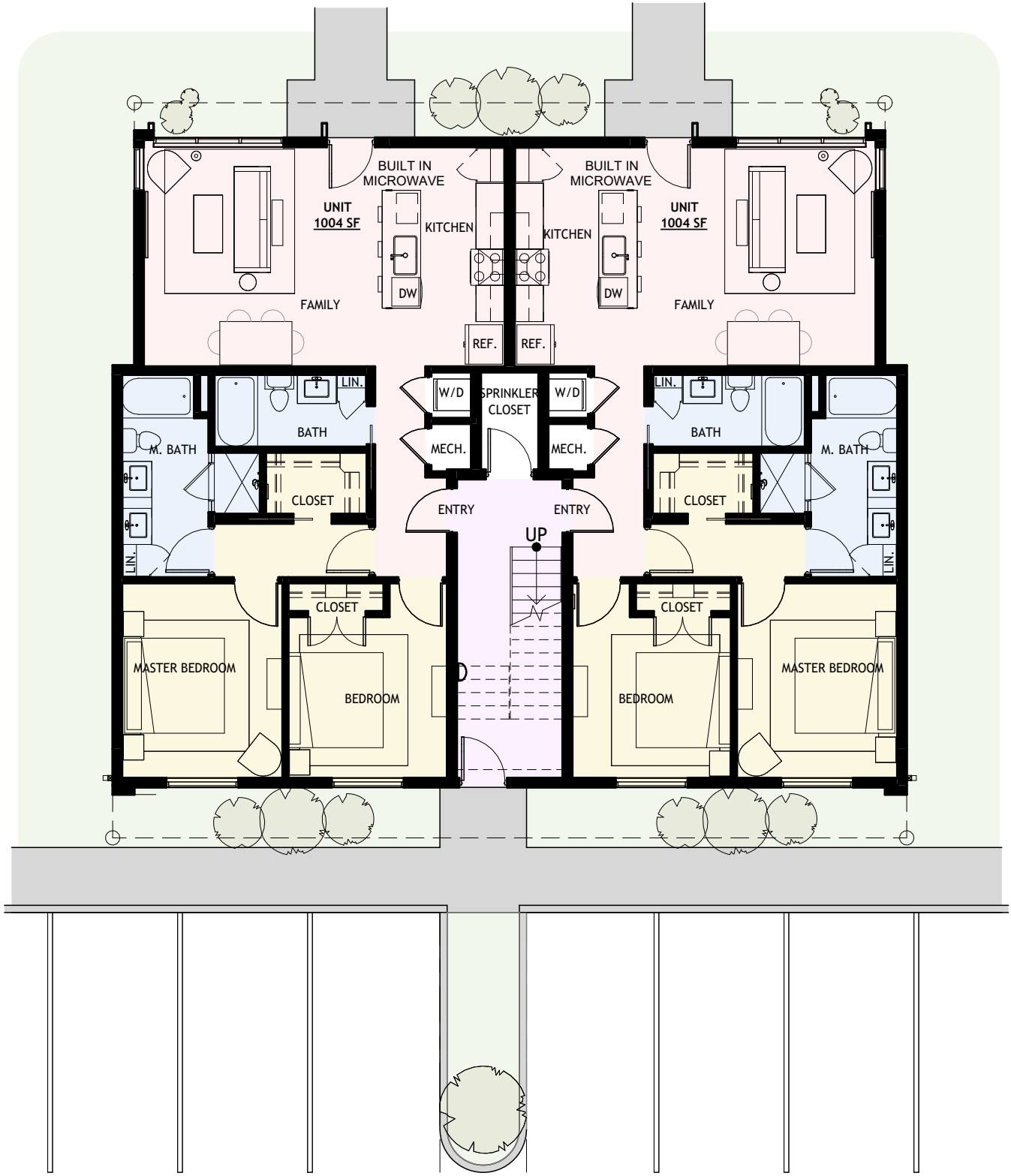


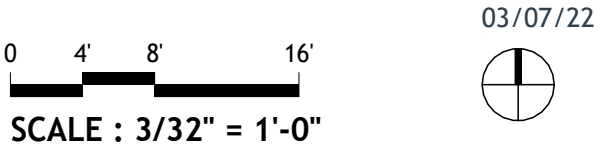
03/03/22

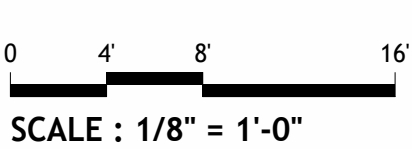




RALPH FAIR ROAD







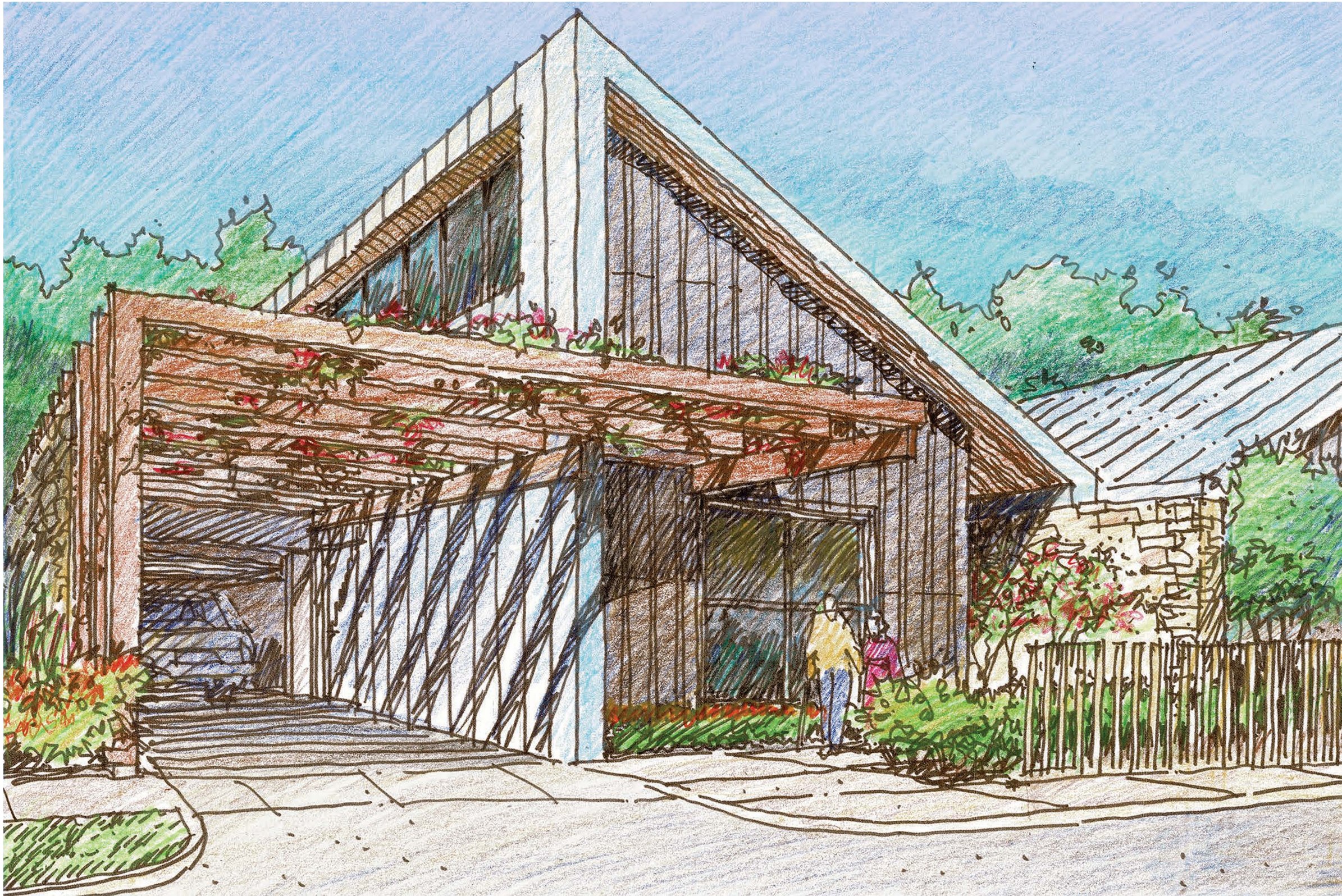
03/08/22

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03/08/22

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Concept Sketch















Amenity Center - Ball Room



Amenity Center - Craft Room



Amenity Center - Cinema Room



Amenity Center - Board Room



Amenity Center -Aerobic Room



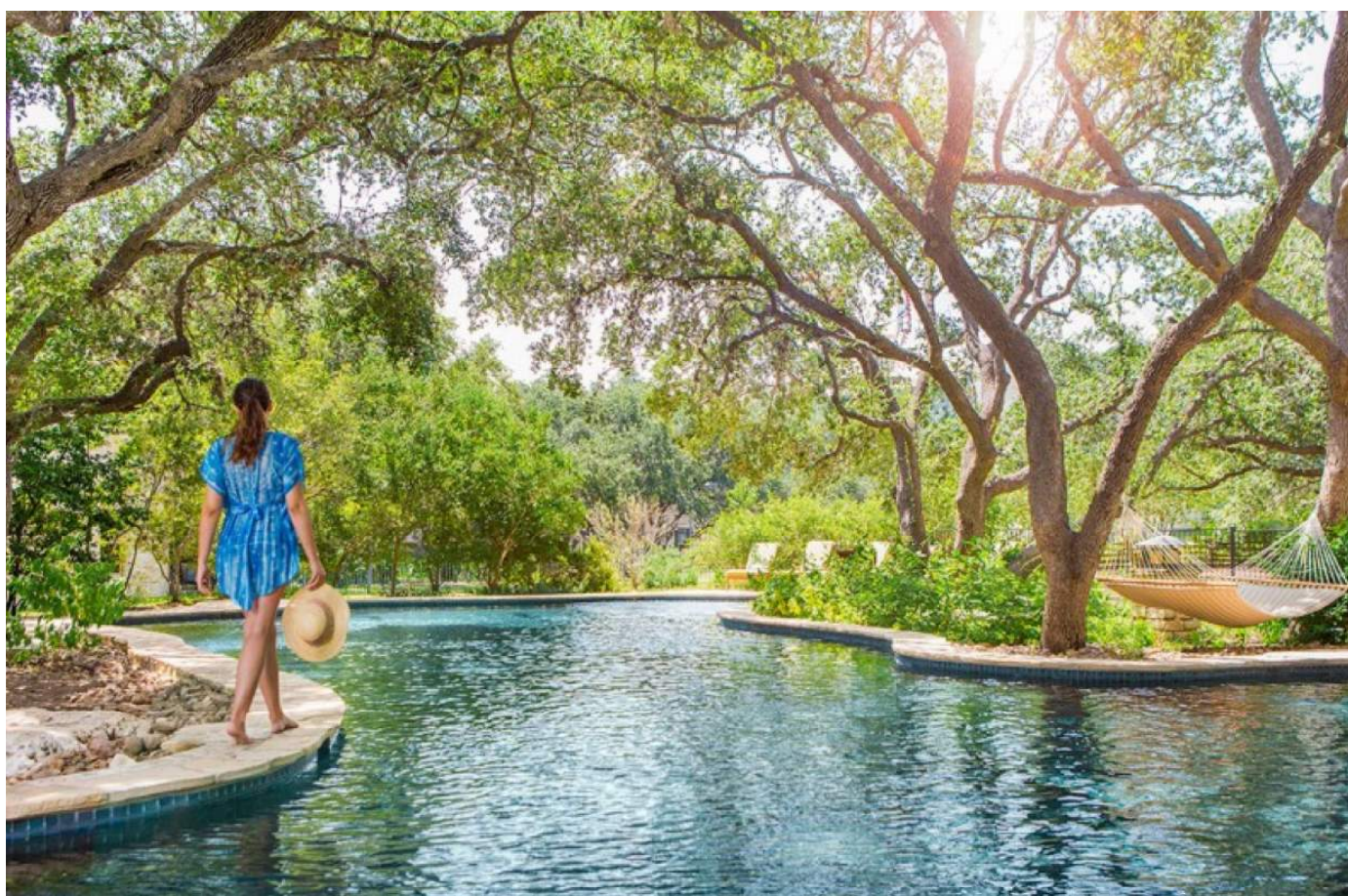
Amenity Center - Weight Room



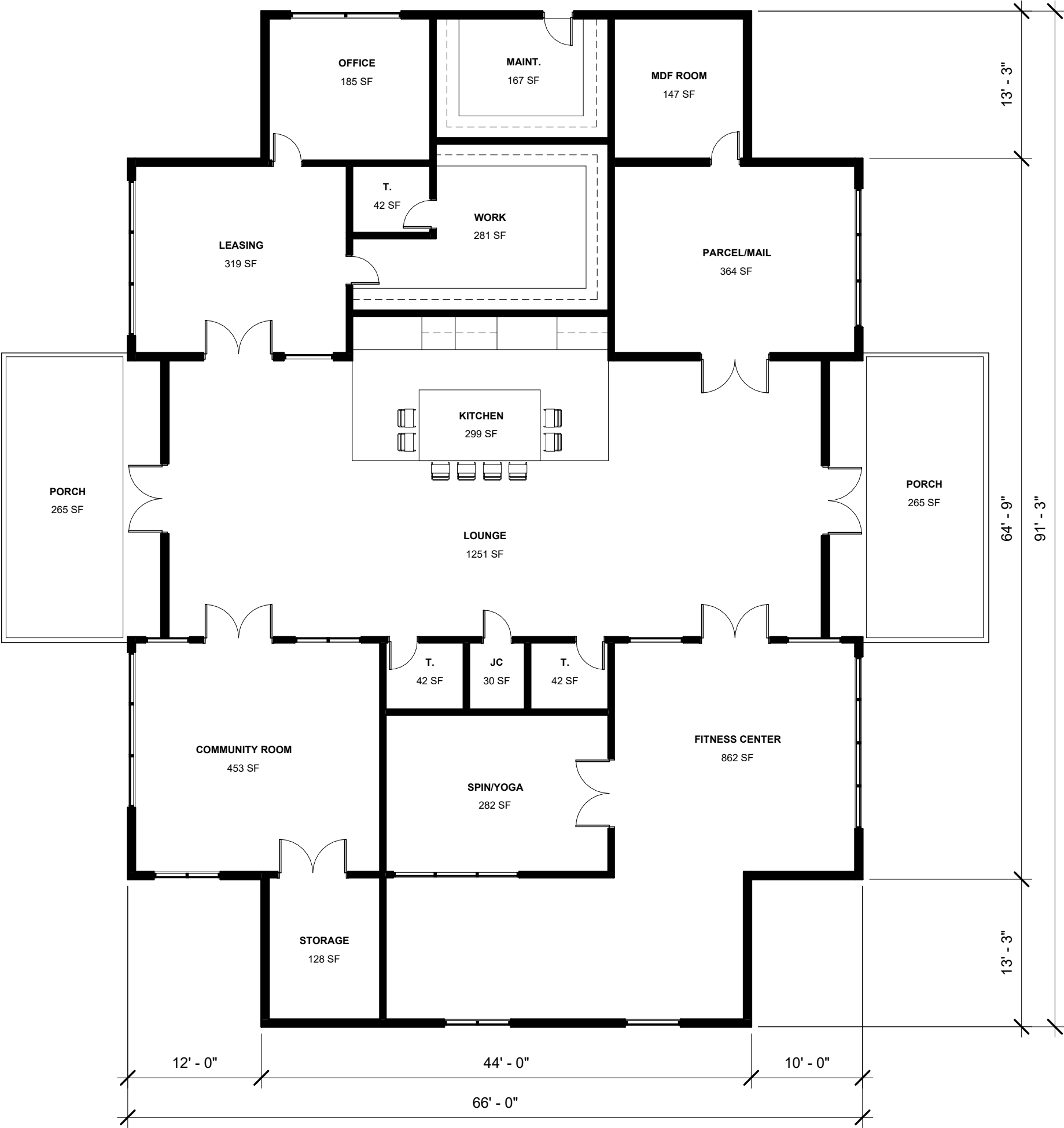
Amenity Center - Outside Seating



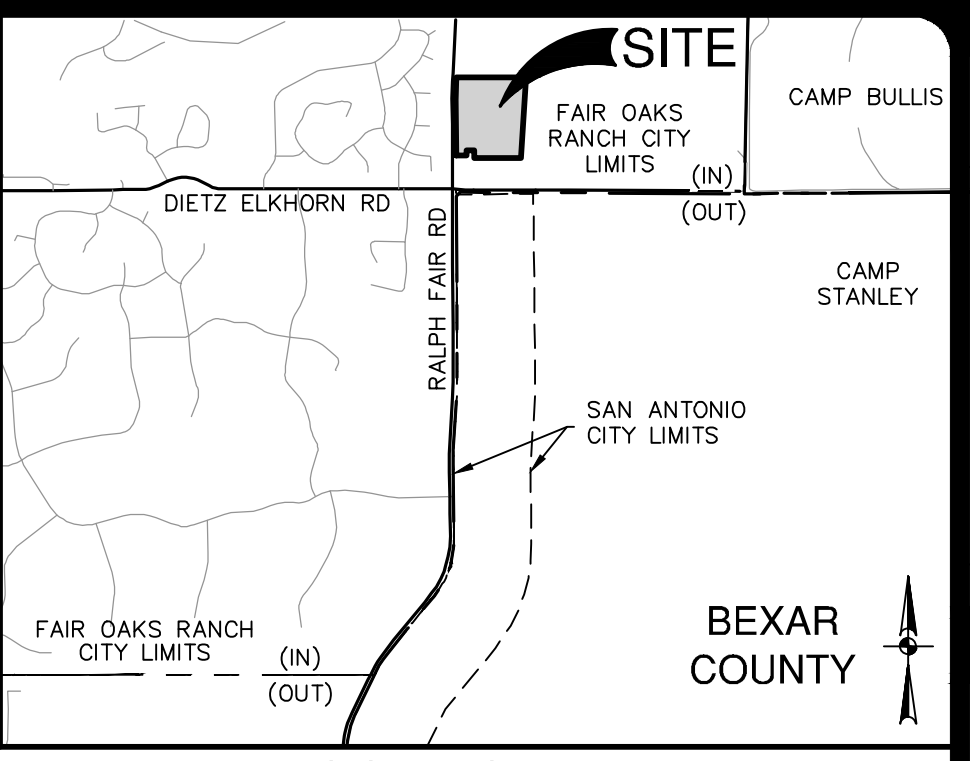
Amenity Center - Outside Seating





Amenity Center - Lap Pool



1 AMENITY CENTER
1" = 10'-0"



A north arrow pointing upwards and a graphic scale bar. The scale bar is marked from 0' to 150' in increments of 50'. Above the scale bar, the text reads: SCALE: 1"= 50'.

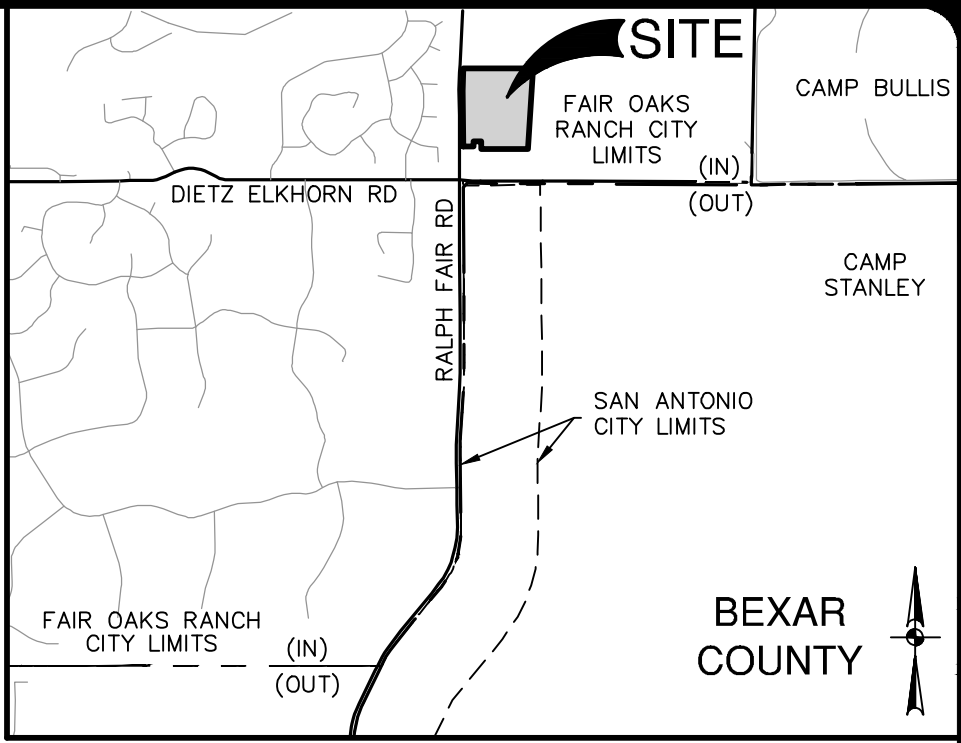
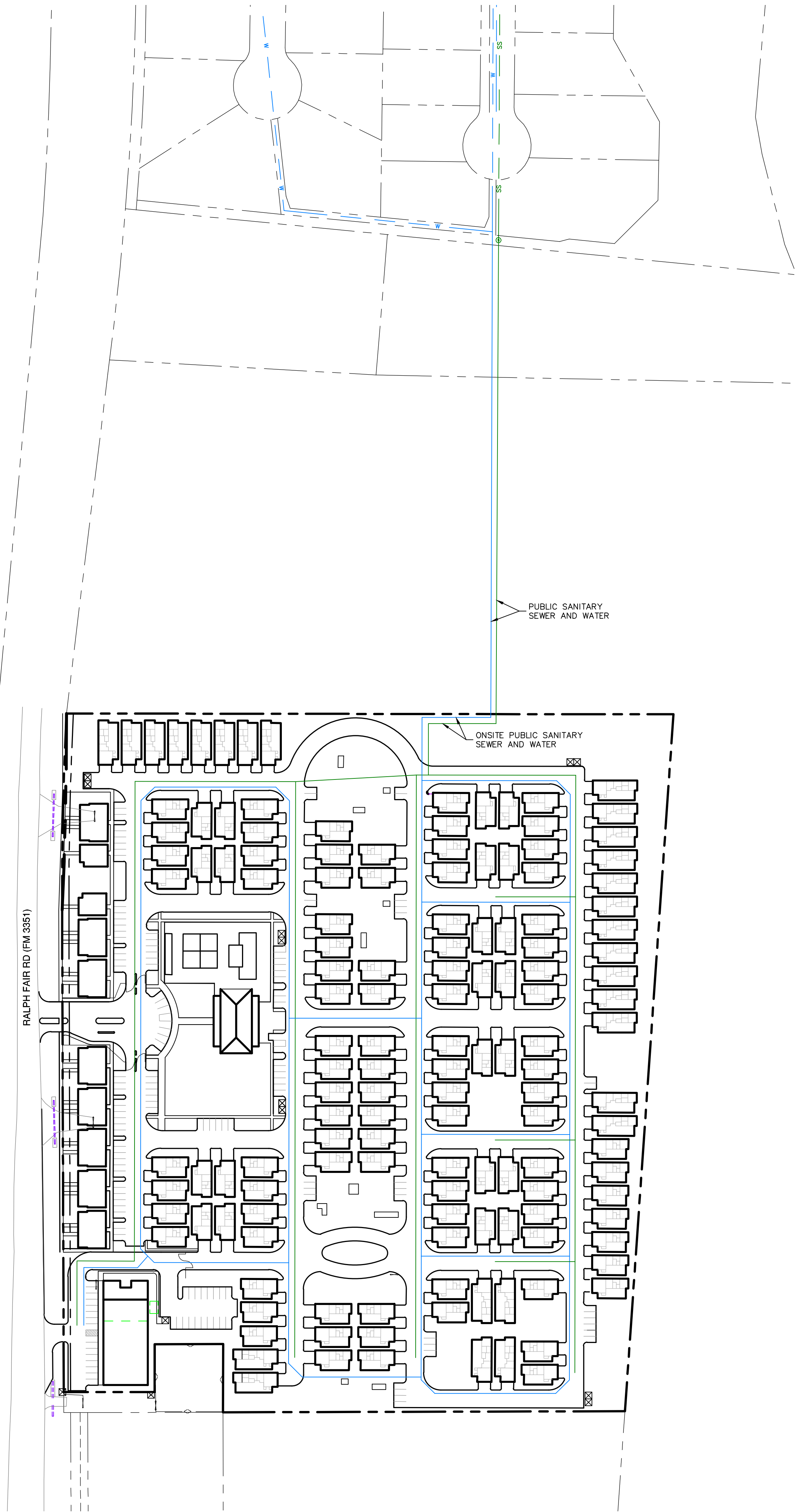
 PROPERTY LINE
 DETENTION POND

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

PLAT NO. N/A
JOB NO. 12973--00
DATE JANUARY 2023
DESIGNER AA
CHECKED EK DRAWN AA
SHEET 1 OF 3

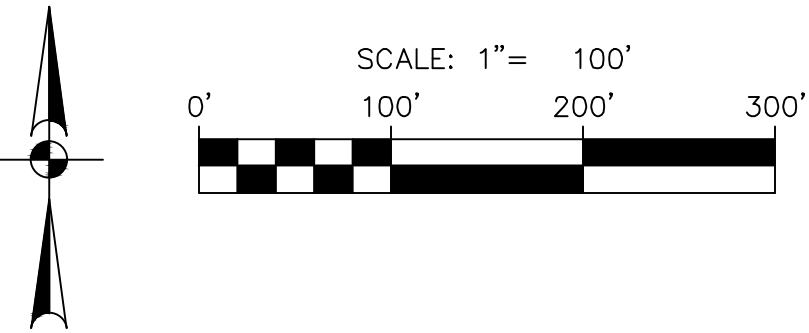
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File: P:\23\2300\Design\Exhibits\230227_Overall_Station.dwg

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LOCATION MAP

NOT-TO-SCALE



LEGEND

- PROPERTY LINE
- PROPOSED 8" FIRE/WATER LINE
- EXISTING 8" WATER LINE
- PROPOSED 8" SEWER LINE
- EXISTING 8" SEWER LINE

*ON-SITE UTILITIES TO BE PRIVATE

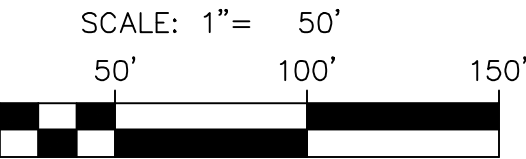
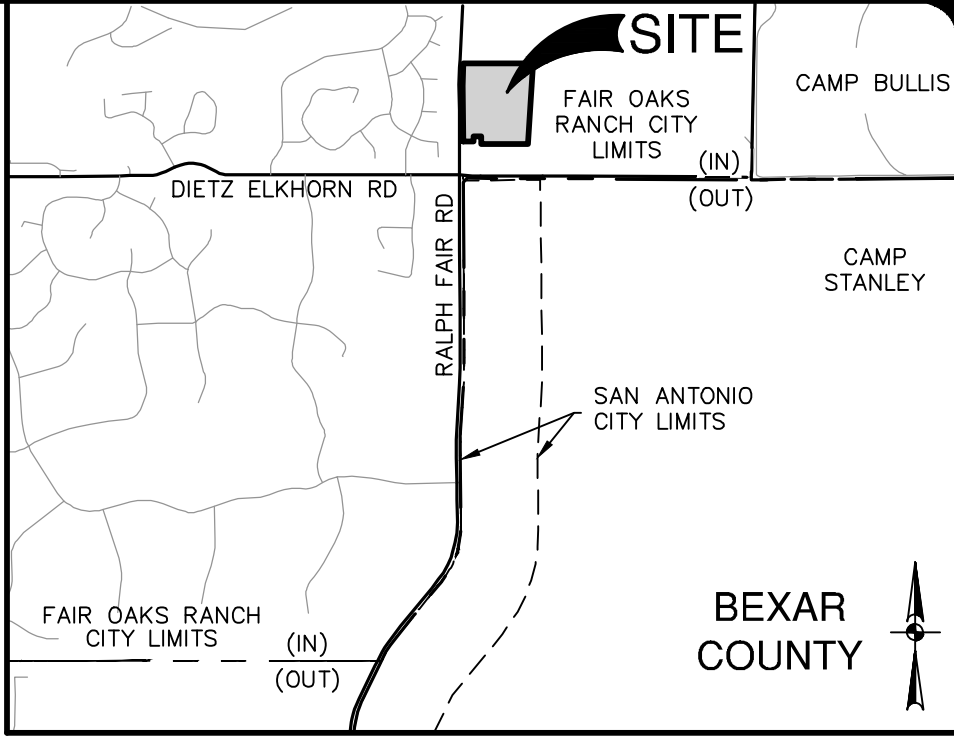
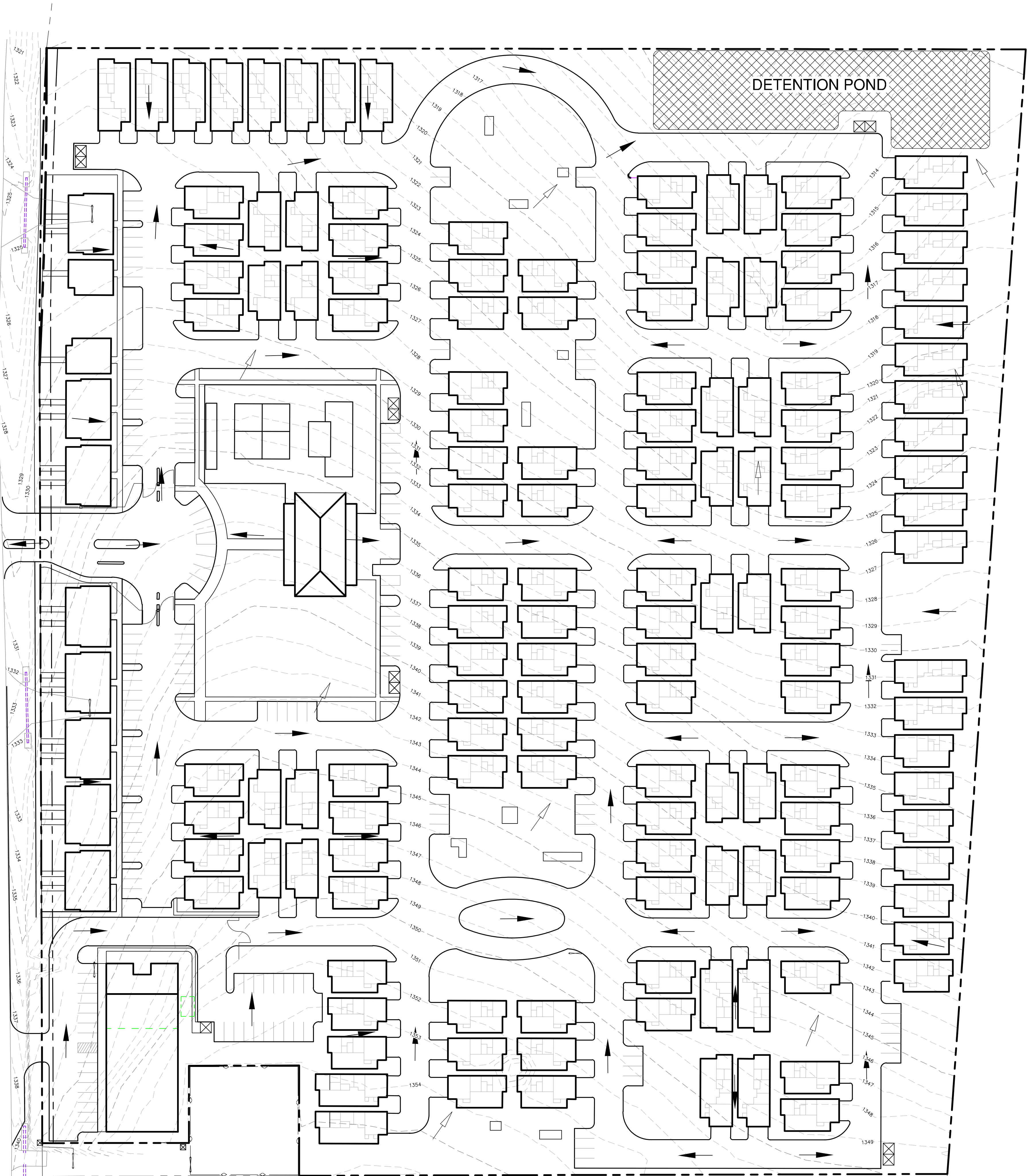
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PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

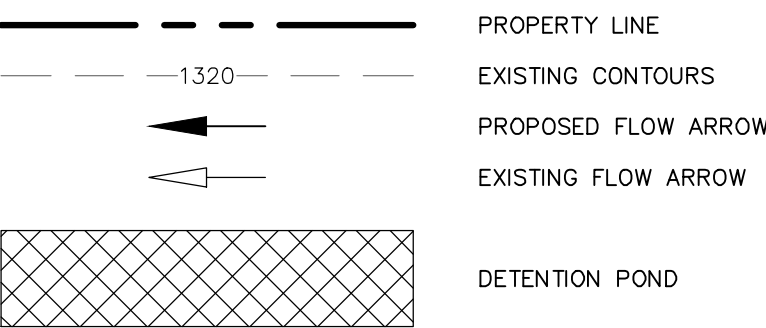
FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS
OVERALL UTILITY EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	2 OF 3

RALPH FAIR RD (FM 3351)



LEGEND



Precipitation		Area		PA1		Peak Flow (cfs)		
Watershed	Area (ac)	CN (unitless)	Tc (min)	5	25	100	5	25
Existing Conditions								
Existing Overall Watershed	21.944	77.00	24	64.88	130.12	206.06		
Proposed Conditions								
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03	222.01		

- 1 Watershed from watershed tab
- 2 Area from watershed tab
- 3 CN from coefficient tab
- 4 Tc from time of concentration tab
- 6 Peak Flow determined utilizing the unit hydrograph method

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

GRADING AND DRAINAGE EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK
DRAWN	AA
SHEET	3 OF 3

RESIDENTIAL UNIT TABULATIONS

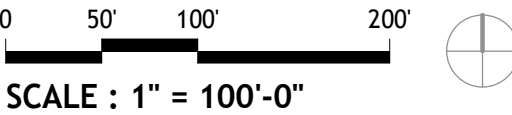
UNIT TYPES	NO. OF BLDGS	UNITS PER BLDG	TOTAL UNITS	NET UNIT AREA	GROSS UNIT AREA	TOTAL GROSS AREA
ONE-STORY, ONE BEDROOM UNITS	100	1	100	963 SF	1,360 SF	136,000 SF
ONE-STORY, TWO BEDROOM UNITS	27	1	27	1,312 SF	1,709 SF	46, 143 SF
TWO-STORY, DUPLEX (D) ONE BEDROOM UNITS	14	2	28	946 SF	1,249 SF	34,972 SF
TWO-STORY, TWO BEDROOM QUADPLEX (B) UNITS	8	4	32	1,009 SF	1,114 SF	35,648 SF
TWO-STORY, TWO BEDROOM QUADPLEX (A) UNITS	2	2	4	1,009 SF	1,167 SF	4,668 SF
TOTALS			191			257, 431 SF
AMENITY CENTER					5,480 SF	

PARKING TABULATIONS

UNIT TYPE	DESCRIPTION	NO. OF BLDGS	UNITS	TOTAL UNITS	# BRs	REQ'D PARKING
A	TWO-STORY, 2-BR DUPLEX	2	2	4	8	6
B	TWO-STORY, 2-BR QUADPLEX	8	4	32	64	48
D	TWO-STORY, 1-BR DUPLEX	14	2	28	28	42
1	ONE-STORY, 1-BR	100	1	100	100	150
2	ONE-STORY, 2-BR	27	1	27	54	41
TOTALS		151		191	254	287

PARKING	PROVIDED
GARAGE SPACES	288
SURFACE (RESIDENT)	72
SURFACE (VISITOR)	48
SURFACE (RETAIL/RESTAURANTS)	34
TOTALS	442

Attachment 2





HERITAGE TREES AT FAIR OAKS

#	Species	DBH	Condition	Status
886	Live Oak	28	Fair	Maintain
879	Live Oak	28.5	Fair	Maintain
881	Live Oak	29	Fair	Maintain
5149	Live Oak	29	Fair	Maintain
887	Live Oak	29.5	Fair	Maintain
878	Live Oak	31	Fair	Maintain
888	Live Oak	31	Fair	Maintain
873	Live Oak	31.5	Fair	Maintain
885	Live Oak	28.5	Good	Maintain
889	Live Oak	29	Poor	Maintain
884	Live Oak	30	Poor	Remove
874	Live Oak	31.5	Poor	Remove
875	Live Oak	35	Poor	Remove
876	Live Oak	40	Poor	Remove
880	Live Oak	34	Very Poor	Remove

- 0000 EXISTING TREE - MAINTAIN
- 0000 EXISTING TREE - REMOVE
- 28" TREE
FAIR OR GOOD CONDITION(9)
MAINTAIN: 9 (100%)
- 28" TREE
FAIR OR GOOD CONDITION(5)
MAINTAIN: 1 (20%)
- 28" TREE
FAIR OR GOOD CONDITION(1)
MAINTAIN: 0 (0%)

SIGNIFICANT TREES TO MAINTAIN: 81 OF 386 (21%)
CALCULATION : 5,266" - 1,197.5" = 4068.5"
(EXISTING) (MAINTAINING) (REMOVING)

TREE LEGEND:

QUANTITY	SAVED TREES
10	HERITAGE TREES
81	SIGNIFICANT TREES
12	NON-PROTECTED TREES
104	TOTAL TREES SAVED

SIGNIFICANT TREES: (FAIR, GOOD, POOR, VERY POOR)
GOOD: 16 TREES - 269.5"
FAIR: 370 TREES - 4,996.5"
POOR: 81 TREES - 1,245"
VERY POOR: 13 TREES - 221.5"
TOTAL: 480 TREES - 6,732.5"

TREES IN GOOD/FAIR CONDITION:
GOOD: 16 TREES - 269.5"
FAIR: 370 TREES - 4,996.5"
TOTAL: 386 TREES - 5,266"

TREES TO MAINTAIN IN GOOD/FAIR CONDICTION
GOOD: 5 TREES - 96.5"
FAIR: 76 TREES - 1,101"
TOTAL: 81 TREES - 1,197.5"

TREE ANALYSIS AND OVERLAY PLAN



- c. A Special Use Permit (S) is allowed **only if approved by City Council** in accordance the standards found in Section 3.7.
- d. Not Permitted (NP)
- (2) For uses not listed, the City Manager shall use the descriptions found in Appendix B: Definitions to determine how an unlisted use should be treated. The City Manager shall produce an administrative policy for addressing unlisted uses, consistent with all other provisions of this UDC, either allowing for administrative decisions by the City Manager or requiring legislative action by the City Council, or a combination of both the above, depending on the circumstance.

Table 4.2: Use Table

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Retail Sales or Service <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales)	P/C	NP	NP	NP	NP	NP	NP	NP
Bars	S	S	NP	NP	NP	NP	NP	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u>	P	P	NP	P	NP	NP	NP	NP
Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)	P	P	NP	P	NP	NP	NP	NP
Entertainment, theater, cinema, or music venue	P/C	NP	NP	P/C	NP	NP	NP	NP
Sexually Oriented Business	NP	NP	NP	P	NP	NP	NP	NP
Commercial/ Office <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Commercial/ Office <u>with drive through facility</u>	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service	P	NP	NP	P	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	NP	NP	NP	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Business associations and professional membership organizations	P	P	P	P	NP	NP	NP	NP
Childcare, day care, and preschools	P/C	P/C	P/C	NP	NP	NP	NP	NP
Family home child care	P/C	P/C	P/C	NP	S	S	S	NP
Schools, libraries, and community/civic facilities	P	NP	P	NP	NP	NP	NP	NP
Religious Institutions	NP	NP	P	P	NP	NP	NP	NP
Universities and Colleges and Technical, trade, and specialty schools	P	NP	P	P	NP	NP	NP	NP
Hospitals and nursing establishments	P	NP	P	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	NP	NP	NP	NP
Transitional Housing	S	S	S	S	S	S	S	NP
Community or Group Homes	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Funeral homes	P/C	NP	NP	NP	NP	NP	NP	NP
Single Family Residential	P	NP	P	NP	P	P	P	NP
Accessory Building Residential Unit (Garage Apt.)	P	P	P	P	P	P	P	NP
Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)	P	P	P	P	P/C	NP	NP	NP
Multi-family Residential	P	NP	NP	NP	NP	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	NP
Manufactured Housing	NP	NP	NP	P/C	NP	NP	NP	NP
Auto and Vehicle Related Sales and Service Establishment	NP	NP	NP	P/C	NP	NP	NP	NP
Brewery, Distillery, or Winery	NP	NP	NP	P	NP	NP	NP	NP
Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)	P	NP	NP	P	NP	NP	NP	NP
Commercial food, textile and product manufacturing	NP	NP	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	NP	NP	NP	P	NP	NP	NP	NP
Warehouse and Self-Storage	NP	NP	NP	P/C	NP	NP	NP	NP
Climate Controlled Self-Storage	P/C	NP	NP	P/C	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	S	S	S	S	S	S	S	NP
Utility Facilities (electric, natural gas, alternative)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Hotel (45 or fewer rooms)	P	NP	NP	NP	NP	NP	NP	NP
Hotels (more than 45 rooms)	P	NP	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer guest rooms)	P	P/C	P	P/C	P/C	P/C	P/C	NP
Parking, structured	P	NP	NP	NP	NP	NP	NP	NP
Veterinary Services	P	NP	NP	P	NP	NP	NP	NP
Commercial Stables/Boarding	NP	NP	S	S	S	S	S	NP

¹ Open Spaces are reserved for active or passive recreation, and for the preservation of land in its natural state. Building on, or modification of, land in Open Space districts is generally prohibited except where incidental to a larger purpose of preserving and enhancing Open Space areas; or, where necessary for public health and safety purposes. The only exception is the category in Table 4.2 described as “Parks, greens, plazas, squares, and playgrounds.” These uses are allowed in Open Space districts, provided that vertical construction is kept to a minimum and, in the opinion of the City Manager, the primary purpose of the land use is not to provide for activity intended for other districts nor to otherwise circumvent this provision and the intent of this zoning UDC and the Comprehensive Plan of Fair Oaks Ranch.

Section 4.10 Conditional Uses

(1) Retail Sales or Service with Drive Through Facility

Retail Service with drive through facility will be governed by design guidelines promulgated by the City or by a design UDC. Until such guidelines are adopted, an applicant will develop plans consistent with the comprehensive plan and submit them to the City for approval by the City Manager (or designee), with appeal to the Zoning Board of Adjustment.



PLANNING AND ZONING COMMISSION CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 13, 2023

AGENDA TOPIC: Request of extension of time for consideration and possible action regarding the approval of a Preliminary Plat request from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road

MEETING DATE: April 13, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

REQUEST:

The applicant has requested an extension of time. Prior to approval of a Preliminary Plat the following approvals are required:

- a. Concept Plan approval – An amended Concept Plan has been submitted for review and the current Preliminary Plat submittal does not reflect the amended Concept Plan that is under review. The staff comments will be finalized once the revised Concept Plan is approved.
- b. Heritage Plan - The applicant seeking an extension on the Heritage Plan, that is under review.

If the extension is approved, no action is needed on the next item on the agenda.

SUMMARY:

The applicant is proposing a multi-unit rental residential community development consisting of one and two bedrooms units, duplexes, and quadplexes. The total number of units proposed is 207 units as per the Concept Plan. As per the Unified Development Code (UDC) Sec. 3.8 (3), a Concept Plan is required to be approved prior to the approval of the Preliminary Plat for this development since it will require off-site roadway, drainage, and utility connections or improvements that will have a substantial impact or effect on other properties or developments.

The subject tract is zoned Mixed Use Village District (MU) and the current UDC allows the entire tract to be developed as multi-family residential use, as proposed.

The 19.8-acre parcel is currently vacant and undeveloped.

APPROVAL PROCESS:

The Unified Development Code requires the following approvals for this proposed development in the Mixed Use District (MU).

1. Approval of a Concept Plan – P & Z recommendation and City Council action
2. Approval of a Heritage Plan – P & Z recommendation and City Council action
3. Approval of a Preliminary Plat in compliance with the Concept Plan – P&Z recommendation and City Council action
4. Approval of public improvements – Staff
5. Approval of a Final Plat – P & Z recommendation and City Council action
6. Approval of building permits – Staff

PLANNING AND ZONING COMMISSION MEETING OF MARCH 9, 2023:

The Concept Plan was considered by the Planning and Zoning Commission (P & Z) meeting of March 9, 2023.

At the meeting citizens voiced concerns regarding this development with 207 units. Their concerns included the detrimental effect of the increased density on the police department, schools, traffic, “dark skies”, Camp Bullis, trees, water, property values, and small community feel. They also expressed their preference for ownership versus rental units.

The P & Z concerns included lack of ownership options, golf cart circulation, connectivity to surroundings; impact of traffic on surrounding streets and uses (including a school); and adequacy of utilities. The P & Z encouraged the applicant to comply with the Comprehensive Plan’s vision for the Mixed Use district by incorporating a mix of uses and a “village” design concept.

The applicant requested an extension of time to modify the layout to address the items discussed at the meeting. The P & Z approved the extension of time at their meeting of March 9, 2023 and this request has been placed on the City Council agenda of April 6, 2023 for their consideration. An update will be provided regarding the City Council action at this meeting. The P & Z will consider the Concept Plan at this meeting (April 13, 2023).

POLICY ANALYSIS:

The City of Fair Oaks Ranch’s current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

LEGAL ANALYSIS:

Sec. 212.009 (b-2) of the Texas Local Government Code sets the following guidelines for approval of a plat.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve,

approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

Additionally, the code allows for **extension of time** as follows:

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

- (1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and*
- (2) the municipal authority or governing body, as applicable, approves the extension request.*

RECOMMENDED MOTION/ PROPOSED MOTION:

Staff recommends approval of the extension of time.

Motion: I move to recommend approval of the extension of time request for the Preliminary Plat from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica.

Attachments:

1. Time Extension Request

March 16, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

To whom it may concern:

Please consider this a letter of extension to plat the above referenced development. We are formally requesting a 30 day extension of the Botanica Fair Oaks Plat.

The property is located east of Ralph Fair Road between Dietz Elkhorn Road and Arbor Falls. The site will be platted as one lot within the Fair Oaks Multifamily Plat. The new development's specific land uses will be determined as the planning process proceeds, but initial concept plans are proposing a multifamily development.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape Dawson Engineers, Inc.



Andrew Belton, P.E.
Associate Vice President

Attachments

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PLANNING AND ZONING COMMISSION CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 13, 2023

AGENDA TOPIC: Consideration and possible action recommending the approval of Preliminary Plat request from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica. Generally located north-east of the intersection of Dietz Elkhorn Road Ralph Fair Road

MEETING DATE: April 13, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

REQUEST:

The applicant has requested an extension of time as they are seeking approval on the revised Concept Plan that incorporated retail and restaurant components at the south-west corner of the subject parcel. The current plat submittal does not reflect these changes. The staff comments will be finalized once the revised Concept Plan is approved.

Prior to approval of a Preliminary Plat the following approvals are required:

- a. Concept Plan approval – An amended Concept Plan has been submitted for review and the current Preliminary Plat submittal does not reflect the amended Concept Plan that is under review. The staff comments will be finalized once the revised Concept Plan is approved.
- b. Heritage Plan - The applicant seeking an extension on the Heritage Plan, that is under review.

SUMMARY:

The applicant is proposing a multi-unit rental residential community development consisting of one and two bedrooms units, duplexes, and quadplexes. The total number of units proposed is 207 units as per the Concept Plan. As per the Unified Development Code (UDC) Sec. 3.8 (3), a Concept Plan is required to be approved prior to the approval of the Preliminary Plat for this development since it will require off-site roadway, drainage, and utility connections or improvements that will have a substantial impact or effect on other properties or developments.

The subject tract is zoned Mixed Use Village District (MU) and the current UDC allows the entire tract to be developed as multi-family residential use, as proposed.

The 19.8-acre parcel is currently vacant and undeveloped.

APPROVAL PROCESS:

The Unified Development Code requires the following approvals for this proposed development in the Mixed Use District (MU).

1. Approval of a Concept Plan – P & Z recommendation and City Council action
2. Approval of a Heritage Plan – P & Z recommendation and City Council action
3. Approval of a Preliminary Plat in compliance with the Concept Plan – P&Z recommendation and City Council action
4. Approval of public improvements – Staff
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PLANNING AND ZONING COMMISSION MEETING OF MARCH 9, 2023:

The Concept Plan was considered by the Planning and Zoning Commission (P & Z) meeting of March 9, 2023.

At the meeting citizens voiced concerns regarding this development with 207 units. Their concerns included the detrimental effect of the increased density on the police department, schools, traffic, “dark skies”, Camp Bullis, trees, water, property values, and small community feel. They also expressed their preference for ownership versus rental units.

The P & Z concerns included lack of ownership options, golf cart circulation, connectivity to surroundings; impact of traffic on surrounding streets and uses (including a school); and adequacy of utilities. The P & Z encouraged the applicant to comply with the Comprehensive Plan’s vision for the Mixed Use district by incorporating a mix of uses and a “village” design concept.

The applicant requested an extension of time to modify the layout to address the items discussed at the meeting. The P & Z recommended approval of the extension of time at their meeting of March 9, 2023 and the City Council approved the extension on April 6, 2023. The P & Z will consider the revised Concept Plan at the April 13, 2023 meeting.

POLICY ANALYSIS:

The City of Fair Oaks Ranch’s current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

LEGAL ANALYSIS:

Sec. 212.009 (b-2) of the Texas Local Government Code sets the following guidelines for approval of a plat.

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or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

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(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

RECOMMENDED MOTION/ PROPOSED MOTION:

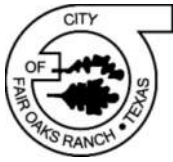
Staff recommends denial of this Preliminary Plat due to the following reasons:

1. Heritage Plan is not approved.
2. The Concept Plan is not approved, and the Plat does not match the revised Concept Plan.

Motion: I move to recommend denial/approval with conditions of the Preliminary Plat request from the applicant UGro-P6 Botanica Fair Oaks LLC on behalf of the property owners Brenda Minahan and Mark Minahan for a proposed multi-unit residential community on approximately 19.8 acres zoned Mixed Use Village District (MU) known as Botanica.

Attachments:

1. Preliminary Plat Submittal
2. Time Extension Request



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: **BOTANICA FAIR OAKS** Acreage: **19.799**
 Brief Description of Project: **LUXURY BUILD TO RENT COMMUNITY**
 Is property platted? ☒ No ☐ Yes Subdivision name: **TBD (PLATTING)** No. of Lots: **N/A**
 Recordation #: **TBD (PLATTING)** Parcel(s) Tax ID#: **PROP ID - 1049681 (BEXAR CO.)**
 Existing Use: **RANGE NATIVE PASTURE** Proposed Use: **MULTI-UNIT RESIDENTIAL COMMUNITY**
 Current Zoning: **MIXED USE VILLAGE** Proposed Zoning: **NO CHANGE**
 Occupancy Type: **R-2** Sq. Ft: **1,048** Bed #: **1 & 2** Bath #: **1 & 2** Car Garage #: **2**
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: **Mark & Brenda Minahan** Contact Name:
 Address: City/State/ZIP:
 Phone: Email:

APPLICANT INFORMATION

Applicant/Developer: **UGro-P6 Botanica Fair Oaks LLC** Contact Name: **Jonathan Bursey**
 Address: **5851 San Felipe, Suite 230** City/State/ZIP: **Houston, TX 77057**
 Phone: **310.871.9027** Email: **jon@urbanistusa.com**

KEY CONTACT INFORMATION

Name of the Individual: **Andrew Belton, P.E.** Contact Name:
 Address: City/State/ZIP:
 Phone: **210-375-9000** E-mail: **EKatzfey@pape-dawson.com**

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Jonathan Bursey

Signature:  Date: 2/1/2023

(Signed letter of authorization required if the application is signed by someone other than the property owner)

ATTACHED

*****OFFICE USE ONLY*****

DATE REC'D: _____ BY: _____

FEES PAID: _____ APPROVED BY: _____

DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☐ Rezoning/ FLUM amendment* - Form S2
- ☐ Special Use Permit* - Form S3
- ☐ Planned Unit Development (PUD)* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
- ☒ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☐ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit* - Form S14
- ☐ Special Exception* - Form S15
- ☐ Site Development Permit* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit* - Form S17
- ☐ Stormwater Permit* - Form S18
- ☐ Certificate of Design Compliance* - Form S19

Appeal of an Administrative Decision

- ☐ Zoning ☐ Others

Variance

- ☐ Policy ☐ Judicial* - Form S20

☐ Sign Special Exception/Appeal to an Administrative Decision☐ Administrative Exception☐ Permit for Repair of Non-Conforming Use/Building☐ Letter of Regulatory Compliance☐ On-Site Sewage Facility Permit (OSSF)☐ Certificate of Occupancy (CO)* - Form S21☐ Relief from Signage Regulations☐ Group Living Operation License* - Form S22☐ Grading/Clearance Permit - Form S23**Building Permits Related****Commercial**

- ☐ New/Remodel/Addition* - Form S24
- ☐ Fence* - Form S25
- ☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
- ☐ Remodel/Addition* - Form S28
- ☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
- ☐ Swimming Pool* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign* (Permanent) - Form S34 A
- ☐ Sign* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan* - Form S35
- ☐ Water Heater or Water Softener* - Form S36
- ☐ Right-of-Way Construction* - Form S37
- ☐ Flatwork* - Form S38

Inspections

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others _____

Water- Wastewater Service

- ☐ Connect/ Disconnect Form* - Form S39

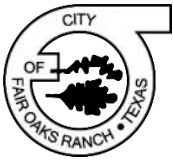
*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees.
- ☒ Letter of intent explaining the request in detail and reason for the request.
- ☐ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☒ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☐ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

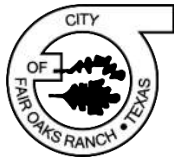
¹For items that are duplicated in the specific type of application, only one copy is required.

**S10****SPECIFIC APPLICATION FORM - PRELIMINARY PLAT**

Section 3.8 (4) of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ A completed Universal Development Application and checklist signed by the owner/s of the property.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ An accurate metes and bounds description of the subject property (or other suitable legal description).
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Tax certificate/s showing that all taxes owing to the State, County, School District, City and/or any other political subdivision have been paid in full to date.
- ☒ Pre-Application Conference prior to application submittal.
- ☒ Approved copy of a Concept Plan or other approved plats, if applicable.
- ☒ Concept plan approval (if required).
- ☒ A title report.
- ☐ Three (3) copies (full size) of complete sets of construction plans (plan views) to be submitted after Preliminary Plat approval and prior to submittal of a Final Plat application.
- ☒ One (1) copy (11x17) of proposed plat.
- ☐ One (1) copy (11x17) of all existing recorded plats pertaining to the preliminary plat.
- ☒ Basic engineering information, if deemed necessary by the City.
- ☒ Letter of Certification from each utility provider servicing this area (CPS, PEC, SAWS, Time Warner, Grey Forest, GBRA, Spectrum, etc.) or proof that these have been requested.
- ☐ Letter from USPS and other service providers to ensure the name of the proposed subdivision and streets, or any of the physical features, (such as streets, parks, etc.) must not be so similar to the names of any similar features in the county or in any incorporated town or city therein. Streets, which are a continuation of any existing street, shall take the name of the existing street.
- ☒ Drainage/Stormwater plan, if any grade changes.



City of Fair Oaks Ranch

Item #9.

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

- ☒ Tree Plan designating all trees proposed for removal or preservation and describing the measures proposed to protect remaining trees during development as per Unified Development Code Section 8.8. Tree Plan needs to be approved prior to Preliminary Plat approval.
- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email.
- ☒ Acknowledgement that the applicant or representative will attend all Planning and Zoning Commission, City Council and applicable meetings where this request is discussed.

Additional Requirements. The City Manager (or designee) may, from time to time, identify additional requirements for a complete application that are not contained within but are consistent with the application contents and standards set forth in the UDC and state statutes.



February 20, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

To whom it may concern:

Please consider this a letter of intent to plat the above referenced development.

The property is located east of Ralph Fair Road between Dietz Elkhorn Road and Arbor Falls. The site will be platted as one lot within the Fair Oaks Multifamily Plat. The new development's specific land uses will be determined as the planning process proceeds, but initial concept plans are proposing a multifamily development.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.

A handwritten signature in blue ink, appearing to read 'Andrew Belton', written over a light blue circular stamp.

Andrew Belton, P.E.
Associate Vice President

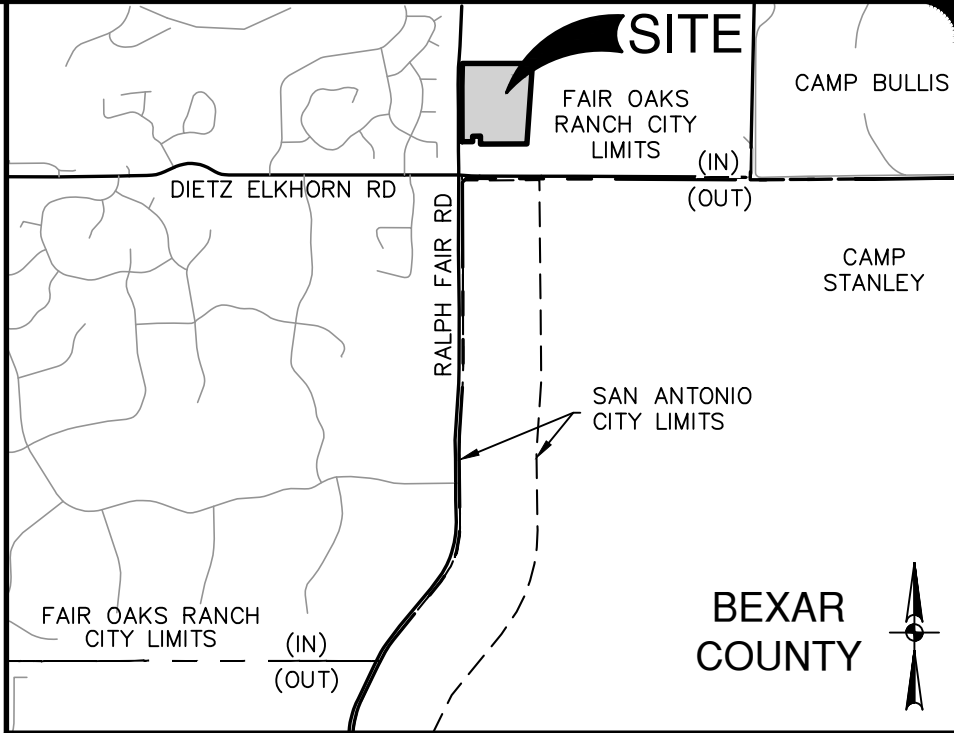
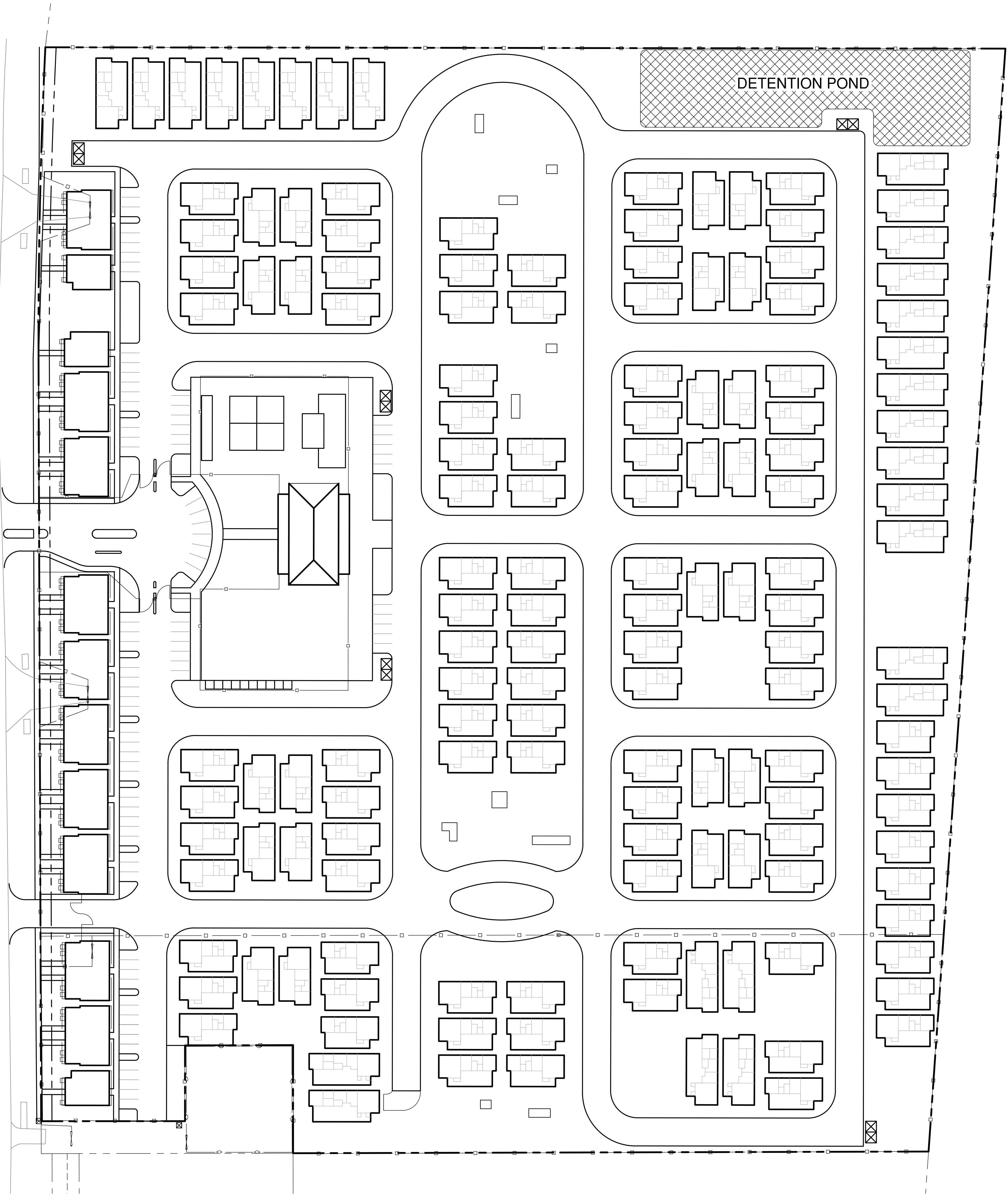
Attachments

P:\129\73\00\Word\Letters\230220_Letter of Intent Plat.doc

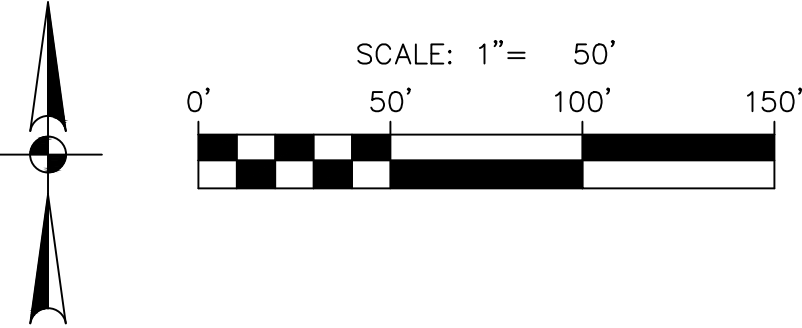
Date: Jan 31, 2023, 5:03am User ID: ccs@wright
File: P:\123\123\00\Design\Exhibits\230227_Overall_Siteplan.dwg

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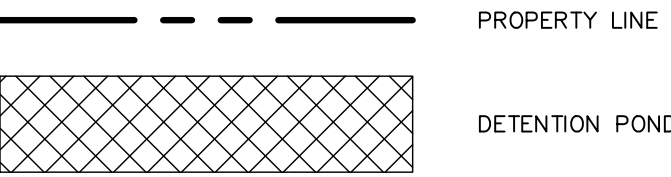
RALPH FAIR RD (FM 3351)



LOCATION MAP
NOT-TO-SCALE



LEGEND



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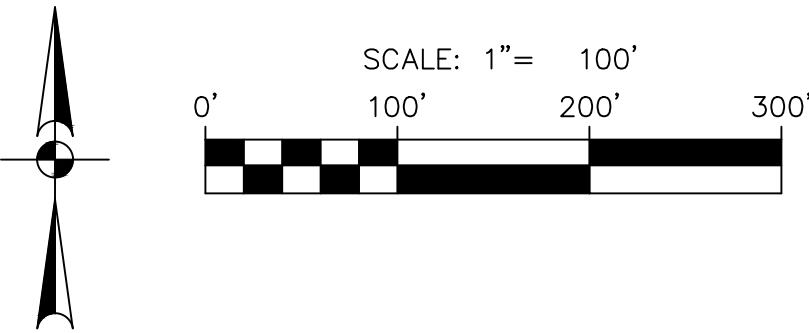
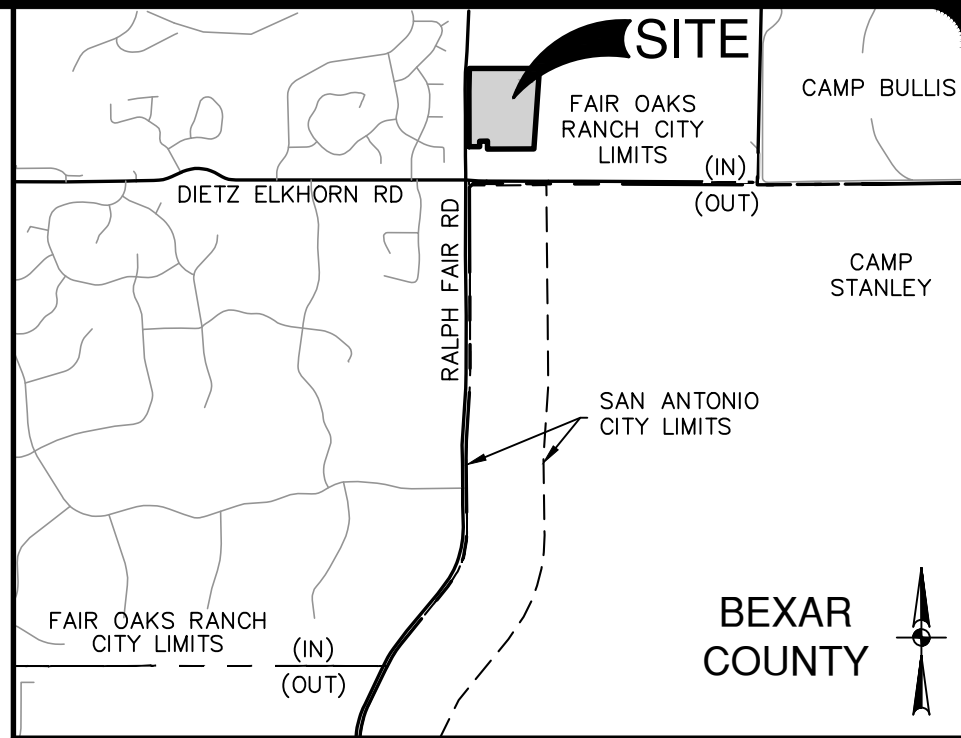
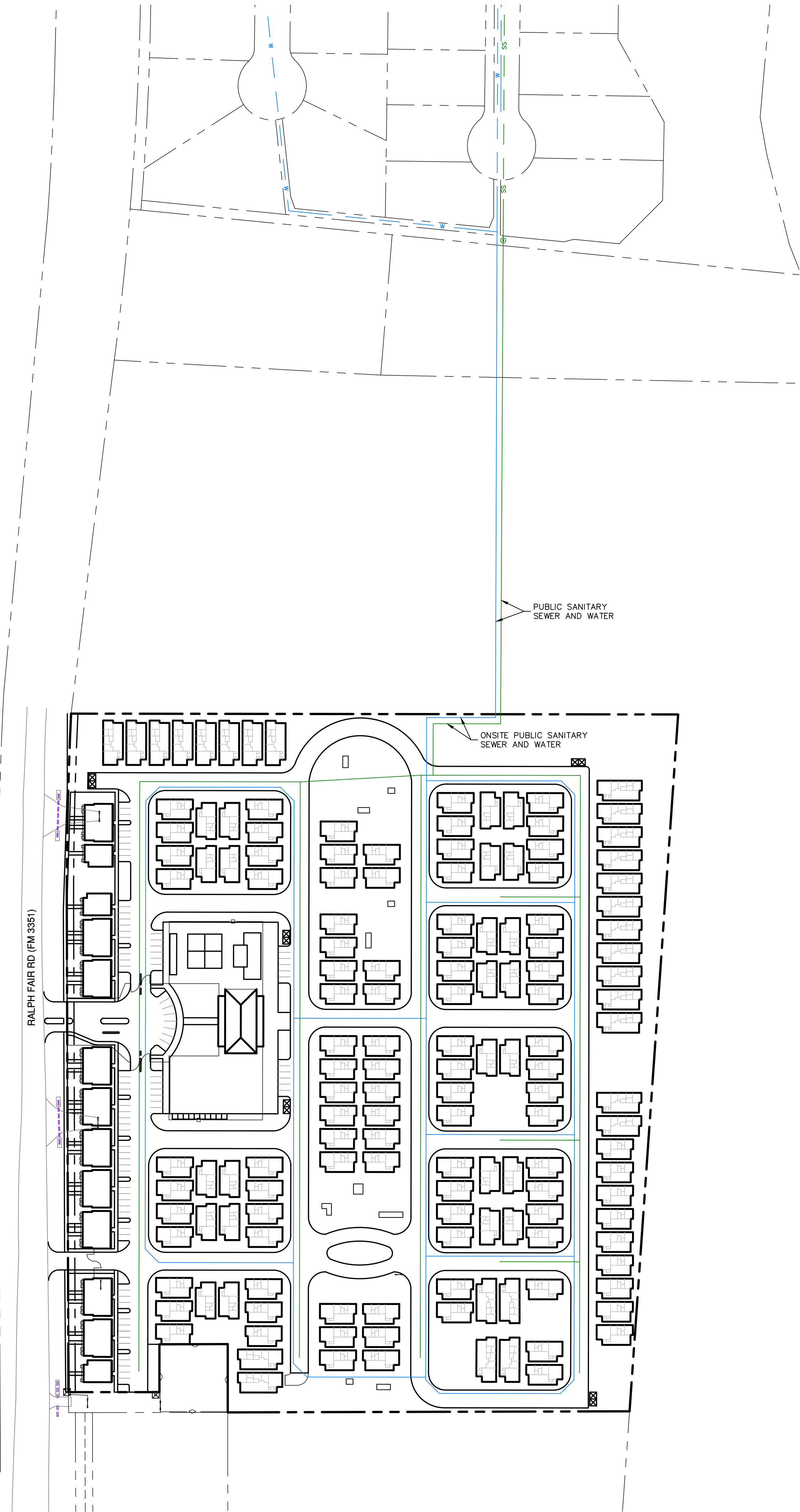
PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS
OVERALL SITE PLAN

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	1 OF 3

Dates: Jan 31, 2023, 5:03am User ID: ccs@wrighton
File: P:\123\123\00\Design\Exhibits\230227_Overall_Siteplan.dwg

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LEGEND	
	PROPERTY LINE
	PROPOSED 8" FIRE/WATER LINE
	EXISTING 8" WATER LINE
	PROPOSED 8" SEWER LINE
	EXISTING 8" SEWER LINE
*ON-SITE UTILITIES TO BE PRIVATE	

NO.	REVISION	DATE

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SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

FAIR OAKS MULTIFAMILY

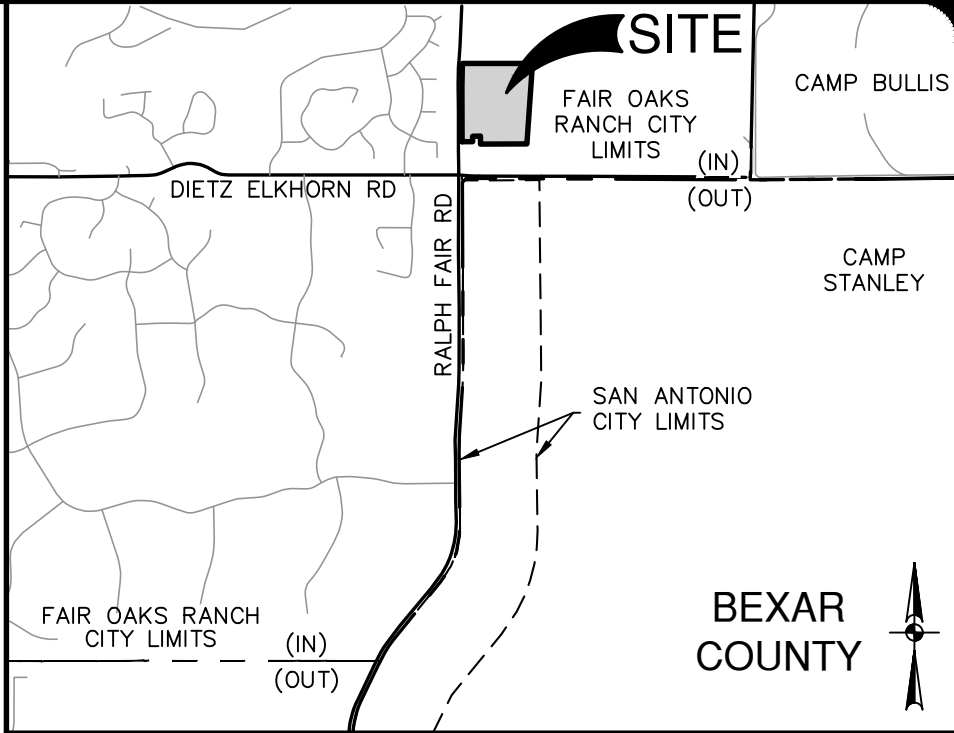
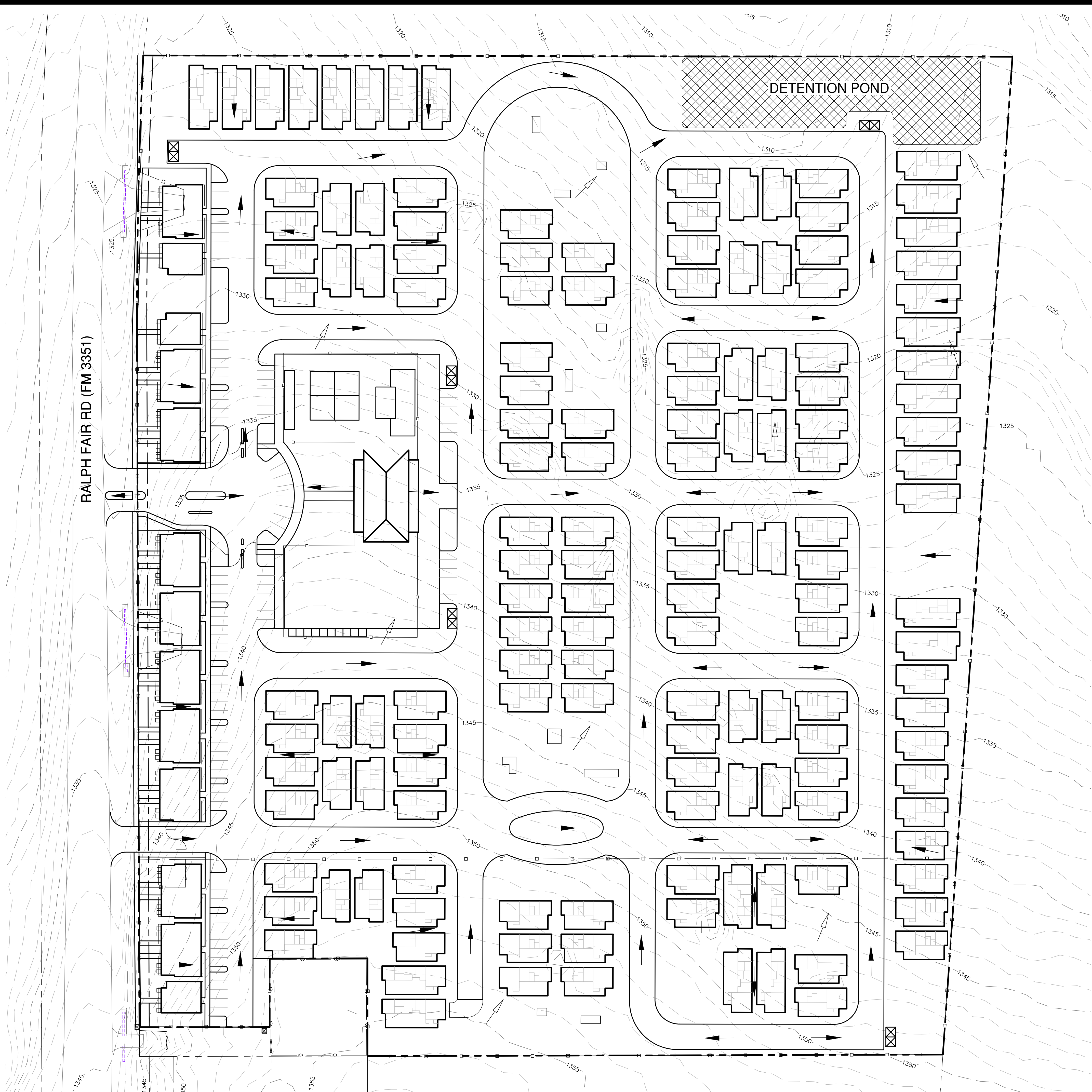
FAIR OAKS RANCH, TEXAS

OVERALL UTILITY EXHIBIT

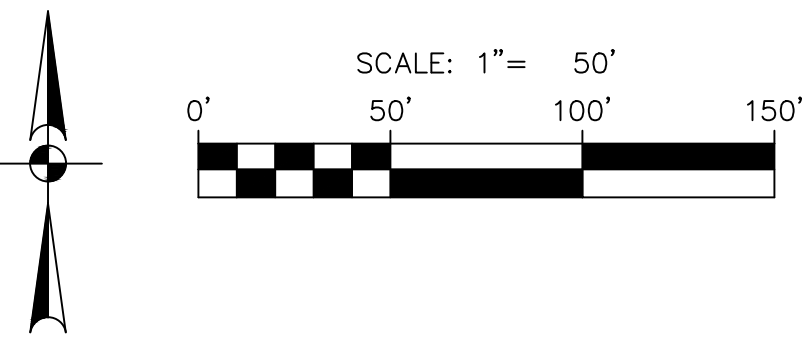
PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	2 OF 3

Date: Jan 31, 2023, 5:03am User ID: ccs@wrighton
File: P:\123\123\00\Design\Exhibits\230227_Overall_Siteplan.dwg

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LOCATION MAP
NOT-TO-SCALE



LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED FLOW ARROW
- EXISTING FLOW ARROW
- DETENTION POND

Precipitation		Area		PA1		Peak Flow (cfs)		
Watershed	Area (ac)	CN (unitless)	Tc (min)	5	25	100	5	25
Existing Conditions								
Existing Overall Watershed	21.944	77.00	24	64.88	130.12	208.06		
Proposed Conditions								
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03	222.01		

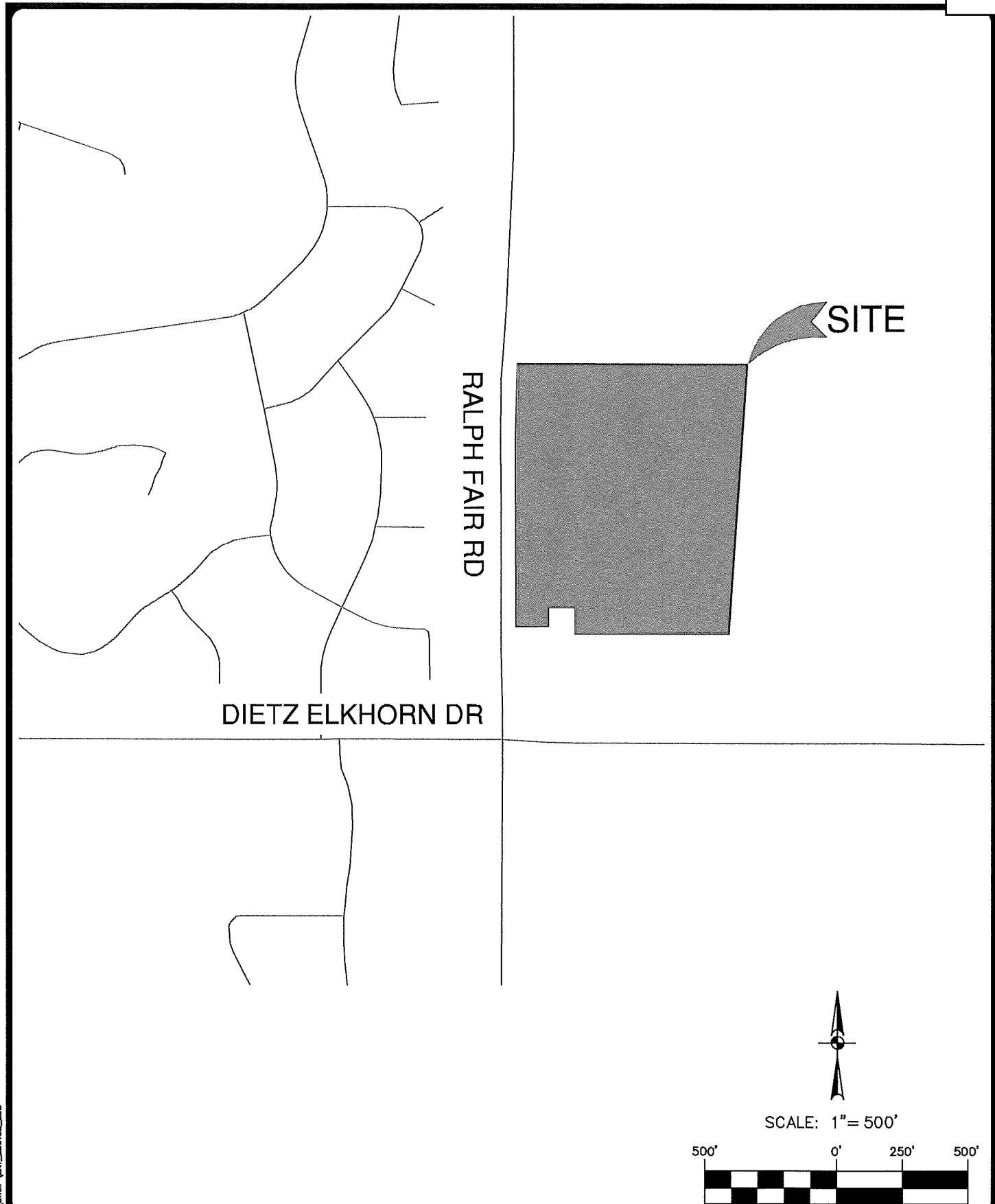
- 1 Watershed from watershed tab
- 2 Area from watershed tab
- 3 CN from coefficient tab
- 4 Tc from time of concentration tab
- 6 Peak Flow determined utilizing the unit hydrograph method

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

GRADING AND DRAINAGE EXHIBIT

PAPE-DAWSON
ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	3 OF 3



JOB NO. 12973-00
 DATE JANUARY
 DESIGNER RH
 CHECKED EK DRAWN RH
 SHEET EXH 1

FAIR OAKS MULTIFAMILY FAIR OAKS RANCH, TEXAS LOCATION MAP

**PAPE-DAWSON
 ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
 2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1002

10-1350

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED WITH VENDOR'S LIEN

Date: November 24, 2010

Grantor: MARIA E. GARZA



Grantor's Mailing Address:

MARIA E. GARZA
1123 Sutton Drive
San Antonio, Texas 78228-4153
Bexar County

Grantee: MARK J. MINAHAN and BRENDA MINAHAN

Grantee's Mailing Address:

MARK J. MINAHAN
P.O. Box 417
Boerne, Texas 78006
Kendall County

BRENDA MINAHAN
P.O. Box 417
Boerne, Texas 78006
Kendall County



Consideration:

Cash and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$350,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Gregory M. Ruhnke, trustee.

Property (including any improvements):

BEING 16.288 acres, more or less, out of M. De La Luz Guerra Survey Number 172, Abstract Number 257, Bexar County, Texas, being more particularly described in Exhibit

"A" attached hereto and made a part hereof.


Reservations and Exceptions to Conveyance and Warranty:

1. Restrictive Covenants as shown in Volume 9133, Page 1073, Official Public Records of Real Property of Bexar County, Texas.
2. Visible and apparent easements on or across property herein described, which do not appear of record.
3. Any portion of subject property lying within the boundaries of a public or private roadway whether dedicated or not.
4. City zoning ordinances and restrictions, if any.
5. Royalty interest in all oil, gas and other minerals recorded in Volume 1097, Page 281, Deed Records, Bexar County, Texas.
6. Any and all unrecorded leases.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

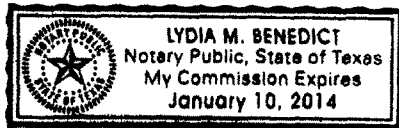
When the context requires, singular nouns and pronouns include the plural.


MARIA E. GARZA

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on November 24, 2010, by
MARIA E. GARZA.



Lydia M. Benedict
Notary Public, State of Texas
My commission expires: 01-10-14

PREPARED IN THE OFFICE OF:

TAYLOR & RUHNKE, P.C.
3392 Hwy 16 South
Bandera, Texas 78003

AFTER RECORDING RETURN TO:

AFTER RECORDING RETURN TO
BANDERA TITLE COMPANY
P.O. BOX 280
BANDERA, TX 78003

**FIELD NOTES
FOR
16.288 ACRES**

BEING 16.288 Acres out of the M. De La Luz Guerra Survey Number 172, Abstract Number 257, C.B. 4741, in Bexar County, Texas, and being part of a 20.139 acre tract of land recorded in Volume 5787, Page 1967 in the Bexar County Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING At a found ½" iron rod with "Pfeiffer Cap" for the southwest corner of this tract and the northwest corner of a 3.5 acre tract as recorded in Volume 12843, Page 2112 of the Public Records of Bexar County, Texas, said point being in the east right-of-way of FM 3351 (Ralph Fair Road);

THENCE North 00° 00' 07" West a distance of 534.59 feet with said right-of-way to a found ½" iron rod with "ACES" Cap for a point of curvature;

THENCE curving to the right with a central angle of 2° 54' 14", a radius of 5679.58, a curve length of 287.86 and a chord bearing and distance of N 01° 18' 06" East a distance of 287.83 feet at a found ½" iron rod with for a point of tangency, the northwest corner of this tract, the southwest corner of a 159.74 acre tract as recorded in Volume 9675, Page 2082 of the Public Records of Bexar County, Texas, and the east line of said FM 3351.

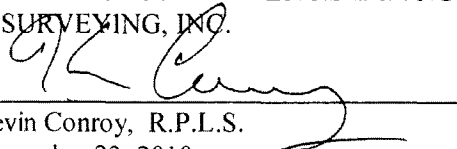
THENCE departing said right-of-way South 89° 42' 11" East a distance of 888.51 feet with the south line of said 159.74 acre tract to a found ½" iron rod for the northeast corner of this tract;

THENCE South 04° 07' 46" West a distance of 820.52 feet with the line of said 159.74 acre tract to a found ½" iron rod with "Pfeiffer Cap" for the southeast corner of this tract and the northeast corner of the aforementioned 3.5 acre tract;

THENCE North 89° 57' 17" West a distance of 835.92 feet with the North line of said 3.5 acre tract to the **POINT OF BEGINNING** and containing 16.288 acres, more or less, in Bexar County, Texas.

Plat of survey provided.

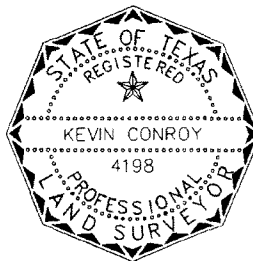
ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.


Kevin Conroy, R.P.L.S.

November 23, 2010

Job # 12780

DOC F/PROJECT/SURVEY/12780/DOC/FN FOR 16.288 AC



Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

DEC 03 2010

Doc# 20100217039 Fees: \$28.00
12/03/2010 4:10PM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

EXHIBIT "A"




COUNTY CLERK BEXAR COUNTY, TEXAS



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: July 21, 2014

Grantor: T & R EAT, LC

Grantor's Mailing Address:

3392 Highway 16 South
Bandera, Texas 78003
Bandera County

Grantee: MARK J. MINAHAN and BRENDA MINAHAN

Grantee's Mailing Address:

P. O. Box 417
Boerne, Texas 78006
Kendall County

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Being 3.5 acres of land, more or less, out of the M. De La Luz Guerra Survey No. 172, Abstract No. 257, County Block 4741 in Bexar County, Texas, being more particularly described on Exhibit "A" attached hereto and made a part hereof.

Reservations and Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not;

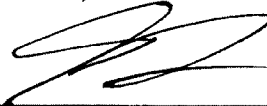
Book 16788 Page 898 3pgs

all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2014, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

T & REAT, LC

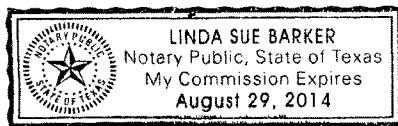



GREGORY M. RUHNKE, President

STATE OF TEXAS §

COUNTY OF BANDERA §

This instrument was acknowledged before me on July 21, 2014 by GREGORY M. RUHNKE, President of T & REAT, LC.




Notary Public, State of Texas
My commission expires: 8/29/2014

PREPARED IN THE OFFICE OF:

TAYLOR & RUHNKE, P.C.
3392 Hwy 16 South
Bandera, Texas 78003

AFTER RECORDING RETURN TO:
AFTER RECORDING RETURN TO
BANDERA TITLE COMPANY
P.O. BOX 230
BANDERA, TX 78003

EXHIBIT 'A'

File No.: **1213155-SA90 (RAD)**
 Property: **Ralph Fair Road, San Antonio, TX 78015**

RECORDER'S MEMORANDUM
 AT THE TIME OF RECORDATION, THIS
 INSTRUMENT WAS FOUND TO BE INADEQUATE
 FOR THE BEST PHOTOGRAPHIC REPRODUCTION
 BECAUSE OF ILLEGIBILITY, CARBON OR
 PHOTO COPY, DISCOLORED PAPER ETC.

FIELDNOTES FOR 3.5 ACRES OF LAND, MORE OR LESS, OUT OF THE M. OE LA LUZ GUERRA SURVEY NUMBER 172, ABSTRACT NUMBER 257, COUNTY BLOCK 4741 IN BEXAR COUNTY, TEXAS, (LOCATIONS AND CONFIGURATIONS OF ANY ORIGINAL PATENTS, ETC. ON OR ADJOINING THIS TRACT ARE APPROXIMATE, SAID PATENTS, ETC. WERE NOT RESEARCHED OR LOCATED ON THE GROUND. PATENT PROBLEMS AND/OR CONFLICTS MAY EXIST.) AND BEING PART OF A 20.139 ACRE TRACT OF LAND CONVEYED TO MARIA E. GARZA RECORDED IN VOLUME 5787, PAGE 1967 IN THE BEXAR COUNTY OFFICIAL PUBLIC RECORDS; SAID 3.5 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL IRON PINS CITED ARE ½" DIAMETER.

REFERENCE IS MADE TO A 12" X 18" PLAT OF 3.5 ACRES DATED DECEMBER 27, 2004 AND APRIL 20, 2005 ACCOMPANYING THESE FIELDNOTES.

BEARING BASE USED: GEOODETIC NORTH DERIVED FROM G.P.S. OBSERVATIONS.

BEGINNING AT A FOUND IRON PIN BY FENCE CORNER ON THE WEST LINE OF A 159.74 ACRE TRACT OF LAND CONVEYED TO THE CORLEY FAMILY, L.L.C. DESCRIBED IN EXHIBIT "A" IN DEED RECORDED IN VOLUME 9675, PAGE 2082 - BEXAR COUNTY OFFICIAL PUBLIC RECORDS FOR THE NORTHEAST CORNER OF THE ADJOINING 4.939 ACRE TRACT OF LAND CONVEYED TO MICHAEL G. CHATELLE, ET UX RECORDED IN VOLUME 4846, PAGE 1787 - BEXAR COUNTY OFFICIAL PUBLIC RECORDS, THE SOUTHEAST CORNER OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE SOUTHERLY LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, NORTH 89° 57' 17" WEST, 587.81 FEET TO A FOUND IRON PIN BY FENCE CORNER FOR THE SOUTHEAST CORNER OF THE ADJOINING 0.321 ACRE TRACT OF LAND CONVEYED TO AMERICAN TOWER, L.P. RECORDED IN VOLUME 9133, PAGE 1068 - BEXAR COUNTY OFFICIAL PUBLIC RECORDS.

THENCE ALONG THE EAST, NORTH AND WEST LINES OF THE ABOVE REFERENCED AMERICAN TOWER 0.321 ACRE TRACT, NORTH 00° 81' 45" EAST, 100.00 FEET TO A FOUND IRON PIN FOR THE NORTHEAST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, NORTH 89° 57' 17" WEST, 100.00 FEET TO A SET IRON PIN WITH CAP FOR THE NORTH NORTHWEST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, SOUTH 00° 08' 45" WEST, 70.00 FEET TO A SET IRON PIN WITH CAP, AND NORTH 89° 57' 17" WEST, 133.24 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF RALPH FAIR ROAD FOR THE WEST NORTHWEST CORNER OF SAID AMERICAN TOWER, 0.321 ACRE TRACT AND SOUTHWEST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF RALPH FAIR ROAD, NORTH 00° 01' 35" WEST, 171.01 FEET TO A SET IRON PIN WITH CAP FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE CROSSING THROUGH THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, SOUTH 89° 57' 17" EAST, 835.78 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF SAID GARZA 20.139 ACRE TRACT AND THE WEST LINE OF THE ABOVE REFERENCED ADJOINING CORLEY FAMILY 159.74 ACRE TRACT FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE WEST LINE OF SAID CORLEY FAMILY 159.74 ACRE TRACT, SOUTH 04° 11' 24" WEST, 201.54 FEET TO THE PLACE OF BEGINNING.

A.P.N. 04741-000-0047

Doc# 2888235124 Fees: \$44.00
 10/30/2008 1:12PM # Pages 8
 Filed & Recorded in the Official Public
 Records of BEXAR COUNTY
 GERARD RICKHOFF COUNTY CLERK

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR
 I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

OCT 30 2008



Gerard Rickhoff
 COUNTY CLERK BEXAR COUNTY, TEXAS



Gerard Rickhoff
 COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20140126167 Fees: \$34.00
 07/28/2014 9:51AM # Pages 3
 Filed & Recorded in the Official
 Public Records of BEXAR COUNTY
 GERARD C. RICKHOFF COUNTY CLERK

JUL 28 2014

1213155-SA90

1 of 1

METES AND BOUNDS DESCRIPTION
FOR

A 19.799 acre, or 862,452 square feet more or less, tract of land comprised of all of the 3.5 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 16788, Page 898 in the Official Public Records of Bexar County, Texas, and all of the 16.288 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 14756, Page 2229 in said Official Public Records, in the Maria De La Luz Guerra Survey No. 172, Abstract No. 257, County Block 4741, in the City of Fair Oaks Ranch, Bexar County, Texas. Said 19.799 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

- BEGINNING:** At a found ½" iron rod on the east right-of-way line of Ralph Fair Road (F.M. 3351), a variable width public right-of-way, at the southwest corner of said 3.5 acre tract and the most westerly northwest corner of the 0.321 acre tract described in Volume 9133, Page 1068 in said Official Public Records;
- THENCE:** N 00°11'48" W, along and with the east right-of-way line of said Ralph Fair Road and a west line of said 3.5 acre tract, at a distance of 170.87 feet passing a found iron rod with cap marked "ACES", at the northwest corner of said 3.5 acre tract and the southwest corner of said 16.288 acre tract, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, a total distance of 705.48 feet to a found mag nail;
- THENCE:** Northeasterly, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, along a tangent curve to the right, said curve having a radius of 5679.58 feet, a central angle of 02°54'18", a chord bearing and distance of N 01°15'21" E, 287.93 feet, for an arc length of 287.96 feet to a point, at the northwest corner of said 16.288 acre tract and the southwest corner of the 159.74 acre tract described in Volume 18763, Page 4 in said Official Public Records, from which a found ½" iron rod bears N 89°55'08" W, a distance of 0.62 feet;
- THENCE:** S 89°55'08" E, departing the east right-of-way line of said Ralph Fair Road, along and with the north line of said 16.288 acre tract and a south line of said 159.74 acre tract, a distance of 888.44 feet to a found ½" iron rod, at the northeast corner of said 16.288 acre tract and an angle point of said 159.74 acre tract;

Job No.:9110-21

16.299 Acres

Page 2 of 2

THENCE: S 03°59'17" W, along and with the east line of said 16.288 acre tract and a west line of said 159.74 acre tract, at a distance of 821.38 feet passing a found iron rod with cap marked "Pfeiffer", at the southeast corner of said 16.288 acre tract and the northeast corner of said 3.5 acre tract, continuing along and with an east line of said 3.5 acre tract and a west line of said 159.74 acre tract, a total distance of 1022.60 feet to a found ½" iron rod, at the southeast corner of said 3.5 acre tract, an angle point of said 159.74 acre tract and the northeast corner of the 4.939 acre tract described in Volume 4846, Page 1787 in said Official Public Records;

THENCE: S 89°50'53" W, along and with a south line of said 3.5 acre tract and the north line of said 4.939 acre tract, a distance of 588.07 feet to a found iron rod with cap marked "Reaves", at an angle point of said 3.5 acre tract, the northwest corner of said 4.939 acre tract, the northeast corner of Lot 1, Block 1, RFR Subdivision recorded in Volume 9532, Page 203 in the Deed and Plat Records of Bexar County, Texas, and the southeast corner of said 0.321 acre tract;

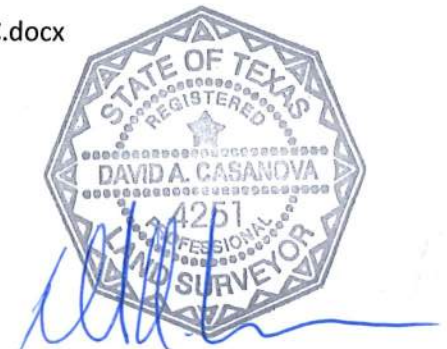
THENCE: N 00°00'27" E, along and with a west line of said 3.5 acre tract and the east line of said 0.321 acre tract, a distance of 100.00 feet to a found iron rod with cap marked "Pfeiffer", at an angle point of said 3.5 acre tract and the northeast corner of said 0.321 acre tract;

THENCE: S 89°48'39" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 100.00 feet to a found ½" iron rod, at an angle point of said 3.5 acre tract and most northerly northwest corner of said 0.321 acre tract;

THENCE: S 00°00'27" W, along and with an east line of said 3.5 acre tract and a west line of said 0.321 acre tract, a distance of 70.00 feet to a found iron rod with cap marked "Pfeiffer";

THENCE: S 89°58'12" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 133.14 feet to the POINT OF BEGINNING and containing 19.799 acres in the City of Fair Oaks Ranch, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9110-21 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: August 23, 2021
JOB NO. 9110-21
DOC. ID. N:\Survey21\21-9100\9110-21\Word\9110-21 FN 19.799 AC.docx



Bexar CAD

Property Search > 1049681 MINAHAN MARK J &
BRENDA for Year 2022

Tax Year: 2022

Property

Account

Property ID:	1049681	Legal Description:	CB 4741 P-4B & P-4E ABS 257
Geographic ID:	04741-000-0046	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	002		
Property Use Description:	Rural		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	RALPH FAIR RD BOERNE, TX 78015	Mapsc0:	414A8
Neighborhood:	IH10/RALPH FAIR (BO)	Map ID:	21022
Neighborhood CD:	21022		

Owner

Name:	MINAHAN MARK J & BRENDA	Owner ID:	2743210
Mailing Address:	PO BOX 417 BOERNE, TX 78006-0417	% Ownership:	100.0000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$1,250,000	\$1,310
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$1,250,000
(-) Ag or Timber Use Value Reduction:	-	\$1,248,690

(=) Appraised Value:	=	\$1,310
(-) HS Cap:	-	\$0

(=) Assessed Value:	=	\$1,310
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Taxing Jurisdiction

Owner: MINAHAN MARK J & BRENDA
 % Ownership: 100.000000000000%
 Total Value: \$1,250,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$1,310	\$1,310	\$0.31		
08	SA RIVER AUTH	0.018360	\$1,310	\$1,310	\$0.24		
09	ALAMO COM COLLEGE	0.149150	\$1,310	\$1,310	\$1.95		
10	UNIV HEALTH SYSTEM	0.276235	\$1,310	\$1,310	\$3.62		
11	BEXAR COUNTY	0.276331	\$1,310	\$1,310	\$3.62		
45	FAIR OAKS RANCH	0.329100	\$1,310	\$1,310	\$4.31		
61	BOERNE ISD	1.178600	\$1,310	\$1,310	\$15.44		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,310	\$1,310	\$0.00		
Total Tax Rate:		2.251444					
Taxes w/Current Exemptions:					\$29.49		
Taxes w/o Exemptions:					\$29.49		

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RNP	Range Native Pasture	16.2880	709505.28	0.00	0.00	\$1,028,910	\$1,080
2	RNP	Range Native Pasture	3.5000	152460.00	0.00	0.00	\$221,090	\$230

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$1,250,000	1,310	1,310	\$0	\$1,310
2021	\$0	\$1,034,360	1,310	1,310	\$0	\$1,310
2020	\$0	\$1,095,000	1,310	1,310	\$0	\$1,310
2019	\$0	\$1,051,500	1,310	1,310	\$0	\$1,310

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/24/2010	WD	Warranty Deed	GARZA MARIA E	MINAHAN MARK J & BRENDA	14756	2229	20100217039

2023 data current as of Jan 31 2023 1:08AM.

2022 and prior year data current as of Jan 6 2023 6:47AM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.

**ALBERT URESTI, MPA, PCAC**

Bexar County Tax Assessor-Collector

2022 REAL PROPERTY**04741-000-0046**

(ACCOUNT NUMBER)

01/31/2023

OWNER:

MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417

LEGAL DESCRIPTION:

CB 4741 P-4B & P-4E ABS 257

LOCATION: RALPH FAIR RD**ACREAGE: 19.7880**

APPAISED VALUE		CAP VALUE	HOMESTEAD VALUE	NON-QUAL VALUE
LAND	IMPROVEMENT			
1,310	0	0	0	0
AGRI. MKT VALUE		PROD VALUE		ASSESSED VALUE
1,250,000		1,310		1,250,000

TAXING UNIT	EXEMPTIONS	TAXABLE VALUE	TAX RATE	TAX AMOUNT
ROAD AND FLOOD	0 0 0 0	1,310	0.023668	0.31
ALAMO COMM COLLEGE	0 0 0 0	1,310	0.149150	1.95
HOSPITAL DISTRICT	0 0 0 0	1,310	0.276235	3.62
BEXAR COUNTY	0 0 0 0	1,310	0.276331	3.62
SA RIVER AUTHORITY	0 0 0 0	1,310	0.018360	0.24
FAIR OAKS RANCH	0 0 0 0	1,310	0.329100	4.31
TAXES FOR 2022:				\$14.05

IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.

TAXES MAY BE PAID BY E-CHECK OR CREDIT CARD VIA THE INTERNET AT WWW.BEXAR.ORG/TAX OR BY PHONE AT 1-888-852-3572.

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.

01/31/2023

2022 Payment Amount Due:

If paid in JAN 2023 **14.05**
If paid in FEB 2023 **15.03**
If paid in MAR 2023 **15.33**

DELINQUENT AFTER
FEBRUARY 1, 2023
AMOUNT PAID:

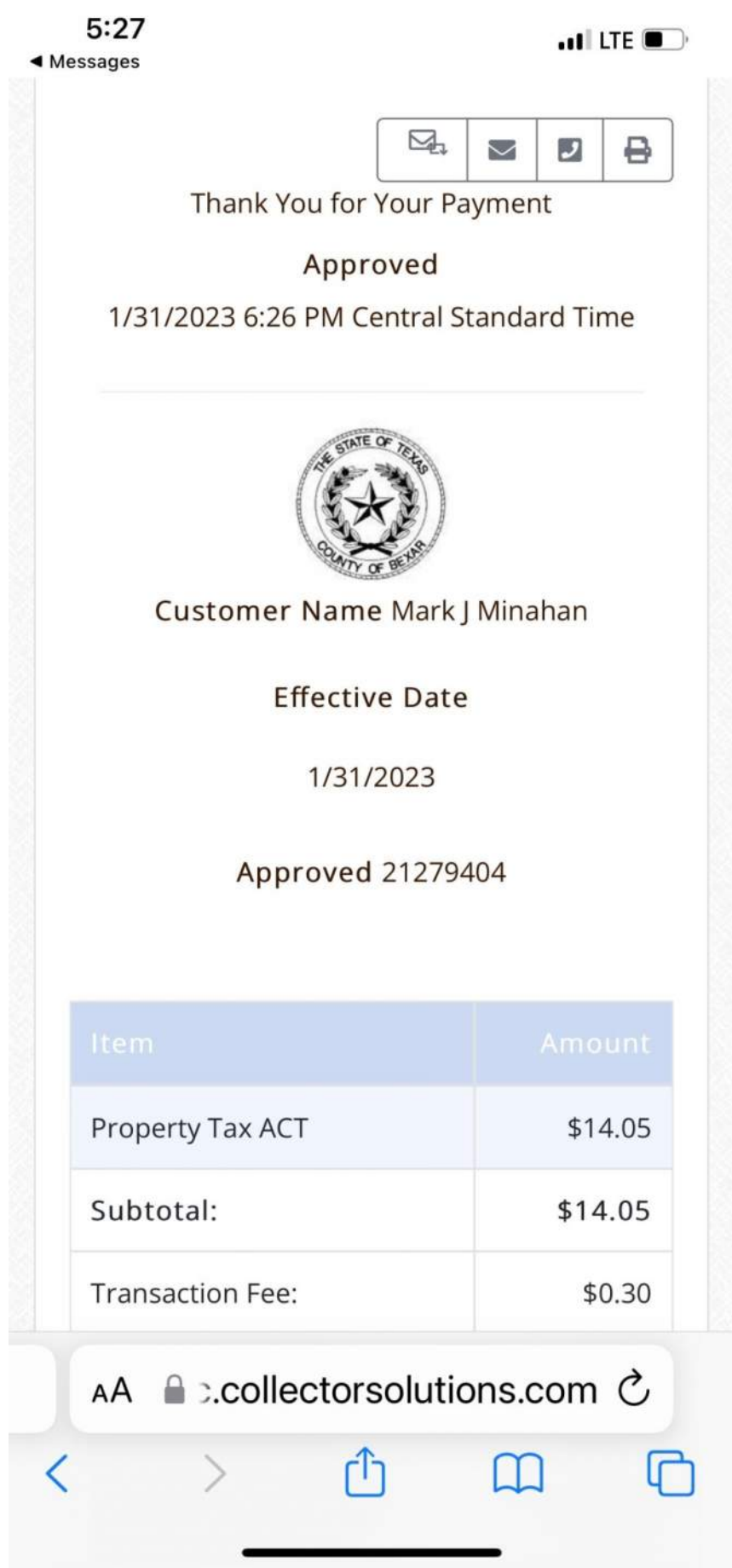
04741-000-0046

MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417

MAKE CHECK PAYABLE TO:

ALBERT URESTI, MPA, PCAC
BEXAR COUNTY TAX ASSESSOR-COLLECTOR
P O BOX 2903
SAN ANTONIO, TX 78299-2903

047410000046900 000001405 000001503 000001533 000001559 000000000 000000000



THE LANGUAGE SET FORTH BELOW *MUST* BE INCORPORATED INTO A COVER LETTER ATTACHED TO ALL TITLE INSURANCE COMMITMENTS.

Required Language for a Title Insurance Commitment Cover Letter

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one (1) of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Our company's right to access and use Title Data's title plants is governed by the Subscription Agreement(s) we have with Title Data, which restricts who can receive and/or use a title insurance commitment, which is based in whole or in part, upon Title Data's records and information. The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.

This Title Insurance Commitment should not be re-distributed without first confirming with the issuing agent what is permissible under the terms of their Subscription Agreement with Title Data.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

COMMITMENT FOR TITLE INSURANCE (T-7)

Issued By:

Commitment Number:

**Chicago Title Insurance Company****4300112105188**

THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN **SCHEDULE A**, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

We (Chicago Title Insurance Company, a Florida corporation) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Chicago Title Insurance Company

By:

Issued By:

Chicago Title of Texas, LLC

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

Erica Tomblin

**CONDITIONS AND STIPULATIONS**

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment that is not shown in Schedule B you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.
2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements, or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations, and Exclusions.

SCHEDULE A

Effective Date: May 20, 2021 at 8:00 AM
Commitment No.: 4300112105188

GF No.: sct-48-4300112105188-DB
Issued: May 27, 2021 at 8:00 AM

1. The policy or policies to be issued are:

- a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)

Policy Amount: \$4,250,000.00
PROPOSED INSURED: JP Land Holdings, LLC

- b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

Policy Amount:
PROPOSED INSURED:

- c. LOAN POLICY OF TITLE INSURANCE (Form T-2)

Policy Amount:
PROPOSED INSURED:
Proposed Borrower:

- d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)

Policy Amount:
PROPOSED INSURED:
Proposed Borrower:

- e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

Policy Amount:
PROPOSED INSURED:
Proposed Borrower:

- f. OTHER

Policy Amount:
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is:

Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

[Mark J. Minahan and Brenda Minahan](#)

SCHEDULE A
(continued)

4. Legal description of land:

Tract 1:

BEING 16.288 Acres out of the M. De La Luz Guerra Survey Number 172, Abstract Number 257, C.B. 4741, in Bexar County, Texas, and being part of a 20.139 acre tract of land recorded in [Volume 5787, Page 1967](#) in the Bexar County Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING At a found 1/2" iron rod with "Pfeiffer Cap" for the southwest corner of this tract and the northwest corner of a 3.5 acre tract as recorded in Volume 12843, Page 2112 of the Public Records of Bexar County, Texas, said point being in the east right-of-way of FM 3351 (Ralph Fair Road);

THENCE North 00° 00' 07" West a distance of 534.59 feet with said right-of-way to a found 1/2" iron rod with "ACES" Cap for a point of curvature;

THENCE curving to the right with a central angle of 2° 54' 14", a radius of 5679.58, a curve length of 287.86 and a chord bearing and distance of N 01° 18' 06" East a distance of 287.83 feet at a found 1/2" iron rod with for a point of tangency, the northwest corner of this tract, the southwest corner of a 159.74 acre tract as recorded in [Volume 9675, Page 2082](#) of the Public Records of Bexar County, Texas, and the east line of said FM 3351.

THENCE departing said right-of-way South 89° 42' 11" East a distance of 888.51 feet with the south line of said 159.74 acre tract to a found 1/2" iron rod for the northeast corner of this tract;

THENCE South 04° 07' 46" West a distance of 820.52 feet with the line of said 159.74 acre tract to a found 1/2" iron rod with "Pfeiffer Cap" for the southeast corner of this tract and the northeast corner of the aforementioned 3.5 acre tract;

THENCE North 89° 57' 17" West a distance of 835.92 feet with the North line of said 3.5 acre tract to the POINT OF BEGINNING and containing 16.288 acres, more or less, in Bexar County, Texas.

Tract 2:

FIELONOTES FOR 3.5 ACRES OF LAND, MORE OR LESS, OUT OF THE M. DE LA LUZ GUERRA SURVEY NUMBER 172, ABSTRACT NUMBER 257, COUNTY BLOCK 4741 IN BEXAR COUNTY, TEXAS, (LOCATIONS AND CONFIGURATIONS OF ANY ORIGINAL PATENTS, ETC. ON OR ADJOINING THIS TRACT ARE APPROXIMATE, SAID PATENTS, ETC. WERE NOT RESEARCHED OR LOCATED ON THE GROUND. PATENT PROBLEMS AND/OR CONFLICTS MAY EXIST.) AND BEING PART OF A 20.139 ACRE TRACT OF LAND CONVEYED TO MARIA E. GARZA RECORDED IN [VOLUME 5787, PAGE 1967](#) IN THE BEXAR COUNTY OFFICIAL PUBLIC RECORDS; SAID 3.5 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL IRON PINS CITED ARE 1/2" DIAMETER.

REFERENCE IS MADE TO A 12" X 18" PLAT OF 3.5 ACRES DATED DECEMBER 27, 2004 AND APRIL 20, 2005 ACCOMPANYING THESE FIELDNOTES.

BEARING BASE USED: GEODETIC NORTH DERIVED FROM G.P.S. OBSERVATIONS.

BEGINNING AT A FOUND IRON PIN BY FENCE CORNER ON THE WEST LINE OF A 159.74 ACRE TRACT OF LAND CONVEYED TO THE CORLEY FAMILY, L.L.C. DESCRIBED IN EXHIBIT "A" IN DEED RECORDED IN [VOLUME 9675, PAGE 2082](#) - BEXAR COUNTY OFFICIAL PUBLIC RECORDS FOR THE NORTHEAST CORNER OF THE ADJOINING 4.939 ACRE TRACT OF LAND CONVEYED TO MICHAEL G. CHATELLE, ET UX RECORDED IN [VOLUME 4846, PAGE 1787](#) - BEXAR COUNTY

SCHEDULE A

(continued)

OFFICIAL PUBLIC RECORDS, THE SOUTHEAST CORNER OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE SOUTHERLY LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, NORTH 89° 57' 17" WEST, 587.81 FEET TO A FOUND IRON PIN BY FENCE CORNER FOR THE SOUTHEAST CORNER OF THE ADJOINING 0.321 ACRE TRACT OF LAND CONVEYED TO AMERICAN TOWER, LP. RECORDED IN [VOLUME 9133, PAGE 1068](#) - BEXAR COUNTY OFFICIAL PUBLIC RECORDS.

THENCE ALONG THE EAST, NORTH AND WEST LINES OF THE ABOVE REFERENCED AMERICAN TOWER 0.321 ACRE TRACT, NORTH 00° 81' 45" EAST, 100.00 FEET TO A FOUND IRON PIN FOR THE NORTHEAST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, NORTH 89° 57' 17" WEST, 100.00 FEET TO A SET IRON PIN WITH CAP FOR THE NORTH NORTHWEST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, SOUTH 00° 08' 45" WEST, 70.00 FEET TO A SET IRON PIN WITH CAP, AND NORTH 89° 57' 17" WEST, 133.24 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF RALPH FAIR ROAD FOR THE WEST NORTHWEST CORNER OF SAID AMERICAN TOWER, 0.321 ACRE TRACT AND SOUTHWEST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF RALPH FAIR ROAD, NORTH 00° 01' 35" WEST, 171.01 FEET TO A SET IRON PIN WITH CAP FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE CROSSING THROUGH THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, SOUTH 89° 57' 17" EAST, 835.78 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF SAID GARZA 20.139 ACRE TRACT AND THE WEST LINE OF THE ABOVE REFERENCED ADJOINING CORLEY FAMILY 159.74 ACRE TRACT FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE WEST LINE OF SAID CORLEY FAMILY 159.74 ACRE TRACT, SOUTH 04° 11' 24" WEST, 201.54 FEET TO THE PLACE OF BEGINNING.

Note: The Company is prohibited from insuring the area or quantity of the Land. Any statement in the legal description contained in Schedule A as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes and does not override Item 2 of Schedule B hereof.

END OF SCHEDULE A

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

Commitment No.: 4300112105188

GF No.: sct-48-4300112105188-DB

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

[Volume 9133, Page 1073](#), Real Property Records, Bexar County, Texas, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any of any spouse of any insured.

(Applies to the Owner Policy only.)
4. Any title or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds or navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.
(Applies to the Owner Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year 2021 and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax years. (If Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2021 and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage.

SCHEDULE B EXCEPTIONS FROM COVERAGE

(continued)

(Applies to Mortgagee Policy (T-2) only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) only. Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
 - a. Those liens created at closing, if any, pursuant to lender instructions.
 - b. Rights of parties in possession.
 - c. Visible or apparent easement(s) and/or rights of way on, over, under or across the Land.
 - d. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to \$ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

- e. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

- f. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated March 15, 1929, recorded March 28, 1929 at Volume 1097, Page 281, Deed Records, Bexar County, Texas. Reference to which instrument is here made for particulars. No further search of

SCHEDULE B

EXCEPTIONS FROM COVERAGE

(continued)

title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

SCHEDULE C

Commitment No.: 4300112105188

GF No.: sct-48-4300112105188-DB

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
 - a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
 - b. all standby fees, taxes, assessments and charges against the property have been paid,
 - c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
 - d. there is legal right of access to and from the land,
 - e. (on a Mortgagee Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:
 - Confirmation prior to closing that the County Clerk of Bexar County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
 - Electronic recordation of the instruments to be insured in the Official Public Records of Bexar County, Texas.
 - Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
 - Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter 87.
6. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
7. The Company must be furnished with a marital affidavit from each record owner from the date of his/her acquisition of subject property to the present time. The spouse of each record owner must join in any conveyance of subject property.
8. The following note is for informational purposes only:

The following deed(s) affecting said land were recorded within twenty-four (24) months of the date of this report:

SCHEDULE C

(continued)

None.

Title appears vested by the following described conveyance:

Grantor:

Maria E. Garza

Grantee:

Mark J. Minahan and Brenda Minahan

Recording Date:

December 3, 2010

Recording No:

[Volume 14756, Page 2229](#), Real Property Records, Bexar County, Texas.

Grantor:

T & R Eat, LC

Grantee:

Mark J. Minahan and Brenda Minahan

Recording Date:

July 28, 2014

Recording No:

[Volume 16788, Page 898](#), Real Property Records, Bexar County, Texas.

9. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: JP Land Holdings, LLC

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO.: 4300112105188****SCHEDULE D**

Commitment No.: 4300112105188

GF No.: sct-48-4300112105188-DB

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The issuing Title Insurance Company, **Chicago Title Insurance Company**, is a corporation whose shareholders owning or controlling, directly or indirectly, 10% of said corporation, directors and officers are listed below:

Shareholders: Fidelity National Title Group, Inc. which is owned 100% by FNTG Holdings, LLC which is owned 100% by Fidelity National Financial, Inc.

Directors: Raymond Randall Quirk, Anthony John Park, Marjorie Nemzura, Michael J. Nolan, Edson N. Burton, Jr.

Officers: Raymond Randall Quirk (President), Anthony John Park (Executive Vice President), Marjorie Nemzura (Secretary), Daniel Kennedy Murphy (Treasurer)

2. The following disclosures are made by the Title Insurance Agent issuing this Commitment:

Chicago Title of Texas, LLC

- (a) A listing of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.

Owners: FNTS Holdings, LLC owns 100% of Alamo Title Holding Company, which owns 100% of **Chicago Title of Texas, LLC**

- (b) A listing of each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.

Owners: FNTG Holdings, LLC owns 100% of FNTS Holdings, LLC

- (c) If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent.

Officers/Directors: Raymond Randall Quirk (President), Marjorie Nemzura (Secretary), Joseph William Grealish (Executive Vice President), Daniel Kennedy Murphy (Treasurer), John Tannous (President and County Manager), Gayle Brand (President and County Manager), Brian K. Baize (President and County Manager), Carlos E. Valdes (President and County Manager), Michael J. DeBault (President and County Manager)

- (d) The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive. NONE.

- (e) For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owner's Policy	\$	19,648.00
Endorsement Charges	\$	4,912.00
Total	\$	24,560.00

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

Percent/Amount	To Whom	For Services
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*The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance.

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title.

The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.

El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y endenterlo complemente antes de la fecha para finalizar su transacción.

Your Commitment for Title insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

--MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, insure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

---EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

---EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

---CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

TEXAS TITLE INSURANCE INFORMATION

(Continued)

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-442-7067 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

---Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

---Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

DELETION OF ARBITRATION PROVISION
(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

"Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

Signature

Date

**FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE**

Effective April 9, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

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Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer



Chicago Title of Texas, LLC
15727 Anthem Parkway, Suite 210
San Antonio, TX 78249
Phone 210-482-3500 * Fax 210-482-3693

AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT
(Exhibit D in 24 CFR §3500)

Date: September 8, 2021
To: Mark J Minahan and Brenda Minahan
Property: Ralph Fair Rd, Boerne, TX 78015

This is to give you notice that Chicago Title of Texas, LLC, a subsidiary of Fidelity National Financial, Inc. has a business relationship with the settlement service providers listed below to which you have been referred. Each of the companies listed below is One-Hundred Percent (100%) owned directly or indirectly by Fidelity National Financial, Inc. Because of this relationship, this referral may provide Chicago Title of Texas, LLC with a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed providers as a condition for the consummation of the transaction involving the above referenced property.

Settlement Service Provider:	Type of Settlement Provided:	Range of Charges:
National TaxNet	Tax Information	\$22.50 to \$80 including sales tax and \$5 for each additional parcel over 3 parcels

There are frequently other settlement service providers available who offer similar services. You are free to shop around to determine that you are receiving the best services and the best rate for these services.

Acknowledgment

I/We have read this disclosure form and understand that Chicago Title of Texas, LLC is referring me/us to purchase the above described settlement services and may receive a financial or other benefit as the result of this referral.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

_____	_____
Mark J Minahan	Date
_____	_____
Brenda Minahan	Date



BEING A TOTAL OF 16.799 ACRES, ESTABLISHING LOT 2, BLOCK 1, CB 4741, BEING ALL OF THE 3.5 ACRE TRACT RECORDED IN VOLUME 16788, PAGE 898 IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THE 16.288 ACRE TRACT RECORDED IN VOLUME 14756, PAGE 2229 IN SAID OFFICIAL PUBLIC RECORDS, IN THE MARIA DE LA LUZ GUERRA SURVEY NO. 172, ABSTRACT NO. 257, COUNTY BLOCK 4741, IN THE CITY OF FAIR OAKS RANCH, BEXAR COUNTY, TEXAS.

FENCE NOTES:
GATES ACROSS EASEMENT: DOUBLE SWING GATES 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.
TAX CERTIFICATE:
 TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____, PAGE _____, BAKAT COUNTY OFFICIAL RECORDS.
IMPACT FEE ASSESSMENT:
 ASSESSMENT AND COLLECTION OF THE CITY OF FAIR OAKS RANCH WATER AND WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 145.0, SECTION 1.8 A.

1. PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
3. DIMENSIONS SHOWN ARE SURFACE.
4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, 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 WORK 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.

[illegible]

THE CITY OF GREY FOREST; BY AND THROUGH ITS GAS UTILITY SYSTEM, GREY FOREST UTILITIES IS HEREBY DEEDING EASEMENTS AND RIGHT-OF-WAYS FOR GAS DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND FOR THE PURPOSE OF ACCESSING ITS INFRASTRUCTURE AND SERVICE FACILITIES. GRANTOR FOREST UTILITIES SHALL, AS PART OF THE DEEDING, GRANT TO GREY FOREST UTILITIES THE RIGHT OF WAY AND THE RIGHT TO REMOVE FROM SAID AREA LANDS ALL TREES OR PARTS THEREOF, AND OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF GAS DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES. GRANTOR FOREST UTILITIES SHALL BE RESPONSIBLE FOR PLACING SAID EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH GREY FOREST UTILITIES.



GB	COUNTY BLOCK	VOL	VOLUME
DPR	DEED AND PLAT RECORDS	PG	PAGE(S)
	OF BEARX COUNTY, TEXAS	ROW	RIGHT-OF-WAY
NCB	NEW CITY BLOCK		
OPR	OFFICIAL PUBLIC RECORDS (SURVEYOR)		NOTED 1/2" IRON ROD (UNLESS
	(OFFICIAL PUBLIC RECORDS		FOUNDED OTHERWISE)
	OF REAL PROPERTY) OF		SET 1/2" IRON ROD (PD)-ROW
	BEARX COUNTY, TEXAS		
---	1140		
---	EXISTING CONTOURS		
---	CENTERLINE		

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	5679.58'	002°54'18"	N01°15'21"E	287.93'	287.96'

STATE OF TEXAS
COUNTY OF BEXAR

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 UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MATT JOHNSON 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, BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE 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 BY: PAPE-DAWSON ENGINEERS, INC.

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF BEXAR

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, BEXAR COUNTY, TEXAS

UNPLATTED
159.74 ACRES
CENTURY OAKS LAND, LLC
(VOL 18763, PG 4, OPR)

MARIA DE LA LUZ GUERRA
SURVEY NO 172
ABSTRACT NO 257

S89°55'08"E ~ 888.44'

0.228 OF AN ACRE ROW
DEDICATION TO THE CITY
OF FAIR OAKS RANCH

LOT 2
BLOCK 1
CB 4741
(19.571 ACRES)

UNPLATTED
0.321 OF AN ACRE
AMERICAN TOWER, LP
(VOL 9133, PG 1068, OPR)

9'58'12"W (PFEIFFER)
33.14' LOT 1 (REAVES)
BLOCK 1
CB 4741
RFR SUBDIVISION
(VOL 9532, PG 203, DPR)

UNPLATTED
4.939 ACRES
MICHAEL G AND MARY KATE CHATTELLE
(VOL 4846, PG 1787, OPR)

MARIA DE LA LUZ GUERRA
SURVEY NO 172
ABSTRACT NO 257

SHEET 1 OF 1

FAIR OAKS BOTANICA

Stormwater Management Memo

January 2023



January 30, 2023

Mr. Grant Watanabe
City of Fair Oaks
7286 Dietz Elkhorn
Fair Oaks Ranch, Tx 78015

Re: Fair Oaks Botanica – Concept Plan
Storm Water Management Memo

Dear Mr. Watanabe:

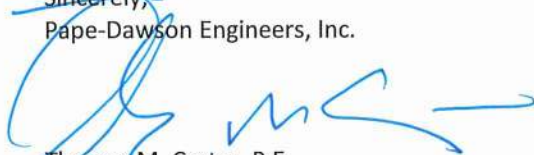
The Fair Oaks Botanica development is a proposed 19.571-acre Multi-family site located northeast of the intersection of Dietz Elkhorn Road and Ralph Fair Road, within the city limits of Fair Oaks Ranch. The site is located within the Cibolo Creek Watershed and is within the Edwards Aquifer Contributing Zone.

The site drains south to northeast towards Cibolo Creek. Flows continue within Cibolo Creek to a point 2,000 feet downstream. The site is a part of an existing 21.944-acre overall watershed with 0% impervious cover, sparse woods and 4% slopes as the existing condition. Since the site is a part an overall watershed greater than 20 acres and will be utilizing on-site detention, the Unit Hydrograph Method was utilized to determine existing and proposed conditions per the City of San Antonio Unified Design Manual. Peak flows for the Existing Overall Watershed are 64.88-cfs, 130.12-cfs, and 206.06-cfs for the 5, 25 and 100 year storm events respectively.

Initial Concept Plans have determined that the site will maintain current flow patterns and slopes from south to northeast. The site will have an overall increase in impervious cover resulting in peak flows of 80.99-cfs, 147.03-cfs, and 222.01-cfs for the 5, 25, and 100 year storm events respectively. The detention pond is proposed in the northeast corner of the site and will need to have an approximate volume of 86,300 cubic feet to detain the difference of the predevelopment and post development flows. These peak flows and assumptions are based off of conceptual designs. Final detention pond sizing and outfall calculations will be determined in unison with finalized plans.

If you have any questions or require additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.



Thomas M. Carter, P.E.
Senior Vice President

1/31/23



Attachments

- Exhibit 1 – Location Map
- Exhibit 2 – Aerial map
- Exhibit 3 – USGS Map
- Exhibit 4 – FIRM Panel
- Appendix A – Concept Plan
- Appendix B – Hydraulic Calculations
- Appendix C – Plat

P:\129\73\00\WORD\REPORTS\SWMP\230111_SWMP NARRATIVE LETTER.DOCX

EXHIBITS

EXHIBIT 1

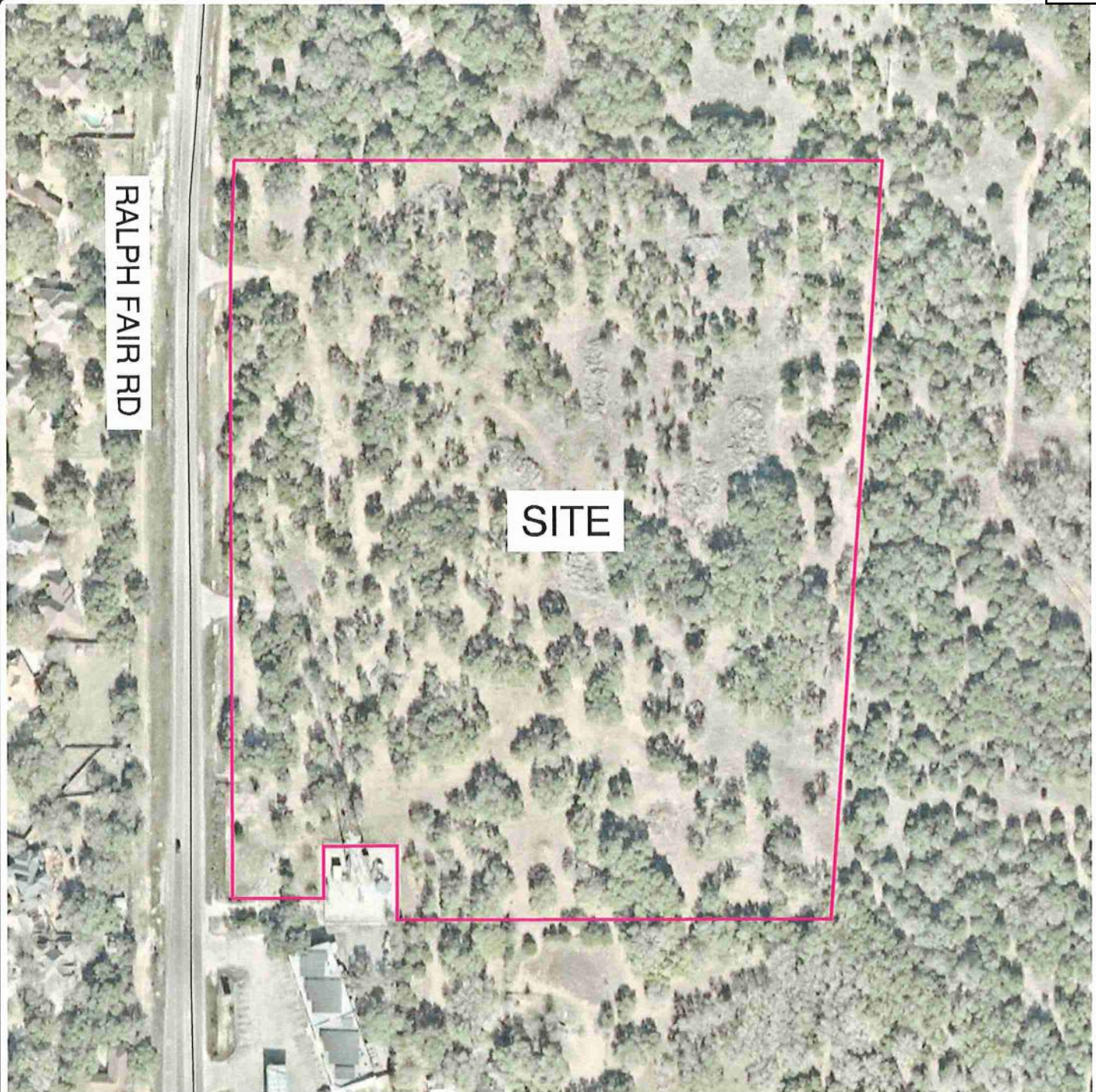
Location Map



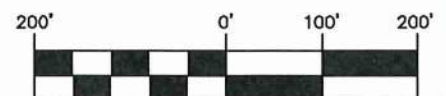
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1002

EXHIBIT 2

Aerial Map



SCALE: 1" = 200'



JOB NO. 12973-00
DATE JANUARY
DESIGNER RH
CHECKED EK DRAWN RH
SHEET EXH 2

FAIR OAKS MULTIFAMILY

FAIR OAKS RANCH, TEXAS

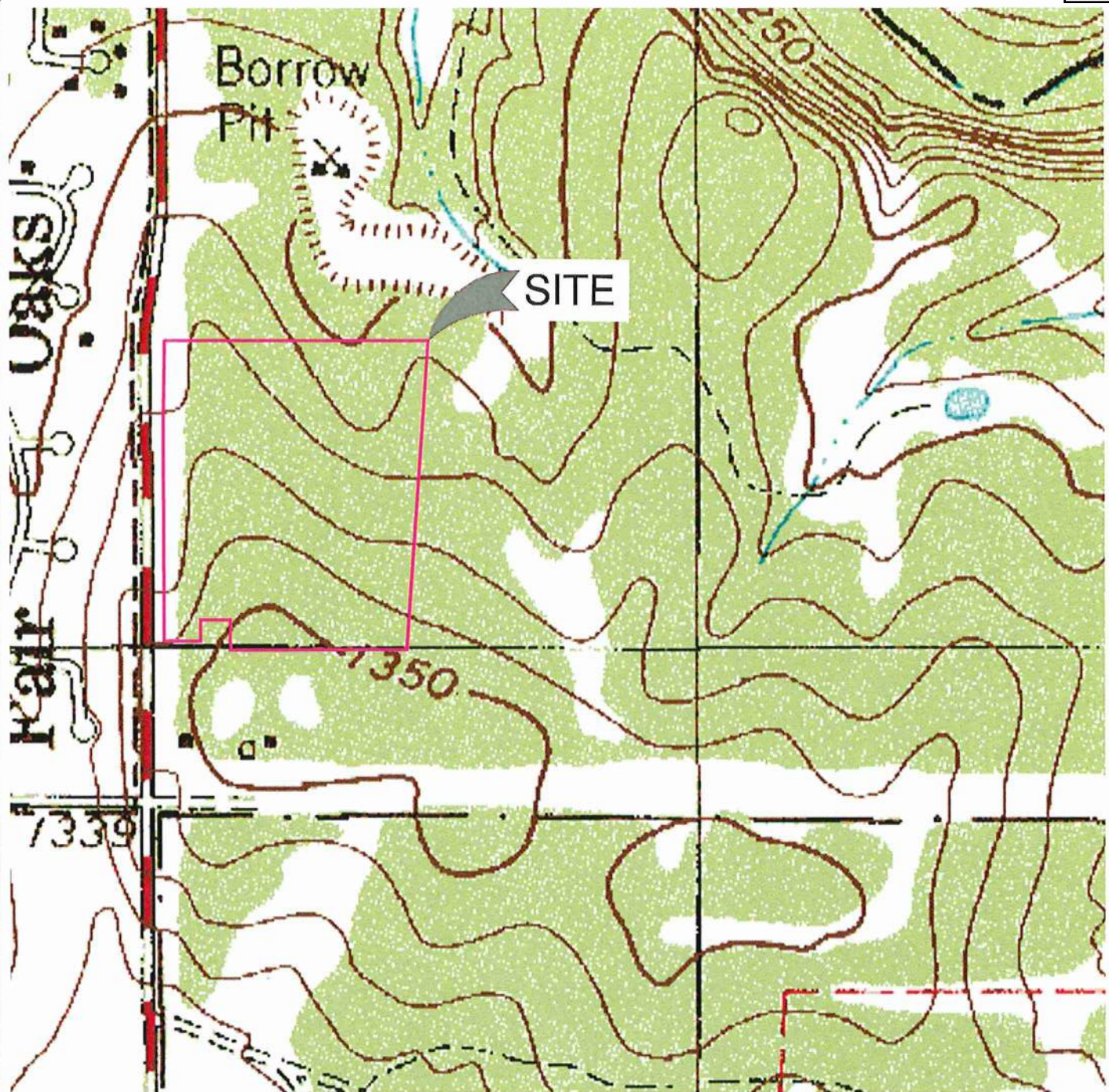
AERIAL MAP

PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #100

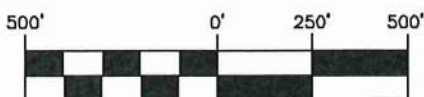
Date: January 30, 2023, 11:49 AM - User ID: RHughes
File: 12973-00-EXH 2.dwg

EXHIBIT 3

USGS Map



SCALE: 1" = 500'



JOB NO. 12973-00
 DATE JANUARY 2023
 DESIGNER RH
 CHECKED EK DRAWN RH
 SHEET EX 3

FAIR OAKS MULTIFAMILY
 FAIR OAKS RANCH, TEXAS
 USGS MAP

**PAPE-DAWSON
 ENGINEERS**

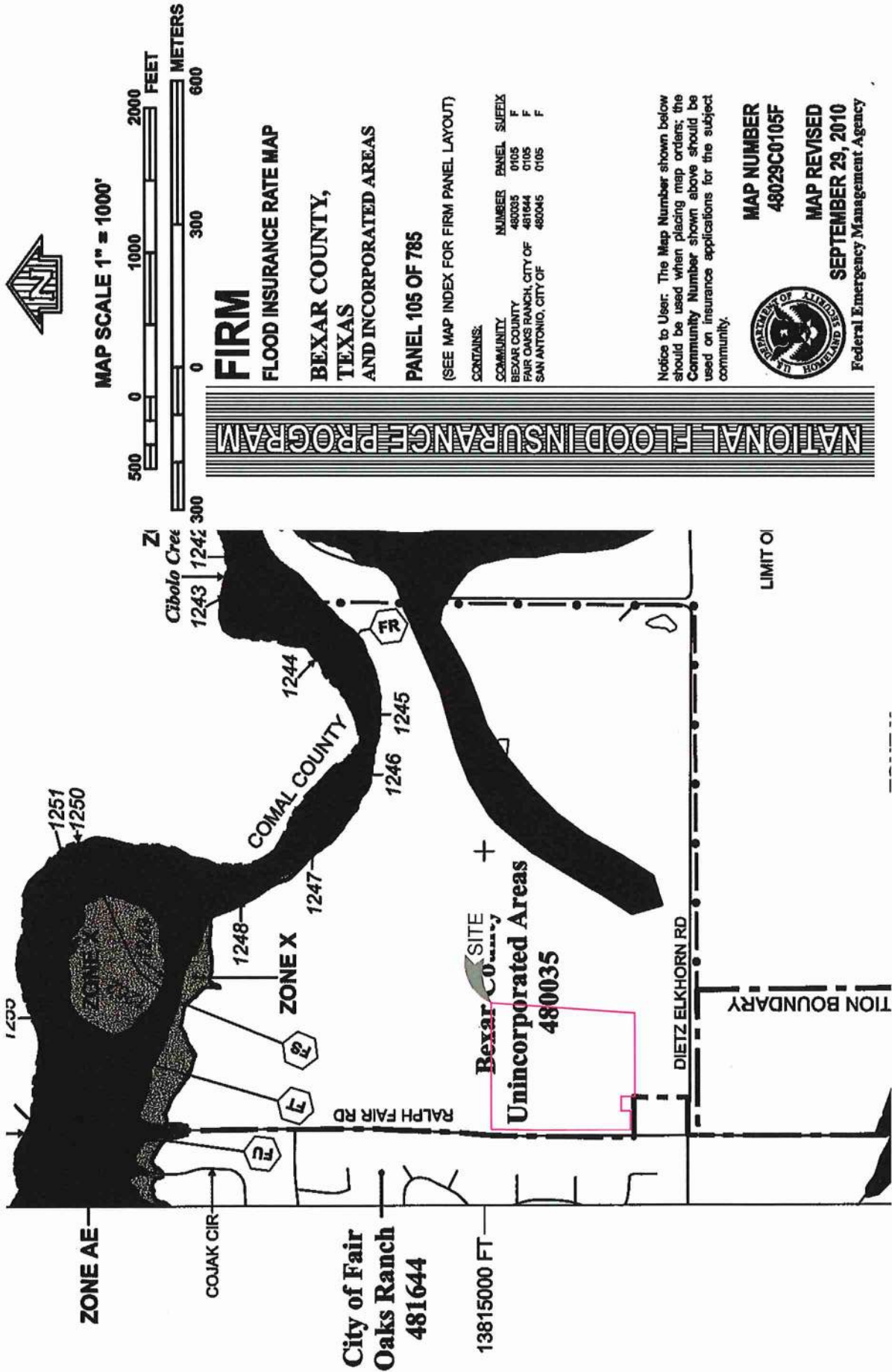
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
 2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #100

Dallas Jan 30, 2023, 11:52am User ID: RHughes
 File P:\12973\00\Design\ExhibitA\SWMap\EX3_230130_USGS.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

EXHIBIT 4

FEMA Floodplain Map



Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
48029C0105F

MAP REVISED
SEPTEMBER 29, 2010

Federal Emergency Management Agency



FAIR OAKS MULTIFAMILY

FAIR OAKS RANCH, TEXAS

FEMA MAP

JOB NO. 12973-00
DATE JANUARY 2023
DESIGNER RH
CHECKED EK DRAWN RH
SHEET EX 4

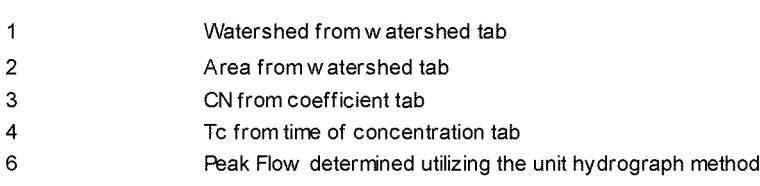
PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1003800

APPENDICES

APPENDIX A

Concept Plan



PLAT NO. N/A
JOB NO. 12973-00
DATE JANUARY 2023
DESIGNER AA
CHECKED EK DRAWN AA
3 OF 3
SHEET

APPENDIX B

Hydraulic Calculations

Watershed Information

PA1

Fair Oaks Botanica

Precipitation Areas

1	2			
	Area			
Watershed	(sf)	(ac)	(mi)	Description/Notes
Existing Conditions				
Existing Overall Watershed	955893	21.944	0.034	
Proposed Conditions				
Proposed Overall Watershed	955893	21.944	0.034	

Calculation Notes:

1

2

Watershed Name

Watershed Area (/43560 = acres, /5280^2 = square miles)

Runoff Coefficient

COSA UDC Runoff Coefficient

1	2			3	4		
	Runoff Coefficient or CN Composite						
Watershed	Area	Multifamily Development			Undeveloped		Composite
	(sf)	(ac)	(mi)	Area	CN1	Area	CN2
Existing Conditions							
Existing Overall Watershed	955893	21.94	0.034	0.000	85.00	21.94	77.00
Proposed Conditions							
Proposed Overall Watershed	955893	21.94	0.034	19.571	85.00	2.37	77.00
							84.13

Calculation Notes:

- 1 Watershed name
- 2 Watershed area
- 3 Subareas, Coefficients from UDM
- 4 Composite C = $[(C1 \cdot A1) + (C2 \cdot A2) \dots] / (A1 + A2 + \dots)$

Peak Flow (Rational)

Precipitation		PA1			
Area	Area	CN	Tc	Peak Flow (cfs)	
Watershed	(ac)	(unitless)	(min)	5	25
Existing Conditions					100
Existing Overall Watershed	21.944	77.00	24	64.88	130.12
Proposed Conditions					206.06
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03
					222.01

- 1 Watershed from watershed tab
- 2 Area from watershed tab
- 3 CN from coefficient tab
- 4 Tc from time of concentration tab
- 6 Peak Flow determined utilizing the unit hydrograph method

Change in Flows Due to	
Peak Flows (cfs)	
5	25
100	
Overall	16.11
	16.91
	15.95

Time of Concentration Calculations

1	2			3	4	5	6		7	8	9	10	11	12	13	14	15	16	17	18	19
				Time of Concentration																	
Watershed	Area			Overland				Max/Min Override	Shallow Conc. Flow (unpaved)				Shallow Conc. Flow (paved)				Channel Flow 1			Total Tc (min)	SCS Lag (min)
	(sf)	(ac)	(sq mi)	D	n	S	To		D	S	V	Tscu	D	S	V	Tscp	D	V	Tch1		
Existing Conditions																					
Existing Overall Watershed	955893	21.94	0.034	300	0.40	4.1	34.9	20.0	861	4.1	3.3	4.4	0	0.0	0.0	0.0	0	0.0	0.0	24	14
Proposed Conditions																					
Proposed Overall Watershed	955893	21.94	0.034	134	0.40	2.6	22.0	20.0	0	0.0	0.0	0.0	1270	4.1	4.1	5.14	0	0.0	0.0	25	15

Calculation Notes

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- Watersheds from watershed tab
- Areas from watershed tab
- Sheet flow distance (ft - 200 max)
- Manning's n for sheet flow, see table this sheet.
- Average slope over distance D (%)
- Overland flow time (min) from TR-55 equation $(0.007(nL)^{0.8}) / (P^{0.5} s^{0.4})$
- Distance of shallow concentrated flow over unpaved area (ft)
- Average slope over distance D (%)
- Shallow conc. flow velocity (ft/s) from TR-55 equation $v=16.1345 (s^{0.5})$
- Shallow conc. flow time (min) = $(D/V) / 60$
- Distance of shallow concentrated flow over paved area (ft)
- Average slope over distance D (%)
- Shallow conc. flow velocity (ft/s) from TR-55 equation $v=20.3282 (s^{0.5})$
- Shallow conc. flow time (min) = $(D/V) / 60$
- Distance of channel/pipe flow (ft)
- Average velocity over distance D (ft/s) - use 6 unless demonstrated otherwise
- Channel flow time (min) = $(D/V) / 60$
- Total time of concentration (min)
- If required, SCS lag = $0.6 \times T_c$

Sheet Flow Manning n (TR-55) for Overland Flow

- 0.011
- 0.050
- 0.060
- 0.170
- 0.150
- 0.240
- 0.410
- 0.130
- 0.400
- 0.800
- Pavement, bare soil
- Fallow
- Cultivated soil, residue cover <20%
- Cultivated soil, residue cover >20%
- Short grass prairie
- Dense grasses
- Bermuda
- Range (natural)
- Woods, light underbrush
- Woods, dense underbrush

Enter Max/Min Overrides for Overland Flow

Min

5

minutes

Max

20

minutes

2yr/24hr Depth for SA Area (P)

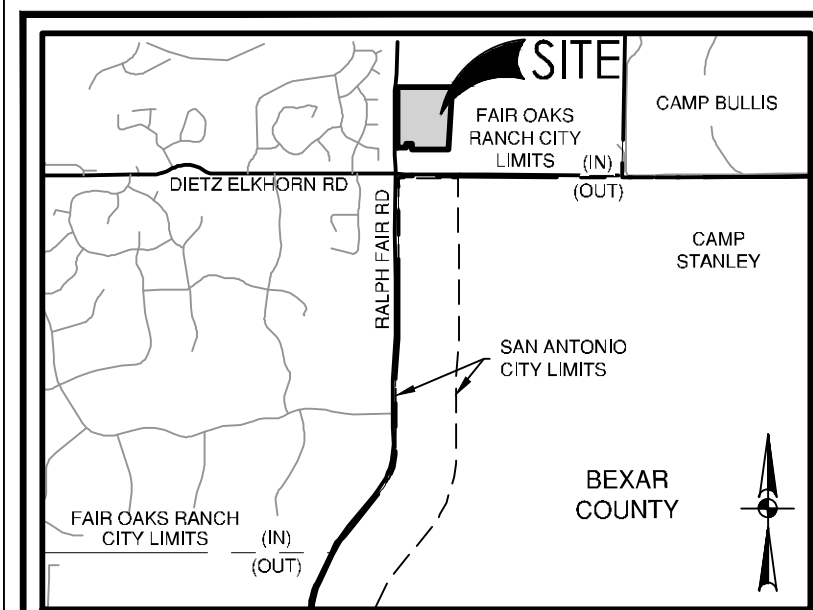
3.96

in

Used in overland flow equation

APPENDIX C

Plat



LOCATION MAP

NOT-TO-SCALE

LEGEND

CB	COUNTY BLOCK	VOL	VOLUME
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS	PG	PAGE(S)
NCB	NEW CITY BLOCK	ROW	RIGHT-OF-WAY
OPR	OFFICIAL PUBLIC RECORDS (SURVEYOR) (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEXAR COUNTY, TEXAS	●	FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
		○	SET 1/2" IRON ROD (PD)-ROW
---	-1140-	---	EXISTING CONTOURS
- - -		- - -	CENTERLINE

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	5679.58'	002°54'18"	N01°15'21"E	287.93'	287.96'

STATE OF TEXAS
COUNTY OF BEXAR

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 UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MATT JOHNSON 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, BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE 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 BY: PAPE-DAWSON ENGINEERS, INC.

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF BEXAR

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, BEXAR COUNTY, TEXAS

CPS/SAWS/COSA UTILITY:

1. THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC, GAS, WATER, AND WASTEWATER SYSTEMS - CITY PUBLIC SERVICE BOARD (CPS ENERGY) AND SAN ANTONIO WATER SYSTEM (SAWS) - IS HEREBY DEDICATED EASEMENTS AND RIGHTS-OF-WAY FOR UTILITY, TRANSMISSION AND DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT," "GAS EASEMENT," "TRANSFORMER EASEMENT," "WATER EASEMENT," "SANITARY SEWER EASEMENT" AND/OR "RECYCLED WATER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING UTILITY INFRASTRUCTURE AND SERVICE FACILITIES FOR THE REASONS DESCRIBED ABOVE. CPS ENERGY AND SAWS SHALL ALSO HAVE THE RIGHT TO RELOCATE SAID INFRASTRUCTURE AND SERVICE FACILITIES WITHIN EASEMENT AND RIGHT-OF-WAY AREAS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS FOR THE PURPOSE OF ACCESSING SUCH INFRASTRUCTURE AND SERVICE FACILITIES AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF WATER, SEWER, GAS, AND/OR ELECTRIC INFRASTRUCTURE AND SERVICE FACILITIES. NO BUILDING, STRUCTURE, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH THE RESPECTIVE UTILITY.

2. ANY CPS ENERGY OR SAWS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS ENERGY OR SAWS INFRASTRUCTURE AND SERVICE FACILITIES, LOCATED WITHIN SAID EASEMENTS, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.

3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE, OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TV EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON.

GREY FOREST UTILITY:

THE CITY OF GREY FOREST, BY AND THROUGH ITS GAS UTILITY SYSTEM, GREY FOREST UTILITIES IS HEREBY DEDICATED EASEMENTS AND RIGHT-OF-WAYS FOR GAS DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "GAS EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, AND PATROLLING SAID INFRASTRUCTURE AND SERVICE FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND FOR THE PURPOSE OF ACCESSING ITS INFRASTRUCTURE AND SERVICE FACILITIES. GREY FOREST UTILITIES SHALL ALSO HAVE THE RIGHT TO RELOCATE SAID INFRASTRUCTURE AND SERVICE FACILITIES WITHIN EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID AREA LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF GAS DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES. NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH GREY FOREST UTILITIES.

SURVEYOR'S NOTES:

- PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
- COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NAD2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
- DIMENSIONS SHOWN ARE SURFACE.
- BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NAD2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

UTILITY EASEMENT NOTE:

DRAINAGE WATER DIVERSION AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, 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 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 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.
- THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

FENCE NOTES:

GATES ACROSS EASEMENT: DOUBLE SWING GATES 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.

TAX CERTIFICATE:

TAX CERTIFICATES AFFIDAVIT FILED THIS DATE IN VOLUME _____, PAGE _____, BEXAR COUNTY OFFICIAL RECORDS.

IMPACT FEE ASSESSMENT:

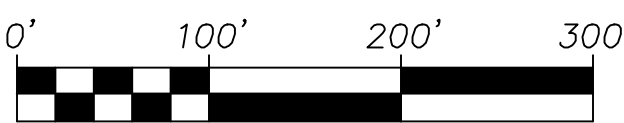
ASSESSMENT AND COLLECTION OF THE CITY OF FAIR OAKS RANCH WATER AND WASTEWATER UTILITIES' IMPACT FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE NO. 145.0, SECTION 1.8 A.

SUBDIVISION PLAT

OF
FAIR OAKS MULTIFAMILY

BEING A TOTAL OF 19.799 ACRES, ESTABLISHING LOT 2, BLOCK 1, CB 4741, BEING ALL OF THE 3.5 ACRE TRACT RECORDED IN VOLUME 16788, PAGE 898 IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THE 16.288 ACRE TRACT RECORDED IN VOLUME 14756, PAGE 2229 IN SAID OFFICIAL PUBLIC RECORDS, IN THE MARIA DE LA LUZ GUERRA SURVEY NO. 172, ABSTRACT NO. 257, COUNTY BLOCK 4741, IN THE CITY OF FAIR OAKS RANCH, BEXAR COUNTY, TEXAS.

SCALE: 1" = 100'



**PAPE-DAWSON
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #4701 | TEXAS SURVEYING FIRM #16028800
DATE OF PREPARATION: January 17, 2023

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, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: JONATHAN BURSEY
UGRO-P3 FAIR OAKS RANCH, LLC
5851 SAN FELIPE, SUITE 230
HOUSTON, TEXAS 77057
(214) 238-3600

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JONATHAN BURSEY 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, HARRIS COUNTY, TEXAS

THIS PLAT OF FAIR OAKS MULTIFAMILY HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AND IS HEREBY APPROVED BY SUCH COUNCIL.
DATED: THIS ____ DAY OF ____, A.D. 20__.

BY: _____ MAYOR

BY: _____ SECRETARY



AT&T Texas
1010 N St Mary's St
Rm 07A02C
San Antonio, Texas 78215
Phone: 210.368.0630
sm6929@att.com

January 27, 2023

Andrew Belton, P.E.
Pape-Dawson Engineers, Inc.
2000 NW Loop 410
San Antonio, TX 78213

RE: Availability of Telephone Service
Botanica Fair Oaks

Dear Mr. Belton:

Please be advised that the entire land area within the boundary of the above referenced project is outside the serving area of AT&T.

If additional information is required, please contact this office.

Sincerely,

Sandra Mercer
AT&T



January 27, 2023

Erin Katzfey
Pape-Dawson Engineers, Inc.
2000 NW Loop 410
San Antonio, TX 78213

SUBJECT: Plat Review – Botanica Fair Oaks Multifamily

In concern of the plat review at the property located at East of Ralph Fair Rd between Diets Elkhorn Road and Arbor Halls, Fair Oaks Ranch TX, Charter Spectrum approves the plat in question.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to ForceRelos@kinetic-eng.com. Please share this information with whoever needs these services.

Sincerely,
Jamie Craig, Spectrum

Erin Katzfey @PD

From: Erin Katzfey @PD
Sent: Monday, January 23, 2023 8:10 AM
To: Service Availability
Subject: RE: Botanica Fair Oaks - Letter of Certification

Understood. Thank you for your response!

From: Richard McWhirter D <Richard.McWhirter@saws.org> **On Behalf Of** Service Availability
Sent: Monday, January 23, 2023 7:29 AM
To: Erin Katzfey @PD <EKatzfey@pape-dawson.com>
Subject: RE: Botanica Fair Oaks - Letter of Certification

Good Morning Ms. Katzfey,

Thank you for your inquiry, unfortunately, this property is located in the City of Fair Oaks Ranch CCN for water and sewer and not in the SAWS jurisdiction.

Thank you,
Richard McWhirter

From: Erin Katzfey @PD <EKatzfey@pape-dawson.com>
Sent: Friday, January 20, 2023 4:45 PM
To: Service Availability <serviceavailability@saws.org>
Cc: Andrew Belton @PD <ABelton@pape-dawson.com>
Subject: Botanica Fair Oaks - Letter of Certification

WARNING: This is an EXTERNAL email --- DO NOT CLICK links or attachments unless you trust the sender and know the content is safe.

Good afternoon,

Please see the attached request for a utility letter of certification for the Botanica Fair Oaks Site. The site is located east of Ralph Fair Rd between Dietz Elkhorn Rd and Arbor Falls. The current planned use is multifamily. I am attaching the preliminary plat with location map and a preliminary site plan for your reference.

Thank you and have a wonderful weekend!

Erin Katzfey, P.E. | Project Engineer
Pape-Dawson Engineers, Inc.
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

2000 NW Loop 410, San Antonio, TX 78213
P: 210.375.9000 | **E:** EKatzfey@pape-dawson.com

San Antonio | Austin | Houston | Fort Worth | Dallas | New Braunfels | Corpus Christi

CONFIDENTIALITY NOTICE

This electronic mail transmission may be confidential, may be privileged, and should be read or retained only by the intended recipient. If you have received this transmission in error, please immediately notify the sender and delete it from your system.



February 20, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

To whom it may concern:

This letter will serve as acknowledgement that the applicant or representative of the Botanica Fair Oaks Plat will attend all Planning and Zoning Commission, City Council and applicable meetings as requested.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.

A handwritten signature in blue ink, appearing to read 'Andrew Belton', written over a horizontal line.

Andrew Belton, P.E.
Associate Vice President

Attachments

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March 16, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks

To whom it may concern:

Please consider this a letter of extension to plat the above referenced development. We are formally requesting a 30 day extension of the Botanica Fair Oaks Plat.

The property is located east of Ralph Fair Road between Dietz Elkhorn Road and Arbor Falls. The site will be platted as one lot within the Fair Oaks Multifamily Plat. The new development's specific land uses will be determined as the planning process proceeds, but initial concept plans are proposing a multifamily development.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.

A handwritten signature in blue ink, appearing to read 'Andrew Belton', written over a blue circular stamp or seal.

Andrew Belton, P.E.
Associate Vice President

Attachments

P:\129\73\00\Word\Letters\230220_Letter of Extension.doc

March 16, 2023

Via Email: bcodes@fairoaksranchtx.org

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

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Sincerely,
Pape Dawson Engineers, Inc.



Andrew Belton, P.E.
Associate Vice President

Attachments

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