

City of La Vernia

# **PLANNING & ZONING COMMISSION MEETING**

102 E. Chihuahua St., La Vernia, Texas 78121 January 09, 2024

6:30 PM

# AGENDA

1. Call to Order

# 2. Invocation, Pledge of Allegiance and Texas Pledge

## 3. Citizens to Be Heard

(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no commission action may take place and no commission discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the commission may extend this time at their discretion.)

## 4. Consent Agenda

(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a commission member requests an item be removed and considered separately.)

A. Minutes from the 11-07-23 regular meeting

## 5. Public Hearing

- A. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of property owner SMITH, KATHRYN regarding the property located at 13672 US HWY 87 W LA VERNIA, TX 78121, CITY OF LA VERNIA, LOT 114 (4 PIERDOLLA ADDN U-1), ACRES .5775, Undivided Interest 50.0000000000% concerning the request for an SUP to allow for Kennel/Stable/Animal Boarding/ Housing in the C-1 Zone district
  - A.1 Open Public Hearing
  - A.2 Requestor Presentation
  - A.3 Staff Presentation
  - A.4 Receive Public Comments
  - A.5 Close Public Hearing

A.6 Discuss and consider action on a recommendation to the City Council regarding Ordinance No. 011124-01 the SUP request from property owner SMITH, KATHRYN regarding the property located at 13672 US HWY 87 W LA VERNIA, TX 78121, CITY OF LA VERNIA, LOT 114 (4 PIERDOLLA ADDN U-1), ACRES .5775, Undivided Interest 50.000000000% concerning Kennel/Stable/Animal Boarding/Housing in the C-1 Zone district

- B. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of property owner BAICOH HOLDINGS LLC regarding the property located at 503
   BLUEBONNET RD LA VERNIA, TX 78121, being WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 2, ACRES 1.1925 concerning the request to create two lots from one (Re-Plat)
  - **B.1 Open Public Hearing**
  - **B.2 Requestor Presentation**
  - **B.3 Staff Presentation**
  - **B.4 Receive Public Comments**
  - B.5 Close Public Hearing

B.6 Discuss and consider action on the request from property owner **BAICOH HOLDINGS LLC** regarding the property located at **503 BLUEBONNET RD LA VERNIA, TX 78121, being WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 2, ACRES 1.1925** concerning the request to create two lots from one (Re-Plat)

- C. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of property owner MJS Development regarding the property located at 101 WOODBRIDGE DR LA VERNIA, TX 78121 WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 1, ACRES 2.3566 concerning the request to create two lots from one (Re-Plat)
  - C.1 Open Public Hearing
  - C.2 Requestor Presentation

C.3 Staff Presentation

C.4 Receive Public Comments

C.5 Close Public Hearing

C.6 Discuss and consider action on the request from property owner **MJS Development** regarding the property located at **101 WOODBRIDGE DR LA VERNIA, TX 78121 WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 1, ACRES 2.3566** concerning the request to create two lots from one (Re-Plat)

# 6. Discussion & Action

# 7. Items Specific to Future Line Items on the Agenda

8. Adjourn

# **DECORUM REQUIRED**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.

The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair-accessible and parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours before this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email Lboyd@lavernia-tx.gov.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on <u>January 5, 2024 at 5:00 PM</u> and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

Lindsey Wheeler, City Secretary



City of La Vernia

Section 4, Item A.

# PLANNING & ZONING COMMISSION MEETING

102 E. Chihuahua St., La Vernia, Texas 78121 November 07, 2023

6:30 PM

# MINUTES

# 1. Call to Order

The Meeting was called to order at 6:39 pm

# 2. Invocation, Pledge of Allegiance and Texas Pledge

Invocation and pledges led by Chris Jacobs

## 3. Citizens to Be Heard

(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no commission action may take place and no commission discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the commission may extend this time at their discretion.)

None

# 4. Consent Agenda

(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a commission member requests an item be removed and considered separately.)

 A. Minutes from the 09-12-23 regular meeting Motion by Kyle Real to accept the consent agenda as presented, seconded by Wayne Robbins, all in favor

# 5. Public Hearing

- A. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of property owner Brenton and Karen Weaver regarding the property located at 403 SEGUIN ST LA VERNIA, TX 78121C & C CROSSING, LOT 4, ACRES 1.94 and 286 KIMBALL ST LA VERNIA, TX 78121 C & C CROSSING, LOT 3, ACRES .4 concerning the request to take from one lot and add to the other
  - A.1 Open Public Hearing
  - A.2 Requestor Presentation
  - A.3 Staff Presentation

## A.4 Receive Public Comments

A.5 Close Public Hearing

A.6 Discuss and consider action on approving the request from property owner **Brenton and Karen Weaver** regarding the property located at **403 SEGUIN ST LA VERNIA**, **TX 78121C & C CROSSING, LOT 4, ACRES 1.94** and **286 KIMBALL ST LA VERNIA, TX 78121C & C CROSSING, LOT 3, ACRES** .4 concerning the request to take from one lot and add to the other

## C CROSSING, LOT 4, ACRES 1.94 and 286 KIMBALL ST LA VERNIA, TX 78121 C & C CROSSING, LOT 3, ACRES .4 concerning the request to take from one lot and add to the other

A.1 Open Public Hearing @6:41 pm

A.2 Requestor Presentation Grady of Rakowitz Engineering

A.3 Staff Presentation None

A.4 Receive Public Comments None

A.5 Close Public Hearing @6:46 pm

A.6 Discuss and consider action on approving the request from property owner **Brenton and Karen Weaver** regarding the property located at **403 SEGUIN ST LA VERNIA**, **TX 78121C & C CROSSING, LOT 4, ACRES 1.94** and **286 KIMBALL ST LA VERNIA, TX 78121C & C CROSSING, LOT 3, ACRES** .4 concerning the request to take from one lot and add to the other

Motion by Chris Jacobs to approve the request of property owner **Brenton and Karen Weaver** regarding the property located at **403 SEGUIN ST LA VERNIA**, **TX 78121C & C CROSSING**, **LOT 4**, **ACRES 1.94** and **286 KIMBALL ST LA VERNIA**, **TX 78121 C & C CROSSING**, **LOT 3**, **ACRES .4** to take from one lot and add to the other, seconded by Wayne Robbins, all in favor

# 6. Items Specific to Future Line Items on the Agenda

None

# 7. Adjourn

Motion by Wayne Robbins to adjourn the meeting at 6:47 pm, seconded by Kyle Real, all in favor

# **DECORUM REQUIRED**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other previsions under Texas law that permits a governmental body to discuss a matter in closed executive session.

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I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **November 03, 2023 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

Lindsey Wheeler, City Secretary



# NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission and the La Vernia City Council will hold a public hearing at the request of **SMITH**, **KATHRYN** regarding the location specifically known as:

13672 US HWY 87 W LA VERNIA, TX 78121, CITY OF LA VERNIA, LOT 114 (4 PIERDOLLA ADDN U-1), ACRES .5775, Undivided Interest 50.000000000%

Request: A Special Use Permit (SUP) to allow for Kennel/Stable/Animal Boarding/Housing in the C-1 Zone district

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. *However, the zoning of your property will not be affected.* The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Planning Commission in making a recommendation to the City Council.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, January 9th, 2024 at 6:30 PM and the City Council on Thursday, January 11th, 2024 at 6:30 PM. Both meetings will be held at 102 E. Chihuahua St., Council Chambers, and are open to the public. To submit written comments please complete the information below, including your signature, and return before the meetings.

Mail: City of La Vernia Lindsey Wheeler PO Box 225 La Vernia, Texas 78121

Email: Lboyd@lavernia-tx.gov

If you have questions, please call Lindsey Wheeler at (830) 779-4541 ex

**Gity Secretary** indsey Wheeler.

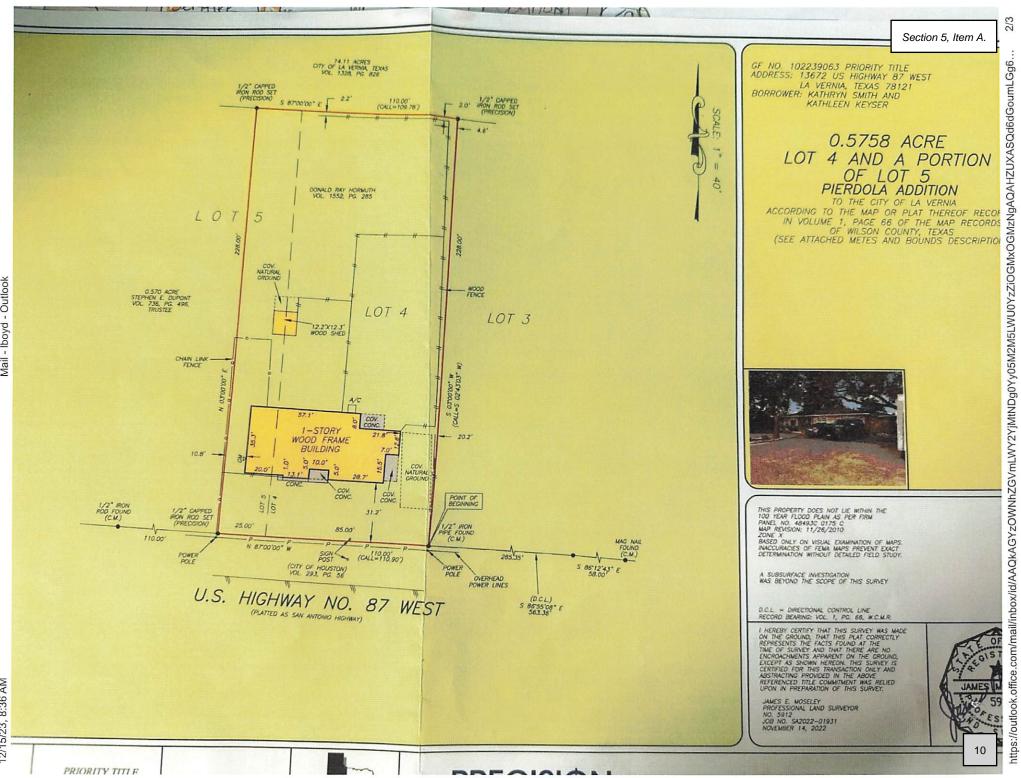
# YOUR OPINION MATTERS – DETACH AND RETURN

## circle one

I am (in favor) (opposed) to the Special Use Permit (SUP) to allow for Kennel/ Stable/ Animal Boarding/ Housing in the C-1 Zone district proposed for the property described as 427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as 13672 US HWY 87 W LA VERNIA, TX 78121, CITY OF LA VERNIA, LOT 114 (4 PIERDOLLA ADDN U-1), ACRES .5775, Undivided Interest 50.000000000% as described in the attachment

Name:	
Address:	
Signature:	Date:
Comments:	
<u>By State Law – Unsigned</u>	submission cannot be counted as official comment.





Mail - Iboyd - Outlook

12/15/23, 8:36 AM

## EXHIBIT "A"

A TRACT OR PARCEL OF LAND CONTAINING 0.5758 ACRES, (25,080 SQUARE FEET), BEING LOT 4 AND A PORTION OF LOT 5, PIERDOLA ADDITION TO THE CITY OF LA VERNIA, A SUBDIVISION IN WILSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 66, OF THE MAP RECORDS OF WILSON COUNTY, TEXAS SAID 0.5758 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 0.58 ACRE TRACT OF LAND AS CONVEYED TO DONAL RAY HORMUTH BY INSTRUMENT RECORDED IN VOLUME 1552, PAGE 285, OF THE DEED RECORDS OF WILSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARING BASIS: VOLUME 1, PAGE 66, OF THE MAP RECORDS OF WILSON COUNTY, TEXAS).

BEGINNING at a ½" iron pipe found on the north right-of-way line of U.S. Highway No. 87 West, (Platted as San Antonio Highway), for the south common corner of said Lot 4 and Lot 3, of said Pierdola Addition, same being the southeast corner and the POINT OF BEGINNING of the herein described tract;

Thence, N 87°00'00" W, along the north right-of-way line of U.S. Highway No. 87 West, same being the common line of said Lot 4, pass at a distance of 85.00 feet the south common corner of said Lots 4 and 5, and continuing for a total distance of 110.00 feet, (Call 110.90 feet), to a capped, (Precision Surveyors), iron rod set on the common line of said Lot 5 for the southeast corner of that certain called 0.570 acre tract of land as conveyed to Stephen E. Dupont, Trustee by instrument recorded in Volume 736, Page 496, of the Deed Records of Wilson County, Texas, same being the southwest corner of the herein described tract;

Thence, N 03°00'00" E, across said Lot 5, along the common line of said 0.570 Acre Tract, a distance of 228.00 feet to a capped, (Precision Surveyors), iron rod set on the common line of that certain called 14.11 acre tract of land as conveyed to City of La Vernia, Texas by instrument recorded in Volume 1328, Page 826, of the Deed Records of Wilson County, Texas, same being the common line of said Lot 5, for the northeast corner of said 0.570 Acre Tract, same being the northwest corner of the herein described tract;

Thence, S 87°00'00" E, along the common line of said 14.11 Acre Tract, same being the common line of said Lot 5, pass at a distance of 25.00 feet the north common corner of said Lots 5 and 4, and continuing for a total distance of 110.00 feet, (Call 109.78 feet), to a capped, (Precision Surveyors), iron rod set for the north common corner of said Lots 4 and 3, same being the northeast corner of the herein described tract;

Thence, S 03°00'00" W, along the common line of said Lots 4 and 3, a distance of 228.00 feet to the POINT OF BEGINNING and containing 0.5758 acres or 25,080 square feet of land, more or less.

Commonly Known As: 13672 US Highway 87 W, La Vernia, TX 78121 APN: 82796

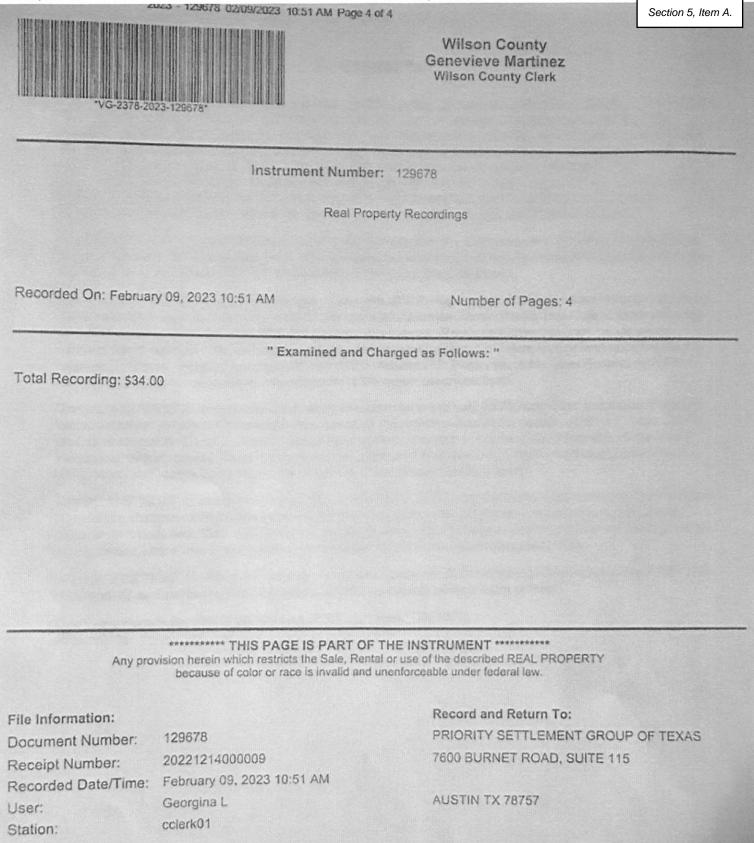
Affidavit (Marital Status)

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https://outlook.office.com/mail/inbox/id/AAQkAGYzOWNhZGVmLWY2YjMtNDg0Yy05M2M5LWU0YzZiOGMxOGMzNgAQAHZUXASQd6dGoumLGg6...

GF No.: 10223

11





STATE OF TEXAS Wilson County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Wilson County, Texas

Denevieve marting

Genevieve Martinez Wilson County Clerk Floresville, TX

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Grantee defaults under the note or under the deed of trust, Grantor has the right to foreclose the vendor's lien retained in this deed, recover the Property on the strength of Grantor's superior title, and/or exercise all remedies authorized by the deed of trust.

FALLS CITY NATIONAL BANK, AT GRANTEE'S REQUEST, HAS PAID IN CASH TO GRANTOR THAT PORTION OF THE PURCHASE PRICE OF THE PROPERTY THAT IS EVIDENCED BY THE NOTE. THE FIRST AND SUPERIOR VENDOR'S LIEN AGAINST AND SUPERIOR TITLE TO THE PROPERTY ARE RETAINED FOR THE BENEFIT OF FALLS CITY NATIONAL BANK AND ARE TRANSFERRED BY GRANTOR TO FALLS CITY NATIONAL BANK WITHOUT RECOURSE AGAINST GRANTOR.

The vendor's lien against and superior title to the Property are retained only until the Promissory Note 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.

GRANTOR:

STATE OF TEXAS COUNTY OF Wilson

ACKNOWLEDGMENT

§

Before me, the undersigned notary public, on this day personally appeared DONALD R. HORMUTH, who proved to me through presentation of government-issued identification, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated and for the purposes and consideration therein expressed.

PC empr Given under my hand and seal of office this day of 7022

Notary Public in and for the State of Texas

PREPARED BY: BRYANT LAW PC 300 Austin Hwy Ste. 100 San Antonio, TX 78209

Alejandra Consula Contu Notary Public, State of Texas Comm Expres 102-09/2025 Notary ID 12494009 a

AFTER RECORDING, RETURN TO: KATHRYN SMITH, GARY E. SMITH JR, and KATHLEEN J. KEYSER 128 LEGACY WAY LA VERNIA, WILSON COUNTY, TEXAS 78121

Warranty Deed with Vendor's Lien

Page 3

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2/3

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the Deed Records of Wilson County, Texas, same being the southwest corner of the herein described tract;

Thence, N 03°00'00" E, across said Lot 5, along the common line of said 0.570 Acre Tract, a distance of 228.00 feet to a capped, (Precision Surveyors), iron rod set on the common line of that certain called 14.11 acre tract of land as conveyed to City of La Vernia, Texas by instrument recorded in Volume 1328, Page 826, of the Deed Records of Wilson County, Texas, same being the common line of said Lot 5, for the northeast corner of said 0.570 Acre Tract, same being the northwest corner of the herein described tract;

Thence, S 87°00'00" E, along the common line of said 14.11 Acre Tract, same being the common line of said Lot 5, pass at a distance of 25.00 feet the north common corner of said Lots 5 and 4, and continuing for a total distance of 110.00 feet, (Call 109.78 feet), to a capped, (Precision Surveyors), iron rod set for the north common corner of said Lots 4 and 3, same being the northeast corner of the herein described tract;

Thence, S 03°00'00" W, along the common line of said Lots 4 and 3, a distance of 228.00 feet to the POINT OF BEGINNING and containing 0.5758 acres or 25,080 square feet of land, more or less.

Commonly Known As: 13672 US Highway 87 W, La Vernia, TX 78121

#### TOGETHER WITH:

(1) all buildings, improvements, and fixtures;

(2) all rights, privileges, and appurtenances pertaining to the Property, including Grantor's right, title, and interest in any minerals, utilities, adjacent streets, alleys, strips, gores, and rights-of-way;

(3) Grantor's interest in all leases, rents, and security deposits for all or part of the Property;

(4) Grantor's interest in all licenses and permits related to the Property;

(5) Grantor's interest in all third party warranties or guaranties, if transferable, relating to the Property or any fixtures;

(6) Grantor's interest in any trade names, if transferable, used in connection with the Property; and
 (7) all of Grantor's tangible personal property located on the Property that is used in connection with the Property's operations.

All personal property not included in this conveyance has been removed by Grantor prior to the execution hereof.

#### **RESERVATIONS FROM CONVEYANCE:** None.

**EXCEPTIONS TO CONVEYANCE AND WARRANTY:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor that affect the Property as filed in the property records of each County where the Property is located; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvement.

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; PROVIDED, HOWEVER, to secure Grantee's payment of the note, Grantor retains, for Grantor, Grantor's heirs, successors, and assigns forever, a vendor's lien against the Property and superior title to the Property; if

Warranty Deed with Vendor's Lien

Page 2

Section 5, Item A.

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10223700 2-12/9-

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.

STATE

COUN

DATE:

E OF TEXAS	ş s	DONALD R. HORMUTH
TY OF WILSON	an an a	TO KATHRYN SMITH, AND SPOUSE GARY E. SMITH JR., AND KATHLEEN J. KEYSER
	WAR	RANTY DEED WITH VENDOR'S LIEN
De	cembe	r 09, 2022

GRANTOR: DONALD R. HORMUTH, dealing in his sole and separate property 3419 PINTO PONY SAN ANTONIO, BEXAR COUNTY, TEXAS 78247

GRANTEE: KATHRYN SMITH, AND SPOUSE GARY E. SMITH JR. 128 LEGACY WAY LA VERNIA, WILSON COUNTY, TEXAS 78121

> KATHLEEN J. KEYSER, AN UNMARRIED PERSON 13672 US HWY 87 LA VERNIA, WILSON COUNTY, TEXAS 78121

CONSIDERATION: Cash paid to Grantor by Grantee, a portion of which is paid to Grantor at Grantee's request by Falls City National Bank pursuant to a note and deed of trust of even date, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor.

PROPERTY (INCLUDING ANY IMPROVEMENTS): A TRACT OR PARCEL OF LAND CONTAINING 0.5758 ACRES, (25,080 SQUARE FEET), BEING LOT 4 AND A PORTION OF LOT 5, PIERDOLA ADDITION TO THE CITY OF LA VERNIA, A SUBDIVISION IN WILSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 66, OF THE MAP RECORDS OF WILSON COUNTY, TEXAS SAID 0.5758 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 0.58 ACRE TRACT OF LAND AS CONVEYED TO DONALD RAY HORMUTH BY INSTRUMENT RECORDED IN VOLUME 1552, PAGE 285, OF THE DEED RECORDS OF WILSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARING BASIS: VOLUME 1, PAGE 66, OF THE MAP RECORDS OF WILSON COUNTY, TEXAS).

BEGINNING at a 1/2" iron pipe found on the north right-of-way line of U.S. Highway No. 87 West, (Platted as San Antonio Highway), for the south common corner of said Lot 4 and Lot 3, of said Pierdola Addition, same being the southeast corner and the POINT OF BEGINNING of the herein described tract;

Thence, N 87°00'00" W, along the north right-of-way line of U.S. Highway No. 87 West, same being the common line of said Lot 4, pass at a distance of 85.00 feet the south common corner of said Lots 4 and 5, and continuing for a total distance of 110.00 feet, (Call 110.90 feet), to a capped, (Precision Surveyors), iron rod set on the common line of said Lot 5 for the southeast corner of that certain called 0.570 acre tract of land as conveyed to Stephen E. Dupont, Trustee by instrument recorded in Volume 736, Page 496, of

Warranty Deed with Vendor's Lien

Page 1

Section 5, Item A.

	S S
Date Received <u>W-J5-J3</u> Permit/Receipt No City of La Vernia Specific Use Permit	
Fee Paid         2-510-00         P.O. Box 225, La Vernia, TX 78121           (830) 779-4541 • Metro/Fax (830) 253-1198	CLERNIA *
Land ownership must be verified with a notarized statement. If the applicant is acting the property owner, the property owner must provide a signed and notarized letter agent to act on their behalf, and the letter must accompany the application.	as the agent for authorizing the
Name Kathryn Smith	
Mailing Address 13672 US HWY 87W/128 Legacyway	
Telephone 8309479506 Fax Mobile 2106389222 Email K	attor in Smith 700
Property Address/Location	IMN XI
Legal Description Name of Subdivision <u>City of La Verni q 14 Pierdolla Addn U-</u>	No <u>3000 -03000</u> -1140
Lok(s) II Block(s)	
Existing Use of Property Homesia II a	
Proposed Use of Property (attach additional or supporting information if necessary lam	
<u>Adding a building in back for boarding pets. Bi</u> Provide overnight stay for 10-12 pets. Bi	looking at
Provide overnight stay for 10-12 pets. BL	riding will
Proposed use of Property and/or Posses for D	
Proposed use of Property and/or Reason for Request (please explain in detail and attach additional page	s if needed):
Dearding for my grooming clients. The bail	ex pet
Attachments:	ing will
Accurate metes and bounds description of the subject property (or other suitable legal description	

plans, maps. architectural elevations and its as deemed necessary by the city including bias

Notarized statement verifying land zoning change request.	ownership and if applicable, authorization of land owner's agent to file the	Section 5, Item A.
A denied applica The undersigned hereby requests rezonin	tion is ineligible for reconsideration for one year. ng of the above described property as indicated:	
Signature of Owner(s)/Agent		
Date of Publication Date of 200 Ft Notices Ordinance No	For Office Use Only Date of P&Z Public Hearing Date of Council Public Hearing Approved Denied	

### 9243624 // City of La Vernia, TX Misc Gov WEB

Payment Detail		Credit Card Payment	
Payment ID	100280659215	Card Type	Master Card
Date/Time	10/25/2023 9:17:51 AM	Auth Response	868636
Amount	\$250.00	Origination	Internet
Conv. Fee	\$5.88	Outcome	Complete
Flow	Payment	Card Number (last 4)	7671
Billing Information		Payor Information	
First Name	Kathryn	Payment Type	Building Permits
Middle Name	к	Account, Permit, or Citation Number	SUP
Last Name	Smith	First Name	Kathryn
Name Suffix		Middle Name	К
Address	13672 US-87	Last Name	Smith
		Name Suffix	
City	LA VERNIA	Address	13672 US-87
State	тх		
Postal Code	78121	City	LA VERNIA
Country	US	State	ТХ
Telephone	2106389222	Postal Code	78121
Email Address	kathrynsmith78@icloud.com	Country	US
		Telephone	2106389222
		Comments	Application for pet boarding
		50 State 1997	

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Copyright © 2023 Accelerated Card Company, LLC, d/b/a Certified Payments. All rights reserved. Accelerated Card Company, LLC is a registered ISO of Fifth Third Bank, National Association, Cincinnati, OH.

v23.10.03

## **ORDINANCE NO. 011124-01**

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE PURPOSES OF ALLOWING KENNEL/ STABLE/ ANIMAL BOARDING/ HOUSING IN THE C-1 ZONE DISTRICT AT THE LOCATION SPECIFICALLY KNOWN AS 13672 US HWY 87 W LA VERNIA, TX 78121, CITY OF LA VERNIA, LOT 114 (4 PIERDOLLA ADDN U-1), ACRES .5775, Undivided Interest 50.00000000000 OWNED BY SMITH, KATHRYN, MORE SPECIFICALLY KNOWN AS CLIPS N TAILS, ZONED C-1 RETAIL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE **WHEREAS,** the City of La Vernia is a General Law Type A City under the statutes of the State of Texas; and

**WHEREAS**, the Texas Local Government Code authorizes a municipality to adopt zoning regulations designed to accomplish the goals as delineated in Section 211.004 of the Texas Local Government Code and for the purpose of regulating those issues as delineated in Section 211.003 of the Texas Local Government Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of La Vernia, Texas in compliance with the laws of the State of Texas and the Ordinances of the City of La Vernia, have given any and all requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested; and

WHEREAS, the Planning and Zoning Commission has investigated the manner in which the proposed location and character of such Specific Use will affect the Zoning Ordinance and the comprehensive plan of the City of La Vernia, Texas, make the final report and recommendation to the City Council of the City of La Vernia, Texas, recommending that such application be granted; and

WHEREAS, the City Council of the City of La Vernia, Texas, finds that the granting and approval of the said application for such Specific Use Permit will not adversely affect the character and appropriate use of the area of the neighborhood in which it is proposed to be located, will not substantially depreciate the value of adjacent and nearby properties for use in accordance with the regulations of the Zoning District in which they are located; will not be detrimental in keeping with the spirit and intent of said Zoning Ordinance; will not adversely affect traffic, public utilities, public health, public safety and the general welfare under the conditions hereinafter set forth.

# NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

## Section 1. Specific Use Permit Granted

That the Specific Use Permit for the purposes of allowing **kennel/ stable/ animal boarding/ housing in the C-1 zone district at the location** specifically known as **13672 us Hwy 87 W La Vernia, Tx 78121, city of La Vernia, lot 114 (4 Pierdolla addn u-1), acres .5775, undivided interest 50.000000000%** owned by Smith, Kathryn, more specifically known as clips n tails, zoned c-1 retail, be adopted

## Section 2. Expiration

The Specific Use Permit granted herein shall automatically expire and become null and void if:

A building permit is not issued and construction has not begun within one hundred eighty (180) days of the granting of the specific use permit; or

## Section 3. Severability

If any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof, to any person or circumstance, is held invalid such holding shall not affect the validity of the remaining portions of the same and the City Council hereby declares it would have passed such remaining portions despite such invalidity.

## Section 4. Cumulative

This ordinance is cumulative of all other laws addressing land use regulations and any prohibitions and sanctions that may be imposed under other laws relating to the subjects covered hereunder.

## Section 5. Effective Date

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

## PASSED AND APPROVED: This 11th day of January 2024.

Martin Poore Mayor – City of La Vernia

ATTEST:

Lindsey Wheeler City Secretary

**APPROVED AS TO FORM:** 

City Attorney's Office - City of La Vernia

2	APPLICATION FOR LAND SUBDIVISION Section 5, Item B. 102 E. Chihuahua Street P.O. Box 225 La Vernia, TX 78121 (830) 779-4541 Replat Amended
CHEC	Kepiat / Amended
1.	PROPOSED SUBDIVISION NAME: Baicoh Mulding, LLC UNIT NO.
	LOCATION DESCRIPTION/NEAREST INTERSECTION: 775+ Woodbridge Farms
	ACREAGE: NO OF LOTS: EXISTING PROPOSED2
	REASON FOR PLATTING/REPLATTING
2.	OWNER/APPLICANT*:_ Robert Harvey
	(* If applicant is person other than owner, a letter of authorization must be provided from owner.*)
	ADDRESS: 157 Diamondview Lavernig MY 78121
	ADDRESS: 157 Diamondview Lavernig 44 78121 Telephone: Fax: Mobile: 534-7093 Email: Robby@ Robertharveyper
3.	LICENSED ENGINEER/SURVEYOR: CDS Muery
	MAILING ADDRESS: 100 NE Loop 4105 Ste. 300
	Z10       TELEPHONE:       581-111       Fax:       Mobile:       Email:
	LIST ANY VARIANCE REQUESTED:
	REASON FOR REQUEST (List any hardships):
4.	PRESENT USE OF THE PROPERTY Commercial CURRENT ZONING: <<
5.	CITY LIMITS: IN OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN? YES MO
6.	Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.
	REQUIRED ITEMS FOR SUBMITTAL PACKAGE
	Completed application, including signature of owner/applicant and signed waiver. Copy of deed showing current ownership.
	7 copies of the plat, collated and folded so that the subdivision name is visible. Staple plats with 2 or more pages.
	2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.
	Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.
	Survey showing any existing structures on the subject property.
	List of street names approved by the appropriate county.
L	PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION
will NC by the and th consid waiver	e to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat DT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to leration of the plat on (date of Planning and Zoning Commission meeting). This expires after (date of the Planning and Zoning Commission meeting). (The waiver then t is not applicable to Minor Plats.)
-10	Altre Dabert Harvert 11.78,73

Robert	H	a	rver	1
Drintod Namo	of	Ou	morlA	phie

Signature of Owner/Applicant Robert Marvey Signature of Owner/Applicant Printed Name of Owner/Applicant (If applicant is person other than owner, a letter of authorization must be provided from owner.) Signature indicates authorization for plat application and acceptance of waiver statement.

Date

Overall Development Concept Review Fee	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots, but intended for apartments, townhouses, commercial and/or industrial use.	
Preliminary Plat Review	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots	
Final Plat Review Fee	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.	
Minor Subdivision Plat	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.	
Vacating a Plat or Replatting Acves	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots. $75 + (+ (+ 2))$	
Plat Amendment	\$100 \$ 81.00	
Engineering Fees Review	To be paid by the developer or property owner before the final plat approval is made by the city.	
Changes or request for further reviews from the developer or property owner by the City Engineer	Shall be paid by the developer or property owner at the standard rates charged by the City Engineer before the final plat approval is made by the City.	
Legal Fees	Shall be paid by the City for legal fees incurred. The subdivider shall reimburse the City prior to the final plat approval by the City.	
Variance Requesting Relief from the Subdivision Ordinance	\$50	

## **IMPORTANT NOTES:**

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning and Zoning Commission until all staff comments have been satisfied.
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- Engineering and legal fees shall be paid to the city prior to the final plat approval.
- The following items must be provided when submitting an approved plat for recordation.
   -Tax certificate showing that no taxes are currently due or delinquent against the property.
   -Three original mylars.

-Twelve blue line copies for Wilson County 9-1-1 Addressing in 24 X 36 inch or 24 X 18 inch format. -One 11 X 17 inch blue line copy.

-An electronic copy in .pdf in 24 X 36 inch or 24 X 18 inch format and in 11 X 17 inch format.

-Recording fee. Checks should be made out to Wilson County Clerk.

FOR OFFICE USE ONLY:			
Date Application Fee Received:_	11-30-23	_ Received By:	F. Canajal
Receipt No	Cash/Check No	Amou	nt Recd. \$
7 copies	street name appr.	list	TxDOT approval letter
letter of authorization	proof of ownership		HOA document
Plat review meeting date:	Planning and Zoning	Commission meet	ing date:



#### BAICOH HOLDINGS LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT A" WILSON COUNTY, TEXAS 0.520 OF AN ACRE TRACT

#### **EXHIBIT "A"**

**BEING** a 0.520 of an acre tract of land lying in the Juan Delgado Survey No. 8, Block 8, Abstract 8, Wilson County, Texas, same being out of the northern portion of Lot 2, Block 1, of the Woodbridge Commercial Subdivision in Wilson County, Texas, depicted and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, same being a portion of that 1.002 acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated June 12, 2020, and recorded in document number 94767, Official Records of Wilson County, Texas, same also being described by a drawing (Woodbridge Commercial Parcels\_Tract A(2).dwg dated November 28, 2023) attached to and made part hereof and more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found with a plastic cap stamped "CDS/MUERY S.A. TX." in the south right-of-way line of F.M. 775 (120' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the northwest corner of the aforementioned Lot 2, Block 1, the northeast corner of Lot 1, Block 1, of the aforementioned Woodbridge Commercial Subdivision, same also being the northeast corner of that 2.357 acre tract of land described in a deed to MJS Development, LLC, a Texas Limited Liability Company, dated July 27, 2022, and recorded in document number 124032, Official Records of Wilson County, Texas, and the northwest corner of the herein described 0.520 of an acre tract, said point having grid coordinates of N: 13,675,395.79 E: 2,246,167.74.

**THENCE** along the south right-of-way line of the aforementioned F.M. 775, the north line of the aforementioned Lot 2, Block 1, N59°34'33''E a distance of 115.01 feet to a 1/2'' iron rod found with plastic cap stamped "RPLS 5558" for the northeast corner of said Lot 2, Block 1, the northwest corner of that 0.852 of an acre tract of land described in a deed to Urrabazo Properties LLC, a Texas Limited Liability Company, dated May 19, 2022, and recorded in document number 121284, Official Records of Wilson County, Texas, and the northeast corner of the herein described 0.520 of an acre tract;

**THENCE** leaving the south right-of-way line of the aforementioned F.M. 775, along the east line of the aforementioned Lot 2, Block 1, the west line of the aforementioned 0.852 of an acre tract, S29°43'44"E a distance of 197.00 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX.", for the southeast corner of the herein described 0.520 of an acre tract;

**THENCE** leaving the east line of the aforementioned Lot 2, Block 1, the west line of the aforementioned 0.852 of an acre tract, S59°34'33"W a distance of 115.01 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the west line of the aforementioned Lot 2, Block 1, and the east line of the aforementioned Lot 1, Block 1, for the southwest corner of the herein described 0.520 of an acre tract, from which a 1/2" iron rod found within the right-of-way of Woodbridge Court (50' wide right-of-way) and recorded volume C, page 256, Map and Plat Records of Wilson County, Texas, bears S29°43'44"E a distance of 299.20 feet;

Page 1 of 3 123225\_0.520 ac\_Woodbridge\_Tract A(2).docx November 28, 2023

### BAICOH HOLDINGS LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT A" WILSON COUNTY, TEXAS 0.520 OF AN ACRE TRACT

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**THENCE** along the west line of the aforementioned Lot 2, Block 1, and the east line of the aforementioned Lot 1, Block 1, N29°43'44"W a distance of 197.00 feet to the **PLACE OF BEGINNING** and containing 0.520 of an acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

THE STATE OF TEXAS

# COUNTY OF BEXAR X

## KNOWN TO ALL MEN BY THESE PRESENTS:

I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained from an on the ground survey made under my direction and supervision on October 13, 2023.

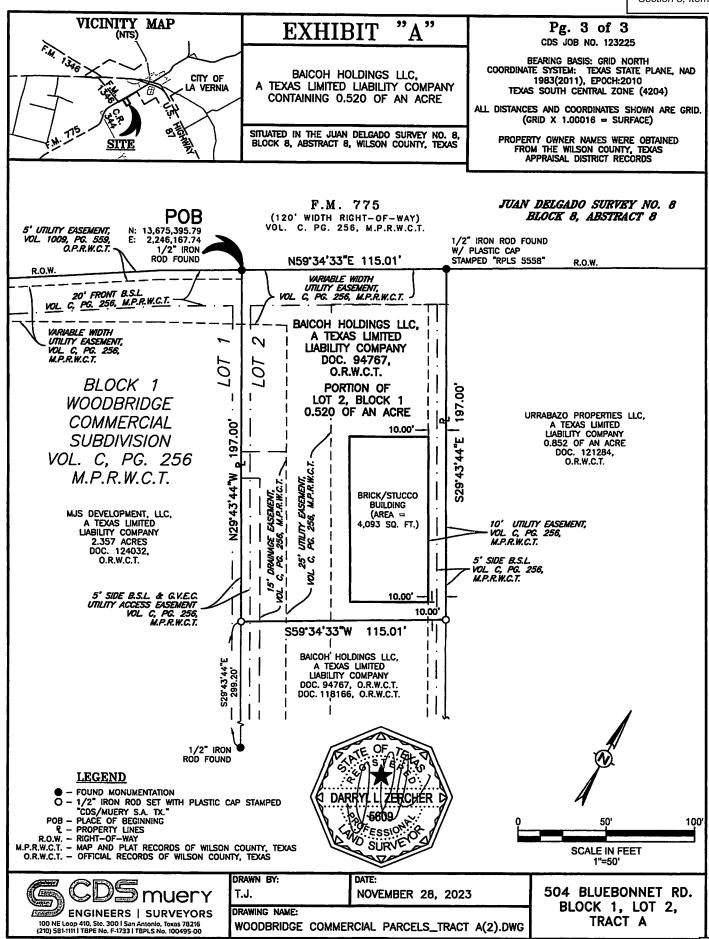


28 day of MOUTENTER Date 2023 A.D.

Darryl L. Zercher Registered Professional Land Surveyor No. 5609 - State of Texas

Page 2 of 3 123225\_0.520 ac\_Woodbridge\_Tract A(2).docx November 28, 2023

Section 5, Item B.





#### BAICOH HOLDINGS LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT B" WILSON COUNTY, TEXAS 0.672 OF AN ACRE TRACT

#### **EXHIBIT "A"**

**BEING** a 0.672 of an acre tract of land lying in the Juan Delgado Survey No. 8, Block 8, Abstract 8, Wilson County, Texas, same being out of the southern portion of Lot 2, Block 1, of the Woodbridge Commercial Subdivision in Wilson County, Texas, depicted and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, same being a portion of that 1.002 acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated June 12, 2020, and recorded in document number 94767, Official Records of Wilson County, Texas, and also being all of that 0.194 of an acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated February 17, 2022, and recorded in document number 118166, Official Records of Wilson County, Texas, same also being described by a drawing (Woodbridge Commercial Parcels\_Tract B(2).dwg dated November 28, 2023) attached to and made part hereof and more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found with plastic cap stamped "CDS/MUERY S.A. TX." lying in the north right-ofway line of Woodbridge Court (50' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the southernmost southeast corner of the aforementioned Lot 2, Block 1, the southwest corner of Lot 20, Block 1, of the aforementioned Woodbridge Commercial Subdivision, and the southernmost southeast corner of the herein described 0.672 of an acre tract, said point having grid coordinates of N: 13,674,971.25 E: 2,246,424.79.

**THENCE** along the north right-of-way line of the aforementioned Woodbridge Court and the south line of the aforementioned Lot 2, Block 1, S59°58'33"W a distance of 12.69 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the southwest corner of said Lot 2, Block 1, the southeast corner of Lot 1, Block 1, of the aforementioned Woodbridge Commercial Subdivision, same also being that 2.357 acre tract of land described in a deed to MJS Development, LLC, a Texas limited liability company, dated July 27, 2023 and recorded in document number 124032, Official Records of Wilson County, Texas, and the southwest corner of the herein described 0.672 of an acre tract, from which a 1/2" iron rod found bears S29°43'44"E a distance of 12.51 feet;

THENCE leaving the north right-of-way line of the aforementioned Woodbridge Court, along the west line of the aforementioned Lot 2, Block 1 and the east line of the aforementioned Lot 1, Block 1, of the Woodbridge Commercial Subdivision, N29°43'44"W a distance of 299.20 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the northwest corner of the herein described 0.672 of an acre tract, from which a 1/2" iron rod found for the northwest corner of said Lot 2, Block 1, and the northeast corner of said Lot 1, Block 1, bears N29°43'44"W a distance of 197.00 feet;

**THENCE** leaving the east line of the aforementioned Lot 1, Block 1, the west line of the aforementioned Lot 2, Block 1, N59°34'33"E a distance of 115.01 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." lying in the east line of said Lot 2, Block 1, of the Woodbridge Commercial Subdivision, the west line of a called 0.852 of an acre tract of land described in a deed to Urrabazo Properties LLC, a Texas limited liability company, and recorded in document number 121284, Official Records of Wilson County, Texas, for the northeast corner of the herein described 0.672 of an acre tract;

THENCE along the east line of the aforementioned Lot 2, Block 1, of the Woodbridge Commercial Subdivision, the west line of the aforementioned 0.852 of an acre tract, S29°43'44"E a distance of 199.08 feet to a 1/2" iron rod found with plastic cap stamped "CDS/MUERY S.A. TX." lying in the northwest line of Lot 19, Block 1, of said Woodbridge Commercial Subdivision, for the southeast corner of said Lot 2, Block 1, the southwest corner of said 0.852 of an acre tract, and the southeast corner of the herein described 0.672 of an acre tract, from which a 1/2" iron rod found with a plastic cap stamped "RPLS 5558" for the southeast corner of said 0.852 of an acre tract bears N15°30'49"E a distance of 152.70 feet;

Page 1 of 3 123225\_0.672 ac\_Woodbridge Tract B(2).docx November 28, 2023

#### BAICOH HOLDINGS LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT B" WILSON COUNTY, TEXAS 0.672 OF AN ACRE TRACT

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**THENCE** along the southeast line of the aforementioned Lot 2, Block 1, and the northwest line of the aforementioned Lots 19 and 20, Block 1, of the Woodbridge Commercial Subdivision, S15°30'49"W a distance of 144.09 feet to the **PLACE OF BEGINNING** and containing 0.672 of an acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

THE STATE OF TEXAS

**COUNTY OF BEXAR** 

#### KNOWN TO ALL MEN BY THESE PRESENTS:

I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained from an on the ground survey made under my direction and supervision on October 13, 2023.

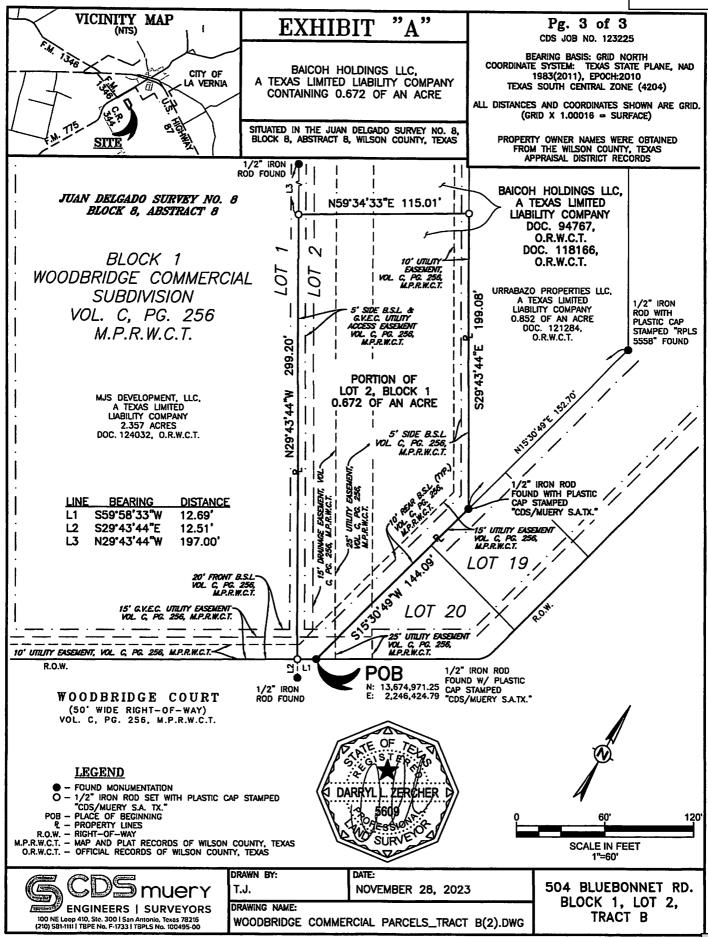


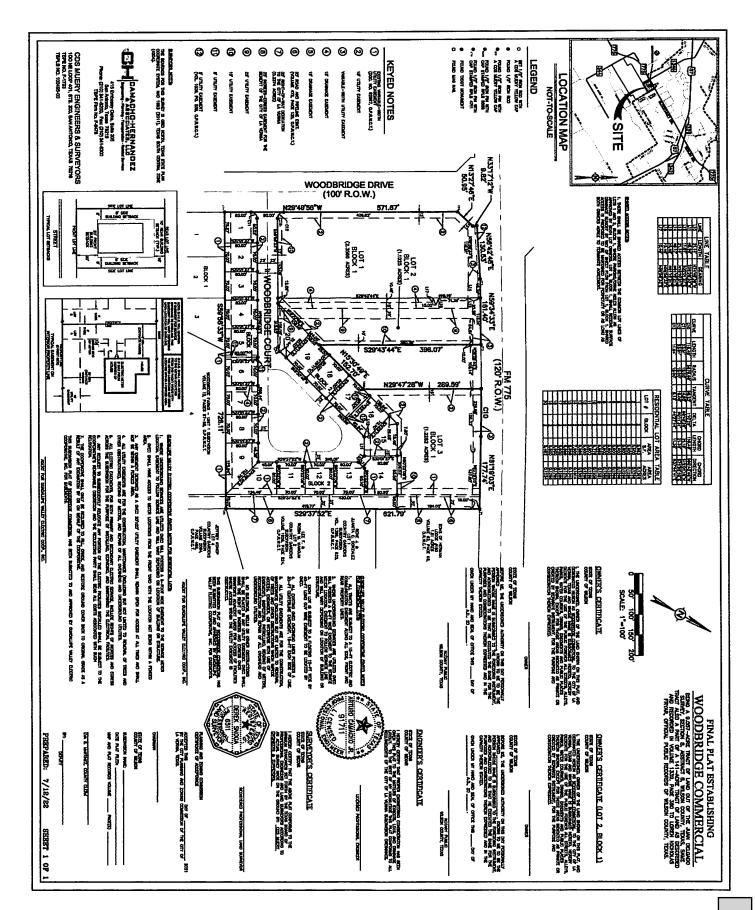
Date 29 day of POLIZAT PSIZA 2023 A.D.

Darryl L. Zercher Registered Professional Land Surveyor No. 5609 - State of Texas

Page 2 of 3 123225\_0.672 ac\_Woodbridge Tract B(2).docx November 28, 2023

Section 5, Item B.





## 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: June 12, 2020

Grantor: BRCH Group, Inc., a Texas corporation

#### **Grantor's Mailing Address:**

2543 F.M. 775, Suite 202 La Vernia, Texas 78121

Grantee: BaiCoH Holdings LLC, a Texas limited liability company

#### **Grantee's Mailing Address:**

157 Diamond View Drive La Vernia, Texas 78121

## **Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and a note of even date executed by Grantee and payable to the order of FIRST UNITED BANK AND TRUST CO. in the principal amount of \$202,500.00. The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of FIRST UNITED BANK AND TRUST CO. and by a first-lien deed of trust of even date from Grantee to Greg Massey, Trustee.

#### Property (including any improvements):

Being a 1.002 acre tract, more or less, situated in the Juan Delgado League, Survey No. 8, Abstract 8, Wilson County, Texas, and being out of the remaining portion of a 2.17 acre tract (known as Tract 3) as described in a conveyance from Carolyn Janette Burrier and husband, Richard Burrier to the BRCH Group, Inc., recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas; said 1.002 acre tract being more particularly described by metes and bounds on Exhibit "A", and depicted on a plat on Exhibit "B" attached hereto and made a part hereof for all purposes.

#### **Restrictions:**

Grantor and Grantee covenant and agree that the Property conveyed herein, along with the parent tract of 2.048 acres from which the Property is carved ("Parent Tract", being the 2.86 acre described in Volume 1961, Page 357, Official Records, Wilson County, Texas, LESS, SAVE AND EXCEPT the .775 acre tract described in Volume 2035, Page 568, Official Records, Wilson County, Texas), will be used solely for commercial business purposes consistent with its current professional office building

Warranty Deed with Vendor's Lien Page 1 of 3 use. Further the Property and the Parent Tract will not be leased, rented, occupied, or allowed to be leased, rented or occupied for any of the following: (a) for any unlawful purpose or in any way which would constitute a legal nuisance to an adjoining owner or occupant; (b) as a night club, bar or tavern; (c) massage parlor; (d) funeral parlor; (e) bingo parlor; (f) any use which emits a strong, unusual, offensive or obnoxious odor, fumes, dust or vapors, or any loud sounds which can be heard outside of any buildings on the 2.048 acre Parent Tract; (g) any "second hand" store or liquidation outlet; (h) any mobile home park, trailer court, labor camp, junk yard, recycling facility or stock yard; (i) any dumping, disposing, incineration or reduction of garbage (exclusive of garbage compactors located near the rear of any building); (j) any automobile, truck, trailer or recreational vehicles sales lot or body shop repair operation; or (k) any establishment selling or exhibit materials or devices which are adjudicated to be pornographic by a court of competent jurisdiction, any adult bookstore, adult video store, or adult movie theater. The restrictions herein shall run with and bind the Property described herein, and the Parent Tract and shall be and remain in effect perpetually to the extent permitted by law.

#### **Reservations from Conveyance:** None

#### **Exceptions to Conveyance and Warranty:**

- 1. Easement dated November 8, 1956, from N. L. Fryar to General Telephone Company of the Southwest, recorded in Volume 316, Page 601, Deed Records of Wilson County, Texas.
- 2. Variance Approval dated May 14, 2020 from the City of La Vernia to BRCH Group, Inc., recorded in the Official Records of Wilson County, Texas, under Document No. 94380.
- 3. Right-of-Way Easement dated June 28, 2017, from BRCH Group, Inc. to Guadalupe Valley Electric Cooperative, Inc., recorded in Volume 2013, Page 199, Official Records of Wilson County, Texas.
- 4. Overhead electric line across subject land as depicted on survey plat dated March 27, 2020, prepared by Berger Land Surveying, Jeffrey B. Berger, R.P.L.S. No. 5558, Job No. BLS20010.

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.

FIRST UNITED BANK AND TRUST CO., at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of FIRST UNITED BANK AND TRUST CO. and are transferred to FIRST UNITED BANK AND TRUST CO. without recourse against Grantor.

Warranty Deed with Vendor's Lien Page 2 of 3

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

BRCH Group, Inc., a Texas corporation By: esident Salvador Urrabazo. By: Secretary Daměl Martinez. ACKNOWLEDGMENTS STATE OF TEXAS § § COUNTY OF WILSON V 2020, by Salvador Urrabazo, Jr., This instrument was acknowledged before me on June President of BRCH Group, Inc., a Texas corporation, on behalf of said corporation. TRACY LYNN FRIEDERICK My Notary ID # 129884829 itate of Expires July 15, 2022 commission expires STATE OF TEXAS § § COUNTY OF WILSON 1 2020, by Daniel Martinez, Secretary This instrument was acknowledged before me on June of BRCH Group, Inc., a Texas corporation, on behalf of said corporation TRACY LYNN FRIEDERICK My Notary ID # 129884829 Expires July 15, 2022 ublic State of Ve My commission expires: PREPARED IN THE OFFICE OF: Robert Harvey & Associates, P.C. 3586 Highway 181 N. Floresville, Texas 78114 AFTER RECORDING RETURN TO:

BaiCoH Holdings LLC 157 Diamond View Drive La Vernia, Texas 78121

Warranty Deed with Vendor's Lien Page 3 of 3

## METES AND BOUNDS DESCRIPTION OF A 1.002 ACRE TRACT

Being a 1.002 acre tract situated in the Juan Delgado League, Survey No. 8, Abstract 8, Wilson County, Texas and being out of the remaining portion of a 2.17 acre tract (known as Tract 3) as described in a conveyance from Carolyn Janette Burrier and husband, Richard Burrier to the BRCH Group, Inc. recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas; said 1.002 acre tract surveyed by Jeffrey B. Berger, R.P.L.S. No. 5558 and being more particularly described as follows:

BEGINNING at a wood fence corner post found on the southeast line of F. M. Highway No. 775 (aka Bluebonnet Road) at a north corner of the remaining portion of a 141 acre tract as described in a conveyance to Loren Nicholas Fryar recorded in Volume 1339, Page 380, Official Public Records of Wilson County, Texas, for the west corner of said remaining portion of a 2.17 acre and the herein described tract;

THENCE North 60° 11' 47" East 115.00 feet (Basis of Bearings) with said southeast line of F. M. Highway No. 775 (aka Bluebonnet Road) to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set for the north corner of the herein described tract;

THENCE over and across said remaining portion of a 2.17 acre tract, South 29° 04' 28" East 380.46 feet to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set for the east corner of the herein described tract, and South 60° 55' 32" West 115.00 feet to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set on a northeast line of said remaining portion of a 141 acre tract, for the south corner of the herein described tract;

THENCE North 29° 04' 28" West 379.00 feet generally along a wire fence with the common of said remaining portion of a 2.17 acre tract and said remaining portion of a 141 acre tract to the POINT OF BEGINNING and containing 1.002 acres.

Surveyor's Notes:

- 1. Bearings are based on said deed recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas.
- 2. A survey plat was prepared on this same date as a part of this survey.

δ

STATE OF TEXAS

March 27, 2020

COUNTY OF WILSON δ

It is hereby stated that the above description was prepared from an actual survey on the ground of the described 1.002 acre tract made under my supervision.



Berger, Registered Professional Land Surveyor No. 5558

BERGER LAND SURVEYING 172 ROSEWOOD DRIVE LA VERNIA, TEXAS 78121-4756 Phone: (830) 217-4228 Fax: (866) 806-3636 **TBPELS Firm No. 10171400** 

CARementSURVEYS 2020/BLS20010 1.002 ACRES METES AND BOUNDS.doc

EXHIBIT "A"

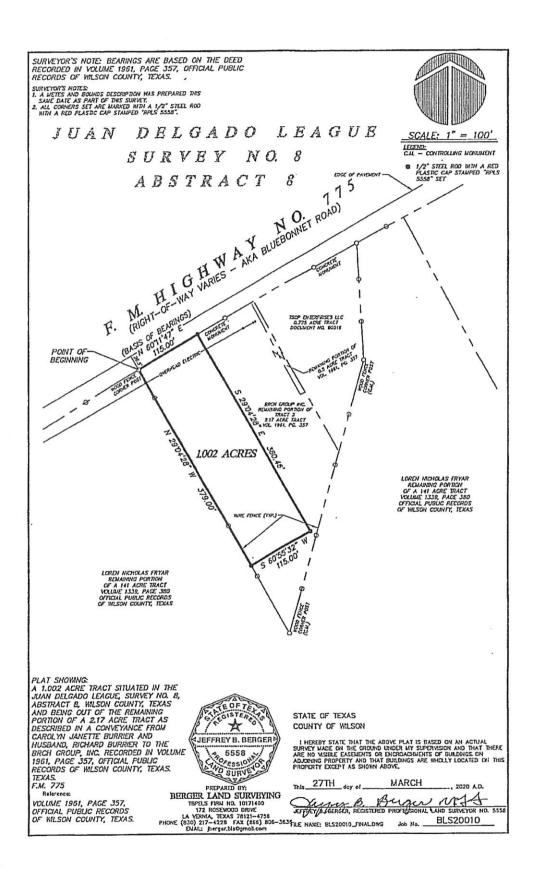


EXHIBIT "B"



Wilson County Eva S. Martinez Wilson County Clerk Section 5, Item B.

Instrument Number: 94767

**Real Property Recordings** 

Recorded On: June 16, 2020 08:39 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$42.00

## \*\*\*\*\*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

## File Information:

Document Number:	94767
Receipt Number:	20200616000001
Recorded Date/Time:	June 16, 2020 08:
User:	Georgina L
Station:	cclerk01

Record and Return To: BAICOH HOLDINGS LLC 157 DIAMON VIEW DRIVE

LA VERNIA TX 78121 F-TE



Wilson County I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Wilson County, Texas

Eva S. Martinez

08:39 AM

Eva S. Martinez Wilson County Clerk Wilson County, TX

### 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.

## **General Warranty Deed**

Date: February 17, 2022

Grantor: BRCH Group, Inc., a Texas corporation

#### **Grantor's Mailing Address:**

2543 F.M. 775, Suite 202 La Vernia, Texas 78121

Grantee: BaiCoH Holdings LLC, a Texas limited liability company

#### **Grantee's Mailing Address:**

157 Diamond View Drive La Vernia, Texas 78121

#### **Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

#### Property (including any improvements):

Being a 0.194 acre tract situated in the Juan Delgado League, Survey No. 8, Abstract No. 8, Wilson County, Texas, and being out of the remaining portion of a 2.17 acre tract (known as Tract 3) as described in a conveyance from Carolyn Janette Burrier and husband, Richard Burrier to BRCH Group, Inc., recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas, and being more particularly described by metes and bounds on Exhibit "A", and depicted on a plat on Exhibit "B" attached hereto and made a part hereof for all purposes.

#### Reservations from Conveyance: None

#### **Exceptions to Conveyance and Warranty:**

1. Easement dated November 8, 1956, from N. L. Fryar to General Telephone Company of the Southwest, recorded in Volume 316, Page 601, Deed Records of Wilson County, Texas.

General Warranty Deed Page 1 of 3

- 2. Variance Approval dated May 14, 2020 from the City of La Vernia to BRCH Group, Inc., recorded in the Official Records of Wilson County, Texas, under Document No. 94380.
- 3. Right-of-Way Easement dated June 28, 2017, from BRCH Group, Inc. to Guadalupe Valley Electric Cooperative, Inc., recorded in Volume 2013, Page 199, Official Records of Wilson County, Texas.

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.

BRCH Group, Inc., a Texas corporation

Bv: By: Daniel Martinez, Sec

منتحد الالاسانية

**General Warranty Deed** Page 2 of 3

#### ACKNOWLEDGMENTS

STATE OF TEXAS COUNTY OF WILSON § §

This instrument was acknowledged before me on February \_\_\_\_\_, 2022, by Salvador Urrabazo, Jr., President of BRCH Group, Inc., a Texas corporation, on behalf of said corporation.

ublid

My commission exp



STATE OF TEXAS COUNTY OF WILSON § §

This instrument was acknowledged before me on February -4, 2022, by Daniel Martinez, Secretary of BRCH Group, Inc., a Texas corporation, on behalf of said corporation.



otary Public, State of Texas My commission expires

PREPARED IN THE OFFICE OF: Robert Harvey & Associates, P.C. 3586 Highway 181 N. Floresville, Texas 78114

AFTER RECORDING RETURN TO: BaiCoH Holdings LLC 157 Diamond View Drive La Vernia, Texas 78121

General Warranty Deed Page 3 of 3

#### METES AND BOUNDS DESCRIPTION OF A 0.194 ACRE TRACT

Being a 0.194 acre tract situated in the Juan Delgado League, Survey No. 8, Abstract 8, Wilson County, Texas and being out of the remaining portion of a 2.17 acre tract (known as Tract 3) as described in a conveyance from Carolyn Janette Burrier and husband, Richard Burrier to the BRCH Group, Inc. recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas; said 0.194 acre tract surveyed by Jeffrey B. Berger, R.P.L.S. No. 5558 and being more particularly described as follows:

BEGINNING at a wood fence corner post found (controlling monument) at an interior corner of the remaining portion of a 141 acre tract as described in a conveyance to Loren Nicholas Fryar recorded in Volume 1339, Page 380. Official Public Records of Wilson County, Texas, for the south corner of said remaining portion of a 2.17 acre and the herein described tract:

THENCE North 29º 04' 28" West 130.81 feet generally along a wire fence with the common of said remaining portion of a 2.17 acre tract and said remaining portion of a 141 acre tract to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set for the west corner of the herein described tract;

THENCE over and across said remaining portion of a 2.17 acre tract, North 60° 55' 32" East 115.00 feet to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set for the north corner of the herein described tract, and South 29° 04' 28" East 16.12 feet to a 1/2" steel rod with a red plastic cap stamped "RPLS 5558" set on a northwest line of said remaining portion of a 141 acre tract, for the east corner of the herein described tract;

THENCE South 16° 00' 00" West 162.41 feet generally along a wire fence with the common of said remaining portion of a 2.17 acre tract and said remaining portion of a 141 acre tract to the POINT OF BEGINNING and containing 0.194 acres.

Surveyor's Notes:

- 1. Bearings are based on said deed recorded in Volume 1961, Page 357, Official Public Records of Wilson County, Texas.
- 2. A survey plat was prepared on this same date as a part of this survey.

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STATE OF TEXAS δ COUNTY OF WILSON

March 27, 2020

It is hereby stated that the above description was prepared from an actual survey on the ground of the described 0.194 acre tract made under my supervision.



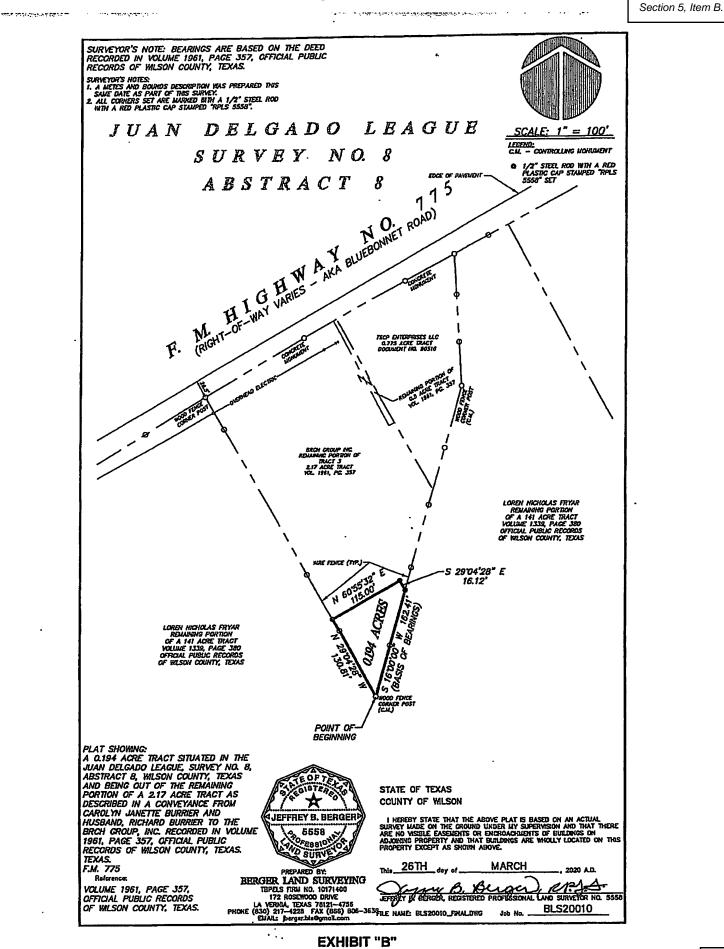
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or the AU h	1.	1 7	0	-10		6660

Jeffrey B. Berger, Registered Professional Land Surveyor No.

BERGER LAND SURVEYING 172 ROSEWOOD DRIVE LA VERNIA, TEXAS 78121-4756 Phone: (830) 217-4228 Fax: (866) 806-3636 **TBPELS Firm No. 10171400** 

CUBEREASURVEYS 2020/BLS20010 0.194 ACRES METES AND BOUNDS.doc

EXHIBIT "A"



.....

41



Wilson County Eva S. Martinez Wilson County Clerk

Instrument Number: 118166

**Real Property Recordings** 

Recorded On: March 07, 2022 02:44 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$42.00

### \*\*\*\*\*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

### File Information:

Document Number:	118166
Receipt Number:	20220307000041
Recorded Date/Time:	March 07, 2022 02:44 PM
User:	Georgina L
Station:	cclerk01

STATE OF TEXAS

**Record and Return To:** BAICOH HOLDINGS LLC 157 DIAMOND VIEW DRIVE

LA VERNIA TX 78121

E



Wilson County I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Wilson County, Texas

Eva S. Martinez

Eva S. Martinez Wilson County Clerk Floresville, TX

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# NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of **BAICOH HOLDINGS LLC** 

Property: 503 BLUEBONNET RD LA VERNIA, TX 78121 to be considered, being WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 2, ACRES 1.1925

Request: The purpose of the re-plat is to divide 1 Lot into 2 lots.

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. *However, the zoning of your property will not be affected.* The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Commissioners in making their decision.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, January 9<sup>th,</sup> 2024 at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St., and is open to the public. If you are unable to attend the hearing and desire to express an opinion in regard to the above petition, you may do so by completing the form below and returning it, including your signature. Must be returned before the meeting.

Mail: City of La Vernia Lindsey Wheeler 102 E. Chihuahua St. La Vernia. Texas 78121

Email: Lboyd@lavernia-tx.gov

If you have questions, please call Lindsey Wheeler at (830) 779-4541 ext. 3.

Lindsey Wheeler, City Secretary

## YOUR OPINION MATTERS – DETACH AND RETURN

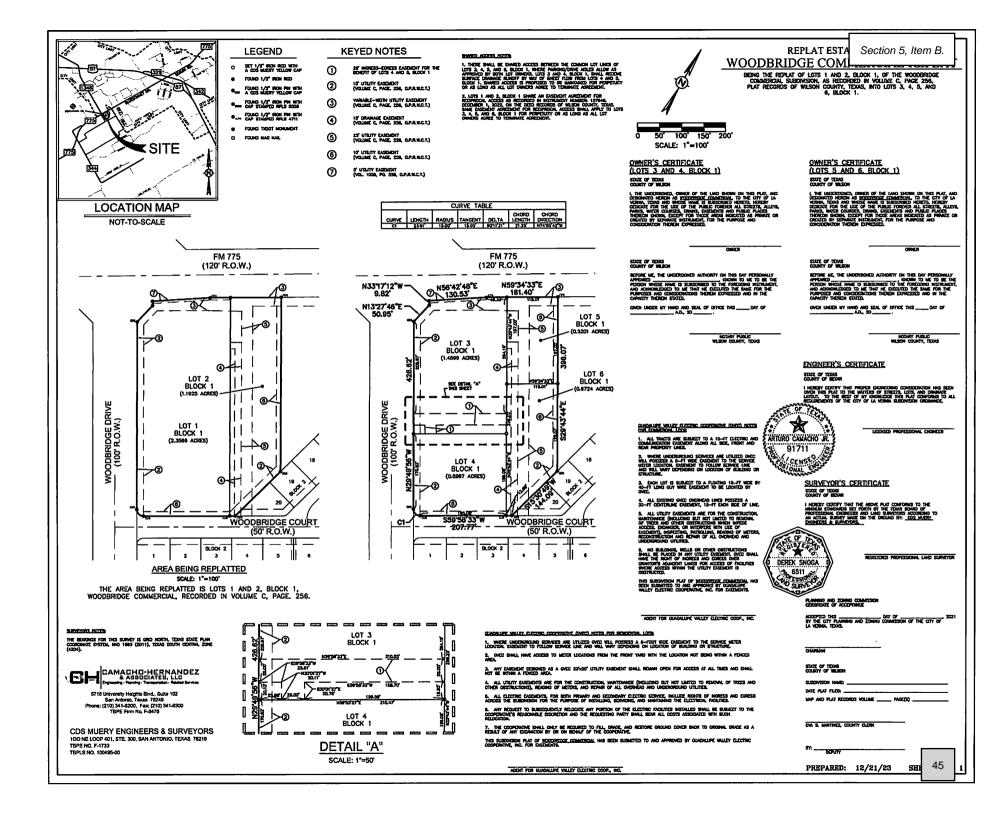
Circle one

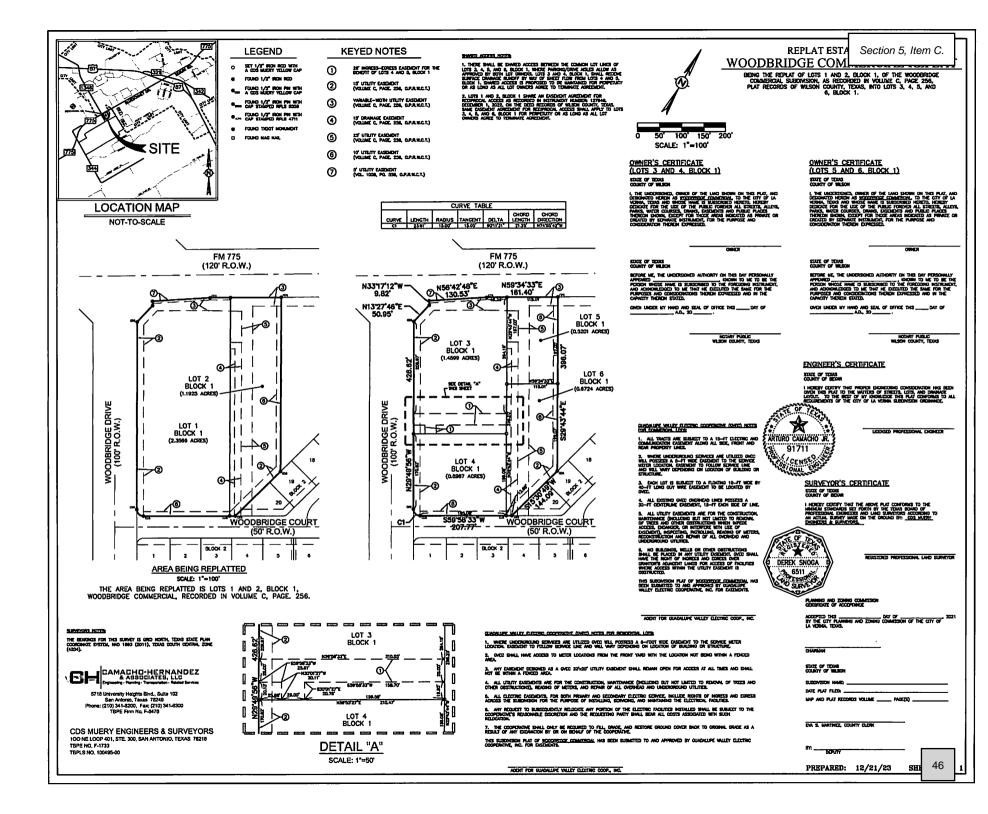
I am (in favor ) (opposed to) the proposed re-plat at 503 BLUEBONNET RD LA VERNIA, TX 78121 being WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 2, ACRES 1.1925

Name:		
Address:	<u> </u>	
Signature:	Date:	
Comments:		

By State Law – Unsigned submission cannot be counted as official comment.







APPLICATION FOR LAND SUBDIVISION Section 5, Item C. 102 E. Chihuahua Street P.O. Box 225 La Vernia, TX 78121 (830) 779-4541 Replat Amended		
CHECK ONE: Master Plan Prelim./Final Plat Prelim. Plat Final Plat		
1. PROPOSED SUBDIVISION NAME: MJS Development UNIT NO		
LOCATION DESCRIPTION/NEAREST INTERSECTION: 775 + Woodbridge Farms		
ACREAGE:NO OF LOTS: EXISTING PROPOSED		
REASON FOR PLATTING/REPLATTING		
2. OWNER/APPLICANT: MJS Development - Jeanine Schoenert		
(* If applicant is person other than owner, a letter of authorization must be provided from owner.*)		
ADDRESS: 4395 Fm 725		
Telephone:Fax:Mobile: 508,8060 Email: ischue 1047@aol.co		
3. LICENSED ENGINEER/SURVEYOR: CDS Muery		
MAILING ADDRESS: 100 NE Loop 410 Ste 300 Ste. 300		
TELEPHONE: 581-1111 Fax: Mobile: Email:		
LIST ANY VARIANCE REQUESTED:		
REASON FOR REQUEST (List any hardships):		
4. PRESENT USE OF THE PROPERTY Commercial CURRENT ZONING: CI		
5. CITY LIMITS: IN OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN? YES NO		
<ul> <li>6. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.</li> </ul>		
REQUIRED ITEMS FOR SUBMITTAL PACKAGE		
<ul> <li>Completed application, including signature of owner/applicant and signed waiver.</li> <li>Copy of deed showing current ownership.</li> </ul>		
7 copies of the plat, collated and folded so that the subdivision name is visible. Staple plats with 2 or more pages.		
2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.		
<ul> <li>Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.</li> <li>Survey showing any existing structures on the subject property.</li> </ul>		
List of street names approved by the appropriate county.		
PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION		
I agree to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat will NOT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on (date of Planning and Zoning Commission meeting). This waiver expires after (date of the Planning and Zoning Commission meeting). (The waiver statement is not applicable to Minor Plats.)		

Signature of Owner/Applicant Printed Name of Owner/Applicant (If applicant is person other than owner, a letter of authorization must be provided from owner.) Signature indicates authorization for plat application and acceptance of waiver statement.

11-28.23 Date

Overall Development Concept Review Fee	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into	
Overall Development Concept Review Fee	conventional single-family residential lots, but intended for	
	apartments, townhouses, commercial and/or industrial use.	
	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for	
Preliminary Plat Review	any land within the boundaries of the plat not divided into	
	conventional single-family residential lots	
	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for	
Final Plat Review Fee	any land within the boundaries of the plat not divided into	
	conventional single-family residential lots.	
	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for	
Minor Subdivision Plat	any land within the boundaries of the plat not divided into	
	conventional single-family residential lots.	
2.36	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for	
Vacating a Plat or Replatting ACVES	any land within the boundaries of the plat not divided into	
	conventional single-family residential lots. $75 \pm 1 \pm 1 \pm 2 \pm 2$	5+5
Plat Amendment	\$100 = \$3.00	
Engineering Fees Review	To be paid by the developer or property owner before the final	
	plat approval is made by the city.	
Changes or request for further reviews from	Shall be paid by the developer or property owner at the	
the developer or property owner by the City		
Engineer	plat approval is made by the City.	
Legal Fees	Shall be paid by the City for legal fees incurred. The subdivider	
	shall reimburse the City prior to the final plat approval by the City.	
Variance Requesting Relief from the	\$50	
Subdivision Ordinance	ψ00	

## **IMPORTANT NOTES:**

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning and Zoning Commission until all staff comments have been satisfied.
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- Engineering and legal fees shall be paid to the city prior to the final plat approval.
- The following items must be provided when submitting an approved plat for recordation.
   -Tax certificate showing that no taxes are currently due or delinquent against the property.
   -Three original mylars.

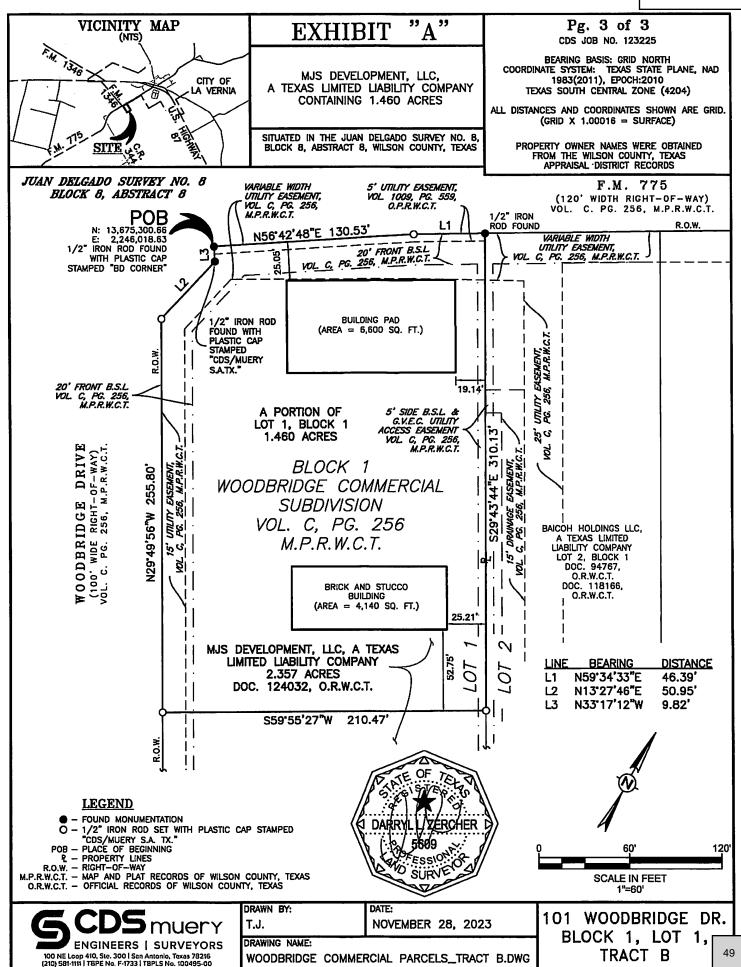
-Twelve blue line copies for Wilson County 9-1-1 Addressing in 24 X 36 inch or 24 X 18 inch format. -One 11 X 17 inch blue line copy.

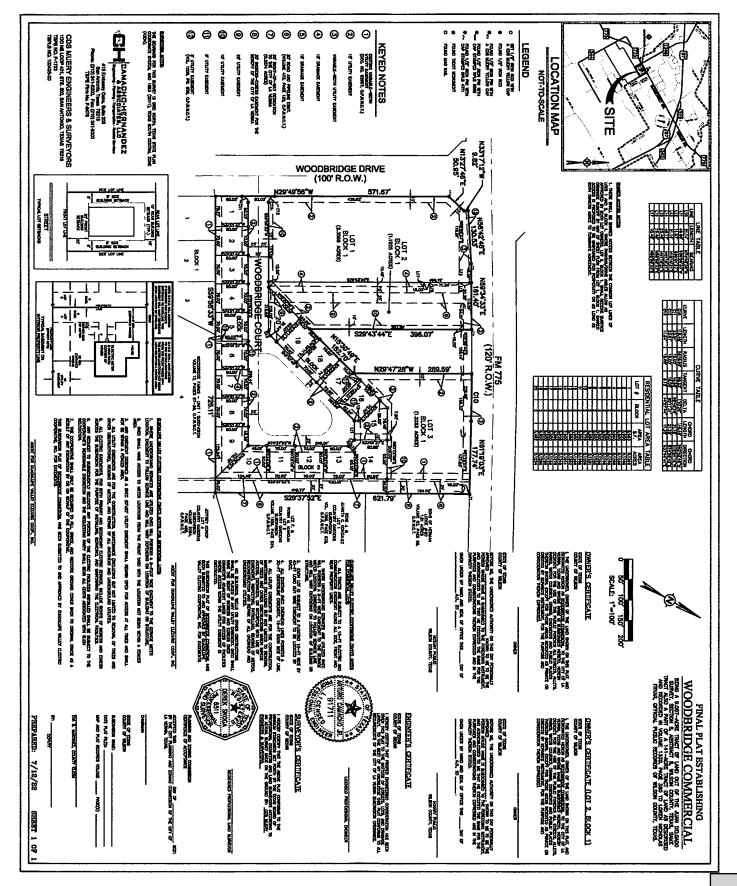
-An electronic copy in .pdf in 24 X 36 inch or 24 X 18 inch format and in 11 X 17 inch format. -Recording fee. Checks should be made out to Wilson County Clerk.

## FOR OFFICE USE ONLY:

Date Application Fee Received:	Received By:		
Receipt No	Cash/Check No	_Amount Recd. \$	
7 copies	street name appr. list	TxDOT approval letter	
letter of authorization	proof of ownership	HOA document	
Plat review meeting date:	Planning and Zoning Commissio	n meeting date:	

Section 5, Item C.





1

## 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.

### **Special Warranty Deed**

Date: July 27, 2022

#### **Grantors and Grantors' Mailing Addresses:**

Jeanine Enterprises, Inc., a Texas corporation 4395 FM 775 La Vernia, Texas 78121

TSCP Enterprises, LLC, a Texas limited liability company 4395 FM 775 La Vernia, Texas 78121

Grantee: MJS Development, LLC, a Texas limited liability company

#### Grantee's Mailing Address:

4395 FM 775 La Vernia, Texas 78121

#### **Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

#### Property (including any improvements):

Lots 1 and 3, Block 1, Woodbridge Commercial Subdivision, as shown on plat of Woodbridge Commercial Subdivision, recorded in Volume C, Page 256, Plat Records of Wilson County, Texas.

#### **Reservations from Conveyance:**

None

#### **Exceptions to Conveyance and Warranty:**

Validly existing easements, right-of-ways, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the fee estate, that affect the Property.

Special Warranty Deed Page 1 of 3 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 when the claim is by, through, or under Grantor but not otherwise, 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.

Jeanine Enterprises, Inc., a Texas corporation

By: e L. Schoenert, President

TSCP Enterprises, LLC, a Texas limited liability company

eanine Schoenert, Sole Member/Manager

Special Warranty Deed Page 2 of 3

### **ACKNOWLEDGMENTS**

STATE OF TEXAS ) COUNTY OF WILSON ) This instrument was acknowledged before me on \_\_\_\_ 2022. by Jeanine L. Schoenert, the President of Jeanine Enterprises, Inc. J a Texas corporation, on behalf of said corporation. TRACY LYNN FRIEDERICK Public, State otary f Texas My Notary ID # 129884829 My commission expires: Expires July 15, 2026 STATE OF TEXAS ) · COUNTY OF WILSON ) This instrument was acknowledged before me on 1 2022. by Jeanine Schoenert, the Sole Member and Manager of TSCP Enterprises, LLC, a Texas limited liability company, on behalf of said company. TRACY LYNN FRIEDERICK <sup>b</sup>ublic, Stat My Notary ID # 129884829 My commission expires: Expires July 15, 2026 PREPARED IN THE OFFICE OF: Robert Harvey & Associates, P.C.

Floresville, Texas 78114 AFTER RECORDING RETURN TO: MJS Development, LLC

MJS Development, LLC 4395 FM 775 La Vernia, Texas 78121

3586 Highway 181 North



Wilson County Eva S. Martinez Wilson County Clerk

Instrument Number: 124032

Real Property Recordings

Recorded On: July 29, 2022 02:37 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$34.00

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Wilson County, Texas

### File Information:

Document Number:124032Receipt Number:20220729000036Recorded Date/Time:July 29, 2022 02:37 PMUser:Krystle HStation:cclerk05

Record and Return To: MJS DEVELOPMENT 4395 FM 775

LA VERNIA TX 78121



Eva S. Marting

STATE OF TEXAS Wilson County

> Eva S. Martinez Wilson County Clerk Floresville, TX



#### MJS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT A" WILSON COUNTY, TEXAS 0.897 OF AN ACRE TRACT

### **EXHIBIT "A"**

**BEING** a 0.897 of an acre tract of land lying in the Juan Delgado Survey No. 8, Block 8, Abstract 8, Wilson County, Texas, same being out of the southern portion of Lot 1, Block 1, of the Woodbridge Commercial Subdivision in Wilson County, Texas, depicted and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, same being a portion of that 2.357 acre tract of land described in a deed to MJS Development, LLC, a Texas Limited Liability Company, dated July 27, 2022, and recorded in document number 124032, Official Records of Wilson County, Texas, same also being described by a drawing (Woodbridge Commercial Parcels\_Tract 2.dwg dated October 17, 2023) attached to and made part hereof and more particularly described as follows:

**BEGINNING** at a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the east right-of-way line of Woodbridge Drive (100' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, the west line of the aforementioned Lot 1, Block 1, for the northwest corner of the herein described 0.897 of an acre tract, said point having grid coordinates of N: 13,675,021.01 E: 2,246,139.41.

**THENCE** leaving the east right-of-way line of the aforementioned Woodbridge Drive, the west line of the aforementioned Lot 1, Block 1, N59°55'27"E a distance of 210.47 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the east line of said Lot 1, Block 1, the west line of Lot 2, Block 1, of the aforementioned Woodbridge Commercial Subdivision, same also being the west line of that 1.002 acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated June 12, 2020, and recorded in document number 94767, Official Records of Wilson County, Texas, for the northeast corner of the herein described 0.897 of an acre tract, from which a 1/2" iron rod found in the south right-of-way line of F.M. 775 (120' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the northeast corner of said Lot 1, Block 1, and the northwest corner of said Lot 2, Block 1, bears N29°43'44"W a distance of 310.13 feet;

THENCE along the east line of the aforementioned Lot 1, Block 1, the west line of the aforementioned Lot 2, Block 1, same also being the west line of that 0.194 of an acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated February 17, 2022, and recorded in document number 118166, Official Records of Wilson County, Texas, S29°43'44"E a distance of 186.06 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the north right-of-way line of Woodbridge Court (50' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the southeast corner of said Lot 1, Block 1, the southwest corner of said Lot 2, Block 1, and the southeast corner of the herein described 0.897 of an acre tract, from which a 1/2" iron rod found within the right-of-way of said Woodbridge Court bears S29°43'44"E a distance of 12.51 feet;

**THENCE** along the north right-of-way line of the aforementioned Woodbridge Court, the south line of the aforementioned Lot 1, Block 1, S59°58'33"W a distance of 195.08 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for a point of curvature of said Lot 1, Block 1, said Woodbridge Court, and the herein described 0.897 of an acre tract;

Page 1 of 3 123225\_0.897 ac\_Woodbridge Tract B.docx October 25, 2023

#### MJS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT A" WILSON COUNTY, TEXAS 0.897 OF AN ACRE TRACT

THENCE continuing along the northeast right-of-way line of the aforementioned Woodbridge Court and the southwest line of the aforementioned Lot 1, Block 1, an arc distance of 23.61 feet with a curve to the right having a radius of 15.00 feet, a central angle of 90°11'56" (Record 1 - 90°11'31"), and a chord which bears N74°55'42"W a distance of 21.25 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for a point at the intersection of the east right-of-way line of the aforementioned Woodbridge Drive and the north right-of-way line of said Woodbridge Court, for the northernmost southwest corner of said Lot 1, Block 1, same being the northernmost southwest corner of the herein described 0.897 of an acre tract,

THENCE along the east right-of-way line of the aforementioned Woodbridge Drive, the west line of the aforementioned Lot 1, Block 1, N29°49'56"W a distance of 170.82 feet to the PLACE OF BEGINNING and containing 0.897 of an acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

#### THE STATE OF TEXAS X X KNOWN TO ALL MEN BY THESE PRESENTS: COUNTY OF BEXAR X

I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained from an on the ground survey made under my direction and supervision on October 13, 2023.

Date <u>26</u> day of <u>October</u> 2023 A.D.

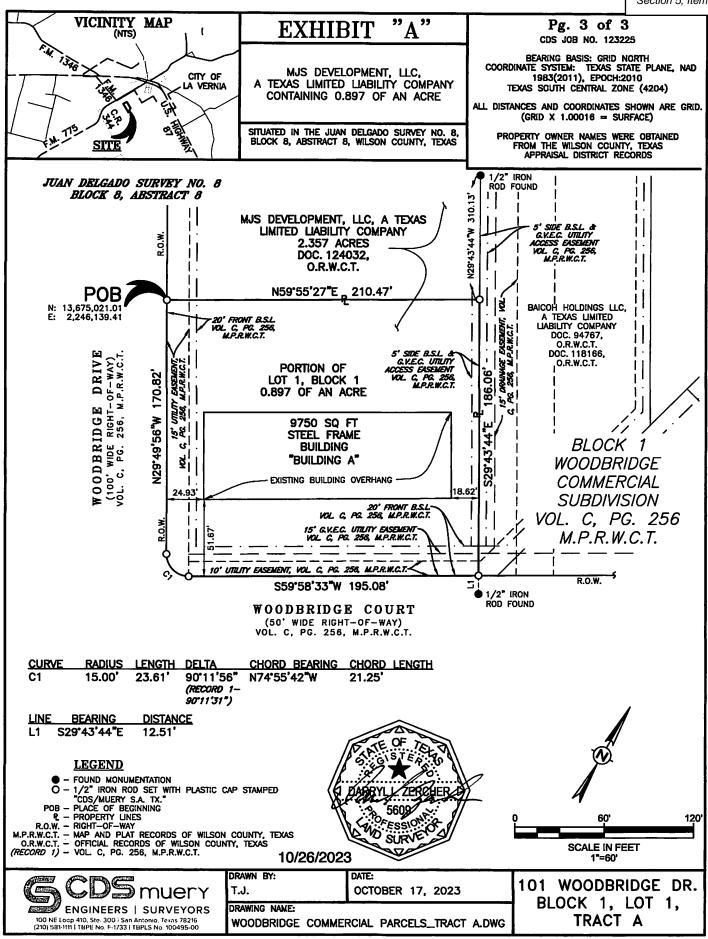


Jan Jak

Darryl L. Zercher Registered Professional Land Surveyor No. 5609 - State of Texas

Page 2 of 3 123225\_0.897 ac\_Woodbridge Tract 2.docx October 25, 2023

Section 5, Item C.





#### MJS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT B" WILSON COUNTY, TEXAS 1.460 ACRE TRACT

#### **EXHIBIT "A"**

**BEING** a 1.460 acre tract of land lying in the Juan Delgado Survey No. 8, Block 8, Abstract 8, Wilson County, Texas, same being out of the northern portion of Lot 1, Block 1, of the Woodbridge Commercial Subdivision in Wilson County, Texas, depicted and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, same being a portion of that 2.357 acre tract of land described in a deed to MJS Development, LLC, a Texas Limited Liability Company, dated July 27, 2022, and recorded in document number 124032, Official Records of Wilson County, Texas, same also being described by a drawing (Woodbridge Commercial Parcels\_Tract 1.dwg dated October 13, 2023) attached to and made part hereof and more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found with a plastic cap stamped "BD CORNER" in the south right-of-way line of F.M. 775 (120' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the northernmost northwest corner of the aforementioned Lot 1, Block 1, same being the northernmost northwest corner of the herein described 1.460 acre tract, said point having grid coordinates of N: 13,675,300.66 E: 2,246,018.63.

**THENCE** along the south right-of-way line of the aforementioned F.M. 775, the north line of the aforementioned Lot 1, Block 1, N56°42'48"E a distance of 130.53 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for an exterior angle point of said Lot 1, Block 1, and of the herein described 1.460 acre tract;

**THENCE** continuing along the south right-of-way line of the aforementioned F.M. 775, the north line of the aforementioned Lot 1, Block 1, N59°34'33"E a distance of 46.39 feet to a 1/2" iron rod found for the northeast corner of said Lot 1, Block 1, the northwest corner of Lot 2, Block 1, of the aforementioned Woodbridge Commercial Subdivision, same also being the northwest corner of that 1.002 acre tract of land described in a deed to BaiCoH Holdings LLC, a Texas Limited Liability Company, dated June 12, 2020, and recorded in document number 94767, Official Records of Wilson County, Texas, and the northeast corner of the herein described 1.460 acre tract;

**THENCE** leaving the south right-of-way line of the aforementioned F.M. 775, along the east line of the aforementioned Lot 1, Block 1, the west line of the aforementioned Lot 2, Block 1, S29°43'44"E a distance of 310.13 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX.", for the southeast corner of the herein described 1.460 acre tract;

**THENCE** leaving the east line of the aforementioned Lot 1, Block 1, the west line of the aforementioned Lot 2, Block 1, S59°55'27"W a distance of 210.47 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the west line of said Lot 1, Block 1, and the east right-of-way line of Woodbridge Drive (100' wide right-of-way) and recorded in volume C, page 256, Map and Plat Records of Wilson County, Texas, for the southwest corner of the herein described 1.460 acre tract;

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#### MJS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY WOODBRIDGE COMMERCIAL PARCELS – "TRACT B" WILSON COUNTY, TEXAS 1.460 ACRE TRACT

**THENCE** along the east right-of-way line of the aforementioned Woodbridge Drive, and the west line of the aforementioned Lot 1, Block 1, N29°49'56"W a distance of 255.80 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for a point at the intersection of the east right-of-way line of said Woodbridge Drive and the south right-of-way line of the aforementioned F.M. 775, for the southernmost northwest corner of said Lot 1, Block 1, same being the southernmost northwest corner of the herein described 1.460 acre tract;

THENCE continuing along the intersection of the east right-of-way line of the aforementioned Woodbridge Drive and the south right-of-way line of the aforementioned F.M. 775, the northwest line of the aforementioned Lot 1, Block 1, N13°27'46"E a distance of 50.95 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for an exterior angle point of said right-of-way intersection, an interior angle point of said Lot 1, Block 1, same being an interior angle point of the herein described 1.460 acre tract;

**THENCE** continuing along the intersection of the east right-of-way line of the aforementioned Woodbridge Drive and the south right-of-way line of the aforementioned F.M. 775, the west line of the aforementioned Lot 1, Block 1, N33°17'12"W a distance of 9.82 feet to the **PLACE OF BEGINNING** and containing 1.460 acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

THE STATE OF TEXAS

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KNOWN TO ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained from an on the ground survey made under my direction and supervision on October 13, 2023.

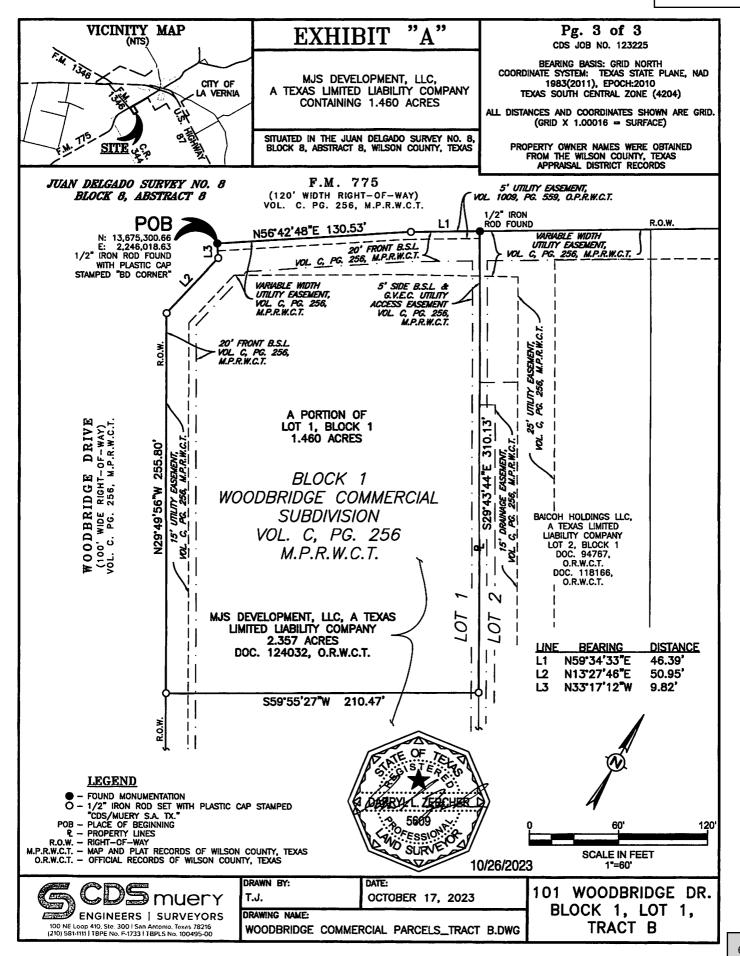


Date <u>26</u> day of <u>October</u> 2023 A.D.

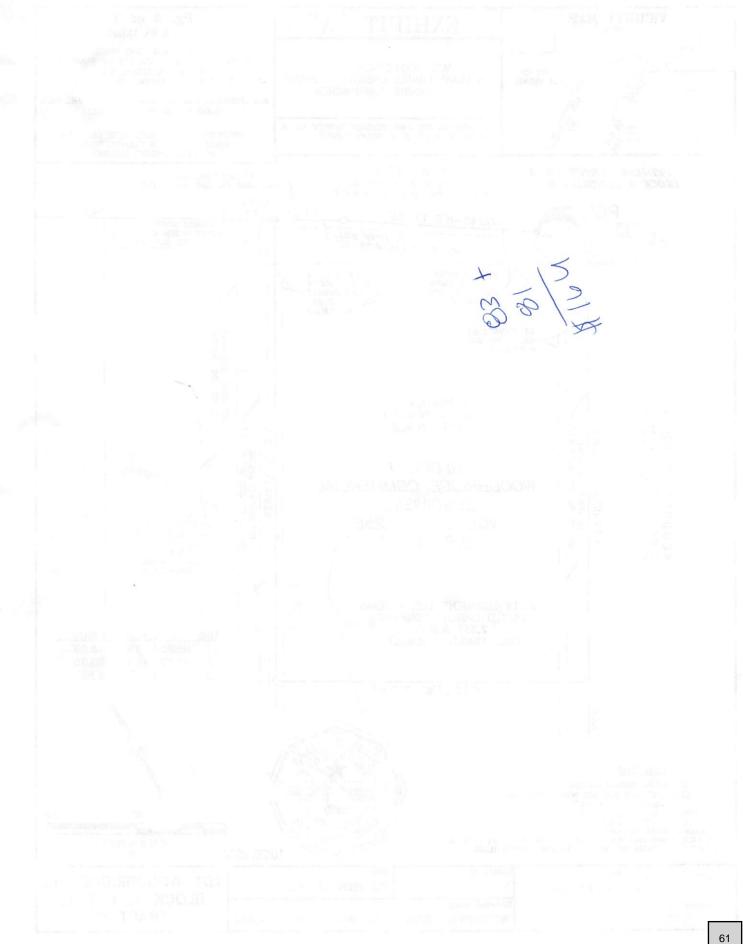
Darryl L. Zercher Registered Professional Land Surveyor No. 5609 - State of Texas

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Section 5, Item C.





# NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of **MJS Development** 

Property: 101 WOODBRIDGE DR LA VERNIA, TX 78121 WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 1, ACRES 2.3566

Request: The purpose of the re-plat is to divide 1 Lot into 2 lots.

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. *However, the zoning of your property will not be affected.* The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Commissioners in making their decision.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, January 9<sup>th,</sup> 2024 at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St., and is open to the public. If you are unable to attend the hearing and desire to express an opinion in regard to the above petition, you may do so by completing the form below and returning it, including your signature. Must be returned before the meeting.

Mail: City of La Vernia Lindsey Wheeler 102 E. Chihuahua St. La Vernia, Texas 78121

Email: Lboyd@lavernia-tx.gov

If you have questions, please call Lindsey Wheeler at (830) 779-4541 ext. 3.

Lindsey Wheeler, City Secretary

## YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am (in favor ) (opposed to) the proposed re-plat at 101 WOODBRIDGE DR LA VERNIA, TX 78121 WOODBRIDGE COMMERCIAL, BLOCK 1, LOT 1, ACRES 2.3566

Name:	
Address:	
Signature:	Date:
Comments:	

By State Law – Unsigned submission cannot be counted as official comment.

