

RESOLUTION **2020-12-03-0054R**

PROVIDING THE CITY OF SAN ANTONIO'S CONSENT TO THE CREATION BY BEXAR COUNTY OF A PUBLIC IMPROVEMENT DISTRICT, TO BE NAMED THE LEMON CREEK SPECIAL IMPROVEMENT DISTRICT, GENERALLY LOCATED NORTHEAST OF IH-10 WEST, NORTH OF DIETZ ELKHORN ROAD AND WEST OF OLD FREDERICKSBURG ROAD, IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY SAN ANTONIO, BEXAR COUNTY, TEXAS; AND ESTABLISHING CONDITIONS WITH RESPECT THERETO.

* * * * *

WHEREAS, VEP Lemon Creek LP (Owner), owns approximately 117.837 acres of land, referred to as the Lemon Creek Property, generally located northeast of IH-10 W, north of Dietz Elkhorn Road and west of Old Fredericksburg Road, within the far northwest ETJ of the City of San Antonio (City), more particularly described and depicted in the Attachments hereto, which are incorporated herein for all purposes; and

WHEREAS, on November 6, 2019 the Owner submitted a petition to Bexar County (the "County"), attached hereto as **Exhibit "1" to Attachment "A"**, to create a Public Improvement District ("PID" or "District") which would include the Lemon Creek Property, the description of which is detailed in **Exhibits "2" and "3" to Attachment "A"**, and that the County delegate to the PID the powers granted by Section 52, Article III of the Texas Constitution; the powers and duties of a road district; and the power to provide water, wastewater and drainage facilities in accordance with Section 382.101 of the Local Government Code. Said petition to the County was amended on September 9, 2020; and

WHEREAS on October 6, 2020, the County Commissioners Court approved a resolution stating their intent to create the Lemon Creek Special Improvement District and would authorize the PID to impose an ad valorem tax on future property owners within the PID boundaries; and

WHEREAS, in order for the County to delegate to a District the powers requested by the Owner in its petition to the County, the City must provide its written consent by resolution in accordance with Section 382.101 and on November 4, 2019, the Owner submitted a petition to the City, attached hereto as **Attachment "A"**, requesting the City's consent to the creation of the PID and the delegation of the powers by the County to the District as set forth therein; and

WHEREAS the Owner plans to develop the property and construct public improvements and infrastructure as generally depicted in the Master Development Plan in **Exhibit "2" and "5" to Attachment "A"**; and

WHEREAS, the City of San Antonio recognizes that the construction of road, water, waste water, drainage and other infrastructure to serve the planned residential and commercial development within the District has the potential to impact the City's existing and future public infrastructure serving other properties within the City's ETJ in the future, and, therefore the City has an interest in ensuring that the proposed PID does not unduly burden the City's infrastructure as well as that which will be constructed and may be expanded into the City's ETJ pursuant to the City's current and future long-term capital improvement planning; and

JYW
12/03/2020
Item No. 29A

WHEREAS, the Planning Commission of the City of San Antonio held a public hearing on November 18, 2020 and recommended that the City Council grant its consent to the creation of the Lemon Creek PID by Bexar County, subject to the execution of a development agreement with the Owner providing terms and conditions designed to protect the interests of the City as specified herein; and

WHEREAS, in order to protect the City's planning goals in the ETJ, the City Council finds that it is prudent to condition the City's consent to the creation of the PID on the Owner's execution of a Development Agreement containing mutually agreeable terms relating to the development of the District property, assessment of taxes within the District, voluntary annexation at the end of the term of the Agreement; municipal services to be provided by the City within the District in the event of annexation; and a Strategic Partnership Agreement ("SPA") for limited purpose annexation and revenue sharing by City of sales and use taxes imposed within commercial areas of the District; **NOW, THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

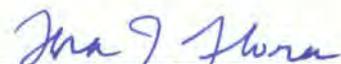
SECTION 1. The City Council of San Antonio hereby consents (1) to the creation by Bexar County of a PID to be named the Lemon Creek Special Improvement District, 117.837 acres of land, generally located northeast of IH-10 W, north of Dietz Elkhorn Road and west of Old Fredericksburg Road as described and depicted in **Exhibits "2" and "3" to Attachment "A" hereto**; and (2) to the County's delegation to the PID the powers granted by Section 52, Article III of the Texas Constitution; the power and duties of a road district and the power to provide water, wastewater and drainage facilities in accordance with Section 382.101 of the Local Government Code; but the City's consent does not include the powers to exercise eminent domain, annexation, expansion, division and exclusion of property from the PID.

SECTION 2. The City Council of the City of San Antonio resolves that its consent to the County's creation of the PID shall remain in effect so long as the Owner agrees to and executes the above-described Development Agreement.

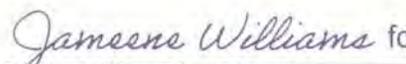
PASSED AND APPROVED on this 3rd day of December 2020.


M A Y O R
Ron Nirenberg

ATTEST:


Tina J. Flores, City Clerk

APPROVED AS TO FORM


James Williams for
Andrew Segovia, City Attorney



City of San Antonio

City Council

December 03, 2020

Item: 29A

File Number: 20-7049

Enactment Number:

2020-12-03-0054R

Resolution granting the City of San Antonio's consent to the creation by Bexar County of a Public Improvement District to later be named the Lemon Creek Special Improvement District, a 117.837 acre tract of land located northeast of IH-10 W, north of Dietz Elkhorn Road and west of Old Fredericksburg Road, within the far northwest ETJ of the City of San Antonio

Councilmember John Courage made a motion to approve. Councilmember Clayton H. Perry seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

JYW
12/03/2020
Item No. 29A

ATTACHMENT "A"

- Exhibit 1 - Petition to the City of San Antonio
- Exhibit 2 - Updated Aerial Map of Property
- Exhibit 3 - Property Description
- Exhibit 5 - PID Summary and Timeline



KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

ROB KILLEN
JAMES B. GRIFFIN
ASHLEY FARRIMOND

September 8, 2020

Bridgett White
Planning Department Director
City of San Antonio
111 Soledad, Suite 650
San Antonio, Texas, 78205

RE: Petition for Consent to the Creation of a Public Improvement District Pursuant to Chapter 382 of the Texas Local Government Code by the City of San Antonio, for Property Generally Located Along IH-10 W, North of Dietz Elkhorn Road and West of Old Fredericksburg Road, Consisting of Approximately 118 Acres in the Extra-Territorial Jurisdiction ("ETJ") of the City of San Antonio, Bexar County, Texas ("Subject Property");

Dear Ms. White:

On behalf of the Petitioner and Property Owner, VEP Lemon Creek LP, we respectfully submit the enclosed Petition to the City of San Antonio ("City") and request that pursuant to Texas Local Government Code ("Code") Chapters 382, the City Consent to the Creation of a Public Improvement District with the authority and powers described in the attached Petition, to be named "Lemon Creek Special Improvement District" and the inclusion of the Subject Property therein, all as further described in the Petition and supplementary documentation. Please note that the total acreage of the Subject Property has been expanded since the Petition was originally filed with Bexar County.

Please find enclosed:

1. A signed Petition to Bexar County for the Creation of a Public Improvement District Pursuant to Chapter 382 of the Texas Local Government Code (Exhibit "1");
2. Updated Aerial Map of Subject Property (Exhibit "2");
3. Property Description (Exhibit "3");
4. BCAD and Deed Documentation (Exhibit "4");
5. PID Summary and Timeline (Exhibit "5");
6. Revised Draft of Development Agreement Provisions Checklist (Exhibit "6"); and
7. Proposed Development Agreement in Substantive Form (Exhibit "7").

Please do not hesitate to contact our office should you have any questions or need any additional information in connection with this matter. Thank you.

Sincerely,

KILLEN, GRIFFIN, & FARRIMOND, PLLC

BY: 

ROB KILLEN, ATTORNEY AT LAW

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT
TO BE NAMED THE LEMON CREEK SPECIAL IMPROVEMENT DISTRICT**

SCANNED

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS

The undersigned petitioners ("Petitioners"), acting pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code"), submit this petition ("Petition") to the Commissioners Court of Bexar County, Texas, to request the creation of a public improvement district, within the extraterritorial jurisdiction ("ETJ") of the City of San Antonio ("City"), Bexar County, Texas ("County"). Specifically, the Petitioners request that the County create a public improvement district and include the property described in Exhibits "A-1," "A-2" and "B" attached hereto ("Subject Property") within such public improvement district for the "Lemon Creek Project" (which is described in more detail below). In support of this Petition, the Petitioners present the following:

Section 1. Petitioners. In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioners constitute the owners representing more than 50% of the appraised value of taxable real property in the District.

Attached to this Petition is a sworn statement of the Petitioners, affirming the Petitioners are the holders of fee simple title to more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the District (as defined below) and stating the Petitioners request for, and consent to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioners is attached hereto as Exhibit "C" and incorporated herein for all purposes.

Section 2. Name. A public improvement district is being requested for the Lemon Creek Project, which shall be named the "Lemon Creek Special Improvement District" (referred to herein as the "District").

Section 3. Boundaries. The proposed boundaries of the District shall include the Subject Property, which is more particularly described in Exhibits "A-1," "A-2" and "B" attached hereto and incorporated herein for all purposes. The total acreage of the District is approximately 112.246 acres total, situated entirely in the ETJ of the City and in the County.

Section 4. General Nature of the Proposed Public Improvements. The District is necessary to finance certain public improvement and infrastructure costs for the "Lemon Creek Project." The Lemon Creek Project is proposed for a development consisting of multi-family, office, and/or commercial uses, as well as certain public infrastructure improvements including roadways, traffic signals, parkland, landscaping, creek improvements, pedestrian bridges, erosion control, water, sanitary sewer and storm water improvements. The total estimated cost of the public infrastructure for the Lemon Creek Project is \$20,000,000.

Section 5. Nature of the District & Authority. The District is expressly requested pursuant to Chapter 382 of the Code. The District shall be created for the purposes of a district created and organized under Section 52, Article III, and Section 59, Article XVI of the Texas Constitution, Chapters 380, 381, 382, and 383 of the Code, and for the purposes of creating a program for economic development as provided in Section 52-a, Article III of the Texas Constitution, and for any other lawful purpose authorized by the

governing laws.

The Petitioners specifically request:

- (1) that the County authorize the District to exercise the powers granted under Chapter 382 of the Code;
- (2) that the County delegate to the District the power granted by Section 52, Article III of the Texas Constitution, the power to issue bonds, the powers and duties of a road district, and the power to provide water, wastewater and drainage facilities;
- (3) that the County delegate to the District the authority to construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes within the proposed District;
- (4) that the County authorize the District to take such actions as are authorized under Chapters 380, 381, 382, and 383 of the Code; and
- (5) that the County authorize the District to engage in economic development projects, as the District may enter into development agreements which are deemed advisable to promote state and local economic development and to stimulate business and commercial activity in the District.

Section 6. Road Improvements: In furtherance of the requested road authority described in Section 5 above, and in furtherance of the District's proposed road improvements, the Petitioners request that the County designate and approve the proposed road improvements as a "Road Improvement Project" and designate and approve such Road Improvement Project as a targeted economic development project, which is of an economic benefit to the District, to the Subject Property within the District, and to the County.

Section 7. Management of the District & Board of Directors. The County shall delegate management of the District by and through a Board of Directors that it appoints at the time it adopts the Order creating the District. As authorized by the Code, an advisory board may be established by the County to develop and recommend an improvement plan.

The Petitioners specifically request:

- (1) that the County delegate to the District's Board of Directors the County's powers and duties provided by Chapter 382 of the Code, in order for the Board of Directors to oversee, manage, and govern the District to the extent authorized by the Code;
- (2) that the County appoint a seven (7) member Board of Directors and approve their respective terms in accordance with Section 382.051 of the Code, as the population of the District is less than 1,000 persons;
- (3) that the County authorize the Board of Directors to adopt rules: (1) to administer and operate the District; (2) for the use, enjoyment, availability, protection, security, and maintenance of the District property, including facilities; or (3) to provide for public safety and security in the District;
- (4) that the County authorize the Board of Directors to establish, revise, repeal, enforce, collect, and apply the proceeds from user fees or charges for the enjoyment, sale, rental, or other use of its facilities or other property, or for services or improvement projects; and
- (5) that the County authorize the Board of Directors to adopt rules to regulate the private use of public roadways, open spaces, parks, sidewalks, and similar public areas in the District, if the use is for a public purpose.

Section 8. Taxes and Bonds. The District shall accomplish its purposes and the cost of services and improvements by imposing: (1) an ad valorem tax; (2) a sales and use tax; and (3) a hotel occupancy tax.

The District shall also have the authority to issue bonds, negotiable promissory notes, and other District obligations, as further described herein.

The Petitioners specifically request:

- (1) that the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments;
- (2) that the County grant the District authority to impose an ad valorem tax, hotel occupancy tax, and sales and use tax to accomplish the economic development purposes prescribed by Section 52a, Article III of the Texas Constitution, and purposes described in Article III, Sec. 52 and Article XVI, Section 59;
- (3) that the County grant the District the authority to impose a hotel occupancy tax in accordance with Section 382.155 of the Code and use the revenue from the tax for any purpose authorized by Chapter 382 of the Code if the owner of the hotel agrees to the imposition of the tax;
- (4) that the County grant the District authority, in accordance with Section 382.152 of the Code, to issue bonds, negotiable promissory notes and other District obligations, which may be secured by District revenue or any type of District taxes, or any combination of taxes and revenue pledged to the payment of bonds; and
- (5) that the County grant the District authority as provided in Sections 382.158 and 382.159 of the Code, regarding borrowing and repayment of costs, respectively.

In regards to the proposed tax rates, the Petitioners specifically request that the County authorize the District to:

- (1) impose an ad valorem tax at a rate not to exceed the lesser of \$1.00 per \$100 assess valuation or the rate set by the City of San Antonio;
- (2) impose a sales and use tax with a rate not to exceed two-percent (2%); and
- (3) impose a hotel occupancy tax with a rate of the greater of nine-percent (9%) or the rate imposed by the City.

Section 9. Method of Assessment. The Petitioners do not propose that the District be granted the power to impose assessments, and accordingly, the Petitioners are not required to present a Service Plan, an Assessment Plan (including a method of assessment), or to prepare an Assessment Roll. As stated above, the Petitioners request that the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments.

Section 10. Apportionment of Cost between the County and the District. Approval and creation of the District will not obligate the County to provide any funds to finance the proposed public improvements. All costs of the District shall be paid by and apportioned to the District, and not to the County, as a whole.

Section 11. Advisability and Feasibility of the District & Best Interests of the County. The District and its proposed improvements and economic development projects are feasible and are necessary and advisable for the economy of the District and the County. The area comprising the District is not presently developed, and therefore, the proposed District is necessary to pay for or finance public improvements and promote economic development within the District. Furthermore, the District will serve the public purpose of promoting and encouraging new commercial development in the District and the County, which would not otherwise occur. New commercial development also results in employment and economic activity within the District and the County. As such, the County's creation of the District is in the best interest of the County, as the District and the proposed improvements confer a special benefit on the District, the Subject Property within the District, and the County.

Section 12. Election. Petitioner requests that the County and the District conduct a joint election pursuant to provisions in Chapter 271, Texas Election Code, so that a regular county polling place may be used for a common polling place to facilitate the orderly conduct of the election because there will be no public building within the proposed District at the time of the election.

Section 13. Filing with County Clerk. This Petition will be filed with the County Clerk in support of the creation of the District as described herein.

Section 14. Prayer. This Petition requests that the County create the District, include the Subject Property therein, and grant to the District the powers requested in the Petition. The Petitioners pray that this Petition be heard and the Commissioners Court sets a hearing date, publishes notice of, conducts a hearing, makes certain findings, and enters an Order creating the District in a manner authorized under Chapter 382 of the Code and as described herein.

Signatures on the Following Pages

Wherefore, this Petition satisfies all of the statutory requirements for the creation of the District, and the Petitioners respectfully request that the County create the District and include the Subject Property within such District, all as further described herein.

Respectfully submitted, this 4 day of November, 2019.

PETITIONER:

VEP Lemon Creek, LP,
a Texas Limited Partnership

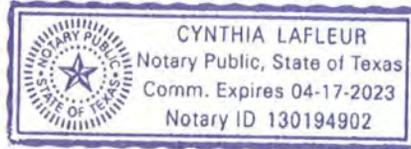
BY: VEP Lemon Creek GP, LLC,
a Texas limited liability company,
its general partner

BY: 
Jonathon Collins, Manager

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 4th day of November 2019, by Jonathan Collins, as Manager of VEP Lemon Creek GP, LLC., a Texas limited liability company, the general partner of VEP Lemon Creek, LP., a Texas limited partnership, on behalf of said limited partnership.



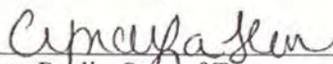

Notary Public, State of Texas

EXHIBIT A-1
LEGAL DESCRIPTION

Exhibit A-1

DESCRIPTION OF THE PROPERTY

82.266 ACRES OUT OF THE JOSE RAMON AROCHA SURVEY NUMBER 171, ABSTRACT NUMBER 24, COUNTY BLOCK 4708, BEXAR COUNTY, TEXAS, BEING THAT SAME CERTAIN TRACT RECORDED IN VOLUME 10722, PAGE 2165 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING: At a found ½" iron rod on the east right of way line of old Fredericksburg Road (60' wide public right of way) having Texas State Plain grid coordinates of N=13,814,478.21 and E=2,072,078.31, South Central Zone, the northeast corner of Lot 1, Block 5, C.B. 4708, MESSIAH LUTHERAN CHURCH I, as recorded in Volume 9655, Page 7 of the Deed and Plat Records of Bexar County, Texas, the east corner of this tract;
- THENCE: North 89°44'48" West (bearings are based on GPS observations, datum is NAD '83) 645.51' with a wire fence to a found ½" iron rod, the northwest corner of Lot 1, a re-entry corner hereof;
- THENCE: South 00°11'09" West 320.67' to a found ½" iron rod an angle point;
- THENCE: South 00°10'41" West 594.79' to a set ½" iron rod stamped "GIBBONS", on the north right of way line of Dietz-Elkhorn Road (60' wide public right of way), the southwest corner of said Lot 1, the southeast corner hereof;
- THENCE: South 89°40'53" West 60.00' with the north right of way line of Dietz-Elkhorn Road to a found ½" iron rod, the southeast corner of Lot 2, Block 5, C.B. 4708, BARNEY CARROLL SUBDIVISION as recorded in Volume 9722, Page 134 of the Deed and Plat records of Bexar County, Texas;
- THENCE: North 00°10'29" East 596.42' to a found ½" iron rod, the northeast corner of Lot 2, a re-entry corner hereof;
- THENCE: North 89°40'31" West 402.59' to a found ½" iron rod stamped "Ford", the northwest corner of said Lot 2, the northeast corner of a 6.09 acre tract in the name of Investo, LP and recorded in Volume 9220, Page 103 of the Real Property Records of Bexar County, Texas, an angle point hereof;
- THENCE: North 75°22'51" West 7.66' with the Investo tract to a found ½" iron rod, an angle point hereof;
- THENCE: South 66°49'23" West 195.26' to a found ½" iron rod stamped "Ford", the east corner of a 4.82 acre tract in the name of Investo, LP and recorded in Volume 11639, Page 1507 of the Real Property Records of Bexar County, Texas, an angle point hereof;

- THENCE: With the north line of the Investo 4.82 acre tract, the following:
 North 35°53'37" West 447.73' to a found ½" iron rod, an angle point hereof
 North 79°59'50" West 87.94' to a found ½" iron rod, an angle point hereof;
 South 15°40'59" West 187.46' to a found ½" iron rod, an angle point hereof;
 South 63°18'48" West 367.97' to a found ½" iron rod, an angle point hereof;
 South 46°56'51" West 16.77' to a found ½" iron rod on the northeast right of way line of Interstate Highway 10 (300' wide public right of way), the west corner of the Investo tract;
- THENCE: North 44°17'10" West 65.40' with the northeast right of way line of I.H. 10 to set 1/2" iron rod stamped "GIBBONS", the south corner of a 30.00 acre tract in the name of Del Baker Family Partnership, Ltd. and recorded in Volume 16357, Page 521 of the Real Property Records of Bexar County, Texas, an angle point hereof;
- THENCE: With the east line of the Baker tract, the following:
 North 41°21'01" East 674.65' to a found ½" iron rod, the east corner of the Baker tract, a re-entry corner hereof;
 North 40°52'31" West 1390.33' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
 North 77°32'30" West 6.98' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
 North 78°49'09" West 542.30' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
 South 70°54'35" West 162.45' to a set ½" iron rod stamped "GIBBONS", the east corner of Lot 1, Block 1, C.B. 4708, ALL ABOUT STORAGE as recorded in Volume 9550, Page 11 of the Deed and Plat Records of Bexar County, Texas, an angle point hereof;
- THENCE: North 22°19'08" West at 350.63' pass the northeast corner of said Lot 1 and continuing for a total distance of 762.56' to a point in the approximate center of the Balcones Creek, the north corner of a 1.572 acre tract in the name of Boerne Self Storage and recorded in Volume 12460, Page 1797 of the Real Property Records of Bexar County, Texas, the south line of a tract in the name of Joy Pipe and recorded in Volume 474, Page 453 of the Kendall County Official Records, the west corner of this tract;
- THENCE: With a meander line marking the approximate center of the Balcones Creek, with the south line of the Pipe tract and the south line of a tract in the name of Elmer Raymond Elsworth and recorded in Volume 352, Page 165 of the Kendall County Official Records, the north line of Bexar County, the south line of Kendall County, the following:
 North 88°19'24" East 618.47', an angle point;
 South 55°22'01" East 276.43', an angle point;
 South 40°25'14" East 295.14', an angle point;
 South 70°32'58" East 413.81', an angle point;
 South 80°51'21" East 747.72', an angle point;
 South 76°01'01" East 285.15', an angle point;
 South 83°23'14" East 240.02', an angle point;
 North 69°42'14" East 203.50', an angle point;
 North 40°17'14" East 140.43' to a point on the aforementioned west right of way line of

old Fredericksburg Road, the north corner hereof;

THENCE: With the west right of way line of old Fredericksburg Road, the following:

South 56°16'07" East 46.42', an angle point hereof;

South 40°54'46" East 49.86' to a found ½" iron rod, an angle point hereof;

South 23°32'18" East 127.48' to a found ½" iron rod, an angle point hereof;

South 21°44'36" East 565.89' to a found ½" iron rod, an angle point hereof;

South 21°45'19" East 181.86' to a found ½" iron rod, an angle point hereof;

South 17°10'00" East 163.03' to a found ½" iron rod, an angle point hereof;

South 17°28'07" East 52.57' to a found ½" iron rod, an angle point hereof;

South 15°23'18" East 389.17' to the POINT OF BEGINNING of this 82.266 acres (3,583,519 square feet) tract in Bexar County, Texas.

EXHIBIT A-2
LEGAL DESCRIPTION

Exhibit A-2

FIELD NOTES OF A 29.98 ACRE TRACT OF LAND OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, BEING THAT SAME 30 ACRE TRACT DESCRIBED IN DEED TO DEL D. BAKER, JR. FAMILY PARTNERSHIP, LTD., OF RECORD IN DOCUMENT NO. 20130200517, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)

BEGINNING: At a 1/2" iron rod found with cap stamped "Schwarz" found in the northeast right of way line of Interstate Highway 10 (300 Foot Right of Way), for the south corner of Lot 1, Block 1, County Block 4708, All About Storage Subdivision, according to plat recorded in Volume 9550, Page 11, Deed and Plat Records, Bexar County, Texas, the west corner of This Tract and the POINT OF BEGINNING;

THENCE: N 44°10'59" E, departing the northeast right of way of Interstate 10 with the southeast line of Lot 1 and the northwest line of This Tract, a distance of 298.68 feet to a 1/2" iron rod found for the east corner of Lot 1, a west corner of an 82.23 Acre Tract described in deed to Eggleston Family Trust Declaration of record in Volume 14959, Page 1276, Official Public Records, Bexar County, Texas, and a northwest corner of This Tract:

THENCE: With the southwest line of the 82.23 Acre Tract and the northeast line of This Tract, the following calls and distances:

N 71°13'54" E, a distance of 163.34 feet to a fence post found for an angle point;

S 78°48'41" E, a distance of 542.00 feet to a fence post found for an angle point;

S 77°32'02" E, a distance of 6.98 feet to a fence post found for an angle point;

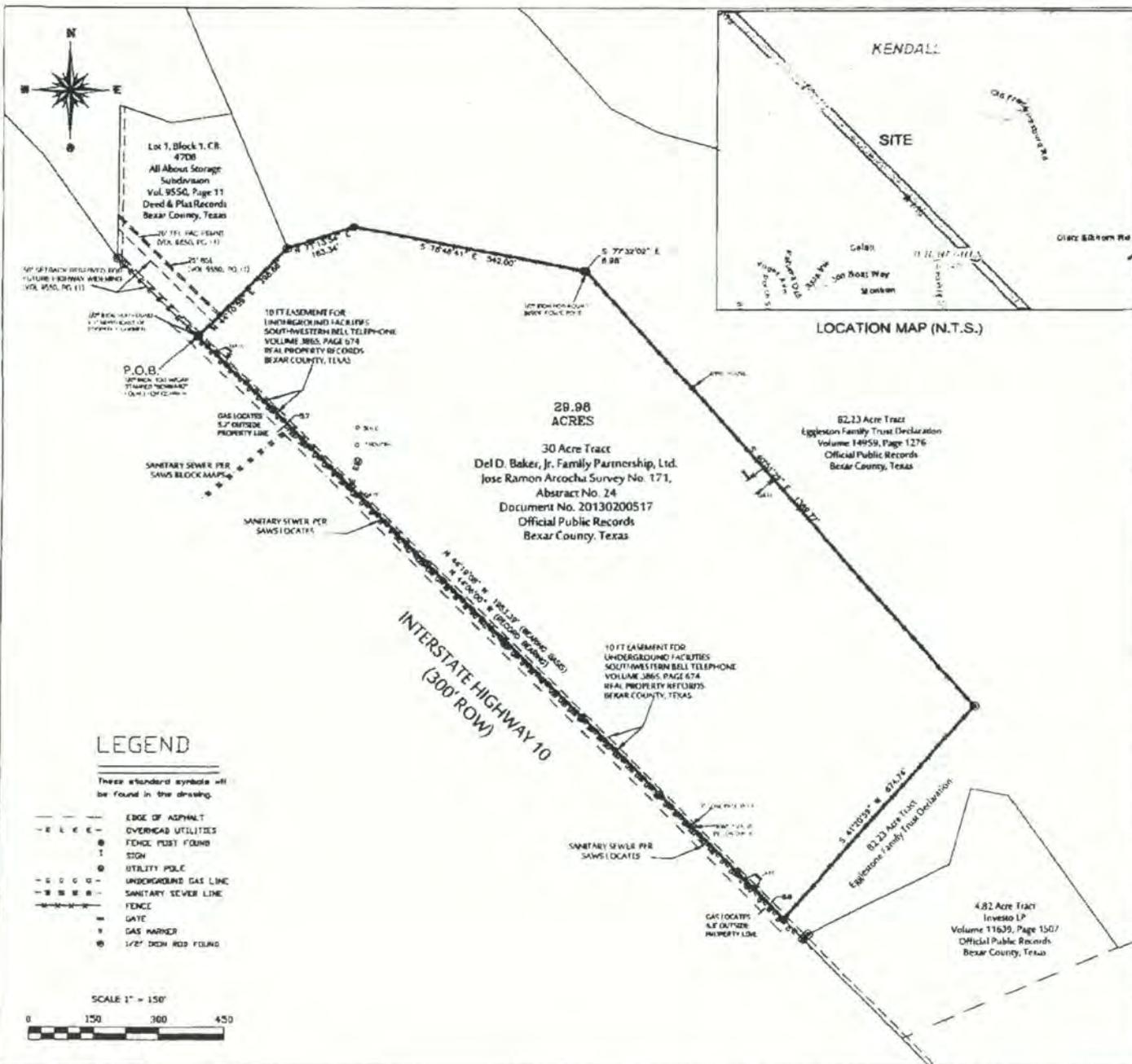
S 40°51'29" E, a distance of 1389.77 feet to a fence post found for a reentrant corner of the 82.23 Acre Tract and the east corner of This Tract;

THENCE: S 41°20'59" W, a distance of 674.74 feet to a fence post found in the northeast right of way line of Interstate 10, for a west corner of the 82.23 Acre Tract and the south corner of This Tract,

THENCE: N 44°19'08" W, with the northeast right of way line of Interstate Highway 10 and the southwest line of this Tract, a distance of 1953.39 feet to the POINT OF BEGINNING and containing 29.98 acres of land in Bexar County, Texas, according to a survey on the ground on October 26, 2018, by Rickman Land Surveyors.

RL *L.P. Rickman*

EXHIBIT B
SURVEY MAP



ALTA/NSPS LAND TITLE SURVEY OF A 29.98 ACRE TRACT OF LAND OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, BEING THAT SAME 30 ACRE TRACT DESCRIBED IN DEED TO DEL D. BAKER, JR. FAMILY PARTNERSHIP, LTD., OF RECORD IN DOCUMENT NO. 20130200517, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.

COMMITMENT FOR TITLE INSURANCE
CHICAGO TITLE INSURANCE COMPANY (CF NO. 201-01-0001510005142)
 EFFECTIVE DATE: OCTOBER 8, 2018

Use of flat easement for underground facilities, Southwestern Bell Telephone Company, Volume 3885, Page 616, Real Property Records, Bexar County, Texas, effective and in force, 19. Pole Line Right of Way Agreements, City of San Antonio, Volume 1717, Page 77, Deed Records, Bexar County, Texas, may affect. Not plotted.
 10. Electric Line Right of Way Agreements, City of San Antonio, Volume 2611, Page 150, Deed Records, Bexar County, Texas, may affect. Not plotted.

- Survey Notes:
 1. Bearings based on NAD83 Texas South Central Zone (4201).
- TABLE A ITEMS**
1. Measurements shown are as shown on this survey.
 2. Address according to Street Assessor's Office is "W 91st Street, Texas."
 3. According to the Flood Insurance Rate Map (FIRM) No. 40020C0001P dated September 29, 2010, the property is located in Zone X: Area of Minimal Flood Hazard.
 4. Gross Acre is 29.98 Acres (1,306,412 Square Feet, more or less).
 5. All substantial features observed during the process of conducting the field work are shown on this map.
 6. Location of underground utilities shown is based on visible evidence and Texas 611 locate request No. 187948245. An official record as a result of this request by October 26, 2018, are shown herein.
 7. There is no evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
 8. Surveyor contacted the Texas Department of Transportation San Antonio District office but as of this date has not received a response. There was no evidence of recent street or alternate construction or repairs observed in the process of conducting the fieldwork.

To: Chicago Title Insurance Company, VEP Lamon Creek, LP; Valcor Properties, LLC, a Texas limited liability company, and assignee; and Del D. Baker, Jr. Family Partnership, Ltd., a Texas limited partnership.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 6, 11, 16 and 17 of Table A thereof. This fieldwork was completed on October 26, 2018.
 Date of Plat or Map: November 2, 2018
 Revised November 5, 2018, to change who survey is certified to
 Revised December 7, 2018, to add sewer line per SAWS block maps and locate, and to change who survey is certified to

Del D. Baker, Jr.
 Del D. Baker, Jr.
 Registered Professional Land Surveyor



Rickman Land Surveying

410 W. Brent Canyon Loop, Suite 78133, P.O. Box 835, 78137
 www.rickmanlandsurveying.com TIPS Form No. 101818-00

Exhibit "B"

Permitted Exceptions

1. Easement for underground facilities benefitting Southwestern Bell Telephone Company, as set forth in Volume 3865, Page 674, Real Property Records, Bexar County, Texas.
2. Pole Line Right of Way Agreement with City of San Antonio, as set forth in Volume 1717, Page 72, Deed Records, Bexar County, Texas.
3. Electric Line Right of Way Agreement with City of San Antonio as set forth in Volume 2611, Page 150, Deed Records, Bexar County, Texas.
4. Overhead electric and utility pole.
5. Three-foot concrete pole and sewer valve in concrete.
6. Water and Gas Lines along the Southwesterly property line.
7. Utility Service Agreement by and between the San Antonio Water System Board of Trustees and Del D. Backer, Jr. Family Partnership, Ltd. filed November 13, 2018 and recorded in Document Number 20180222060, Official Public Records, Bexar County, Texas.

EXHIBIT C

SWORN AFFIDAVIT OF PETITIONERS

EXHIBIT C

SWORN AFFIDAVIT OF FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING
CREATION OF, AND CONSENTING TO INCLUSION IN, LEMON CREEK SPECIAL
IMPROVEMENT DISTRICT

I, the undersigned, hereby affirm that I am the fee simple owner of real property located in Bexar County. I am verifying, for purposes of Chapter 382 of the Texas Local Government Code, that I am the owner of taxable real property representing more than 50% of the appraised value of taxable real property within the proposed District, and that I request the creation of the Lemon Creek Special Improvement District and consent to the inclusion of said property within its boundaries. The description, by metes and bounds and by survey map, of the real property that I own, and wish to include within the proposed District is attached as Exhibit "A" and Exhibit "B" to the Petition for creation of the Lemon Creek Special Improvement District.

NAME:

VEP Lemon Creek, LP,
a Texas Limited Partnership

BY: VEP Lemon Creek GP, LLC,
a Texas limited liability company,
its general partner

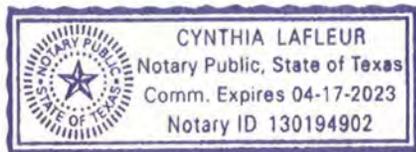
BY: [Signature]
Jonathon Collins, Manager

DATE: 11-4-19

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 4th day of November, 2019, by Jonathan Collins, as Manager of VEP Lemon Creek GP, LLC., a Texas limited liability company, the general partner of VEP Lemon Creek, LP., a Texas limited partnership, on behalf of said limited partnership.



[Signature]
Notary Public, State of Texas



Kimley»Horn

**LEMON CREEK RANCH
AERIAL EXHIBIT**

Exhibit 3-A

DESCRIPTION OF THE PROPERTY

82.266 ACRES OUT OF THE JOSE RAMON AROCHA SURVEY NUMBER 171, ABSTRACT NUMBER 24, COUNTY BLOCK 4708, BEXAR COUNTY, TEXAS, BEING THAT SAME CERTAIN TRACT RECORDED IN VOLUME 10722, PAGE 2165 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING: At a found $\frac{1}{2}$ " iron rod on the east right of way line of old Fredericksburg Road (60' wide public right of way) having Texas State Plain grid coordinates of N=13,814,478.21 and E=2,072,078.31, South Central Zone, the northeast corner of Lot 1, Block 5, C.B. 4708, MESSIAH LUTHERAN CHURCH I, as recorded in Volume 9655, Page 7 of the Deed and Plat Records of Bexar County, Texas, the east corner of this tract;
- THENCE: North $89^{\circ}44'48''$ West (bearings are based on GPS observations, datum is NAD '83) 645.51' with a wire fence to a found $\frac{1}{2}$ " iron rod, the northwest corner of Lot 1, a re-entry corner hereof;
- THENCE: South $00^{\circ}11'09''$ West 320.67' to a found $\frac{1}{2}$ " iron rod an angle point;
- THENCE: South $00^{\circ}10'41''$ West 594.79' to a set $\frac{1}{2}$ " iron rod stamped "GIBBONS", on the north right of way line of Dietz-Elkhorn Road (60' wide public right of way), the southwest corner of said Lot 1, the southeast corner hereof;
- THENCE: South $89^{\circ}40'53''$ West 60.00' with the north right of way line of Dietz-Elkhorn Road to a found $\frac{1}{2}$ " iron rod, the southeast corner of Lot 2, Block 5, C.B. 4708, BARNEY CARROLL SUBDIVISION as recorded in Volume 9722, Page 134 of the Deed and Plat records of Bexar County, Texas;
- THENCE: North $00^{\circ}10'29''$ East 596.42' to a found $\frac{1}{2}$ " iron rod, the northeast corner of Lot 2, a re-entry corner hereof;
- THENCE: North $89^{\circ}40'31''$ West 402.59' to a found $\frac{1}{2}$ " iron rod stamped "Ford", the northwest corner of said Lot 2, the northeast corner of a 6.09 acre tract in the name of Investo, LP and recorded in Volume 9220, Page 103 of the Real Property Records of Bexar County, Texas, an angle point hereof;
- THENCE: North $75^{\circ}22'51''$ West 7.66' with the Investo tract to a found $\frac{1}{2}$ " iron rod, an angle point hereof;
- THENCE: South $66^{\circ}49'23''$ West 195.26' to a found $\frac{1}{2}$ " iron rod stamped "Ford", the east corner of a 4.82 acre tract in the name of Investo, LP and recorded in Volume 11639, Page 1507 of the Real Property Records of Bexar County, Texas, an angle point hereof;

- THENCE: With the north line of the Investo 4.82 acre tract, the following:
North 35°53'37" West 447.73' to a found ½" iron rod, an angle point hereof
North 79°59'50" West 87.94' to a found ½" iron rod, an angle point hereof;
South 15°40'59" West 187.46' to a found ½" iron rod, an angle point hereof;
South 63°18'48" West 367.97' to a found ½" iron rod, an angle point hereof;
South 46°56'51" West 16.77' to a found ½" iron rod on the northeast right of way line of Interstate Highway 10 (300' wide public right of way), the west corner of the Investo tract;
- THENCE: North 44°17'10" West 65.40' with the northeast right of way line of I.H. 10 to set 1/2" iron rod stamped "GIBBONS", the south corner of a 30.00 acre tract in the name of Del Baker Family Partnership, Ltd. and recorded in Volume 16357, Page 521 of the Real Property Records of Bexar County, Texas, an angle point hereof;
- THENCE: With the east line of the Baker tract, the following:
North 41°21'01" East 674.65' to a found ½" iron rod, the east corner of the Baker tract, a re-entry corner hereof;
North 40°52'31" West 1390.33' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
North 77°32'30" West 6.98' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
North 78°49'09" West 542.30' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
South 70°54'35" West 162.45' to a set ½" iron rod stamped "GIBBONS", the east corner of Lot 1, Block 1, C.B. 4708, ALL ABOUT STORAGE as recorded in Volume 9550, Page 11 of the Deed and Plat Records of Bexar County, Texas, an angle point hereof;
- THENCE: North 22°19'08" West at 350.63' pass the northeast corner of said Lot 1 and continuing for a total distance of 762.56' to a point in the approximate center of the Balcones Creek, the north corner of a 1.572 acre tract in the name of Boerne Self Storage and recorded in Volume 12460, Page 1797 of the Real Property Records of Bexar County, Texas, the south line of a tract in the name of Joy Pipe and recorded in Volume 474, Page 453 of the Kendall County Official Records, the west corner of this tract;
- THENCE: With a meander line marking the approximate center of the Balcones Creek, with the south line of the Pipe tract and the south line of a tract in the name of Elmer Raymond Elsworth and recorded in Volume 352, Page 165 of the Kendall County Official Records, the north line of Bexar County, the south line of Kendall County, the following:
North 88°19'24" East 618.47', an angle point;
South 55°22'01" East 276.43', an angle point;
South 40°25'14" East 295.14', an angle point;
South 70°32'58" East 413.81', an angle point;
South 80°51'21" East 747.72', an angle point;
South 76°01'01" East 285.15', an angle point;
South 83°23'14" East 240.02', an angle point;
North 69°42'14" East 203.50', an angle point;
North 40°17'14" East 140.43' to a point on the aforementioned west right of way line of

old Fredericksburg Road, the north corner hereof;

THENCE: With the west right of way line of old Fredericksburg Road, the following:

South $56^{\circ}16'07''$ East 46.42', an angle point hereof;
South $40^{\circ}54'46''$ East 49.86' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;
South $23^{\circ}32'18''$ East 127.48' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;
South $21^{\circ}44'36''$ East 565.89' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;
South $21^{\circ}45'19''$ East 181.86' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;
South $17^{\circ}10'00''$ East 163.03' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;
South $17^{\circ}28'07''$ East 52.57' to a found $\frac{1}{2}''$ iron rod, an angle point hereof;

South $15^{\circ}23'18''$ East 389.17' to the POINT OF BEGINNING of this 82.266 acres (3,583,519 square feet) tract in Bexar County, Texas.

Exhibit 3-B

FIELD NOTES OF A 29.98 ACRE TRACT OF LAND OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, BEING THAT SAME 30 ACRE TRACT DESCRIBED IN DEED TO DEL D. BAKER, JR. FAMILY PARTNERSHIP, LTD., OF RECORD IN DOCUMENT NO. 20130200517, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)

BEGINNING: At a 1/2" Iron rod found with cap stamped "Schwarz" found in the northeast right of way line of Interstate Highway 10 (300 Foot Right of Way), for the south corner of Lot 1, Block 1, County Block 4708, All About Storage Subdivision, according to plat recorded in Volume 9550, Page 11, Deed and Plat Records, Bexar County, Texas, the west corner of This Tract and the POINT OF BEGINNING;

THENCE: N 44°10'59" E, departing the northeast right of way of Interstate 10 with the southeast line of Lot 1 and the northwest line of This Tract, a distance of 299.68 feet to a 1/2" iron rod found for the east corner of Lot 1, a west corner of an 82.23 Acre Tract described in deed to Eggleston Family Trust Declaration of record in Volume 14969, Page 1276, Official Public Records, Bexar County, Texas, and a northwest corner of This Tract:

THENCE: With the southwest line of the 82.23 Acre Tract and the northeast line of This Tract, the following calls and distances:

N 71°13'54" E, a distance of 163.34 feet to a fence post found for an angle point;

S 78°48'41" E, a distance of 542.00 feet to a fence post found for an angle point;

S 77°32'02" E, a distance of 6.98 feet to a fence post found for an angle point;

S 40°51'29" E, a distance of 1389.77 feet to a fence post found for a reentrant corner of the 82.23 Acre Tract and the east corner of This Tract;

THENCE: S 41°20'59" W, a distance of 674.74 feet to a fence post found in the northeast right of way line of Interstate 10, for a west corner of the 82.23 Acre Tract and the south corner of This Tract;

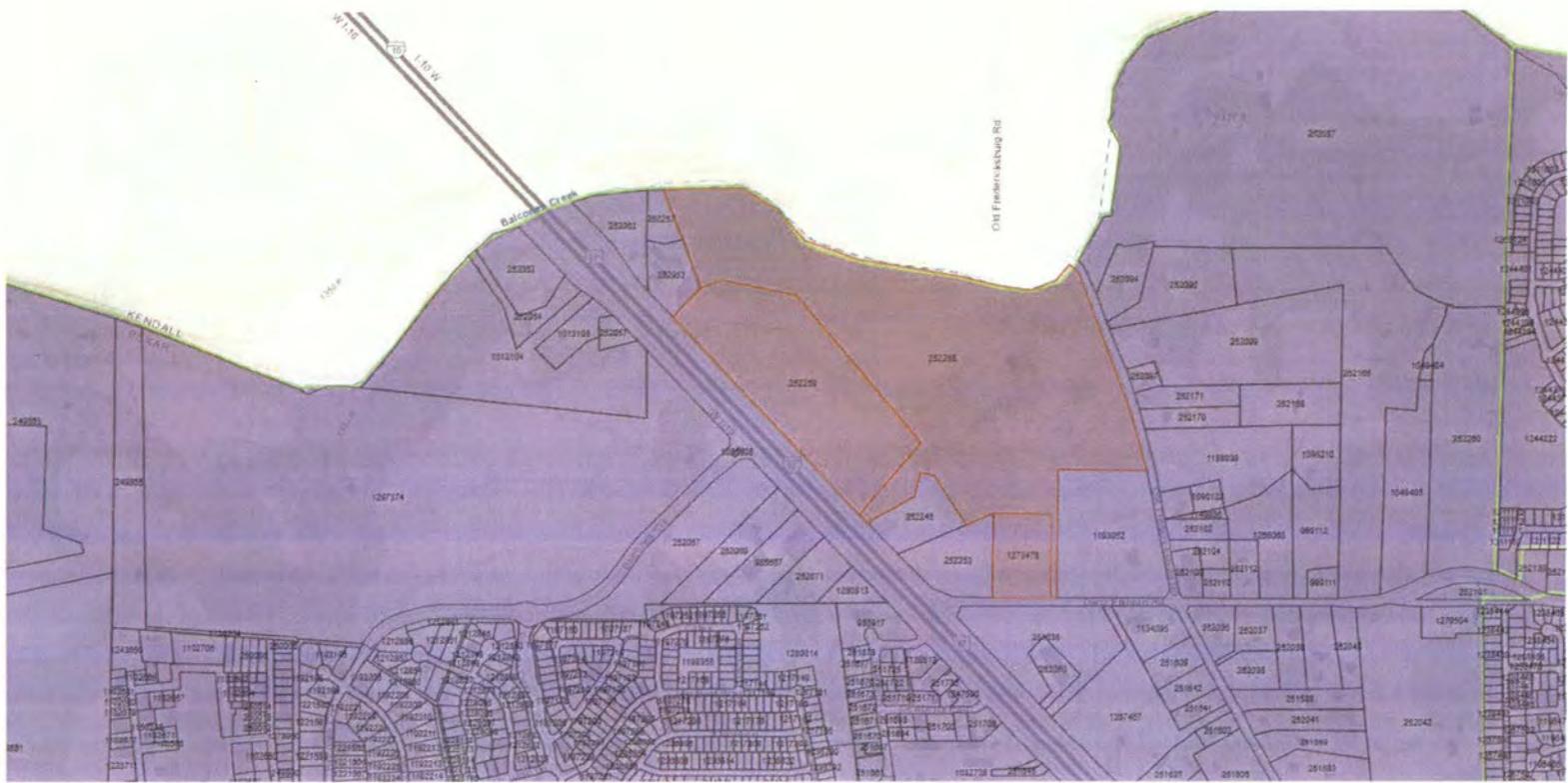
THENCE: N 44°19'08" W, with the northeast right of way line of Interstate Highway 10 and the southwest line of this Tract, a distance of 1953.39 feet to the POINT OF BEGINNING and containing 29.98 acres of land in Bexar County, Texas, according to a survey on the ground on October 26, 2018, by Rickman Land Surveying.

AC L.P.S.

Exhibit 3-C

DESCRIPTION OF THE PROPERTY

Lot 2, Block 5, County Block 4708, of BARNEY CARROLL SUBDIVISION, a Subdivision in Bexar County, Texas, according to the map or plat thereof recorded in Volume 9722, Page 134, of the Deed and Plat Records of Bexar County, Texas.



Property Identification #: 252259

Property Information: 2021

Owner Identification #: 3157000

Geo ID: 04708-000-0651
Situs Address: WIH 10 BOERNE, TX 78006
Property Type: Real
State Code: D1

Legal Description: CB 4708 P-65A ABS 24
Abstract: A04708
Neighborhood: NBHD code51520
Appraised Value: N/A
Jurisdictions: 11, 09, 06, CAD, 100, 10, 61, 08

Name: VEP LEMON CREEK LP
Exemptions:
DBA: Null



Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

Bexar CAD

Property Search Results > 252259 VEP LEMON CREEK LP for Year 2020 Tax Year: 2020

Property

Account

Property ID:	252259	Legal Description:	CB 4708 P-65A ABS 24
Geographic ID:	04708-000-0651	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	099		
Property Use Description:	VACANT LAND		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	W IH 10 BOERNE, TX 78006	Mapsco:	412E8
Neighborhood:	NBHD code51520	Map ID:	
Neighborhood CD:	51520		

Owner

Name:	VEP LEMON CREEK LP	Owner ID:	3157000
Mailing Address:	1723 N LOOP 1604 E STE 204 SAN ANTONIO, TX 78232-1669	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$5,902,800	\$4,260
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$5,902,800	
(-) Ag or Timber Use Value Reduction:	-	\$5,898,540	

(=) Appraised Value:	=	\$4,260	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$4,260	

Taxing Jurisdiction

Owner: VEP LEMON CREEK LP
 % Ownership: 100.00000000000000%
 Total Value: \$5,902,800

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$4,260	\$4,260	\$1.01
08	SA RIVER AUTH	0.018580	\$4,260	\$4,260	\$0.79
09	ALAMO COM COLLEGE	0.149150	\$4,260	\$4,260	\$6.35
10	UNIV HEALTH SYSTEM	0.276235	\$4,260	\$4,260	\$11.77
100	BEXAR CO EMERG DIST #4	0.054060	\$4,260	\$4,260	\$2.30
11	BEXAR COUNTY	0.277429	\$4,260	\$4,260	\$11.81
61	BOERNE ISD	1.284000	\$4,260	\$4,260	\$54.70
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$4,260	\$4,260	\$0.00
Total Tax Rate:		2.083122			
Taxes w/Current Exemptions:					\$88.73
Taxes w/o Exemptions:					\$88.74

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	UDL	Undeveloped land	29.9800	1305928.80	0.00	0.00	\$5,902,800	\$4,260

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$0	\$5,902,800	4,260	4,260	\$0	\$4,260
2019	\$0	\$5,850,560	4,260	4,260	\$0	\$4,260
2018	\$0	\$3,946,540	4,260	4,260	\$0	\$4,260
2017	\$0	\$3,711,310	4,260	4,260	\$0	\$4,260

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	1/29/2019	GWD	General Warranty Deed	BAKER DEL D JR FAMILY PARTNERSHIP LTD	VEP LEMON CREEK LP			20190015790
2	9/23/2013	GWD	General Warranty Deed	BAKER DEL D JR	BAKER DEL D JR FAMILY PARTNERSHIP LTD	16357	0521	20130200517
3	4/1/2003	Deed	Deed		BAKER, DEL D JR	9921	0145	0

2021 data current as of Sep 7 2020 1:23AM.

2020 and prior year data current as of Sep 4 2020 7:33AM

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

For website information, contact (210) 242-2500.

Property Identification #: 252258

Property Information: 2021

Owner Identification #: 3157000

Geo ID: 04708-000-0650
Situs: 29645 OLD FREDERICKSBURG RD
Address: BOERNE, TX 78015
Property Type: Real
State: D2
Code: D2

Legal Description: CB 4708 P-65, P-5, P-5A, P-5D, P-58D, P-61C & P-63 ABS 24 P-65 FORMERLY P-58
Abstract: A04708
Neighborhood: NBHD code51520
Appraised Value: N/A
Jurisdictions: 06, 09, 11, 08, 100, 61, CAD, 10

Name: VEP LEMON CREEK LP
Exemptions:
DBA: Null



Bexar CAD Map Search

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Bexar CAD

Property Search Results > 252258 VEP LEMON CREEK LP for Year 2020 Tax Year:

Property

Account

Property ID:	252258	Legal Description:	CB 4708 P-65, P-5, P-5A, P-5D, P-58D, P-61C & P-63 ABS 24 P-65 FORMERLY P-58
Geographic ID:	04708-000-0650	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	098		
Property Use Description:	TRANSITIONAL USE		

Protest

Protest Status:
 Informal Date:
 Formal Date:

Location

Address:	29645 OLD FREDERICKSBURG RD BOERNE, TX 78015	Mapsco:	412E8
Neighborhood:	NBHD code51520	Map ID:	
Neighborhood CD:	51520		

Owner

Name:	VEP LEMON CREEK LP	Owner ID:	3157000
Mailing Address:	1723 N LOOP 1604 E STE 204 SAN ANTONIO, TX 78232-1669	% Ownership:	100.0000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$408,120	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$45,740	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$3,318,370	\$7,030
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$3,772,230	
(-) Ag or Timber Use Value Reduction:	-	\$3,311,340	

(=) Appraised Value:	=	\$460,890	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$460,890	

Taxing Jurisdiction

Owner: VEP LEMON CREEK LP
 % Ownership: 100.0000000000%
 Total Value: \$3,772,230

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$460,890	\$460,890	\$109.09
08	SA RIVER AUTH	0.018580	\$460,890	\$460,890	\$85.63
09	ALAMO COM COLLEGE	0.149150	\$460,890	\$460,890	\$687.42
10	UNIV HEALTH SYSTEM	0.276235	\$460,890	\$460,890	\$1,273.14
100	BEXAR CO EMERG DIST #4	0.054060	\$460,890	\$460,890	\$249.16
11	BEXAR COUNTY	0.277429	\$460,890	\$460,890	\$1,278.64
61	BOERNE ISD	1.284000	\$460,890	\$460,890	\$5,917.82
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$460,890	\$460,890	\$0.00
Total Tax Rate:		2.083122			
Taxes w/Current Exemptions:					\$9,600.90
Taxes w/o Exemptions:					\$9,600.90

Improvement / Building

Improvement #1:	Residential	State Code:	D2	Living Area:	4854.0 sqft	Value: \$402,120
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	G - SB		1996	4423.0
OP	Attached Open Porch	V - NO		1996	488.0
AG	Attached Garage	V - SB		1996	1044.0
OP	Attached Open Porch	V - NO		1996	379.0
OP	Attached Open Porch	V - NO		1996	198.0
LA2	Living Area 2nd Level	V - SB		1996	431.0

Improvement #2:	Residential	State Code:	D2	Living Area:	sqft	Value: \$6,000
------------------------	-------------	--------------------	----	---------------------	------	-----------------------

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MDV	Misc Det Value	L - NO		0	1.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RES	R/1 Family not Farm Single	1.0000	43560.00	0.00	0.00	\$45,740	\$0
2	RES	R/1 Family not Farm Single	42.5760	1854610.56	0.00	0.00	\$1,947,340	\$4,170
3	RES	R/1 Family not Farm Single	23.6900	1031936.40	0.00	0.00	\$1,083,530	\$1,750
4	RES	R/1 Family not Farm Single	15.0000	653400.00	0.00	0.00	\$287,500	\$1,110

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
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2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$408,120	\$3,364,110	7,030	460,890	\$0	\$460,890
2019	\$418,060	\$3,328,270	7,030	470,390	\$0	\$470,390
2018	\$407,230	\$3,232,260	7,030	458,260	\$0	\$458,260
2017	\$412,010	\$3,072,760	7,030	460,860	\$0	\$460,860

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	1/29/2019	SWD	Special Warranty Deed	EGGLESTON FAMILY TRST DECLARATION	VEP LEMON CREEK LP			20190015746
2	5/12/2011	Deed	Deed	SYFERT GUY N & PAMELA	EGGLESTON FAMILY TRST DECLARATION	14959	1276	20110082079
3	12/11/2006	Deed	Deed	MOORE PAT J & MARTHA S L/E	SYFERT GUY N & PAMELA	12575	0115	20060300484

2021 data current as of Sep 7 2020 1:23AM.

2020 and prior year data current as of Sep 4 2020 7:33AM

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

For website information, contact (210) 242-2500.

Parcel acquired following original County Petition submittal

Property Identification #: 1273478

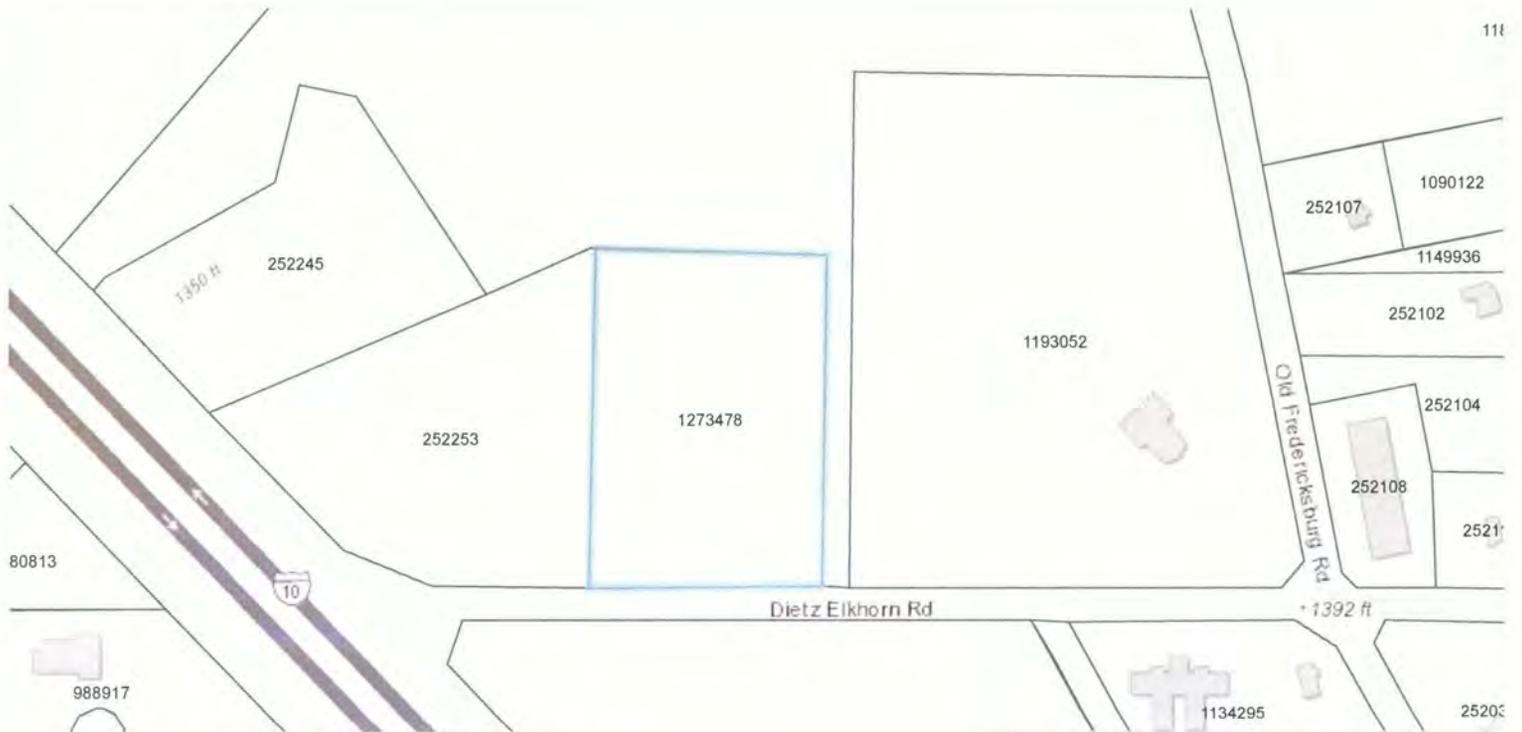
Property Information: 2021

Owner Identification #: 3223403

Geo ID: 04708-705-0020
Situs: DIETZ ELKHORN RD BOERNE, TX
Address: 78015
Property Type: Real
State Code: E1

Legal: CB 4708G (BARNEY CARROLL),
Description: BLOCK 5 LOT 2
Abstract: 9722/134-1
Neighborhood: NBHD code51520
Appraised Value: N/A
Jurisdictions: CAD, 61, 100, 09, 06, 11, 10, 08

Name: VEP LEMON CREEK LP
Exemptions:
DBA: GRANDPA'S HOUSE OF PAINTBALL



Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

Bexar CAD

Property Search Results > 1273478 VEP LEMON CREEK LP for Year 2020

Property

Account

Property ID:	1273478	Legal Description:	CB 4708G (BARNEY CARROLL), BLOCK 5 LOT 2
Geographic ID:	04708-705-0020	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	099		
Property Use Description:	VACANT LAND		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	DIETZ ELKHORN RD BOERNE, TX 78015	Mapsco:	412F8
Neighborhood:	NBHD code51520	Map ID:	51520
Neighborhood CD:	51520		

Owner

Name:	VEP LEMON CREEK LP	Owner ID:	3223403
Mailing Address:	1723 N LOOP 1604 E STE 204 SAN ANTONIO, TX 78232	% Ownership:	100.0000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$1,590,340	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$1,590,340	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$1,590,340	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$1,590,340	

Taxing Jurisdiction

Owner: VEP LEMON CREEK LP
 % Ownership: 100.000000000000%
 Total Value: \$1,590,340

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$1,590,340	\$1,590,340	\$376.40
08	SA RIVER AUTH	0.018580	\$1,590,340	\$1,590,340	\$295.49
09	ALAMO COM COLLEGE	0.149150	\$1,590,340	\$1,590,340	\$2,371.99
10	UNIV HEALTH SYSTEM	0.276235	\$1,590,340	\$1,590,340	\$4,393.07
100	BEXAR CO EMERG DIST #4	0.054060	\$1,590,340	\$1,590,340	\$859.74
11	BEXAR COUNTY	0.277429	\$1,590,340	\$1,590,340	\$4,412.07
61	BOERNE ISD	1.284000	\$1,590,340	\$1,590,340	\$20,419.97
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,590,340	\$1,590,340	\$0.00
Total Tax Rate:		2.083122			
Taxes w/Current Exemptions:					\$33,128.73
Taxes w/o Exemptions:					\$33,128.72

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	CSS	Commercial Store Site	5.5910	243543.96	0.00	0.00	\$1,590,340	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$0	\$1,590,340	0	1,590,340	\$0	\$1,590,340
2019	\$0	\$1,573,290	0	1,573,290	\$0	\$1,573,290
2018	\$0	\$1,527,020	0	1,527,020	\$0	\$1,527,020

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	4/27/2020	SWD	Special Warranty Deed	VERAMENDI LAND & CATTLE LTD	VEP LEMON CREEK LP			20200085884
2	5/6/2016	SWD	Special Warranty Deed	DIETZ ELKHORN LLC	VERAMENDI LAND & CATTLE LTD	17843	698	20160085982

2021 data current as of Sep 7 2020 1:23AM.

2020 and prior year data current as of Sep 4 2020 7:33AM

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

8511 or email.
For website information, contact (210) 242-2500.

Website version: 1.2.2.31

Database last updated on: 9/7/2020 1:23 AM

© N. Harris Computer Corporation

Deed Associated with BCAD Prop ID No. 252259

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: To be effective January 29, 2019

Grantor: Del D. Baker, Jr. Family Partnership, Ltd., a Texas limited partnership

Grantor's Mailing Address: 29384 Raintree Ridge
Fair Oaks Ranch, Texas 78015

Grantee: VEP Lemon Creek, LP, a Texas limited partnership

Grantee's Mailing Address: 1723 N. Loop 1604 E, Suite 204
San Antonio, Texas 78232

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 29.98 ACRE TRACT OF LAND OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, BEING THAT SAME 30 ACRE TRACT DESCRIBED IN DEED TO DEL D. BAKER, JR. FAMILY PARTNERSHIP, LTD., OF RECORD IN DOCUMENT NO. 20130200517, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO.

Reservations from Conveyance and Warranty: None

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to the matters set forth on Exhibit "B" attached hereto (the "Permitted Exceptions").

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors and administrators forever. Grantor binds Grantor and Grantor's heirs, executors and administrators to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim

CHICAGO TITLE GF# 4300151800961 WJ

the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

Ad valorem taxes and assessments attributable to the year 2019 have been prorated between Grantor and Grantee as of the date of this General Warranty Deed and Grantee hereby expressly assumes and agrees to pay the same for the current year and subsequent years.

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

GRANTEE IS PURCHASING THE PROPERTY "AS IS" WITH ALL FAULTS AND DEFECTS, AND GRANTEE ACKNOWLEDGES AND AGREES THAT, GRANTOR IS HEREBY SELLING AND CONVEYING TO GRANTEE, AND GRANTEE HEREBY ACCEPTS, THE PROPERTY "AS IS, WHERE IS," WITH ALL FAULTS AND DEFECTS, SUBJECT TO THE REPRESENTATIONS AND WARRANTIES MADE BY GRANTOR IN THAT CERTAIN PURCHASE AND SALE AGREEMENT REGARDING THE PROPERTY BY AND BETWEEN GRANTOR AND GRANTEE (THE "CONTRACT"), AND THE WARRANTY OF TITLE SET FORTH HEREIN. IN CONNECTION HERewith, GRANTEE ACKNOWLEDGES AND AGREES THAT OTHER THAN GRANTOR'S REPRESENTATIONS AND WARRANTIES IN THE CONTRACT AND THE WARRANTY OF TITLE SET FORTH HEREIN, GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION: (i) THE NATURE, QUALITY OR CONDITION, PHYSICAL OR ENVIRONMENTAL, OF THE PROPERTY, (ii) THE INCOME TO BE DERIVED FROM THE PROPERTY, (iii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY INTEND TO CONDUCT THEREON, (iv) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY GOVERNMENTAL AUTHORITY OR BODY HAVING JURISDICTION, (v) THE HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (vi) MATTERS OF TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE SET FORTH IN THIS WARRANTY DEED), (vii) ZONING, (viii) TAX CONSEQUENCES, (ix) AVAILABILITY OF ACCESS, INGRESS OR EGRESS TO THE PROPERTY, OR (x) VALUE OF THE PROPERTY; AND GRANTEE HEREBY RELEASES GRANTOR FROM AND SHALL NOT SEEK RECOURSE AGAINST GRANTOR ON ACCOUNT OF ANY LOSS, COST OR EXPENSE SUFFERED OR INCURRED BY GRANTEE WITH REGARD TO ANY OF THE MATTERS DESCRIBED IN CLAUSES (i) THROUGH (x) ABOVE. GRANTEE ACKNOWLEDGES THAT GRANTEE IS A KNOWLEDGABLE PURCHASER OF REAL ESTATE, AND HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY REPRESENTATION OR WARRANTY MADE OR INFORMATION PROVIDED BY GRANTOR, EXCEPT FOR THOSE MADE IN THE CONTRACT AND/OR THE WARRANTY OF TITLE SET FORTH HEREIN, AND GRANTEE SHALL ASSUME THE RISK THAT ADVERSE MATTERS CONCERNING THIS PROPERTY MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS. GRANTEE FURTHER ACKNOWLEDGES THAT NO INDEPENDENT INVESTIGATION OR VERIFICATION HAS BEEN OR WILL BE MADE BY GRANTOR WITH RESPECT TO ANY INFORMATION SUPPLIED BY GRANTOR CONCERNING THE PROPERTY, AND GRANTOR MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH

INFORMATION OTHER THAN AS EXPRESSLY STATED IN THE CONTRACT, IT BEING INTENDED BY THE PARTIES THAT GRANTEE SHALL VERIFY THE ACCURACY AND COMPLETENESS OF SUCH INFORMATION ITSELF. GRANTEE ACKNOWLEDGES THAT THE DISCLAIMERS, AGREEMENTS AND OTHER STATEMENTS SET FORTH IN THIS PARAGRAPH ARE AN INTEGRAL PORTION OF THIS WARRANTY DEED AND A MATERIAL FACTOR IN THE DETERMINATION OF THE PURCHASE PRICE FOR THE PROPERTY, AND THAT GRANTOR WOULD NOT HAVE AGREED TO SELL THE PROPERTY TO GRANTEE FOR THE PURCHASE PRICE WITHOUT THESE DISCLAIMERS, AGREEMENTS AND OTHER STATEMENTS SET FORTH IN THIS PARAGRAPH.

GRANTOR:

**Del D. Baker, Jr. Family Partnership, Ltd.,
a Texas limited partnership**

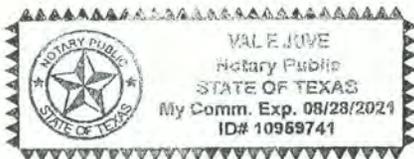
**By: Del D. Baker, Jr., LLC,
a Texas limited liability company,
its general partner**

By: *Del D. Baker, Jr.*
Delmar D. Baker, Jr., Managing Member

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

The foregoing instrument was acknowledged before me this the 27th day of January, 2019, by Delmar D. Baker, Jr., as Managing Member of **Del D. Baker, Jr., LLC, a Texas limited liability company**, as general partner of **Del D. Baker, Jr. Family Partnership, Ltd., a Texas limited partnership**, on behalf of said limited partnership.

Val E. Jove
Notary Public, State of Texas



ACKNOWLEDGED AND AGREED:

VEP Lemon Creek, LP,
a Texas limited partnership

By: VEP Lemon Creek GP, LLC,
a Texas limited liability company,
its general partner

By: *JC*
Name: *Jennifer Collins*
Title: Manager

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

The foregoing instrument was acknowledged before me this the 29th day of January, 2019, by *Jennifer Collins*, as Manager of VEP Lemon Creek GP, LLC, a Texas limited liability company, the general partner of VEP Lemon Creek, LP, a Texas limited partnership, on behalf of said limited partnership.

Val Juvé
Notary Public, State of Texas

AFTER RECORDING, PLEASE RETURN TO:
Chicago Title of Texas, LLC
Attn: Val Juvé
755 E. Mulberry Ave., Ste. 125
San Antonio, Texas 78212

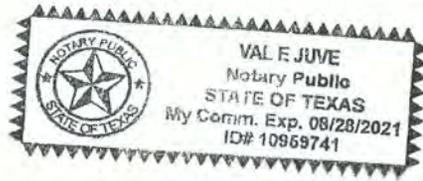


Exhibit "A"

FIELD NOTES OF A 29.98 ACRE TRACT OF LAND OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, BEING THAT SAME 30 ACRE TRACT DESCRIBED IN DEED TO DEL D. BAKER, JR. FAMILY PARTNERSHIP, LTD., OF RECORD IN DOCUMENT NO. 20130200517, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)

BEGINNING: At a ½" iron rod found with cap stamped "Schwarz" found in the northeast right of way line of Interstate Highway 10 (300 Foot Right of Way), for the south corner of Lot 1, Block 1, County Block 4708, All About Storage Subdivision, according to plat recorded in Volume 9550, Page 11, Deed and Plat Records, Bexar County, Texas, the west corner of This Tract and the POINT OF BEGINNING;

THENCE: N 44°10'59" E, departing the northeast right of way of Interstate 10 with the southeast line of Lot 1 and the northwest line of This Tract, a distance of 298.68 feet to a ½" iron rod found for the east corner of Lot 1, a west corner of an 82.23 Acre Tract described in deed to Eggleston Family Trust Declaration of record in Volume 14959, Page 1276, Official Public Records, Bexar County, Texas, and a northwest corner of This Tract:

THENCE: With the southwest line of the 82.23 Acre Tract and the northeast line of This Tract, the following calls and distances:

N 71°13'54" E, a distance of 163.34 feet to a fence post found for an angle point;

S 78°48'41" E, a distance of 542.00 feet to a fence post found for an angle point;

S 77°32'02" E, a distance of 6.98 feet to a fence post found for an angle point;

S 40°51'29" E, a distance of 1389.77 feet to a fence post found for a reentrant corner of the 82.23 Acre Tract and the east corner of This Tract;

THENCE: S 41°20'59" W, a distance of 674.74 feet to a fence post found in the northeast right of way line of Interstate 10, for a west corner of the 82.23 Acre Tract and the south corner of This Tract;

THENCE: N 44°19'08" W, with the northeast right of way line of Interstate Highway 10 and the southwest line of this Tract, a distance of 1953.39 feet to the POINT OF BEGINNING and containing 29.98 acres of land in Bexar County, Texas, according to a survey on the ground on October 26, 2018, by Rickman Land Surveying

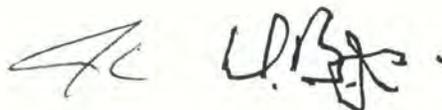


Exhibit "B"

Permitted Exceptions

1. Easement for underground facilities benefitting Southwestern Bell Telephone Company, as set forth in Volume 3865, Page 674, Real Property Records, Bexar County, Texas.
2. Pole Line Right of Way Agreement with City of San Antonio, as set forth in Volume 1717, Page 72, Deed Records, Bexar County, Texas.
3. Electric Line Right of Way Agreement with City of San Antonio as set forth in Volume 2611, Page 150, Deed Records, Bexar County, Texas.
4. Overhead electric and utility pole.
5. Three-foot concrete pole and sewer valve in concrete.
6. Water and Gas Lines along the Southwesterly property line.
7. Utility Service Agreement by and between the San Antonio Water System Board of Trustees and Del D. Backer, Jr. Family Partnership, Ltd. filed November 13, 2018 and recorded in Document Number 20180222060, Official Public Records, Bexar County, Texas.

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20190015790
Recorded Date: January 29, 2019
Recorded Time: 2:01 PM
Total Pages: 7
Total Fees: \$46.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 1/29/2019 2:01 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk

Deed Associated with BCAD Prop ID No. 252258

ATC 4000411801160 JCV

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

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR § KNOW ALL PERSONS BY THESE PRESENTS:

That Marvin R. Eggleston and Sharen Kay Eggleston, in their capacity as Trustees of the Eggleston Family Trust Declaration (collectively, "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by VEP Lemon Creek, LP, a Texas limited partnership ("**Grantee**"), whose address is 1723 N. Loop 1604 E., Suite 204, San Antonio, TX, USA 78232, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, AND CONVEYED, and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto Grantee, the tract of land located in Bexar County, Texas, described in **Exhibit A** attached hereto and made a part hereof (the "**Land**"); together with all buildings and improvements thereon; all rights, privileges, easements, and appurtenances pertaining to the Land; all of Grantor's right, title, and interest in and to any alleys, strips, or gores adjoining the Land and all of Grantor's rights of ingress and egress to the Land, including, without limitation, any easements, rights-of-way, rights, or other interests in, on, under, or to any land, highway, street, road, right-of-way, or avenue, open or proposed, in, on, under, across, in front of, abutting, or adjoining the Land; and all of Grantor's right, title, and interest in and to any awards made, or to be made in lieu thereof, and in and to any unpaid awards for damage to the Land by reason of a change of grade thereof; all development rights, utility capacity, governmental approvals, licenses, and permits (including all water, sewer, and drainage capacity currently held by Grantor, if any, for the Land on the date hereof), to the extent they relate to the ownership, use, leasing, maintenance, service, or operation of the Land; all of Grantor's right, title, and interest in and to any oil, gas, and other minerals in, under, and that may be produced from the Land, regardless of whether or not the minerals are considered part of the surface estate or part of the mineral estate; and all of Grantor's right, title, and interest in any timber rights that relate to the Land (the Land, together with the foregoing interests being referred to herein as the "**Property**").

This conveyance, however, is made and accepted subject to the matters set forth on **Exhibit B** attached hereto and made a part hereof, but only to the extent the same are valid and subsisting and affect the Property (the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and its successors and assigns forever, subject to the Permitted Exceptions; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim

the same or any part thereof by, through, or under Grantor, but not otherwise, subject to the Permitted Exceptions.

Grantee hereby assumes and agrees to pay all taxes affecting the Property for the year 2019 and subsequent years.

[Signatures on Following Page]

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor on the date set forth in the acknowledgments below, to be effective as of the 24th day of January, 2019.

GRANTOR:

Marvin R. Eggleston
Marvin R. Eggleston, as Trustee of the Eggleston Family Trust Declaration

Sharen Kay Eggleston
Sharen Kay Eggleston, as Trustee of the Eggleston Family Trust Declaration

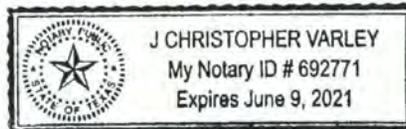
[Notarizations on Following Page]

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28th day of January, 2019, by Marvin R. Eggleston, a natural person, in his capacity as a Trustee of the Eggleston Family Trust Declaration.

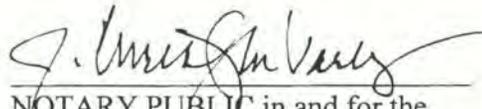
J. Christopher Varley
NOTARY PUBLIC in and for the State of Texas

[Seal]



THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28th day of January, 2019, by Sharen Kay Eggleston, a natural person, in her capacity as a Trustee of the Eggleston Family Trust Declaration.


NOTARY PUBLIC in and for the
State of Texas

[Seal]

Exhibit A – Description of the Property
Exhibit B – Permitted Exceptions

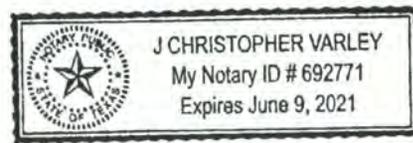


EXHIBIT A

DESCRIPTION OF THE PROPERTY

82.266 ACRES OUT OF THE JOSE RAMON AROCHA SURVEY NUMBER 171, ABSTRACT NUMBER 24, COUNTY BLOCK 4708, BEXAR COUNTY, TEXAS, BEING THAT SAME CERTAIN TRACT RECORDED IN VOLUME 10722, PAGE 2165 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: At a found ½" iron rod on the east right of way line of old Fredericksburg Road (60' wide public right of way) having Texas State Plain grid coordinates of N=13,814,478.21 and E=2,072,078.31, South Central Zone, the northeast corner of Lot 1, Block 5, C.B. 4708, MESSIAH LUTHERAN CHURCH I, as recorded in Volume 9655, Page 7 of the Deed and Plat Records of Bexar County, Texas, the east corner of this tract;

THENCE: North 89°44'48" West (bearings are based on GPS observations, datum is NAD '83) 645.51' with a wire fence to a found ½" iron rod, the northwest corner of Lot 1, a re-entry corner hereof;

THENCE: South 00°11'09" West 320.67' to a found ½" iron rod an angle point;

THENCE: South 00°10'41" West 594.79' to a set ½" iron rod stamped "GIBBONS", on the north right of way line of Dietz-Elkhorn Road (60' wide public right of way), the southwest corner of said Lot 1, the southeast corner hereof;

THENCE: South 89°40'53" West 60.00' with the north right of way line of Dietz-Elkhorn Road to a found ½" iron rod, the southeast corner of Lot 2, Block 5, C.B. 4708, BARNEY CARROLL SUBDIVISION as recorded in Volume 9722, Page 134 of the Deed and Plat records of Bexar County, Texas;

THENCE: North 00°10'29" East 596.42' to a found ½" iron rod, the northeast corner of Lot 2, a re-entry corner hereof;

THENCE: North 89°40'31" West 402.59' to a found ½" iron rod stamped "Ford", the northwest corner of said Lot 2, the northeast corner of a 6.09 acre tract in the name of Investo, LP and recorded in Volume 9220, Page 103 of the Real Property Records of Bexar County, Texas, an angle point hereof;

THENCE: North 75°22'51" West 7.66' with the Investo tract to a found ½" iron rod, an angle point hereof;

THENCE: South 66°49'23" West 195.26' to a found ½" iron rod stamped "Ford", the east corner of a 4.82 acre tract in the name of Investo, LP and recorded in Volume 11639, Page 1507 of the Real Property Records of Bexar County, Texas, an angle point hereof;

THENCE: With the north line of the Investo 4.82 acre tract, the following:

North 35°53'37" West 447.73' to a found ½" iron rod, an angle point hereof
North 79°59'50" West 87.94' to a found ½" iron rod, an angle point hereof;
South 15°40'59" West 187.46' to a found ½" iron rod, an angle point hereof;
South 63°18'48" West 367.97' to a found ½" iron rod, an angle point hereof;
South 46°56'51" West 16.77' to a found ½" iron rod on the northeast right of way line of Interstate Highway 10 (300' wide public right of way), the west corner of the Investo tract;

THENCE: North 44°17'10" West 65.40' with the northeast right of way line of I.H. 10 to set 1/2" iron rod stamped "GIBBONS", the south corner of a 30.00 acre tract in the name of Del Baker Family Partnership, Ltd. and recorded in Volume 16357, Page 521 of the Real Property Records of Bexar County, Texas, an angle point hereof;

THENCE: With the east line of the Baker tract, the following:

North 41°21'01" East 674.65' to a found ½" iron rod, the east corner of the Baker tract, a re-entry corner hereof;
North 40°52'31" West 1390.33' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
North 77°32'30" West 6.98' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
North 78°49'09" West 542.30' to a set ½" iron rod stamped "GIBBONS", an angle point hereof;
South 70°54'35" West 162.45' to a set ½" iron rod stamped "GIBBONS", the east corner of Lot 1, Block 1, C.B. 4708, ALL ABOUT STORAGE as recorded in Volume 9550, Page 11 of the Deed and Plat Records of Bexar County, Texas, an angle point hereof;

THENCE: North 22°19'08" West at 350.63' pass the northeast corner of said Lot 1 and continuing for a total distance of 762.56' to a point in the approximate center of the Balcones Creek, the north corner of a 1.572 acre tract in the name of Boerne Self Storage and recorded in Volume 12460, Page 1797 of the Real Property Records of Bexar County, Texas, the south line of a tract in the name of Joy Pipe and recorded in Volume 474, Page 453 of the Kendall County Official Records, the west corner of this tract;

THENCE: With a meander line marking the approximate center of the Balcones Creek, with the south line of the Pipe tract and the south line of a tract in the name of Elmer Raymond Elsworth and recorded in Volume 352, Page 165 of the Kendall County Official Records, the north line of Bexar County, the south line of Kendall County, the following:

North 88°19'24" East 618.47', an angle point;
South 55°22'01" East 276.43', an angle point;
South 40°25'14" East 295.14', an angle point;
South 70°32'58" East 413.81', an angle point;
South 80°51'21" East 747.72', an angle point;
South 76°01'01" East 285.15', an angle point;
South 83°23'14" East 240.02', an angle point;
North 69°42'14" East 203.50', an angle point;
North 40°17'14" East 140.43' to a point on the aforementioned west right of way line of

old Fredericksburg Road, the north corner hereof;

THENCE: With the west right of way line of old Fredericksburg Road, the following:

South 56°16'07" East 46.42', an angle point hereof;

South 40°54'46" East 49.86' to a found ½" iron rod, an angle point hereof;

South 23°32'18" East 127.48' to a found ½" iron rod, an angle point hereof;

South 21°44'36" East 565.89' to a found ½" iron rod, an angle point hereof;

South 21°45'19" East 181.86' to a found ½" iron rod, an angle point hereof;

South 17°10'00" East 163.03' to a found ½" iron rod, an angle point hereof;

South 17°28'07" East 52.57' to a found ½" iron rod, an angle point hereof;

South 15°23'18" East 389.17' to the POINT OF BEGINNING of this 82.266 acres (3,583,519 square feet) tract in Bexar County, Texas.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Easement granted to Southwestern Bell Telephone Company, dated November 4, 1986, recorded in Volume 3865, Page 674, Real Property Records, Bexar County, Texas.
2. Easement granted to San Antonio Public Service Company, dated March 27, 1939, recorded in Volume 1717, Page 72, Deed Records, Bexar County, Texas.
3. Easement granted to San Antonio Electric and Gas System, dated February 9, 1948, recorded in Volume 2611, Page 150, Deed Records, Bexar County, Texas.
4. Rights of sepulcher, and rights of ingress and egress, to the cemetery located on the land, noted by Warranty Deed dated April 26, 2004, recorded in Volume 10722, Page 2165, Real Property Records, Bexar County, Texas.
5. Easement granted to the City of San Antonio, dated July 1, 2009, recorded in Volume 14071, Page 1035, Real Property Records, Bexar County, Texas.
6. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the public records of Bexar County, Texas.

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20190015746
Recorded Date: January 29, 2019
Recorded Time: 1:10 PM
Total Pages: 9
Total Fees: \$54.00

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 1/29/2019 1:10 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk

Deed Associated with BCAD Prop ID No. 1273478

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

THE STATE OF TEXAS

§

COUNTY OF BEXAR

§

§

KNOW ALL PERSONS BY THESE PRESENTS:

That VERAMENDI LAND & CATTLE, LTD, a Texas limited partnership ("**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by VEP LEMON CREEK, LP, a Texas limited partnership ("**Grantee**"), whose address is 1723 N. Loop 1604 E., Suite 204, San Antonio, Texas 78232, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, AND CONVEYED, and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto Grantee, the tract of land located in Bexar County, Texas, described in Exhibit A attached hereto and made a part hereof (the "**Land**"); together with all buildings and improvements thereon; all rights, privileges, easements, and appurtenances pertaining to the Land; all of Grantor's right, title, and interest in and to any alleys, strips, or gores adjoining the Land and all of Grantor's rights of ingress and egress to the Land, including, without limitation, any easements, rights-of-way, rights, or other interests in, on, under, or to any land, highway, street, road, right-of-way, or avenue, open or proposed, in, on, under, across, in front of, abutting, or adjoining the Land; and all of Grantor's right, title, and interest in and to any awards made, or to be made in lieu thereof, and in and to any unpaid awards for damage to the Land by reason of a change of grade thereof; all development rights, utility capacity, governmental approvals, licenses, and permits (including all water, sewer, and drainage capacity currently held by Grantor, if any, for the Land on the date hereof), to the extent they relate to the ownership, use, leasing, maintenance, service, or operation of the Land; all of Grantor's right, title, and interest in and to any oil, gas, and other minerals in, under, and that may be produced from the Land, regardless of whether or not the minerals are considered part of the surface estate or part of the mineral estate; all of Grantor's right, title, and interest in and to all site plans, surveys, environmental studies, soil studies, substrata studies, architectural drawings, plans and specifications, engineering plans and studies, floor plans, landscape plans, and other plans or studies of any kind that relate to the Land or the Improvements (the Land; together with the foregoing interests being referred to herein as the "**Property**").

This conveyance, however, is made and accepted subject to the matters set forth on Exhibit B attached hereto and made a part hereof, but only to the extent the same are valid and subsisting and affect the Property (the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and its successors and assigns forever, subject to the Permitted Exceptions; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim

the same or any part thereof by, through, or under Grantor, but not otherwise, subject to the Permitted Exceptions.

Grantee hereby assumes and agrees to pay all taxes affecting the Property for the year 2020 and subsequent years.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor on the date set forth below, to be effective as of the 27th day of April, 2020.

GRANTOR:

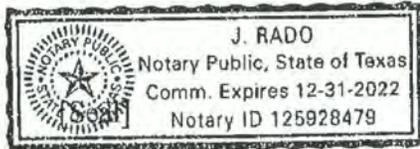
VERAMENDI LAND & CATTLE, LTD,
a Texas limited partnership

By: Veramendi Land & Cattle GP, LLC,
a Texas limited liability company,
its general partner

By: [Signature]
Name: Brandt Klatts
Title: Manager
Date: 4/24/2020

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 24 day of April 2020, by Brandt Klatts, manager of Veramendi Land & Cattle GP, LLC, a Texas limited liability company, being the general partner of **VERAMENDI LAND & CATTLE, LTD**, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.



[Signature]
NOTARY PUBLIC,
State of Texas

Exhibit A – Description of the Property
Exhibit B - Permitted Exceptions

EXHIBIT A

DESCRIPTION OF THE PROPERTY

Lot 2, Block 5, County Block 4708, of BARNEY CARROLL SUBDIVISION, a Subdivision in Bexar County, Texas, according to the map or plat thereof recorded in Volume 9722, Page 134, of the Deed and Plat Records of Bexar County, Texas.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Restrictive covenants of records in/under Volume 9722, Page 134, of the Deed and Plat Records of Bexar County, Texas.
2. The following, all according to the plat recorded in Volume 9722, Page 134, of the Deed and Plat Records of Bexar County, Texas:
 - a. 16' electric, gas, telephone and cable television easement along the front property line.
 - b. 20' building setback line along the front property line.
 - c. Sanitary control easement with a 150' radius around the existing well, shown in Detail "A" of the plat.
3. Pole Line Right-of-Way Agreement executed by Herbert H. Calvert, to San Antonio Public Service Company, dated March 29, 1939, recorded in/under Volume 1717, Page 71, of the Real Property Records of Bexar County, Texas.
4. Pole Line Right-of-Way Agreement executed by James Calvert, to San Antonio Public Service Company, dated March 27, 1939, recorded in/under Volume 1717, Page 72, of the Real Property Records of Bexar County, Texas.
5. Electric Line Right-of-Way Agreement executed by James Calvert, to the City of San Antonio, Texas, dated February 9, 1948, recorded in/under Volume 2611, Page 150, of the Real Property Records of Bexar County, Texas.

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
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Document Number: 20200085884
Recorded Date: April 27, 2020
Recorded Time: 2:05 PM
Total Pages: 6
Total Fees: \$42.00

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 4/27/2020 2:05 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk



**KILLEN, GRIFFIN
& FARRIMOND**

ATTORNEYS AT LAW

EXHIBIT 5

ROB KILLEN
JAMES B. GRIFFIN
ASHLEY FARRIMOND

**Lemon Creek Special Improvement District
Project Summary & Term Sheet**

Project Summary

The proposed Lemon Creek Special Improvement District (“LCSID”) would be a district created pursuant to Chapter 382 of the Texas Local Government Code. The LCSID would be responsible for financing the costs of, and maintaining, public improvements for the Lemon Creek development (“Project”). The Project will be primarily commercial in nature, with retail and office use, but will also include single family and multi-family housing opportunities. The creation of the LCSID will allow for the development of a connector road between IH-10 and Old Fredericksburg Road, the preservation of open space and the protection of creeks on the property. Through a Strategic Partnership Agreement with the City of San Antonio (“City”), the LCSID would be able to share sales tax revenues with the City. Through a Development Agreement with the City, the City would be able to extend land use controls and provide for future annexation. The Project is within the Camp Bullis Military Protection Area (“MPA”) and is consistent with the MPA.

1. Special Improvement District

- a. Name: Lemon Creek Special Improvement District
- b. Property Owner/Developer: VEP Lemon Creek, LP
- c. Jurisdiction: Bexar County (City of San Antonio’s Extraterritorial Jurisdiction)
- d. Approximately 117.837 Acres

2. Statutory Authority and Tax

The LCSID would be a public improvement district created by Bexar County pursuant to Chapter 382 of the Texas Local Government Code with the power to assess sales and ad valorem and hotel occupancy tax. LCSID would share 75% of the sales tax revenues with the City. The LCSID sales tax shall not exceed 2%. The LCSID ad valorem tax shall not exceed the City’s tax rate. The LCSID hotel occupancy tax would not exceed 9% or the City’s rate.

3. Project

- a. The anticipated land uses are retail, general commercial, office, residential and green space/parkland as identified on the Lemon Creek Master Development Plan.
- b. Proposed Improvements include road construction, sewer, parkland and creek improvements with a total cost of \$20-24 million.

4. Development Agreement

- a. Consent to annexation after thirty (30) years
- b. Waive current vested rights

- c. Payment of Operations Fee to City in the amount of \$175 per residential unit within five (5) years of plat application
- d. Compliance with current City Code, including Unified Development Code
- e. Compliance with all military protection ordinances (dark sky, compatible land use, etc.)
- f. Compliance with Water Quality Ordinance
- g. Protection of archeological and historical resources

5. Proposed Timeline

- a. Petition Submitted to City of San Antonio: September 8, 2020
- b. County Resolution of Intent: October 6, 2020
- c. City Planning Commission: October 20, 2020
- d. City Consent: November 5, 2020
 - Consent for the creation of the District *and* the inclusion of the property in the District
 - Consent for the County to delegate to the District (i) the powers granted by Section 52, Article III of the TX Constitution; (ii) the powers and duties of a road district; and (iii) the power to provide water, wastewater, and drainage facilities for the purpose of financing the construction of such facilities
 - Approval of Development Agreement
- e. County Creation and appointment of LCSID Board: December 1, 2020