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2019 APR 25 PM 2:52

PETITION FOR CONSENT TO THE CREATION
OF DISTRICTS

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS:

The undersigned (herein, the "Petitioner"), acting pursuant to the provisions of Article XVI, Section 59, Texas Constitution and Chapters 49, 51 and 53, Texas Water Code, respectfully petitions the City Council of the City of San Antonio, Texas, for its written consent to the creation of two conservation and reclamation districts (the "Districts") and would show the following:

I.

The Districts shall be created and organized under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and applicable chapters of the Texas Water Code including Chapters 49, 51 and 53, Texas Water Code.

II.

The Districts shall contain an area of 1,019.6 acres of land, more or less, situated in Medina and Bexar Counties, Texas. All of the land to be included in the Districts is within the extraterritorial jurisdiction of the City of San Antonio, Texas (the "City"). All of the land proposed to be included may properly be included in the Districts. The land proposed to be included within the District consists of the land described by metes and bounds in Exhibit A, which is attached hereto and incorporated herein for all purposes (the "Land").

III.

The Petitioner holds fee simple title to the Land. The Petitioner hereby represents that it owns a majority in value of the Land, as indicated by the certificates of ownership of the Medina and Bexar County Appraisal Districts.

IV.

The Petitioner represents that there is no lienholder on the Land except Bank of America, N.A., a national banking association. There are no residents on the Land.

V.

The Land is located partially within the San Antonio Water System (SAWS) Certificate of Convenience and Necessity (CCN) for water and partially within the Yancey Water Supply Corporation (Yancey) CCN for water. The entirety of the Land is either within the SAWS CCN for wastewater or eligible to be served by the SAWS CCN

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for wastewater. Therefore, the Petitioner understands and agrees that the City's consent to this Petition shall not constitute a requirement that the Districts or their residents purchase water or sewer services from the City or its municipally owned retail water and sewer utility, the SAWS, as described in Section 13.044 of the Texas Water Code. Nothing contained in this Petition for Consent shall be considered as a request by Petitioner to the City to in any way modify, alter or supersede the rights of the applicable CCN holders.

VI.

The general nature of the work to be done by the Districts at the present time is the design, construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system for domestic and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the Districts, and to control, abate and amend local storm waters or other harmful excesses of waters, and such other construction, acquisition, improvement, maintenance and operation of such additional facilities, systems, plants and enterprises, parks and recreational facilities, and road facilities as shall be consistent with all of the purposes for which the District are created.

VII.

There is, for the following reasons, a necessity for the above-described work. The area proposed to be within the Districts is urban in nature, is within the growing environs of the City, and is in close proximity to populous and developed sections of Medina County, Texas and Bexar County, Texas. As a CCN holder, SAWS has the exclusive right to provide water and wastewater service to the Districts within the boundaries of the SAWS CCN. Similarly, Yancey has the exclusive right to provide water service to the Districts within the boundaries of the Yancey CCN. The Districts are subject to the rights of the CCN holders as provided by applicable law. However, there is not now existing within the Land, which will be developed for single family residential and commercial uses, an adequate waterworks system, sanitary sewer system, or drainage and storm sewer system, parks and recreational facilities, or road facilities. The health and welfare of the present and future inhabitants of the area and of the territories adjacent thereto require the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, parks and recreational facilities and road facilities. A public necessity, therefore, exists for the creation of the Districts, to provide for the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of such waterworks system, sanitary sewer system, and drainage and storm sewer system, to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community, and park and recreational facilities and road facilities.

WHEREFORE, the Petitioner prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the Districts and authorizing the inclusion of the land described herein within the boundaries of either District.

[EXECUTION PAGE FOLLOWS]

2016 APR 25 PM 2:59

CLERK OF THE DISTRICT COURT
111 E. 10TH ST.
DENVER, CO 80202

RESPECTFULLY SUBMITTED this 25th day of April, 2019.

RED BIRD LEGACY RANCH, LP, a Texas limited partnership

By: Red Bird Legacy Ranch GP, LLC,
a Texas limited liability company,
its General Partner

By: [Signature]

Name: Steve Cummins

Title: SECRETARY

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 24th day of April, 2019, by Steve Cummins, Secretary of Red Bird Legacy Ranch GP, LLC, a Texas limited liability company, as General Partner of RED BIRD LEGACY RANCH, LP, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.

(NOTARY SEAL)



Mary Ann Colonna
Notary Public, State of Texas

Attachments:
Exhibit A - Metes and Bounds Description of the Land

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[Vertical stamp]

Exhibit A

(Metes and Bounds Description of the Land)

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SOUTH CENTRAL ZONE

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(Property Description)

TRACT 1:

A 988.6 acre tract, or 43,063,959 square foot more or less, tract of land being out of the remainder of a 1518.164 acre tract conveyed to Redbird Ranch, Ltd. in Special Warranty Deed with Vendor's Lien recorded in Volume 6636, Pages 753-760 of the Official Public Records of Real Property of Bexar County, Texas, out of the Lewis Braun Survey No. 34½, Abstract 1277, County Block 4380, the C.C.S.D. & R.G.N.G. RR Survey No. 207, Abstract 887, County Block 4381, the Juana Delgado Survey No. 37½, Abstract 1283, County Block 4374, the R. Carasco Survey No. 101, Abstract 1195, County Block 4376, the Thomas Quintera Survey No. 300, Abstract 978, County Block 4353, the John Fitzgerald Survey No. 33, Abstract 1290, County Block 4402, and the Ed De Montel Survey No. 34½, Abstract 1264, in Medina and Bexar Counties, Texas. Said 988.6 acre tract being more fully described as follows, with the basis of bearing being the north line of the 1518.164 acre tract as found monumented on the ground, bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

BEGINNING: At a found 1/2" iron rod with yellow cap marked "Pape-Dawson", on the east right-of-way line of Wurzbach Road, a County Road of Medina County, a nominal 40-foot right-of-way, the northwest corner of a 372.997 acre tract recorded in Volume 11302, Pages 1194-1204 of the Official Public Records of Real Property of Bexar County, Texas, for the southwest corner of the remaining 1518.164 and the southwest corner of this tract;

THENCE: Northerly, with the east right-of-way line of Wurzbach Road, the west line of the remaining 1518.164 acre tract and the west line of this tract the following calls and distances;

N 01°31'22" W, a distance of 3354.69 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson",

N 49°20'14"E, a distance of 1068.41 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" in the east right-of-way line of Wurzbach Road, for the southwest corner of a 20.00 acre tract surveyed by Pape-Dawson Engineers, Inc., in July 2006 and an angle point in the west line of this tract,

THENCE: Departing the east right-of-way line of Wurzbach Road, the west line of the remaining 1518.164 acre tract, across the 1518.164 acre tract, with the south, east and north line of the 20.00 acre tract and the west line of this tract the following calls and distances;

S 71°32'20" E, a distance of 976.72 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" for the southeast corner of the 20.00 acre tract,

N 02°52'27"E, a distance of 148.47 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" at the beginning of a curve to the right,

Northwesterly, with the arc of a curve to the right, said curve having a radius of 3043.00 feet, a central angle of 05°41'29", a chord bearing and distance of N 00°01'42" W, 302.14 feet, for a arc length of 302.27 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" set at the beginning of a curve to the left,

Northwesterly, with the arc of a curve to the left, said curve having a radius of 15.00 feet, a central angle of 88°54'48", a chord bearing and distance of N 41°38'22" W, 21.01 feet, for a arc length of 23.28 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson",

N 86°05'46"W, a distance of 18.84 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson",

N 03°54'14"E, a distance of 86.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson",

S 86°05'46"E, a distance of 18.84 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" set at the beginning of a curve to the left,

Northeasterly, with the arc of a curve to the left, said curve having a radius of 15.00 feet, a central angle of 88°54'47", a chord bearing and distance of N 49°26'50" E, 21.01 feet, for a arc length of 23.28 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" at the beginning of a curve to the right,

Northeasterly, with the arc of a curve to the right, said curve having a radius of 3043.00 feet, a central angle of 07°35'41", a chord bearing and distance of N 08°47'17" E, 403.07 feet, for a arc length of 403.36 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" for the northeast corner of the 20.00 acre tract,

N 71°32'20"W, a distance of 940.06 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the 20.00 acre tract and the northeast corner of a 5.00 acre tract surveyed by Pape-Dawson Engineers, Inc., in July 2006,

THENCE:

Continuing across the 1518.164 acre tract, with the north and west line of the 5.00 acre tract and the west line of this tract the following calls and distances;

N 68°03'53"W, a distance of 540.98 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the 5.00 acre tract,

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PLANNING DEPARTMENT

S 04°07'55"E, a distance of 570.35 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" in the east right-of-way line of Wurzbach Road, for the southwest corner of the 5.00 acre tract and a reentrant corner of this tract,

THENCE

Northerly, with the east right-of-way line of Wurzbach Road, the west line of the remaining 1518.164 acre tract and the west line of this tract the following calls and distances;

N 71°32'22" W, a distance of 2166.99 feet to set ½" iron rod with yellow cap marked "Pape-Dawson";

N 54°28'10" W, a distance of 15.97 feet to set ½" iron rod with yellow cap marked "Pape-Dawson";

N 29°44'39" W, a distance of 1751.74 feet to a found 1/2" iron rod;

THENCE:

Departing Wurzbach Road, with the west line of the 1518.164 acre tract, the south and east line of a 100 acre tract described in Volume 188, Page 436 of the Medina County Records and a north and west line of this tract;

S 89°59'08" E, a distance of 659.39 feet to a found 1/2" iron rod;

N 04°03'45" W, a distance of 3457.67 feet to a found pk nail, in the south line of a 578.001 acre tract recorded in Volume 11424, Pages 190-200 of the Official Public Records of Real Property of Bexar County, Texas, for the northwest corner of the 1518.164 acre tract, the northeast corner of the 100 acre tract and the northwest corner of this tract;

THENCE:

N 80°05'41" E, departing the east line of the 100 acre tract, with the south line of the 578.001 acre tract, the north line of the 1518.164 acre tract and the north line of this tract at a distance of 1567.75 feet passing the northeast corner of Tract 1 and the northwest corner of Parcel 4 and continuing a total distance of 3566.13 to a found 1/2" iron rod, for the proposed centerline of State Highway 211, the northwest corner of a 710.6 acre tract described in Volume 11034, Pages 5-74 of the Official Public Records of Real Property of Bexar County, Texas, being out of a 2151.203 acre tract conveyed to Corridor Partners Ltd in Volume 10206, Pages 1160 of the Official Public Records of Real Property of Bexar County, Texas, the northeast corner of the 1518.164 acre tract and the northeast corner of this tract;

THENCE:

Southerly, departing the south line of the 578.001 acre tract, with the west line of the 710.6 acre tract, with the east line of the 1518.164 acre tract, the east line of Parcel 4, Parcel 3, Parcel 2, Parcel 1 and a remainder of the 1518.164, the proposed center line of State Highway and the east line of this tract the following calls and distances;

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S 00°33'13" E, a distance of 38.44 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" at the beginning of a curve to the left;

Southeasterly, with the arc of a curve to the left, said curve having a radius of 5729.58 feet, a central angle of 39°48'49", a chord bearing and distance of S 20°27'37" E, 3901.74 feet, at 2203.87 feet passing the southeast corner of Parcel 4 and the northeast corner of Parcel 3, continuing for a total arc length of 3981.36 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 40°22'02"E, a distance of 612.61 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", at the beginning of a curve to the left;

Southeasterly, with the arc of a curve to the left, said curve having a radial bearing of N 49°37'59" E, a radius of 11459.16 feet, a central angle of 6°00'05", a chord bearing and distance of S 43°22'04" E, 1199.75 feet, at 77.19 feet passing the southeast corner of Parcel 3, the north corner of Parcel 2 and continuing for a total arc length of 1200.30 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 46°22'07"E, at 1481.66 feet passing the southeast corner of Parcel 2, the northeast corner of Parcel 1, at 2667.33 feet passing the southeast corner of Parcel 1 and continuing for a total distance of 3863.11 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", in the east line of the remaining of 1518.164 acre tract, at the beginning of a curve to the right;

Southeasterly, with the arc of a curve to the right, said curve having a radius of 5728.89 feet, a central angle of 6°16'47", a chord bearing and distance of S 43°13'43" E, 627.58 feet, an arc length of 627.90 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", for a east corner of a 345.688 acre tract recorded in Volume 11240, Pages 1426-1438 of the Official Public Records of Real Property of Bexar County, Texas, a southeast corner of the remaining 1518.164 acre tract and the southeast corner of this tract;

THENCE:

Departing the proposed centerline of State Highway 211, with the south line of the remaining 1518.164 acre tract, the east and north line of the 345.688 acre tract and the south line of this tract the following calls and distances;

N 47°59'15"W, a distance of 734.49 feet to a found Texas Department of Transportation monument with a brass plate,

N 57°34'47"W, a distance of 745.00 feet to a found Texas Department of Transportation monument with a brass plate;

N 46°22'11"W, a distance of 205.07 feet to a found Texas Department of Transportation monument with a brass plate;

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PROPERTY TAX
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N 54°59'08"W, a distance of 154.10 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson", in the south line of Parcel 1 and a west line of the 345.688 acre tract;

THENCE: S 41°13'55"W, with a south line of Parcel 1, a northwest line of the 345.688 acre tract and the south line of this tract at a distance of 2382.39 feet passing the southwest corner of Parcel 1, the southeast corner of Tract 1, at a distance of 2558.42 feet passing the northwest corner of the 345.688 acre tract, the northeast corner of a 81.135 acre tract recorded in Volume 11240, Pages 1426-1438 of the Official Public Records of Real Property of Bexar County, Texas and continuing for a total distance of 2633.18 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson", at the beginning of a curve to the left;

THENCE: With the north line of the 81.135 acre tract, the south line of said Tract 1, the south line of the 1518.164 remainder and the south line of this tract the following calls and distances;

Northwesterly, with the arc of a curve to the left, said curve having a radial bearing of S 36°36'02" W, a radius of 800.00 feet, a central angle of 33°19'35", a chord bearing and distance of N 70°03'45" W, 458.79 feet, an arc length of 465.32 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

N 86°43'33"W, a distance of 427.23 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson" at the beginning of a curve to the right;

Northwesterly, with the arc of a curve to the right, said curve having a radius of 1500.00 feet, a central angle of 19°52'47", a chord bearing and distance of N 76°47'09" W, 517.84 feet, an arc length of 520.45 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

S 09°49'40"W, a distance of 1065.90 feet to a found 1/2" iron rod with yellow cap marked "Pape-Dawson";

S 68°47'52"W, at a distance of 543.72 feet passing the west corner of the 81.135 acre tract, the north corner of the 372.997 acre tract, continuing for a total distance of 1303.36 feet to a set 1/2" iron rod with yellow cap marked "Pape-Dawson";

THENCE: S 60°52'46"W, with the south line of Tract 1, the north line of the 372.997 acre tract, the south line of the remaining 1518.164 acre tract and the south line of this tract a distance of 1389.68 feet to the POINT OF BEGINNING and containing 988.6 acres in Bexar and Medina Counties, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: PAPE-DAWSON ENGINEERS INC.
DATE: July 25, 2006
JOB No.: 9213-06
FILE: N:\Survey06\6-9300\9213-06\9213-06FN-1,014 ACRE TRACT.doc

TRACT 2:

A 31.00 acre, or 1,350,469 square feet more or less, tract of land being out of that remainder 500 acre tract recorded in Volume 8377, Pages 1801-1807 of the Official Public Records of Real Property of Bexar County, Texas, out of the Thomas Quintera Survey No. 300, Abstract 978, County Block 4353, the I. Rodriguez, Survey No. 300 1/8, Abstract 655, County Block 4370, the Jose Musquiz, Survey No. 300 3/4, Abstract 1149, County Block 4368, the J.P. Talamantez Survey No. 300 1/5", Abstract 1030, County Block 4369, and the S. Musquez Survey No. 300 1/6, Abstract 1084, County Block 4371, all in Bexar County, Texas. Said 31.00 acre tract being more fully described as follows, bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

BEGINNING: At a found Texas Department of Transportation aluminum disk, the north end of the intersection of the north right-of-way line of Potranco Road (F.M. Highway 1957, a variable width right-of-way, with the west line of the proposed Highway 211, a proposed minimum 400-foot right-of-way, a southeast corner of a 173.562 acre tract surveyed by Pape-Dawson Engineers on April 12, 2004, Job No. 9277-04;

THENCE: Northwesterly, with the west right-of-way line of the proposed Highway 211 and the east line of the 173.562 acre tract, crossing the 500 acre tract, the following calls and distances:

N 01°22'23"W, a distance of 817.00 feet to a found Texas Department of Transportation aluminum disk;

N 08°05'21"E, a distance of 304.14 feet to a found Texas Department of Transportation aluminum disk;

N 01°22'23"W, a distance of 62.01 feet to a found Texas Department of Transportation aluminum disk;

N 03°03'47"W, a distance of 326.14 feet to a found Texas Department of Transportation aluminum disk;

N 06°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

N 09°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

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PAPE-DAWSON ENGINEERS INC.
1000 N. GARDNER ROAD
SAN ANTONIO, TEXAS 78208
TEL: 214-343-1100
FAX: 214-343-1101
WWW.PAPE-DAWSON.COM

N 12°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

N 15°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

N 18°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

N 21°15'11"W, a distance of 289.49 feet to a found Texas Department of Transportation aluminum disk;

N 24°11'44"W, a distance of 211.64 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson", the northeast corner of the 173.562 acre tract, the southeast corner of a 345.688 acre tract described in Volume 11240, Pages 1426-1438 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: Northwesterly, with the west right-of-way line of the proposed Highway 211, the east line of the 345.688 acre tract, crossing the 500 acre tract, the following calls and distances:

N 24°11'30"W, a distance of 66.63 feet to a found Texas Department of Transportation aluminum disk;

N 25°38'03"W, a distance of 1111.50 feet to a found Texas Department of Transportation aluminum disk;

N 35°05'48"W, a distance of 304.14 feet to a found Texas Department of Transportation aluminum disk;

N 25°34'44"W, a distance of 210.00 feet to a found Texas Department of Transportation aluminum disk;

N 77°42'58"W, a distance of 174.12 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 25°38'03"W, a distance of 86.00 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";

N 26°26'51"E, a distance of 174.12 feet to a found Texas Department of Transportation aluminum disk;

N 05°26'54"W, a distance of 723.89 feet to a found PK nail, the northeast corner of the 500 acre tract, on the west line of the 710.6 acre tract described in

Volume 11034, Pages 5-74 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: Southeasterly, with the east line of the 500 acre tract, the west line of the 710.6 acre tract, crossing the proposed Highway 211, the following calls and distances

S 25°38'03"E, a distance of 2600.88 feet to a found 60d nail, the beginning of curve to the right;

Southeasterly, along the arc of a curve to the right, said curve having a radius of 5729.58 feet, a central angle of 24°15'54", a chord bearing and distance of S 13°30'06" E, 2408.41 feet, a distance of 2426.50 feet to a found 60d nail;

S 01°22'09"E, a distance of 1324.23 feet to a found ½" iron rod, on the north right-of-way line of Potranco Road;

THENCE: S 88°37'45"W, with the north right-of-way line of Potranco Road, a distance of 1069.81 feet to a set ½" iron rod with a yellow cap marked "Pape-Dawson", a southeast corner of the 173.562 acre tract,

THENCE: With the south line of the 173.562 acre tract, crossing the 500 acre tract, the following calls and distances.

N 82°54'59"E, a distance of 201.01 feet to a found Texas Department of Transportation aluminum disk;

N 88°37'37"E, a distance of 500.00 feet to a found Texas Department of Transportation aluminum disk;

N 42°23'05"E, a distance of 173.51 feet to the POINT OF BEGINNING and containing 31.00 acres in Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: PAPE-DAWSON ENGINEERS INC.
DATE: August 4, 2006
JOB No.: 9213-06
FILE: N:\Survey06\6-9300\9213-06\9213-06FN-31 ACRE TRACT.doc

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PAPE-DAWSON ENGINEERS, INC.
1100 N. BRIDGES BLVD.
SAN ANTONIO, TEXAS 78207
(214) 343-1100

