

**(C) Plat Exceptions.** In accordance with V.T.C.A. Local Government Code §§ 212.004 and 212.0045 the platting exceptions set forth below are established. Applicants exempt from subdivision plat approval may be subject to development plat approval requirements pursuant to section 35-432 of this article. Habitable uses within the regulatory floodplain shall always require platting. The applicant for plat exception shall provide proof of ownership in the form of a warranty deed and a current tax certificate with indication of no taxes due. The department of development services may issue building permits, and public utility providers may provide utility service, on any unplatted parcel otherwise subject to this section for the following activities:

- (1) The division of land into parts greater than five (5) acres within the city limits of the City of San Antonio, where each part has access and no public improvement is being dedicated, shall not require a subdivision plat. For purposes of this subsection, access shall mean a minimum frontage of fifteen (15) feet onto a public street or recorded access easement of fifteen (15) feet onto a public street. Public improvement shall mean creation of new streets, alleys or the extension of off-site utilities or the installation of drainage improvements.
- (2) The division of land into parts greater than ten (10) acres in the ETJ of the City of San Antonio, where the owner does not lay out part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, squares, parks, or other parts shall not require a subdivision plat.
- (3) Each tract greater than ten (10) acres in size is eligible for up to three (3) single-family utility connections provided each part is held under common ownership, each tract has access and no public improvement is being dedicated. For purposes of this subsection, access shall mean each tract has a minimum frontage of fifteen (15) feet on an existing public or platted private street or irrevocable access easement.
- (4) Uninhabitable uses that are to be retained in an undeveloped state shall not require a subdivision plat, provided: (1) the division does not create more than three (3) parcels, (2) each parcel contains a minimum area of five thousand (5,000) square feet, (3) the division does not involve the creation of any streets or alleys, and (4) no utility services shall be provided to the parcels, provided however, that the director of development services may exempt other uninhabitable uses from subdivision plat requirements upon determining that the uses are consistent with the intent of these provisions.

*Commentary: The intent of this subsection is to allow the division of land without platting so long as the land remains undeveloped. Platting is required at the time utility services or building permits are requested unless one (1) of the other plat exceptions applies.*

- (5) Other uninhabitable uses including, but not limited to, pumps, oil wells, sheds, security lights, traffic devices, monuments, signs, utility equipment huts, communication towers, or public infrastructure shall not require a subdivision plat. This shall also include fences as well as unenclosed structures such as porches, carports, decks, gazebos and pavilions.
- (6) Public parks and golf courses owned, operated, or maintained by a governmental entity shall not require a subdivision plat. This exception shall not include athletic facilities such as stadiums, natatoriums, concession facilities or similar improvements within park facilities.

(7) Temporary field/subdivision sales offices or seasonal type uses shall not require a subdivision plat.

(8) Replacement and/or repair of a pre-existing or existing single-family dwelling unit or related accessory structure shall not require a subdivision plat if it was damaged, destroyed or ruined by flooding, fire, windstorm or other natural disaster. This exception shall only apply in such cases where reconstruction does not increase the building footprint or height by more than ten (10) percent.

(9) The land for which a building permit or utility service is being requested is a lot or remaining portion of a lot previously platted under the jurisdiction of the county or city.

(10) The division of any tract of land into parcels which are to be used solely for agricultural, mining, or quarrying purposes shall not require a subdivision plat, provided: (1) each parcel contains a minimum area of twenty (20) acres, and (2) no utility services shall be provided to an inhabitable use.

(11) The provision of utility service to not more than three (3) detached single-family dwelling units on an unplatted tract or antiquated plat shall not require a subdivision plat provided all of the following requirements are met:

A. The tract is located outside the city limits within the extraterritorial jurisdiction of the city;

B. The tract has a minimum of fifteen (15) feet of frontage on a public street or a recorded irrevocable access easement;

C. The tract was created prior to January 1, 2005;

D. The tract has a minimum area of five thousand (5,000) square feet for each dwelling unit, additional county requirements may be imposed where on-site sewage facility is proposed;

E. The tract is held under single ownership;

F. No dwelling unit will be located within a regulatory floodplain;

G. No utility extension is required;

H. No major thoroughfare dedication is required.

When major thoroughfare dedication is required the owner of an unplatted parcel abutting a designated major thoroughfare may voluntarily execute a street dedication instrument in accordance with form "S" in Appendix "B" in lieu of public dedication through platting when necessary. Any further subdivision shall require approval of a subdivision plat as provided herein.

(12) Sewer and water service to existing buildings. If existing buildings on an unplatted tract are occupied, sewer and water services may be provided if "all" of the following conditions are met:

A. The applicant provides evidence that non-single-family development and/or non-single-family improvements had received electrical service for a minimum continuous period of five (5) years prior to the date of application for sewer and/or water services.

B. The site is not subject to thoroughfare dedication;

C. If applicable, existing buildings shall comply with the floodplain ordinance;

- D. Service is restricted to existing uses; and
- E. Impact fees are paid at time of application for service.

- (13) An existing single-family residence can add a second residential structure provided they utilize the same electrical meter and the occupant is family. In addition, the applicant will need to comply with all zoning, building and on-site sewage facility requirements.
- (14) Requests for permits within the existing building's footprint area of an otherwise lawfully permitted structure.
- (15) The lot is located within the original thirty-six (36) square mile area of San Antonio, and the boundaries of the lot were recorded in the Deed and Property Records of Bexar County prior to June 14, 1927, and the lot remains in its original configuration. It shall be the obligation of the applicant for plat exception to provide documentation of the lot's recording prior to June 14, 1927.







City of San Antonio  
Development Services Department  
Land Entitlements Section

#15-IV-004

## APPEAL TO THE PLANNING COMMISSION

Instructions:

1. All applicable information must be legibly printed or typed for processing.
2. Application must include a copy of the notification and decision letter, and the rationale, in detail, for the request for appeal. Please attach additional pages as necessary. All additional pages must be numbered and labeled.
3. All signatures must be originals. Applications may not be faxed or emailed.
4. An application will not be accepted without the required application fee. All checks must be made payable to "City of San Antonio."
5. Any appeal of the decision of the Director to the Planning Commission will be based on information submitted to the Director for the related application.

To the Honorable Members of the Planning Commission:

In reference to:

Project Name:

Application Type: Certificate of termination Application No.: \_\_\_\_\_

Address/Location: 17388 SHADY FALLS.

Legal Description: CB 4008-1 P-149 B ABS 4

The Applicant, \_\_\_\_\_, alleges that the following error in an order, requirement, decision or determination has been made by an administrative officer in the enforcement of the City of San Antonio's Unified Development Code (UDC). Please explain in detail below:

See Attach.



Respectfully submitted,

**APPLICANT INFORMATION**

Business/Company Name: \_\_\_\_\_  
Point of Contact: \_\_\_\_\_  
Status: Owner ☐ Agent ☐  
Mailing address: \_\_\_\_\_  
Telephone: Home/Office: ( ) - Mobile: ( ) -  
Other phone: ( ) - Email: \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Business/Company Name: \_\_\_\_\_  
Point of Contact: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Telephone: Home/Office: ( ) - Mobile: ( ) -  
Other phone: ( ) - Email: \_\_\_\_\_

**AUTHORIZATION FROM PROPERTY OWNER**

I, \_\_\_\_\_ the owner of the subject property,  
authorize \_\_\_\_\_ to submit this application and represent  
me in this appeal before the Planning Commission.

\_\_\_\_\_  
Property owner's signature

\_\_\_\_\_  
Date

I, the undersigned, hereby certify that all information contained herein and the attached documents are true and correct to the best of my knowledge. I understand my continuing obligation to notify in writing the Development Services Department of the inaccuracy of any statement or representation that was incorrect when made or becomes incorrect by virtue of changed circumstances.

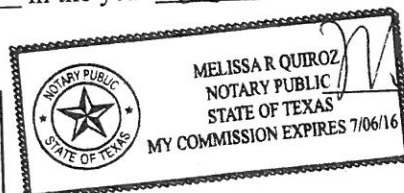
Rosa I. Santos  
Applicant's Name

Rosa I. Santos  
Applicant's signature

9-3-15  
Date

Sworn to and subscribed before me by Rosa I. Santos on this 3rd day of  
September in the year 2015, to certify which witness my hand and seal of office.

**OFFICE USE ONLY**  
Application/Case No.: \_\_\_\_\_  
Submittal Date: \_\_\_\_\_



Melissa R. Quiroz  
Notary Public, State of Texas



Respectfully submitted,

**APPLICANT INFORMATION**

Business/Company Name: Rosa Santos  
Point of Contact: 17388 Shady Falls  
Status: Owner ☒ Agent ☐  
Mailing address: Eltendorf Ln. 78112  
Telephone: Home/Office: ( ) - Mobile: (210) 274-7772  
Other phone: cell (210) 875-8394 Email: \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Business/Company Name: Rosa Santos  
Point of Contact: 17388 Shady Falls  
Mailing address: Eltendorf Ln. 78112  
Telephone: Home/Office: ( ) - Mobile: (210) 274-7772  
Other phone: ( ) - Email: \_\_\_\_\_

**AUTHORIZATION FROM PROPERTY OWNER**

I, Rosa - Narciso Santos the owner of the subject property,  
authorize \_\_\_\_\_ to submit this application and represent  
me in this appeal before the Planning Commission.

Narciso Santos, Rosa Santos  
Property owner's signature

9/3/15  
Date

I, the undersigned, hereby certify that all information contained herein and the attached documents are true and correct to the best of my knowledge. I understand my continuing obligation to notify in writing the Development Services Department of the inaccuracy of any statement or representation that was incorrect when made or becomes incorrect by virtue of changed circumstances.

Rosa I. Santos  
Applicant's Name

Rosa I. Santos  
Applicant's signature

\_\_\_\_\_  
Date

Sworn to and subscribed before me by \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ in the year \_\_\_\_\_, to certify which witness my hand and seal of office.

**OFFICE USE ONLY**

Application/Case No.: \_\_\_\_\_  
Submittal Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas





To whom it may concern:

This is a request for a variance from re-platting.

We started out with 11 acres in 2009/2010, but we were on the verge of foreclosure. Since my son Rolando, had a home on the property as well, he took out a 2<sup>nd</sup> mortgage on his home in order to save the entire property.

As part of the agreement with my son, Narciso took out a reverse mortgage in order to pay my son back for bailing us out.

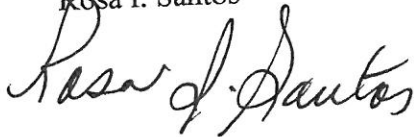
Over the next few years we realized that the interest rate on the reverse mortgage was too high. And if anything were to happen to Narciso, Rosa would end up with no home. We asked the financing company if we would be able to sell a portion of the property and pay off the debt from the reverse mortgage and still be able to keep a section of the property to live on. The finance company said that it was fine to do that, so we sold a portion of the property with the house. And now we are trying to build a house on the remainder of the property.

Narciso is retired due to his age & health, and Rosa is retired due to disability. We are trying to stay in this neighborhood because my oldest son lives next door, and we would like to be close to him in case of emergencies. Because of our ailing health, we are on a limited income and we can not afford to pay the high amount needed to do a 're-platting.'

We are requesting your assistance with this matter.

Sincerely,

Rosa I. Santos

A handwritten signature in cursive script that reads "Rosa I. Santos". The signature is written in dark ink and is positioned below the printed name.





CITY OF SAN ANTONIO  
**DEVELOPMENT SERVICES DEPARTMENT**  
P.O. BOX 839966 | SAN ANTONIO TEXAS 78283-3966



September 2, 2015

Rosa Santos  
17388 Shady Falls  
San Antonio, Texas 78112

Re: Denial of Certificate of Determination Request #15-192

Dear Mrs. Santos ,

The City of San Antonio, Development Services Department reviewed your request for a Certificate of Determination for property located at 17384 Shady Falls. Based on the submitted information, your request is ineligible for a plat exception. All requests for plat exceptions must follow the guidelines identified in the Unified Development Code, Article IV, Procedures; Division 4, Subdivision, Section 35-430(c) (1-15) and Texas Statutes, Local Government Code, Section 212.0115, Certification Regarding Compliance with Plat Requirements.

At this time, staff is **unable to approve** your request for the following reason(s):

Subject property does not qualify for the provision of Section 430 ( C ) ( 11 ) ( C ) of the City of San Antonio Unified Development Code which allows utility service for up to 3 residential dwellings, because the property was reapportioned after 2005.

To proceed, staff has identified the following steps:

- 1) All applicants can appeal the determination to the Planning Commission by submitting a request in writing to the Development Services, Land Entitlements section. The application to Appeal to the Planning Commission is available online at [webapps1.sanantonio.gov/dsddocumentcentral/upload/Application%20Appeal.pdf](http://webapps1.sanantonio.gov/dsddocumentcentral/upload/Application%20Appeal.pdf). The fee for an appeal to Planning Commission is \$350.00.
- 2) Alternatively, you may plat or replat the subject property in accordance with State and local requirements. Please contact Land Entitlements staff for further instructions. The application to Plat or Replat properties is available online at

- 3) [webapps1.sanantonio.gov/dsddocumentcentral/upload/Plat%20Application.pdf](http://webapps1.sanantonio.gov/dsddocumentcentral/upload/Plat%20Application.pdf). Platting fees will vary dependant on acreage and location.

For further information regarding an appeal the Planning Commissioner the Plat/Replat process, Please contact the Development Services Department Land Entitlement section at (210) 207-1111. If you you have any questions about the denial of your request please feel to contact Donna Camacho at (210) 207-5016.

Sincerely,



Pete Gomez  
Planner  
City of San Antonio  
Development Services Department  
(210)207-1111



Donna Camacho  
Senior Planner  
City of San Antonio  
Development Services Department





CITY OF SAN ANTONIO  
DEVELOPMENT SERVICES DEPARTMENT  
LAND ENTITLEMENTS SECTION

# CERTIFICATE OF DETERMINATION REQUEST FORM

<b>Official Use Only</b>	
COD # <u>15-192</u>	Planner _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied

Section 35-430(c) of the UDC allows exceptions to platting requirements. If the site meets one of these plat exceptions, a Certificate of Determination will be issued to the owner of the subject property.

## PROPERTY OWNER INFORMATION

Business/Company Name: \_\_\_\_\_  
 Point of Contact: Rosa Santos  
 Mailing address: 17388 Shady Falls 78112  
 Telephone: Home/Office: (\_\_\_\_) \_\_\_\_\_ Mobile: (210) 274-7772  
 Other phone: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

## PROPERTY INFORMATION

Property physical address: 17388 Shady Falls  
 Legal Description: NCB/CB: 4008-1 Block: 4008 Lot/Parcel: 17384 Shady  
 County: 149B ABS4 Total Acreage: 1.10 Acre FALLS

- Proposed Use: ☒ Residential ☐ Non-Residential ☐ Uninhabitable Use
- ☐ Inside City Limits ☒ Outside City Limits / Extra Territorial Jurisdiction (ETJ)
- Type of Service Requested:
 

<input type="checkbox"/> Water Service	<input type="checkbox"/> Sewer Service	<input checked="" type="checkbox"/> Electric Service	<input type="checkbox"/> Building Permit
<input type="checkbox"/> Other - specify <u>Septic</u>			
- Number of existing residential structures located on the property: \_\_\_\_\_

## Required Documents:

- ☒ Warranty Deed (Show ownership & legal description of property)
- ☒ Survey, Map, and/or Drawing (Showing size, shape, and location of property)
- ☒ Current Tax Certificate - 233 N. Pecos, Vista Verde Bldg., 2nd Flv.
- ☐ Non- Refundable Two hundred dollar fee (\$200.00)

I hereby certify that all of the information on the entire COD Application is true and correct.	
Print Name: <u>ROSA I Santos</u>	Signature: <u>Rosa I Santos</u>
Date: <u>8/25/15</u>	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent (Requires a notarized Letter of Agent.)

Note: Certificates are only issued in the name of the owner of the property. -



SCANNED



Recording requested by: NARCISO IMELDA SANTOS Space above reserved for use by Recorder's Office

When recorded, mail to:

Document prepared by:

Name: ROSA IMELDA SANTOS

Name NARCISO Santos

Address: 17384 SHADY FALLS

Address 17384 SHADY FALLS

City/State/Zip: Elmendorf Tx. 78112

City/State/Zip Elmendorf Tx. 78112

Property Tax Parcel/Account Number: 17384 SHADY FALLS RD. 1.88.20 ACRES.  
CB 4008-1 P. 1493 ABS 4 CARB (R-4)

## Warranty Deed

This Warranty Deed is made on \_\_\_\_\_, between \_\_\_\_\_,

Grantor, of NARCISO wife IMELDA R SANTOS, City of

Elmendorf, State of Tx. 78112, and

Grantee, of NARCISO & ROSA IMELDA SANTOS  
17384 SHADY FALLS City of Elmendorf, State of TEXAS 78112,

For valuable consideration, the Grantor hereby sells, grants, and conveys the following described real estate, in fee simple, to the Grantee to have and hold forever, along with all easements, rights, and buildings belonging to the described property, located at 17384 SHADY FALLS

City of Elmendorf, State of TEXAS 78112

1.10 acre OUT OF 1.88 acre. Survey 4 Subtract 4  
being out of 11.00 acre tract tract 4 conveyed December  
29, 2006 to Jimmy McHaney as recorded in Volume 12676 Pg  
1401

The Grantor warrants that it is lawful owner and has full right to convey the property, and that the property is free from all claims, liabilities, or indebtedness, and that the Grantor and its successors will warrant and defend title to the Grantee against the lawful claims of all persons. Taxes for the tax year of \_\_\_\_\_ shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

Dated: 8-17-2015

Marciso Santos Imelda R. Santos  
Signature of Grantor

MARCISO SANTOS Imelda R. Santos  
Name of Grantor

[Signature] MARIA S. Garza  
Signature of Witness #1 Printed Name of Witness #1

[Signature] Raul Garza  
Signature of Witness #2 Printed Name of Witness #2

State of Texas County of Bexar IMELDA Santos  
On 8-17-2015, the Grantor, MARCISO SANTOS,

personally came before me and, being duly sworn, did state, acknowledge and prove that he/she is the person described in the above document and that he/she signed the above document in my presence.

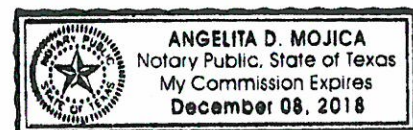
[Signature]  
Notary Signature

Notary Public,

In and for the County of Bexar State of Texas  
My commission expires: 12-08-2018

Seal

Send all tax statements to Grantee.



### **METES & BOUNDS DESCRIPTION**

OF A 1.10 ACRE TRACT OUT OF A 1.88 ACRE THIS DAY SURVEYED, SITUATED IN BEXAR COUNTY, TEXAS, BEING OUT OF THE JOSE DE LA GARZA SURVEY NO. 4, ABSTRACT NO. 4, COUNTY BLOCK 4008, BEXAR COUNTY, TEXAS, BEING OUT OF A CALLED 11.00 ACRE TRACT CALLED "TRACT 4" IN A CONVEYANCE DATED DECEMBER 27, 2006 TO JIMMY MCHANEY RECORDED IN VOLUME 12676, PAGE 1401, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**BEGINNING** at a found ½" iron rod in the westerly R.O.W. line of Shady Falls Road (a 50' Public R.O.W.) for the southwest corner of the herein described tract, the southwest corner of said 1.88 Acre Tract, the most westerly northwest corner of called 7.236 acre tract known as "Tract 4B" conveyed to Ronald D. Garza in Volume 13778, Pg. 389, Real Property Records of Bexar County, Texas;

**THENCE** along and with said R.O.W., North 00°16'35" East, a distance of 73.52 feet to a set ½" iron rod for the most southerly northwest corner of the herein described tract;

**THENCE** leaving said R.O.W., into and across said 1.88 Acre Tract, South 89°31'42" East, a distance of 253.05 feet to a set ½" iron rod for an interior angle point of the herein described tract;

**THENCE** North 00°16'35" West, a distance of 134.51 feet to a set ½" iron rod for the most northerly northwest corner of the herein described tract, a point in the common boundary of said 1.88 Acre Tract and a called 5.00 acre tract as recorded in a deed to Rafael Fernandez and Francisco J. Hernandez in Vol. 16743, Pg. 2285, Real Property Records of Bexar County, Texas;

**THENCE** along and with the common boundary of said 1.88 Acre Tract and said Fernandez/Hernandez Tract, South 89°31'42" East, a distance of 140.81 feet to a found ½" iron rod for the northeast corner of the herein described tract, the northeast corner of said 1.88 Acre Tract, the northwest corner of said Garza Tract;

**THENCE** along and with the common boundary of said 1.88 Acre Tract and said Garza Tract, South 00°14'22" West, a distance of 208.03 feet (called South 00°16'35" West, a distance of 208.02 feet) to a found ½" iron rod for the southeast corner of the herein described tract, the southeast corner of said 1.88 Acre Tract, an angle point of said Garza Tract;

**THENCE** along and with the common boundary of said 1.88 Acre Tract and said Garza Tract, North 89°31'42" West, a distance of 393.99 feet (called North 89°31'42" West, a distance of 394.00 feet) to the **POINT OF BEGINNING** and containing 1.10 acres, more or less.



RAFAEL FERNANDEZ & FRANCISCO J. HERNANDEZ  
CALLED 5.00 ACRES TRACT  
(VOL. 16743, PG. 2285)

RONALD D. GARZA  
CALLED 7.236 ACRES TRACT  
(VOL. 13778, PG. 389)

FND.  
1/2"  
I.R.

S 00°14'22" W 208.03' (F.M.)  
S 00°16'35" W 208.02' (DEED)

CM  
1/2"  
I.R.

PROPOSED 1.10 ACRES ACRES TRACT

CHICKEN  
COOP

WIRE  
FENCE

S 89°31'42" E 393.86' (F.M.)  
S 89°31'42" E 394.00' (DEED)

REMAINING PORTION OF  
CALLED 11.00 ACRES TRACT  
(VOL. 12676, PG. 1401)  
34039 SQ. FT.  
0.78 ACRES

ONE STORY  
FRAME

COVERED  
AREA

COVERED  
AREA

(BEARING BASIS) 394.00' (DEED)  
N 89°31'42" W 393.99' (F.M.)

RONALD D. GARZA  
CALLED 7.236 ACRES TRACT  
(VOL. 13778, PG. 389)

S 29°35'30" E 1.25'

5.0'

N 00°16'35" E 208.02' (DEED)

N 00°16'35" E 208.03' (F.M.)

EDGE OF PVMT.

P.O.B.  
1.88 ACRES

140.05'

SHADY FALLS ROAD  
(50' R.O.W.)

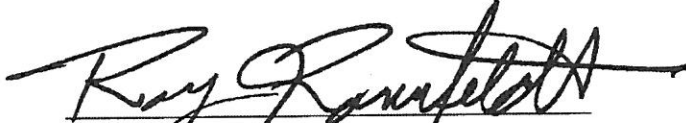
THESE METES AND BOUNDS ARE TO BE USED FOR FINANCING & HOMESTEAD PURPOSES ONLY AND DO NOT CONSTITUTE A LEGAL DESCRIPTION FOR CONVEYANCE OF PROPERTY OR DIVISION OF PROPERTY UNLESS OTHERWISE APPROVED BY CITY PLANNING & DEVELOPMENT SERVICES.

STATE OF TEXAS §

June 2, 2015

COUNTY OF BEXAR §

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

  
Roy John Ronnfeldt,  
Registered Professional Land Surveyor  
Registration No. 3520



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

AUG 17 2015

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



  
COUNTY CLERK BEXAR COUNTY, TEXAS



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

## WARRANTY DEED

Date: November \_\_, 2008

Grantor: NARCISO SANTOS and wife, IMELDA R. SANTOS

Grantor's Mailing Address (including county): 17384 Shady Falls, Elmendorf,  
Bexar County, Texas 78112

Grantee: RAUL GARZA, JR.

Grantee's Mailing Address (including county): 17384 Shady Falls, Elmendorf,  
Bexar County, Texas 78112

Consideration: TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION

**Property (including any improvements):**

A 1.882 acre tract of land situated in Bexar County, Texas, out of the Jose de la Garza Survey No. 4, Abstract 4, County Block 4008, being out of an 11.00 acre tract "Tract 4" conveyed December 27, 2006 to Jimmy McHaney as recorded in Volume 12676, Page 1401, Real Property Records, Bexar County, Texas. Said 1.882 acre tract being more particularly described as Tract 4C on Exhibit "A" attached hereto and made a part hereof.

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject to any and all conditions, restrictions, and easements, if any, relating to the hereinabove-described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Bexar County, Texas, and subject to liens securing note in the original amount of \$26,578.80 described in Deed of trust recorded in Volume 13776, Page 375, of the Real Property Records of Bexar County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sell, 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, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

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

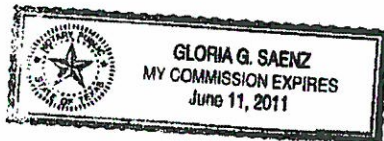
Narciso Santos  
NARCISO SANTOS

Imelda R. Santos  
IMELDA R. SANTOS

(acknowledgment)

STATE OF TEXAS  
COUNTY OF BEXAR

This instrument was acknowledged before me on the 21<sup>st</sup> day of November, 2008,  
by NARCISO SANTOS .



Gloria G. Saenz

Notary Public, State of Texas

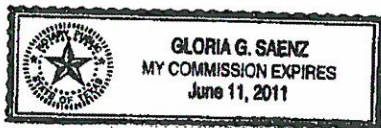
Notary's name (printed):

Notary's commission expires:

(acknowledgment)

STATE OF TEXAS  
COUNTY OF BEXAR

This instrument was acknowledged before me on the 21<sup>st</sup> day of November, 2008,  
by IMELDA R. SANTOS .



Gloria G. Saenz  
Gloria G. Saenz

Notary Public, State of Texas

Notary's name (printed):

Notary's commission expires: Gloria G. Saenz  
June 11, 2011



*Paul*

**FIELD NOTE DESCRIPTION**

**1.882 ACRE TRACT**

**"TRACT 4C"**

Bexar County, Texas

A 1.882 acre tract of land situated in Bexar County, Texas, out of the Jose de la Garza Survey No. 4, Abstract 4, County Block 4008, being out of an 11.000 acre tract "Tract 4" conveyed December 27, 2006 to Jimmy McHaney as recorded in Volume 12676, Page 1401, Real Property Records, Bexar County, Texas. Said 1.882 acre tract being more particularly described as follows:

**COMMENCING**, at a found 1/2" iron rod with yellow cap marked "RPLS 5286" on the east line of Shady Falls Road (a 50-foot public right-of-way) and being the southwest corner of "Tract 3" a proposed 3.384 acre tract out of a 520.419 acre tract as described in Volume 6612, Page 1264, Real Property Records, Bexar County, Texas;

**THENCE**; N 00°16'35" E for a distance of 171.08 feet along the east right-of-way of said Shady Falls Road to a 6" steel fence post, from which a found 1/2" iron rod with yellow cap marked "RPLS 5286", bears N 80°35'25" E a distance of 0.3 feet, said fence post being the Northwest corner of said "Tract 3" and being the **POINT OF BEGINNING** of the hereinafter described 1.882 acre tract;

**THENCE**; continuing along the east right-of-way of said Shady Falls Road, N 00°16'35" E for a distance of 208.02 feet to a set 1/2" iron rod for corner;

**THENCE**; leaving the east right-of-way of said Shady Falls Road, S 89°31'42" E for a distance of 394.00 feet to a set 1/2" iron rod for corner;

**THENCE**; S 00°16'35" W for a distance of 208.02 feet to a set 1/2" iron rod for corner, said point being on the common Southerly line of said "Tract 4" and the Northerly line of said "Tract 3";

**THENCE**; along the common line of said "Tract 3" and "Tract 4", N 89°31'42" W for a distance of 394.00 feet to the **POINT OF BEGINNING** of the heretofore described 1.882 acre tract.



Armando A. Aranda,  
Registered Professional Land Surveyor  
Registration No. 1398  
November 2, 2008



Doc# 20080257384  
# Pages 4  
12/05/2008 08:47:56 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK  
  
Fees 24.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
12/05/2008 08:47:56 AM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard Rickhoff*

Fidelity National Title GF# 41005242

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

## WARRANTY DEED

Date: November \_\_\_\_, 2008

Grantor: NARCISO SANTOS and wife, IMELDA R. SANTOS

Grantor's Mailing Address (including county): 17384 Shady Falls, Elmendorf,  
Bexar County, Texas 78112

Grantee: ROLAND D. GARZA

Grantee's Mailing Address (including county): 17384 Shady Falls, Elmendorf,  
Bexar County, Texas 78112

Consideration: TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION

**Property (including any improvements):**

A 7.236 acre tract of land situated in Bexar County, Texas, out of the Jose de la Garza Survey No. 4, Abstract 4, County Block 4008, being out of an 11.00 acre tract "Tract 4" conveyed December 27, 2006 to Jimmy McHaney as recorded in Volume 12676, Page 1401, Real Property Records, Bexar County, Texas. Said 7.236 acre tract being more particularly described as Tract 4B on Exhibit "A" attached hereto and made a part hereof.

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject to any and all conditions, restrictions, and easements, if any, relating to the hereinabove-described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Bexar County, Texas, and subject to liens securing note in the original amount of \$26,578.80 described in Deed of trust recorded in Volume 3774, Page 375, of the Real Property Records of Bexar County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sell, 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, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

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

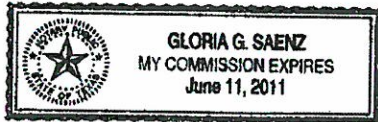
*Narciso Santos*  
NARCISO SANTOS

*Imelda Santos*  
IMELDA R. SANTOS

(acknowledgment)

STATE OF TEXAS  
COUNTY OF BEXAR

This instrument was acknowledged before me on the 21<sup>st</sup> day of November, 2008,  
by NARCISO SANTOS .



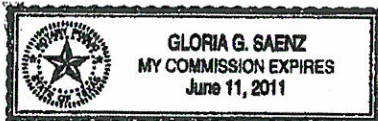
*Gloria G. Saenz*

Notary Public, State of Texas  
Notary's name (printed): Gloria G. Saenz  
Notary's commission expires: June 11, 2011

(acknowledgment)

STATE OF TEXAS  
COUNTY OF BEXAR

This instrument was acknowledged before me on the 21<sup>st</sup> day of November, 2008,  
by IMELDA R. SANTOS .



*Gloria G. Saenz*

Notary Public, State of Texas  
Notary's name (printed): Gloria G. Saenz  
Notary's commission expires: June 11, 2011

*Poland*

**FIELD NOTE DESCRIPTION**  
**7.236 ACRE TRACT**  
**"TRACT 4B"**  
Bexar County, Texas

A 7.236 acre tract of land situated in Bexar County, Texas, out of the Jose de la Garza Survey No. 4, Abstract 4, County Block 4008, being out of an 11.000 acre tract "Tract 4" conveyed December 27, 2006 to Jimmy McHaney as recorded in Volume 12676, Page 1401, Real Property Records, Bexar County, Texas. Said 7.236 acre tract being more particularly described as follows:

**COMMENCING**, at a found 1/2" iron rod with yellow cap marked "RPLS 5286" on the east line of Shady Falls Road (a 50-foot public right-of-way) and being the southwest corner of "Tract 3" a proposed 3.384 acre tract out of a 520.419 acre tract as described in Volume 6612, Page 1264, Real Property Records, Bexar County, Texas;

**THENCE**; N 00°16'35" E for a distance of 379.10 feet along the east right-of-way of said Shady Falls Road to a set 1/2" iron rod for corner, said point being the Northwest corner of a proposed 1.882 acre tract "Tract 4C" and the **POINT OF BEGINNING** of the hereinafter described 7.236 acre tract;

**THENCE**; continuing along the east right-of-way of said Shady Falls Road, N 00°16'35" E for a distance of 140.00 feet to a set 1/2" iron rod for corner, said point being the southwest corner of a proposed 1.882 acre tract "Tract 4A";

**THENCE**; leaving the east right-of-way of said Shady Falls Road, S 89°31'42" E for a distance of 394.00 feet to a set 1/2" iron rod for corner, said point being the southeast corner of a proposed 1.882 acre tract "Tract 4A";

**THENCE**; N 00°16'35" E for a distance of 208.02 feet to a set 1/2" iron rod for corner, said point being on the common Southerly line of a 5.000 acre tract "Tract 5" as described in Volume 13076, Page 58, Real Property Records, Bexar County, Texas and the Northerly line of said "Tract 4";

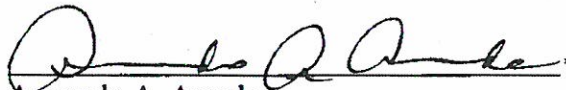
**THENCE**; S 89°31'42" E for a distance of 467.74 feet to a found 1/2" iron rod with yellow cap marked "RPLS 5286", said point being the Southeast corner of said "Tract 5" and the Northeast corner of said "Tract 4";

**THENCE**; along the east line of said "Tract 4", S 00°16'35" W for a distance of 556.04 feet to a found 1/2" iron rod with yellow cap marked "RPLS 5286", said point being the Northeast corner of "Tract 3" a proposed 3.384 acre tract out of a 520.419 acre tract as described in Volume 6612, Page 1264, Real Property Records, Bexar County, Texas;

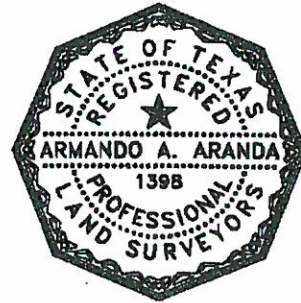
**THENCE;** N 89°31'42" W for a distance of 467.74 feet to a set 1/2" iron rod for corner, said point being the Southeast corner of a proposed 1.882 acre tract "Tract 4C" and on the North line of said "Tract 3";

**THENCE;** N 00°16'35" E for a distance of 208.02 feet to a set 1/2" iron rod for corner, said point being the Northeast corner of a proposed 1.882 acre tract "Tract 4C";

**THENCE;** S 89°31'42" E for a distance of 394.00 feet to the **POINT OF BEGINNING** of the heretofore described 7.236 acre tract.



Armando A. Aranda,  
Registered Professional Land Surveyor  
Registration No. 1398  
November 2, 2008



Doc# 20080257385  
# Pages 5  
12/05/2008 08:47:56 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK  
  
Fees 28.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
12/05/2008 08:47:56 AM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard Rickhoff*





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### WARRANTY DEED WITH VENDOR'S LIEN

Date: November 17<sup>th</sup> 2008

Grantor: JIMMY McHANEY, owning, occupying and claiming other property as his homestead.

Grantor's Mailing Address (including county): P.O. Box 35  
Husser, LA 70442

Grantee: NARCISO SANTOS and wife, IMELDA R. SANTOS

Grantee's Mailing Address (including county): 17384 Shady Falls, Elmendorf,  
Bexar County, Texas 78112

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantees herein of their one certain promissory note of even date herewith in the principal sum of TWENTY-SIX THOUSAND FIVE HUNDRED SEVENTY-EIGHT AND 80/100 DOLLARS (\$26,578.80), payable to the order of JIMMY McHANEY, Grantor herein, as therein provided and bearing interest at the rate therein specified and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to MILTON C. BECK, Trustee.

**Property (including any improvements):**

A parcel of land containing 11.00 acres of land situated in Bexar County, Texas, out of the Jose de la Garza Survey No. 4, County Block 4008 and being out of and a part of a 520.419 acre tract of land conveyed December 7, 1995 to W.R. Coffey, Trustee, according to the deed recorded in Volume 6612, Page 1264, of the Real Property Records of Bexar County, Texas, and being the same 519.9660 acre tract as resurveyed by Raymundo Villarreal on April 17, 1996, said 11.00 acre tract being more particularly described on Exhibit "A" attached hereto and made a part hereof.

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject to any and all conditions, restrictions, and easements, if any, relating to the hereinabove-described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Bexar County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sell, 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, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

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

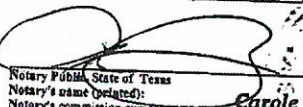
When the context requires, singular nouns and pronouns include the plural.

  
JIMMY MCHANEY

LOUISIANA  
STATE OF TEXAS  
PARISH COUNTY OF ST. TAMMANY

(Acknowledgment)

This instrument was acknowledged before me on the 11<sup>th</sup> day of November, 2008,  
by JIMMY MCHANEY.

  
Notary Public, State of Texas  
Notary's name (printed):  
Notary's commission expires:

Carole A Brancewicz  
Notary Public # 65477  
St Tammany Parish, LA  
Commission is for Life

AFTER RECORDING RETURN TO:  
NARCISO SANTOS  
17384 Shady Falls  
Elmendorf, TX 78112

PREPARED IN THE LAW OFFICES OF:  
BECK & BECK  
4940 Broadway, Suite 315  
San Antonio, Texas 78209

STATE OF TEXAS

COUNTY OF BEXAR

FIELD NOTES  
FOR  
11.00 ACRES  
(TRACT 4)

FIELD NOTES describing 11.00 acres of land situated in Bexar County, Texas, out of the Jose de la Garza survey No. 4, County Block 4008 and being out of and a part of a 520.419 acre tract of and conveyed December 7, 1995 to W. R. Coffey, Trustee, according to the deed recorded in Volume 6612, Page 1264 of the Real Property Records of Bexar County, Texas, and being the same 519.9660 acre tract as resurveyed by Raymundo Villarreal on April 17, 1996. Said 11.00 acre tract being more particularly described as follows:

BEGINNING: At a set  $\frac{1}{4}$ " steel pin with a yellow cap marked "RPLS 5286" at the east right-of-way line of Shady Falls Road and the northwest corner of a proposed 3.384 acre tract (Tract 3) out of said 520.4191 acre tract and the southwest corner of this herein described tract from which a found  $\frac{1}{4}$ " steel pin at the southeast corner of Shady Falls Road and an interior corner of said 520.4191 acre tract bears S 00° 16' 35" W a distance of 653.86 feet;

THENCE: N 00° 16' 35" East a distance of 556.04 feet along the east right-of-way line of Shady Falls Road to a set  $\frac{1}{4}$ " steel pin with a yellow cap marked "RPLS 5286" for the southwest corner of a 5.00 acre tract (Tract 5) out of said 520.4191 acre tract and the northwest corner of this herein described tract;

THENCE: S 89° 31' 42" E a distance of 861.74 feet leaving the east right of way line of Shady Falls Road and along the south line of a 5.00 acre tract (Tract 5) and to a set  $\frac{1}{4}$ " steel pin with a yellow cap marked "RPLS 5286" for the southeast corner of the 5.00 acre tract (Tract 5) and the northeast corner of this herein described tract;

THENCE: S 00° 27' 21" W a distance of 556.04 feet to a set  $\frac{1}{4}$ " iron pin with a yellow cap marked "RPLS 5286" for the northeast corner of the 3.384 acre tract (Tract 3) and the southeast corner of this herein described tract;

THENCE: S 89° 31' 42" W a distance of 861.74 feet along the north line of the 3.384 acre tract (Tract 3) and the south line of this herein described tract to the POINT OF BEGINNING and containing 11.00 acres of land, more or less.

Doc# 20080256211  
# Pages 4  
12/03/2008 13:38:57 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK  
  
Fees 24.00

STATE OF TEXAS  
COUNTY OF BEXAR  
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was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
12/03/2008 13:38:57 PM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard Rickhoff*

RAFAEL FERNANDEZ & FRANCISCO J. HERNANDEZ  
CALLED 5.00 ACRES TRACT  
(VOL. 16743, PG. 2285)

S 89°31'42" E 393.86' (F.M.)  
S 89°31'42" E 394.00' (DEED)

REMAINING PORTION OF  
CALLED 11.00 ACRES TRACT  
(VOL. 12676, PG. 1401)

34039 SQ. FT.  
0.78 ACRES

GRAVEL  
DRIVY.

ONE STORY  
FRAME

A/C  
PAD

COVERED  
AREA

COVERED  
AREA

CHICKEN  
COOP

PROPOSED 1.10 ACRES TRACT

RONALD D. GARZA  
CALLED 7.236 ACRES TRACT  
(VOL. 13778, PG. 389)

S 00°14'22" W 208.03' (F.M.)  
S 00°16'35" W 208.02' (DEED)

FND.  
1/2"  
I.R.

CM  
1/2"  
I.R.

N 00°16'35" E 208.02' (DEED)  
N 00°16'35" E 208.03' (F.M.)

SHADY FALLS ROAD  
(50' R.O.W.)

(BEARING BASIS) 394.00' (DEED)  
N 89°31'42" W 393.99' (F.M.)

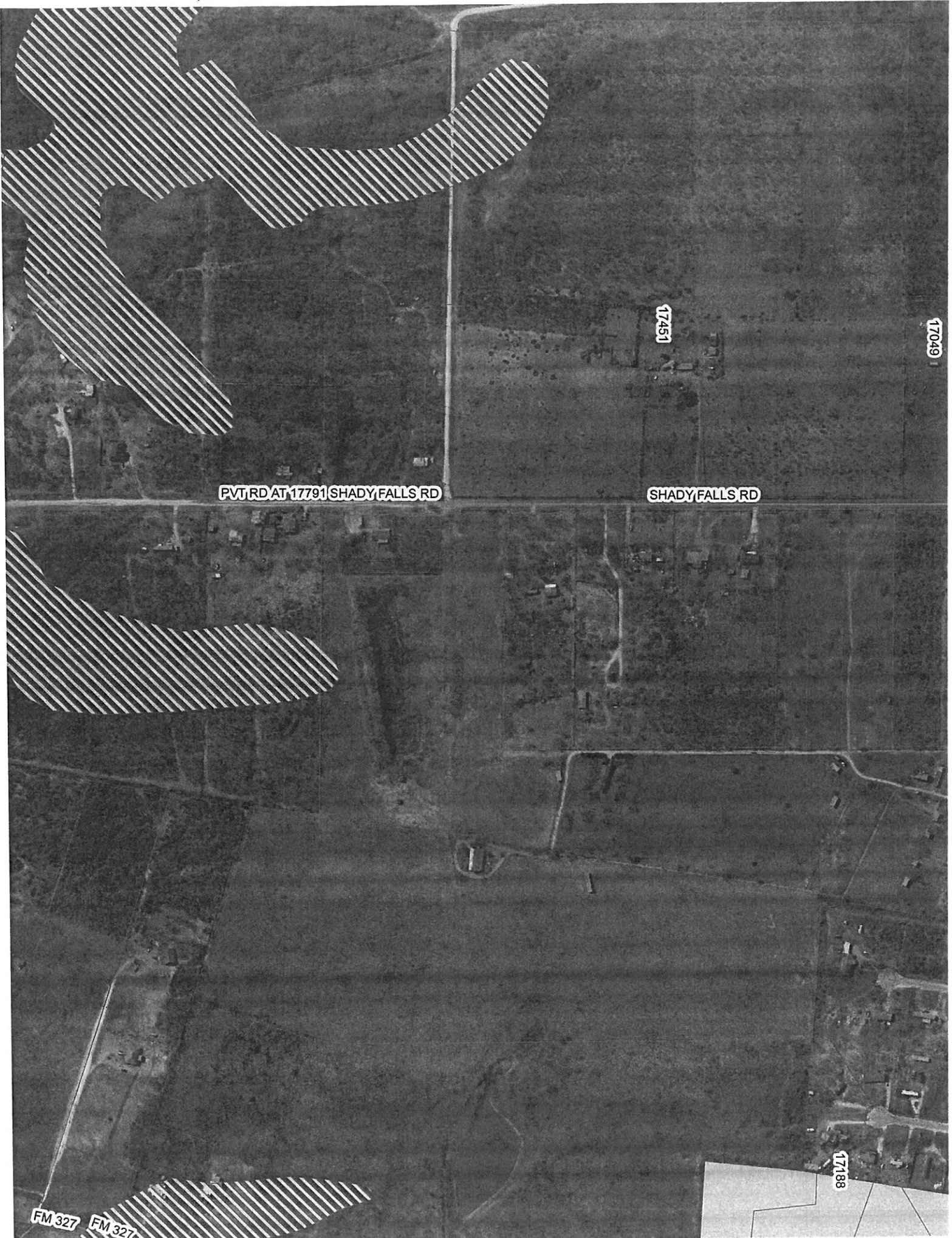
RONALD D. GARZA  
CALLED 7.236 ACRES TRACT  
(VOL. 13778, PG. 389)

P.O.B.  
1.88 ACRES

EDGE OF PVMT.

140.05'





PVT RD AT 17791 SHADY FALLS RD

SHADY FALLS RD

17451

17049

FM 327 FM 327

12188





# TAX CERTIFICATE



ALBERT URESTI, MPA, PCC  
BEXAR COUNTY TAX ASSESSOR-COLLECTOR  
P O BOX 839950  
SAN ANTONIO, TX 78283-3950

**Issued To:**

ROSA I. SANTOS  
17384 SHADY FALLS  
ELMENDORF, TX 78112

**Legal Description**

CB 4008-1 P-149B ABS 4 (ARB TR-4)

**Fiduciary Number:** 1445958

**Parcel Address:** 17384 SHADY FALLS RD

**Legal Acres:** 1.8820

**Account Number:** 04008-001-1403

**Print Date:** 08/05/2015

**Certificate No:** 10847611

**Paid Date:**

**Certificate Fee:** \$10.00

**Issue Date:** 08/05/2015

**Operator ID:** LHER

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. ALL TAXES ARE PAID IN FULL

**Exemptions:**

CAPPED HOMESTEAD OVER 65

**Certified Owner:**

SANTOS NARCISO &  
ROSA  
17384 SHADY FALLS RD  
ELMENDORF, TX 78112-5101

**Certified Tax Unit(s):**

8 FLOOD FUND  
9 ALAMO COMM COLLEGE  
10 HOSPITAL DISTRICT  
11 BEXAR COUNTY  
19 S A RIVER AUTHORITY  
51 EAST CENTRAL ISD

2014 Value:	123,670
2014 Levy:	\$1,610.22
2014 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

THE ABOVE PROPERTY HAS RECEIVED AN OVER65 OR DISABILITY EXEMPTION FOR THE CURRENT YEAR. ADDITIONAL TAXES MAY BECOME DUE BASED ON THE QUALIFICATIONS OF THE SELLER/BUYER OF THIS PROPERTY. DUE TO ITS ASSIGNED USAGE, THE ABOVE LEGAL PROPERTY MAY HAVE RECEIVED SPECIAL VALUATION, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION.

ALBERT URESTI, MPA, PCC  
BEXAR COUNTY TAX ASSESSOR-COLLECTOR

**Reference (GF) No:** N/A











