

AN ORDINANCE 2018-11-29-0954

**AUTHORIZING THE CITY OF SAN ANTONIO'S EXECUTION OF A DEVELOPMENT AGREEMENT WITH WAYNE LEE BENKE, OWNER OF APPROXIMATELY 222.6 ACRES OF LAND LOCATED IN WEST BEXAR COUNTY NEAR THE INTERSECTION OF CARTWRIGHT TRAIL AND TALLEY ROAD.**

\* \* \* \* \*

**WHEREAS**, Wayne Lee Benke ("Owner") owns approximately 222.6 acres (the "PROPERTY"), generally located east of the intersection of Cartwright Trail and Talley Road within the extraterritorial jurisdiction (ETJ) of the City San Antonio, Bexar County, Texas; and

**WHEREAS**, Owner petitioned Bexar County for the creation of a Public Improvement District ("PID") and as required by Chapter 43 of the Texas Local Government Code, Owner sought the City's consent to the creation of the PID attached as Exhibit "A"; and

**WHEREAS**, in order to protect the City's infrastructural interests in the ETJ, the City Council finds that it is prudent to condition the City's agreement to consent to the creation of the PID on the Owner's submission of a voluntary petition for annexation through a Development Agreement containing mutually agreeable terms relating to the development of the property and the services to be provided to the area by the City in the event of annexation with the City pursuant to Chapters 43 and 212 of the Texas Local Government Code; and

**WHEREAS**, the City has determined that its planning goals are best served by entering into a Development Agreement with the Owner whereby in lieu of annexing the subject property into the City, the Owner shall comply with mutually agreeable land use controls as described in the Development Agreement; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager, or her designee, is authorized to execute a Development Agreement between the City of San Antonio and Benke, attached as Exhibit "B", containing terms and conditions governing the development of Property, preserving the extraterritorial status of the Benke Property during the term of the Development Agreement, and establishing the development agreement as a voluntary petition for annexation providing the City with the option of annexing the Benke Property in the event of default of the development agreement by the Owner, a subsequent owner, or end-buyers of properties developed within the PID in the future or upon the termination date of the agreement; and any and all other terms and conditions the City Manager finds to be in the City's best interest.

EF  
11/29/2018  
Item No. 29B

**SECTION 2.** The City Council of the City of San Antonio ordains that its consent to the County's creation of the PID shall remain in effect so long as the Owner complies with the terms of the Development Agreement.


**PASSED AND APPROVED** this 29<sup>th</sup> day of November 2018.

  
**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>29B ( in consent vote: 4, 5, 6, 7, 8, 9A, 9B, 9C, 9D, 9E, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29A, 29B )</b>						
<b>Date:</b>	11/29/2018						
<b>Time:</b>	09:41:48 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	Ordinance approving a development agreement with Wayne Lee Benke, owner of the Public Improvement District property, generally located east of the intersection of Cartwright Trail and Talley Road in the City's extraterritorial jurisdiction.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2	x					x
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

EF  
11/29/2018  
Item No. 29B

# EXHIBIT “A”



KENNETH W. BROWN, AICP  
DANIEL ORTIZ  
JAMES B. GRIFFIN  
JAMES MCKNIGHT  
NINA PRADO  
CAROLINE E. McDONALD

**BROWN & ORTIZ, P.C.**  
ATTORNEYS AT LAW

PAUL M. JUAREZ  
OF COUNSEL

112 E. PECAN STREET  
SUITE 1360  
SAN ANTONIO, TEXAS 78205  
TELEPHONE: 210.299.3704  
FAX: 210.299.4731

October 1, 2018

Manuel Leal  
Manager of Governmental Affairs  
Bexar County Governmental Affairs Office  
101 W. Nueva, Suite 901  
San Antonio, Texas 78205

**VIA Hand Delivery**

**RE: Petition for Creation of a Public Improvement District**, in accordance with Chapter 382 of the Texas Local Government Code, for Property Generally Located East of the Intersection of Cartwright Trail and Talley Road (approximately 232.314 acres), in the Extra-Territorial Jurisdiction ("ETJ") of the City of San Antonio, Bexar County, Texas ("Subject Property"); *Our File No. 9059.004.*

Dear Mr. Leal:

On behalf of the applicants, Wayne Lee Benke ("Property Owner") and Talley Extension Revitalization Initiative, LLC ("Developer"), we are respectfully submitting the enclosed Petition and Application to the Commissioners Court of Bexar County, requesting the creation of a public improvement district, to be named the "Talley Road Special Improvement District," and the inclusion of the Subject Property therein, all as further described in the Petition and Application. Please find enclosed a full summary of attached documents in the "Table of Contents," which is attached hereto as **Exhibit 1.**

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,

BROWN & ORTIZ, P.C.

BY: Nina Prado  
Nina Prado

Enclosures: As Stated

CC: The Honorable County Judge and Commissioners Court of Bexar County, Texas

Office of the City Clerk of the City of San Antonio, Texas

City Council of the City of San Antonio, Texas

*[Handwritten signature]*  
10.1.18

**EXHIBIT 1**

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**EXHIBIT A**

**PID PETITION**



KENNETH W. BROWN, AICP  
DANIEL ORTIZ  
JAMES B. GRIFFIN  
JAMES MCKNIGHT  
NINA PRADO  
CAROLINE E. McDONALD

**BROWN & ORTIZ, P.C.**  
ATTORNEYS AT LAW

PAUL M. JUAREZ  
OF COUNSEL

112 E. PECAN STREET  
SUITE 1360  
SAN ANTONIO, TEXAS 78205  
TELEPHONE: 210.299.3704  
FAX: 210.299.4731

October 1, 2018

Gerard C. "Gerry" Rickhoff  
Bexar County Clerk  
Office of the Bexar County Clerk  
100 Dolorosa, Suite 104  
San Antonio, Texas 78205

**VIA Hand Delivery**

**RE: Petition for Creation of a Public Improvement District**, in accordance with Chapter 382 of the Texas Local Government Code, for Property Generally Located East of the Intersection of Cartwright Trail and Talley Road (approximately 232.314 acres), in the Extra-Territorial Jurisdiction ("ETJ") of the City of San Antonio, Bexar County, Texas ("Subject Property"); *Our File No. 9059.004.*

Dear Mr. Rickhoff:

On behalf of the petitioner, Wayne Lee Benke ("Petitioner"), we are respectfully submitting the enclosed Petition to the Commissioners Court of Bexar County, requesting the creation of a public improvement district to be named the "Talley Road Special Improvement District," and the inclusion of the Subject Property therein, all as further described in the Petition. Please find enclosed:

1. A signed Petition;
2. A signed and sealed boundary description in the form of Metes and Bounds (**Exhibit "A"**);
3. A signed and sealed Survey Map (**Exhibit "B"**); and
4. A signed affidavit by the Petitioner (**Exhibit "C"**).

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

Thank you,

BROWN & ORTIZ, P.C.

BY:

*Nina Prado*

Nina Prado

Enclosures: As Stated

CC: The Honorable County Judge and Commissioners Court of Bexar County, Texas

Office of the City Clerk of the City of San Antonio, Texas

City Council of the City of San Antonio, Texas



**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT  
TO BE NAMED THE TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT**

STATE OF TEXAS           §  
                                     §  
COUNTY OF BEXAR       §

**TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS**

The undersigned petitioner ("Petitioner"), acting pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code"), submits 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 Petitioner requests that the County create a public improvement district and include the property described in **Exhibit "A"** and **Exhibit "B"** attached hereto ("Subject Property") within such public improvement district. In support of this Petition, the Petitioner presents the following:

**Section 1. Petitioner.** In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioner constitutes the owner representing more than 50% of the appraised value of taxable real property proposed to be included within the public improvement district proposed in this Petition.

Attached to this Petition is a sworn statement of the Petitioner, affirming the Petitioner (1) is the holder 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 (2) represents more than 50% of all record owners of property within the proposed District or owns taxable real property constituting more than 50% of the area of all taxable real property within the proposed District. Additionally, the sworn statement affirms that the Petitioner requests for, and consents to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioner is attached hereto as **Exhibit "C"** and incorporated herein for all purposes.

**Section 2. Name.** A public improvement district is being requested, which shall be named the "Talley Road 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 **Exhibit "A"** and **Exhibit "B"** attached hereto and incorporated herein for all purposes. The total acreage of the District is approximately 232.314 acres total. None of the land to be included in the District is within the corporate boundaries of any municipality and all of the land proposed to be included in the District is in the extraterritorial jurisdiction of the City and in the County.

**Section 4. General Nature of the Proposed Public Improvements.** The Petitioner requests that the County create a public improvement district and authorize it to engage in economic development projects and grant to the District the powers requested in the Petition. The District proposes to enter into development agreements as are deemed advisable to promote state and local economic development and to stimulate residential and commercial activity in the District. The general nature of the work proposed to be done may include, but is not limited to, the improvement and construction of certain road thoroughfares and collector and arterial roads, acquisition of right-of-way for those road improvements, improvements to all utilities, off-site water, wastewater, and sanitary sewer improvements, associated drainage and trails, and park and recreational improvements. Further, the public improvements financed



by the District may include any public improvements in compliance with Chapter 382 and in accordance with the governing laws.

**Section 5. Estimated Cost of the Public Improvements.** The total estimated capital cost of the proposed public improvements is approximately \$52,500,000. Such costs can be partially off-set with the imposition of taxes by the District, as further described herein.

**Section 6. 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 Petitioner specifically requests:

- (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 all powers that the County is granted pursuant to Chapter 382; and
- (3) that the County authorize the District to engage in economic development projects, as the District may enter into economic development agreements which are deemed advisable to promote state and local economic development and to stimulate business and commercial activity in the District.

**Section 7. Road Improvements:** The Petitioner requests 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 8. Advisory Board.** As authorized by the Code, an advisory board may be established by the County to develop and recommend an improvement plan. However, an improvement plan is not necessary or applicable, as the Petitioner does not propose that the District be granted with the power to impose assessments.

**Section 9. Management of the District & Board of Directors.** The Petitioner specifically requests that the County appoint a seven (7) member Board of Directors to govern the District 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. The Petitioner also requests 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 fullest extent authorized by the Code.

**Section 10. Ad Valorem Tax & Tax Rate.** The Petitioner requests that the County authorize the District to accomplish its purposes and the cost of services and improvements by imposing an ad valorem tax within the District.

The Petitioner specifically requests:

- (1) that the District's proposed improvements be financed and paid for with ad valorem 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 to accomplish the economic development purposes prescribed by Section 52a, Article III of the Texas Constitution; and
- (3) 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 rate, the Petitioner specifically requests that the County authorize the District to impose an ad valorem tax not to exceed the City's tax rate.

**Section 11. Method of Assessment.** The Petitioner does not propose that the District be granted the power to impose assessments, and accordingly, the Petitioner is 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 Petitioner requests that the District's proposed improvements be financed and paid for with ad valorem taxes authorized by Chapter 382 of the Code instead of assessments.

**Section 12. 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 13. Advisability and Feasibility of the District & Best Interests of the County.** The District and its proposed improvements and economic development projects appear feasible and are necessary and advisable for the economy of the District and the County. Additionally, the County may create a public improvement district if the County determines it is in the best interest of the County. The Subject Property comprising the District is mostly undeveloped, and therefore, the proposed District is necessary to pay for or finance public improvements and economic development within the District. Furthermore, the District will serve the public purpose of promoting and encouraging new residential development in the District and the County, which, in turn, will encourage economic activity within the District and the County. Therefore, 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 to the District, to the Subject Property within the District, and to the County.

**Section 14. 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 15. 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 Petitioner prays that this Petition be heard and that 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.

*Signature on the Following Page*



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

Respectfully submitted, this 28<sup>th</sup> day of September, 2018.

PETITIONER:

WAYNE LEE BENKE

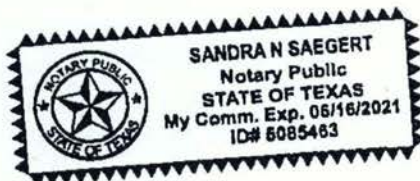
BY: Wayne Lee Benke  
Wayne Lee Benke

DATE: 9/28/18

ACKNOWLEDGMENT

STATE OF Texas §  
COUNTY OF Bexar §

This instrument was acknowledged before me on this 28<sup>th</sup> day of September, 2018, by Wayne Lee Benke, on behalf of said individual.



Sandra N. Saegert

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

Printed Name of Notary: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

Exhibit "X" Page "4 of 8"

**EXHIBIT A**  
**LEGAL DESCRIPTION**



**FIELD NOTES  
FOR  
TALLEY ROAD PUBLIC IMPROVEMENTS DISTRICT**

A **222.6 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being all of a called 4.393 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Records of Bexar County, Texas, the remaining portion of a 20.15 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Records of Bexar County, Texas, a portion of a called 14.85 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, a portion of a called 233.0 acre tract of land as described in Volume 5539 Page 405 of the Deed Records of Bexar County, Texas and the remaining portion of a called 9.964 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3107 Page 186 of the Official Public Records of Bexar County, Texas, all of which were conveyed to Wayne Lee Benke GST Trust of record in Volume 13514 Page 1496 of the Official Public Records of Bexar County, Texas. Said **222.6 acre** tract of land being more particularly described by metes and bounds as follows:

**Beginning** at a calculated point in the east right-of-way line of Talley Road, a called 60' wide public right-of-way, the westerly line of the 14.85 acre tract and the 233.0 acre tract, for the northwest corner of a called 2.744 acre tract of land as conveyed to Michael and Robyn Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas and the most westerly southwest corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod with a plastic cap stamped "Moy" in the east right-of-way line of Talley Road bears, S  $00^{\circ} 10' 00''$  E, a distance of 1400.48 feet, thence S  $89^{\circ} 55' 16''$  E a distance of 13.00 feet;

**THENCE:** Along and with the easterly and southerly right-of-way line of Talley Road and the westerly lines of the 14.85 acre tract, the 233.0 acre tract and the 20.15 acre tract and the northerly lines of the 20.15 acre tract and the 4.393 acre tract, the following five (5) courses:

1. N  $00^{\circ} 09' 36''$  W, a distance of **682.31 feet** to a calculated point, for an angle point of the tract described herein,
2. N  $00^{\circ} 00' 08''$  W, a distance of **1278.69 feet** to a calculated point, for a point of curvature to the right of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod bears, N  $89^{\circ} 59' 33''$  W, a distance of 2.67 feet,
3. With a curve to the right having a radius of **256.48 feet**, an arc length of **400.42 feet**, a delta angle of  **$089^{\circ} 27' 04''$**  and a chord bears, N  $44^{\circ} 43' 50''$  E, a distance of **360.98 feet** to a found  $\frac{1}{2}$ " iron rod for a point of non-tangency of the tract described herein,
4. S  $89^{\circ} 52' 59''$  E, at a distance of 1454.92 feet passing a found  $\frac{1}{2}$ " iron rod for the northeast corner of the 4.393 acre tract of land and continuing for a total distance of **1741.93 feet** to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" for an interior corner of the tract described herein, and



5. **N 00° 06' 09" W**, a distance of **61.20 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" at a westerly exterior corner of a called 157.48 acre tract of land as conveyed to Vise Oaks I, Ltd., of record in Volume 9437 Page 963 of the Official Public Records of Bexar County, Texas, for the most northerly northwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** Departing the southeasterly right-of-way line of Talley Road and along and with the common lines between the 157.48 acre tract and the 233.0 acre tract, the following two (2) courses:

1. **N 89° 59' 00" E**, a distance of **943.36 feet** to a found ½" iron rod with a plastic cap stamped "RPLS 4611" for an interior corner of the 157.48 acre tract, the northeast corner of the 233.0 acre tract and the tract described herein, and
2. **S 00° 20' 24" E**, a distance of **4236.14 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southwest corner of the 157.48 acre tract, in the north line of a called 51.568 acre tract of land as conveyed to Campbellton Road, Ltd., of record in Volume 8187 Page 828 of the Official Public Records of Bexar County, Texas, for the southeast corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 57' 55" W**, along and with the south line of the 233.0 acre tract and the north lines of the 51.568 acre tract and a called 1.332 acre tract of land as conveyed to Donald and Pat Thomas of record in Volume 8294 Page 183 of the Official Public Records of Bexar County, Texas, a distance of **946.64 feet** to a found 1 ½" iron pipe for an interior corner of the 1.332 acre tract, the most southerly southwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 00° 07' 09" W**, along and with a westerly line of the 233.0 acre tract and an easterly line of the 1.332 acre tract, at a distance of 357.12 feet passing a found ½" iron rod with a plastic cap stamped "Baker" for a northeast exterior corner of the 1.332 acre tract and the southeast corner of a called 34.616 acre tract of land as conveyed to Emerio G. and Maria F. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, and continuing along and with the westerly line of the 233.0 acre tract and the east line of the 34.616 acre tract, a total distance of **1107.09 feet** to an angle iron post for the northeast corner of the 34.616 acre tract, the southeast corner of the 9.694 acre tract, an interior corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 34.616 acre tract and a southerly line of the 233.0 acre tract and the 9.694 acre tract, a distance of **1438.51 feet** to a point for the southeast corner of a called 2.758 acre tract of land as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public records of Bexar County, Texas and a southwest exterior corner of the tract described herein, from which a found ½" iron rod bears, **S 00° 04' 34" W**, a distance of 0.36 feet;

**THENCE:** **N 00° 07' 26" W**, along and with the east line of the 2.758 acre tract and into and across the 9.694 acre tract and the 233.0 acre tract, a distance of **210.00 feet** to a point for the northeast corner of the 2.758 acre tract, in the north line of the 9.694 acre tract and for an interior corner of the tract described herein, from which a found ½" iron rod bears, **N 09° 25' 20" E**, a distance of 1.38 feet;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 2.758 acre tract, a distance of **49.91 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for a southwest exterior corner of the tract described herein;



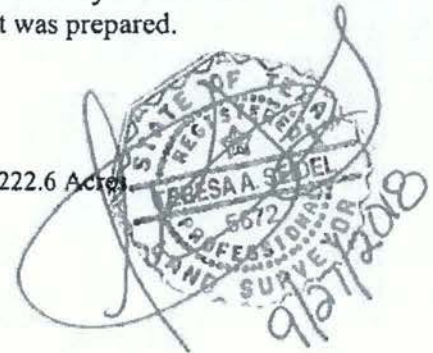
**THENCE:** N 00° 13' 42" E, into and across the 233.0 acre tract and the 14.85 acre tract, a distance of **338.27 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southeast corner of the 2.744 acre tract and an exterior corner of the tract described herein

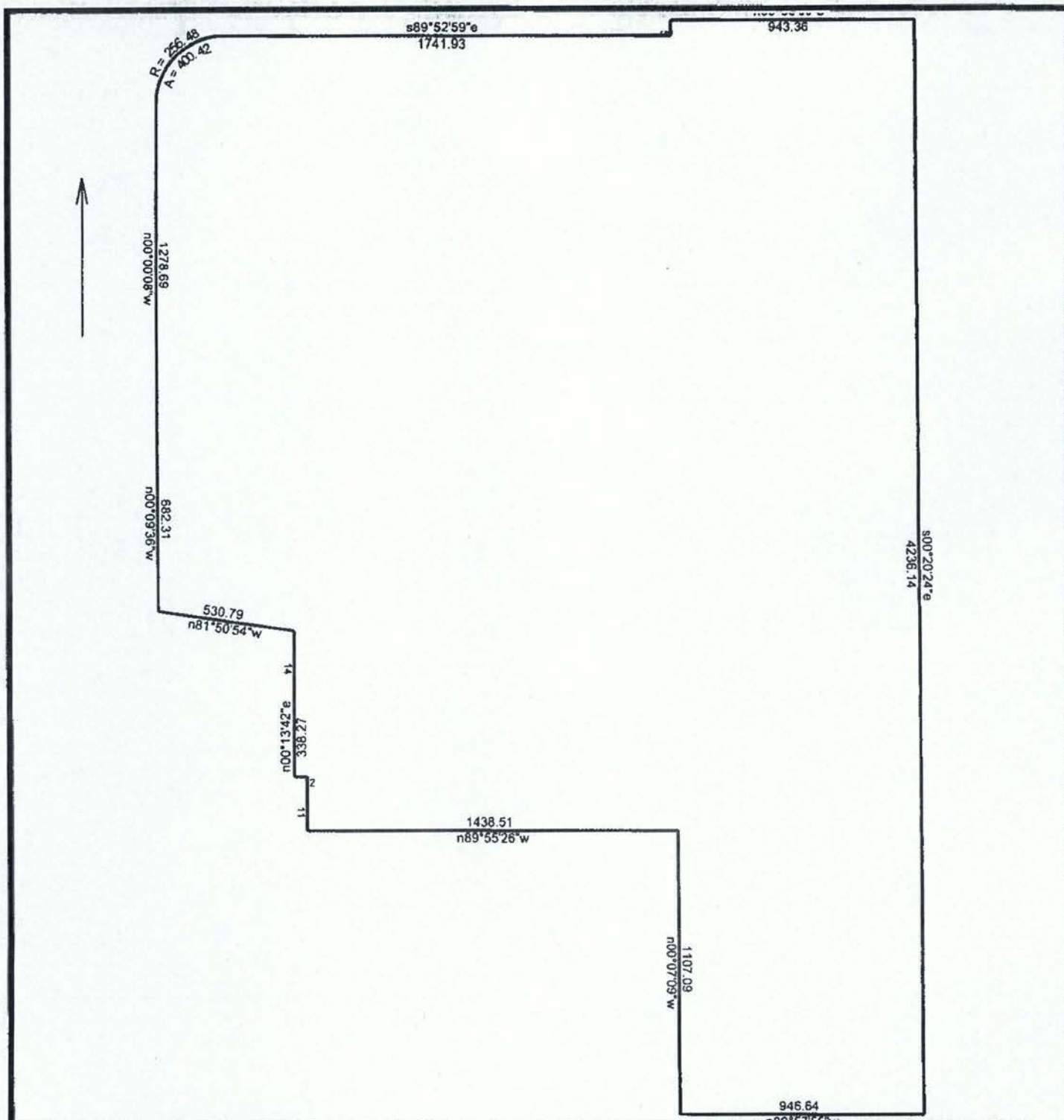
**THENCE:** Along and with east and north lines of the 2.744 acre tract and continuing into and across the 233.0 acre tract and the 14.85 acre tract, the following two (2) courses:

1. N 00° 07' 57" W, a distance of **227.54 feet** to a found ½" iron rod for the northeast corner of the 2.744 acre tract and an interior corner of the tract described herein, and
2. N 81° 50' 54" W, a distance of **530.79 feet** to the **POINT OF BEGINNING** and containing **222.6 acres**, more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 (2011) Texas State Plane South Central Zone, 4204. Distances recited herein are surface distances using an average combined scale factor of 0.9998300289.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: January 24, 2017  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\FN - 222.6 Acres





9/27/2018

Scale: 1 inch= 512 feet

File: 222.6 ac.ndp

Tract 1: 222.5541 Acres, Closure: s75.4645e 0.02 ft. (1/868271), Perimeter=14193 ft.

01 n00.0936w 682.31  
 02 n00.0008w 1278.69  
 03 Rt, r=256.48, arc=400.42, chord=n44.4350e 360.98  
 04 s89.5259e 1741.93  
 05 n00.0609w 61.20  
 06 n89.5900e 943.36  
 07 s00.2024e 4236.14  
 08 n89.5755w 946.64  
 09 n00.0709w 1107.09  
 10 n89.5526w 1438.51

11 n00.0726w 210.00  
 12 n89.5526w 49.91  
 13 n00.1342e 338.27  
 14 n00.0757w 227.54  
 15 n81.5054w 530.79





**FIELD NOTES  
FOR  
A 2.444 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **2.444 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod in the north right-of-way line of Talley Road, a variable width right-of-way, for the southeast corner of Lot 6 and the southwest corner of Lot 5 both of the Garden Acres Subdivision, a plat of record in Volume 9300 Page 59 of the Deed and Plat Records of Bexar County, Texas, from which a found  $\frac{1}{2}$ " iron rod for the southwest corner of Lot 6, bears N 89°53'59"W, a distance of 214.30 feet;

**THENCE: S 89°52'59" E** along and with the north right-of-way line of Talley Road and the south line of Lot 5 and Lot 4 of the Garden Acres Subdivision, a distance of **303.43 feet** to a point, for an angle point of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE: S 89°52'53" E** continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a distance of **4.36 feet** to a point, for a point of curvature to the left of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE:** continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a 2.00 acre tract conveyed to Paul L. & Mary J. Hegdal of record in Volume 6205 Page 1220 of the Official Public Record of Bexar County Texas, Old Talley Road and a 1.31 acre tract conveyed to Carlos & Norma Alvarez of record in Volume 14384 Page 308 of the Official Public Record of Bexar County, Texas with the curve to the left having an arc of **794.15 feet**, a radius of **683.20 feet**, a delta of 66°36'00" and a chord bears N 56°55'48"E, a distance of **750.19 feet** to a point, for the point of curvature and the most northerly corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N 23°45'20"E, a distance of 398.41 feet;

**THENCE: S 66°22'12" E** over and across Talley Road, a distance of **60.00 feet** to a found  $\frac{1}{2}$ " iron rod in the southeast line of Talley Road and the northwest line of a 157.48 acre tract conveyed to Vise Oaks I, LTD of record in Volume 9437 Page 963 of the Official Public Record of Bexar County, Texas, for a point of curvature and the northeast corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N23°45'20"E, a distance of 876.96 feet;

**THENCE:** along and with the southeast line of Talley Road and the northwest line of a 157.48 acre tract the following two (2) courses:



1. with a curve to the right having an arc of **262.71 feet**, a radius of **743.20 feet**, a delta of **20°15'11"** and a chord bears **S 33°45'23"W**, a distance of **261.34 feet** to a point, for an interior corner of the tract described herein, and
2. **S 00°16'43" E**, a distance of **167.92 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", at the southwest corner of the 157.48 acre tract, for the northwest corner of a 183.61 acre tract conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Record of Bexar County, Texas;

**THENCE: S 00°06'09" E**, continuing along and with the southeast line of Talley Road and the northwest line of the 183.61 acre tract, a distance of **61.20 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for an interior corner of the 183.61 acre tract and the southeast corner of the tract described herein;

**THENCE: N 89°52'59" W** along and with the south line of Talley Road and the north line of the 183.61 acre tract, a 4.393 acre tract conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Record of Bexar County, Texas and the remaining portion of a 20.15 acre tract conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Record of Bexar County, Texas, a distance of **847.26 feet** to point, for the southwest corner of the tract described herein;

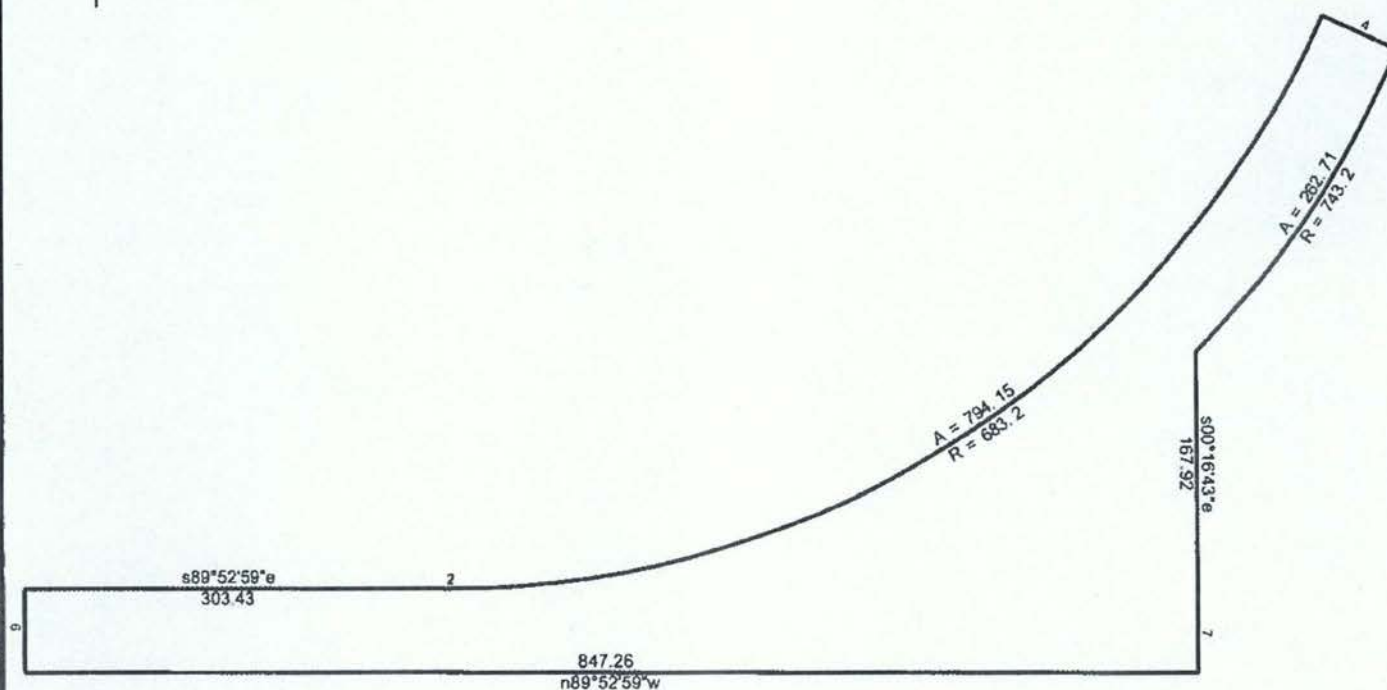
**THENCE: N 00°07'01" E** over and across Talley Road, a distance of **60.00 feet** to the **POINT OF BEGINNING** and containing 2.444 acres or 106,455 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 2.444Ac Talley Rd.docx







9/27/2018

Scale: 1 inch= 128 feet

File: 2.444 ac.ndp

Tract 1: 2.4439 Acres (106457 Sq. Feet), Closure: s87.4919e 0.01 ft. (1/304694), Perimeter=2561 ft.

01 s89.5259e 303.43

02 s89.5253e 4.36

03 Lt, r=683.20, arc=794.15, chord=n56.5548e 750.19

04 s66.2212e 60.00

05 Rt, r=743.20, arc=262.71, chord=s33.4523w 261.34

06 s00.1643e 167.92

07 s00.0609e 61.20

08 n89.5259w 847.26

09 n00.0701e 60.00



**FIELD NOTES  
FOR  
A 7.270 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **7.270 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod, for the southwest corner of the remaining portion of a 10.00 acre tract as conveyed to Joseph M. Faunce of record in Volume 8979 Page 1056 of the Official Public Records of Bexar County, Texas, an exterior corner of Talley Road, a variable width right-of-way, and the southeast corner of the tract described herein;

**THENCE: S 89°48'27" W**, over and across Talley Road, a distance of **60.00 feet** to a calculated point, for the southeast corner of a 180.88 acre tract as conveyed to S & P Land Holdings, LLC of record in Volume 12472 Page 326 of the Official Public Records of Bexar County, Texas, an interior corner of Talley Road, and the southwest corner of the tract described herein;

**THENCE: N 00°11'33" W** along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **691.48 feet** to a calculated point, for an angle point of the 180.88 acre tract, the west line of Talley Road and the tract described herein;

**THENCE: N 00°10'46" W**, continuing along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **1065.12 feet** to a post, for the northeast corner of the 180.88 acre tract, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°50'52" W**, along and with the north line of the 180.88 acre tract and a south line of Talley Road, a distance of **13.62 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast of Lot 901, Block 13 of the Ciudad De Las Palomas Unit 1A, a plat of record in Volume 9677 Pages 147-148 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: N 00°09'31" W**, along and with the east line of Lot 901, Block 13 and the west line of Talley Road a distance of **589.87 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the northeast corner of Lot 901, Block 13, an exterior corner of a remaining portion of a 218.506 acre tract as conveyed to Ciudad de Las Palomas, LTD of record in Volume 11748 Page 908 of the Official Public Records of Bexar County, Texas, Talley Road and the tract described herein;

**THENCE: S 89°50'52" E**, along and with a south line of the remaining portion of the 218.506 acre tract and a north line of Talley Road a distance of **13.40 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast corner of the remaining portion of the 218.506 acre tract, an exterior corner of Talley Road and the tract described herein;



**THENCE: N 00°10'46" W**, along and with the west line of Talley Road and the east line of the remaining portion of the 218.506 acre tract, a distance **1159.65 feet** to a found ½" rod, for the northeast corner of the remaining portion of the 218.506 acre tract, the southeast corner of a 317.310 acre tract conveyed to Henry J. & Frank G. Jr. Persyn of record in Volume 5980 Page 840 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: N 00°09'36" W**, along and with the west line of Talley Road and the east line of the 317.310 acre tract, a distance of **1595.93 feet** to a found ½" iron rod for the southeast corner of Lot 1, Block 4 of the Geronimo Village subdivision, a plat of record in Volume 5970 Pages 140-141 of the Deed and Plat Record of Bexar County, Texas, the northeast corner of the 317.130 acre tract and the northwest corner of the tract described herein, from which a found ½" iron rod for the northeast corner of Lot 1, Block 1 of the Geronimo Village subdivision and an exterior corner of Talley Road bears, N 0°01'15" W, a distance of 1595.38 feet;

**THENCE: S 89°37'02" E**, over and across Talley Road, a distance of **60.00 feet** to a calculated point in the east line of a 14.85 acre as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, for the northeast corner of the tract described herein;

**THENCE: S 00°09'36" E**, along and with the east line of Talley Road and the west lines of the 14.85 acre tract, a 2.744 acre tract as conveyed to Michael L. & Robyn K. Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas, a 183.61 acre tract as conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Records of Bexar County, Texas, a 2.758 acre tract as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public Records of Bexar County, Texas, a remaining portion of 34.616 acres as conveyed to Emerio G. & Maria E. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, a distance of **1595.35 feet** to a calculated point, for an angle point of the remaining portion of the 34.616 acre tract, Talley Road, and the tract described herein;

**THENCE: S 00°10'46" E**, continuing along and with the east line of Talley Road and the west line of the remaining portion of the 34.616 acres, a distance of **487.44 feet** to a calculated point, for the southwest corner of the remaining portion of the 34.616 acres, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°55'16" E**, along and with the south line of the remaining portion of the 34.616 acres and a north line of Talley Road, a distance of **13.00 feet** to a found ½" iron rod with plastic cap stamped "Moy", for the northwest corner of Lot 1, Block 12 of the Talley Road subdivision, a plat of record in Volume 9608 Page 105 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'51" E**, along and with the west line Lot 1, Block 12 and the east line of Talley Road, a distance of **199.74 feet** to a found ½" iron rod with plastic cap stamped "Baker", in the north line of a 101.216 acre tract as conveyed to Donald & Pat Thomas of record in Volume 6362 Page 1523 of the Official Public Records of Bexar County, Texas, for the southwest corner of Lot 1, Block 12, an exterior corner of Talley Road and the tract described herein;



**THENCE: N 89°55'16" W**, along and with the north line of the 101.216 acres and a south line of Talley Road, a distance of **13.00 feet** to a calculated point, for the northwest corner of the 101.216 acres and an interior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'46" E**, along and with the west line 101.216 acres and the east of Talley Road, a distance of **2127.37 feet** to a found ½" iron rod, for the southwest corner of the 101.216 acres, a northwest corner of a 8.00 acre tract as conveyed to Alamo Community Church-San Antonio of record in Volume 18164 Page 1127 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: S 00°11'33" E**, along and with the east line of Talley Road, the west lines of the 8.00 acre tract and the remaining portion of the 10.00 acre tract, a distance of **691.47 feet** to the **POINT OF BEGINNING** and containing **7.270** acres or 316,663 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 7.270 Ac Talley Rd.docx





s00\*0936°e  
 1595.35  
 n00\*0936°w  
 487.44  
 s00\*1046°e  
 1159.65  
 n00\*1046°w  
 589.87  
 s00\*1046°e  
 2127.37  
 n00\*1046°w  
 1065.12  
 s00\*1133°e  
 691.47  
 n00\*1133°w

9/27/2018

Scale: 1 inch= 626 feet

File: 7.270 ac.ndp

Tract 1: 7.2696 Acres (316663 Sq. Feet), Closure: s29.1824e 0.01 ft. (1/999999), Perimeter=10376 ft.

01 n00.1133w 691.48	11 s89.5516e 13.00
02 n00.1046w 1065.12	12 s00.1051e 199.74
03 s89.5052w 13.62	13 n89.5516w 13.00
04 n00.0931w 589.87	14 s00.1046e 2127.37
05 s89.5052e 13.40	15 s00.1133e 691.47
06 n00.1046w 1159.65	16 s89.4827w 60.00
07 n00.0936w 1595.93	
08 s89.3702e 60.00	
09 s00.0936e 1595.35	
10 s00.1046e 487.44	



**EXHIBIT B**  
**SURVEY MAP**

# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.

2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.

3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.

4. SET IRON PINS ARE 1/2" DIAMETER REBAR WITH A BLUE CAP STAMPED "KFW SURVEYING".

5. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

6. SEE SHEET 4 OF 4 FOR PROPERTY LEGEND AND LINE TABLE.

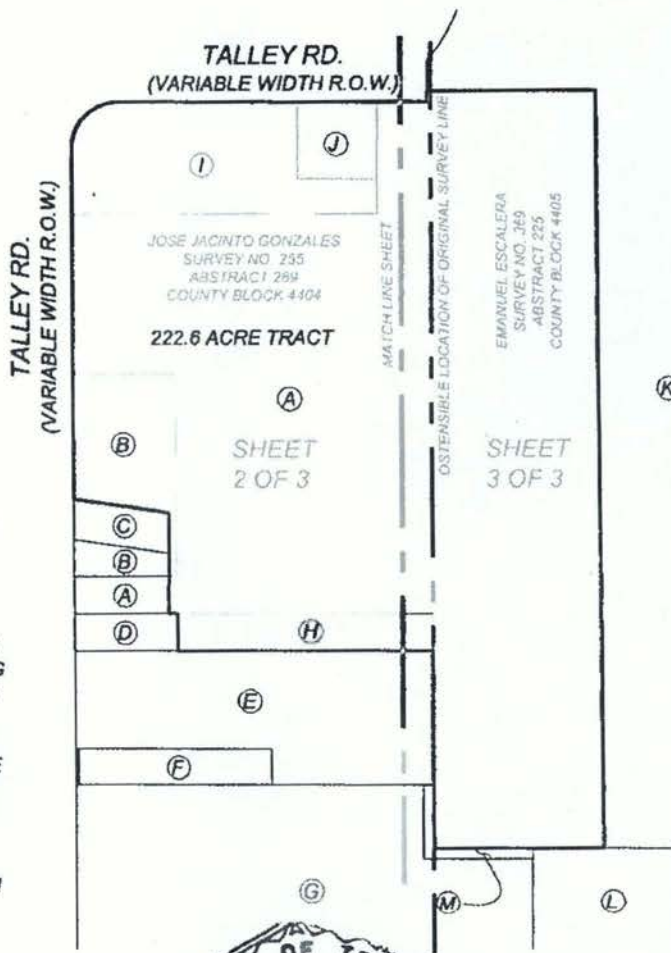
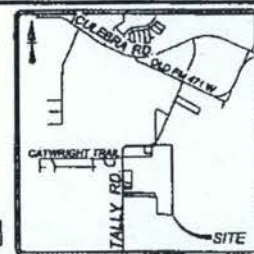
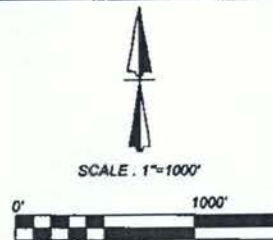
7. THIS DOCUMENT WAS PREPARED UNDER 22TAC063.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

## SYMBOL LEGEND

O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS  
D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

## LEGAL DESCRIPTION

A 222.6 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING ALL OF A CALLED 4.393 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3361 PAGE 617 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS (O.P.R.), THE REMAINING PORTION OF A 20.15 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1729 O.P.R., A PORTION OF A CALLED 14.85 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1726 O.P.R., A PORTION OF A CALLED 233.0 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 5539 PAGE 405 O.P.R., THE REMAINING PORTION OF A CALLED 9.984 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3107 PAGE 186 O.P.R. AND ALL OF WHICH WERE CONVEYED TO WAYNE LEE BENKE GST TRUST OF RECORD IN VOLUME 13514 PAGE 1496 O.P.R.



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC 230 AUSTIN, TX 78753  
PHONE: 512-238-5263; FAX: 512-238-5253



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN OF	CHECKED TAS

SHEET: 1 OF 4



SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

**TALLEY RD.**  
(VARIABLE WIDTH R.O.W.)

S89° 52' 59"E 1741.93'

SEE DETAIL "C"

FIR

N00° 00' 08"W 1278.69'

222.6 ACRE TRACT

TALLEY RD.

(VARIABLE WIDTH R.O.W.)

L1

P.O.B.

L7

C

B

A

D

1400.48'

S0° 10' 00"E

1438.51'

SEE DETAIL "B"

N89° 55' 26"W 1438.51'

S89° 55' 16"E  
13.00'

FIR "MOY"

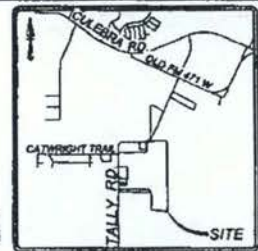


ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
PHONE: 512-238-5282, FAX: 512-238-8253

**KFW**  
SURVEYING  
2011 Professional Seal, State of Texas, Surveyor No. 5672  
Phone: 512-238-5282, Fax: 512-238-8253  
TOLLS Free 800-825-8253

**TALLEY ROAD**  
PUBLIC IMPROVEMENT DISTRICT

SCALE: 1"=500'

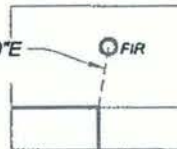


LOCATION MAP  
NOT-TO-SCALE

**SYMBOL LEGEND**

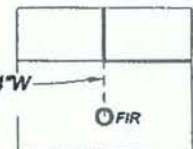
- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- CALCULATED POINT

N9° 25' 20"E  
1.38'



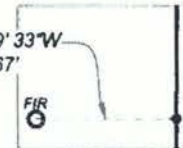
DETAIL "A"  
NOT TO SCALE

S0° 04' 34"W  
0.36'



DETAIL "B"  
NOT TO SCALE

N89° 59' 33"W  
2.67'



DETAIL "C"  
NOT TO SCALE



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN BY	CHECKED TAS

SHEET: 2 OF 4



SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

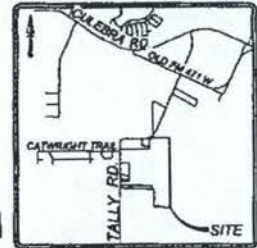
MATCH LINE SEE SHEET 2 OF 3

N89° 59' 00"E 943.36' FIR "RPLS 4811"

SIR

L2

SCALE: 1"=500'



LOCATION MAP  
NOT-TO-SCALE

**SYMBOL LEGEND**

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP  
STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL  
PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF  
BEXAR COUNTY, TEXAS
- ⊗ FIP FOUND IRON PIPE

222.6 ACRE TRACT

S00° 20' 24"E 4236.14'

(A)

(K)

(H)

POST - ANGLE IRON

(E)

N00° 07' 09"W 1107.09'

FIR "BAKER"

(G)

FIP 1 1/2"

N89° 57' 55"W 946.64'

(L)

SIR



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
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THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 104 MC-230 AUSTIN, TX 78753  
PHONE: 512-230-5263, FAX: 512-230-5263

**KFW**  
SURVEYING  
2711 Patterson Place, Suite 101, San Antonio, TX 78217  
Phone: 512-230-5263 • Fax: 512-230-5263  
TOLLS Free 8 000-230-5263

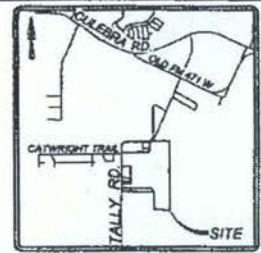
TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN OP	CHECKED TAS

SHEET: 3 OF 4

# **PROPERTY LEGEND**

- (A) 183.61 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 18572 PG. 505 O.P.R.)
- (B) 14.85 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1726 O.P.R.)
- (C) 2.744 ACRES  
OWNER: MICHAEL L. & ROBYN K. KLAR  
(VOL. 7991 PG. 631 O.P.R.)
- (D) 2.758 ACRES  
OWNER: TRAVIS WAYNE BENKE  
(VOL. 8021 PG. 435 O.P.R.)
- (E) REMAINING PORTION OF 34.616 ACRES  
OWNER: EMERIO G. & MARIA E. PLATA  
(VOL. 10320 PG. 1769 O.P.R.)
- (F) LOT 1, BLOCK 12  
TALLEY ROAD SUBDIVISION  
(VOL. 9608 PG. 105 D.P.R.)  
OWNER: DAVID & MARTHA PLATA  
(VOL. 17766 PG. 1 O.P.R.)
- (G) 101.216 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 8382 PG. 1523 O.P.R.)
- (H) REMAINING PORTION OF 9.694 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3107 PG. 186 O.P.R.)
- (I) REMAINING PORTION OF 20.15 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1729 O.P.R.)
- (J) 4.393 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3381 PG. 617 O.P.R.)
- (K) 157.48 ACRES  
OWNER: VISE OAKS I LTD  
(VOL. 9437 PG. 983 O.P.R.)
- (L) 61.588 ACRES  
OWNER: CAMPBELTON ROAD LTD  
(VOL. 8187 PG. 828 O.P.R.)
- (M) 1.332 ACRES  
OWNER: DONALD & PAT J. THOMAS  
(VOL. 8294 PG. 183 O.P.R.)



LOCATION MAP  
NOT-TO-SCALE

Line Table		
LINE #	LENGTH	DIRECTION
L1	682.31'	N00°09'38"W
L2	61.20'	N00°06'09"W
L3	210.00'	N00°07'26"W
L4	49.91'	N89°55'26"W
L5	338.27'	N00°13'42"E
L6	227.54'	N00°07'57"W
L7	530.79'	N91°50'54"W

Curve Table					
Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	400.42'	256.48'	089°27'04"	N44°43'50"E	380.98'



*[Handwritten Signature]*  
**TERESA A. SEIDEL**  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
 EMAIL: TSEIDEL@KFWENGINEERS.COM  
 DATE OF EXHIBIT: 09/25/2018  
 PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
 CAN BE DIRECTED TO:  
 THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
 12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
 PHONE: 512-238-5263, FAX: 512-238-5253



**TALLEY ROAD**  
 PUBLIC IMPROVEMENT DISTRICT

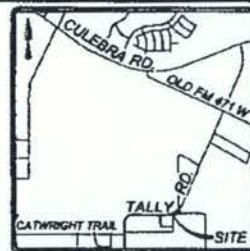
REVISIONS		ISSUE DATE	
JOB NO.	16-146	DATE	09/25/2018
DRAWN	CP	DESIGNER	TAS
CHECKED	TAS	CHECKED	TAS

**SHEET: 4 OF 4**

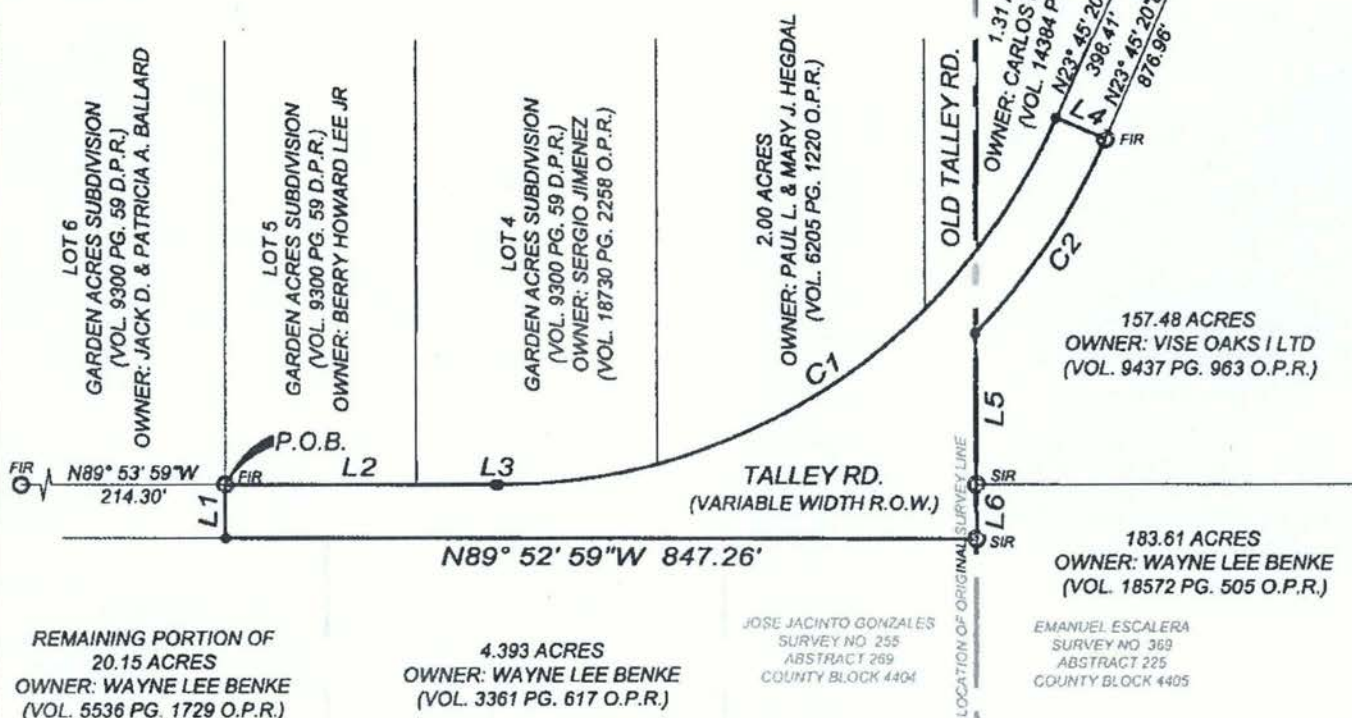


# NOTES

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3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
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LOCATION MAP  
NOT-TO-SCALE



## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- CALCULATED POINT
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING

## LEGAL DESCRIPTION

A 2.444 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.



**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

SCALE: 1"=200'



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
11100 PARK 20 CIRCLE BLDG. A SUITE 136 SAC-230 AUSTIN, TX 78739  
PHONE: 512-228-5242, FAX: 512-228-5253

**KFW**  
SURVEYING

**TALLEY ROAD**  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN OP	CHECKED TAS

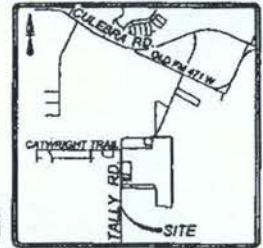
SHEET: 1 OF 1



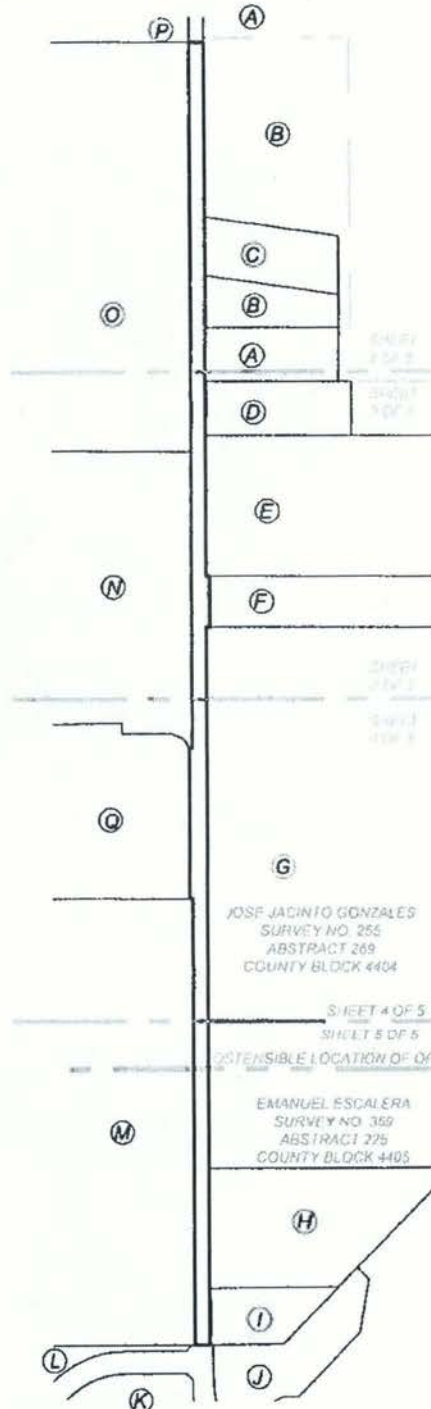
# NOTES

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4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
5. THIS DOCUMENT WAS PREPARED UNDER 22TAC863.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED

SCALE: 1"=700'



LOCATION MAP  
NOT-TO-SCALE



- |  |  |
|--|--|
| (A) 183.61 ACRES<br>OWNER: WAYNE LEE BENKE<br>(VOL. 18572 PG. 505 O.P.R.)  | (J) LOT 1, BLOCK 13<br>WESTPOINTE WEST UT-2A<br>(VOL. 9653 PG. 171 D.P.R.)<br>OWNER: BECKER RANCH LTD<br>(VOL. 7723 PG. 1880 O.P.R.)                     |
| (B) 14.85 ACRES<br>OWNER: WAYNE LEE BENKE<br>(VOL. 5338 PG. 1728 O.P.R.)   | (K) LOT 1, BLOCK 3, TAMARON SUBD. UNIT 1<br>(VOL. 9533 PG. 126 D.P.R.)<br>OWNER: LUCIO & MARIA GUAJARDO<br>(DOC #20180115465 O.P.R.)                     |
| (C) 2.744 ACRES<br>OWNER: MICHAEL L. & ROBYN K. KLAR<br>(VOL. 7991 PG. 631 O.P.R.)   | (L) LOT 1, BLOCK 1, TAMARON SUBD. UNIT 1<br>(VOL. 9533 PG. 126 D.P.R.)<br>OWNER: DANIEL R. CARDENAS<br>(VOL. 16425 PG. 2476 O.P.R.)                      |
| (D) 2.758 ACRES<br>OWNER: TRAVIS WAYNE BENKE<br>(VOL. 6021 PG. 435 O.P.R.)   | (M) 180.88 ACRES<br>OWNER: S & P LAND HOLDINGS, LLC<br>(VOL. 12472 PG. 326 O.P.R.)   |
| (E) REMAINING PORTION OF 34.616 ACRES<br>OWNER: EMERIO G. & MARIA E. PLATA<br>(VOL. 10320 PG. 1769 O.P.R.)                               | (N) REMAINING PORTION OF 218.506 ACRES<br>OWNER: CIUDAD DE LAS PALOMAS, LTD<br>(VOL. 11748 PG. 908 O.P.R.)   |
| (F) LOT 1, BLOCK 12<br>TALLEY ROAD SUBDIVISION<br>(VOL. 9608 PG. 105 D.P.R.)<br>OWNER: DAVID & MARTHA PLATA<br>(VOL. 17766 PG. 1 O.P.R.) | (O) 317.310 ACRES<br>OWNER: HENRY J. & FRANK G. JR.<br>PERSYN<br>(VOL. 5980 PG. 840 O.P.R.)  |
| (G) 101.216 ACRES<br>OWNER: DONALD & PAT THOMAS<br>(VOL. 6382 PG. 1523 O.P.R.)   | (P) LOT 1, BLOCK 4<br>GERONIMO VILLAGE SUBDIVISION<br>(VOL. 5970 PGS. 140-141 D.P.R.)<br>OWNER: DOMINGO & JANIE HERNANDEZ<br>(VOL. 15740 PG. 889 O.P.R.) |
| (H) 8.00 ACRES<br>OWNER: ALAMO COMMUNITY<br>CHURCH-SAN ANTONIO<br>(VOL. 18164 PG. 1127 O.P.R.)   | (Q) LOT 901, BLOCK 13<br>CIUDAD DE LAS PALOMAS UNIT 1A<br>(VOL. 9677 PGS. 147-148 D.P.R.)  |
| (I) REMAINING PORTION OF 10.00 ACRES<br>OWNER: JOSEPH M. FAUNCE<br>(VOL. 8979 PG. 1056 O.P.R.)   |  |

## LEGAL DESCRIPTION

A 7.270 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.

## SYMBOL LEGEND

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



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 12100 PARK 30 CIRCLE BLDG. A, SUITE 150 MC 230 AUSTIN, TX 78753 PHONE: 512-228-3293, FAX: 512-228-3293



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

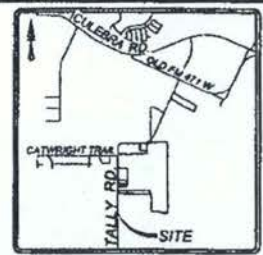
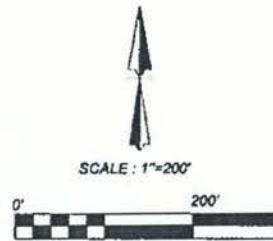
REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 10/20/2014	DESIGNER TAS
DRAWN OF	CHECKED TAS

SHEET: 1 OF 5



# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.
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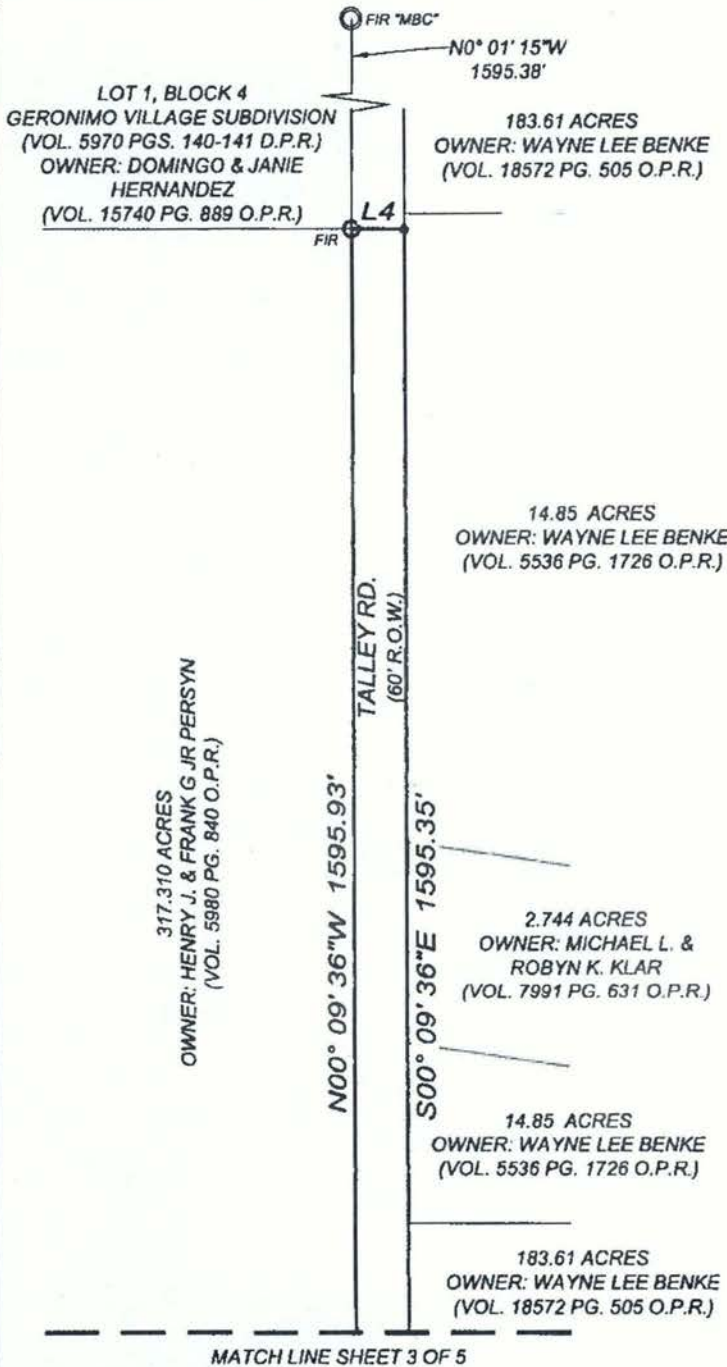


LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT

Line Table		
LINE #	LENGTH	DIRECTION
L4	60.00'	S89°37'02"E



MATCH LINE SHEET 3 OF 5

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 30 CIRCLE BLDG. A, SUITE 150 MC 200 AUSTIN, TX 78753  
PHONE: 512-226-5203, FAX: 512-226-5203

**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

*9/27/2018*



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/05/2018	DESIGNER TAS
DRAWN DP	CHECKED TAS

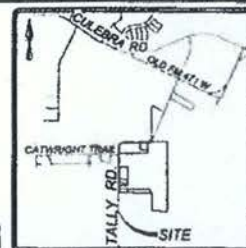


SHEET: 2 OF 5

# NOTES

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SCALE: 1"=200'



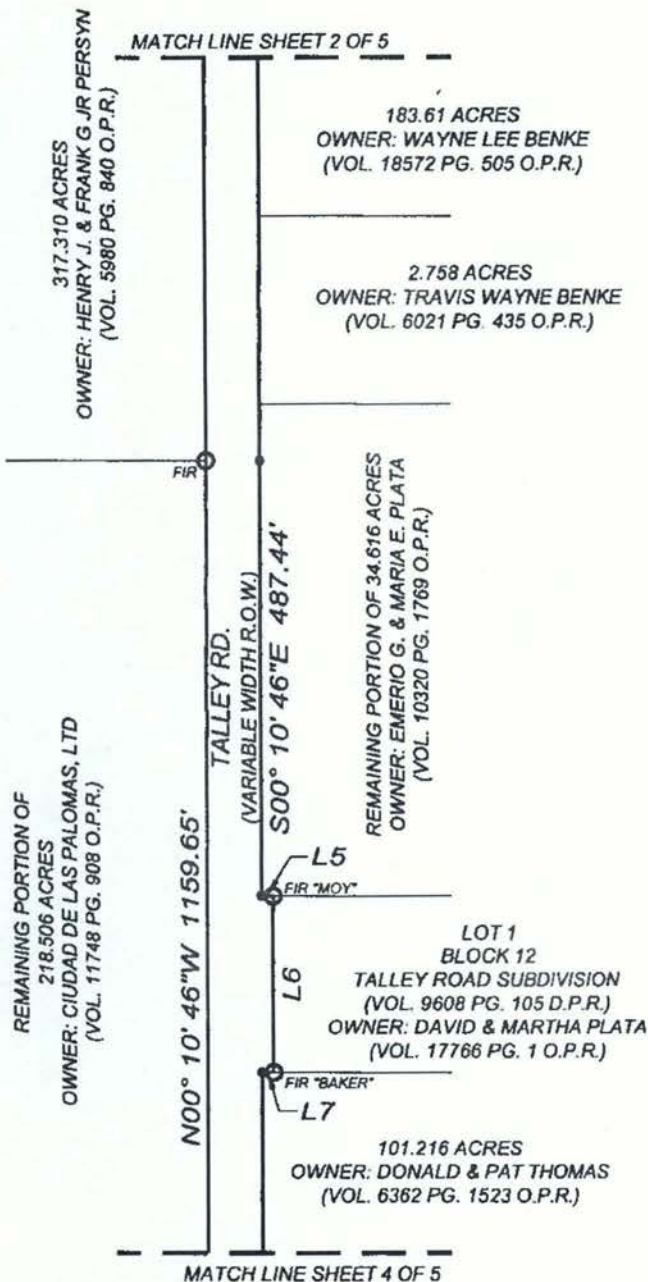
LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

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- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT

Line Table

LINE #	LENGTH	DIRECTION
L5	13.00'	S89°55'16"E
L6	199.74'	S00°10'51"E
L7	13.00'	N89°55'16"W



**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

9/27/2018

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753 PHONE 512-228-5283, FAX 512-228-8253



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	DATE 10/02/2018
DESIGNER TAS	CHECKED TAS

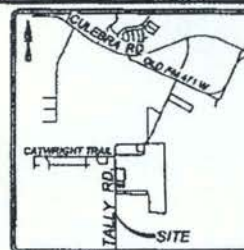


SHEET: 3 OF 5



# NOTES

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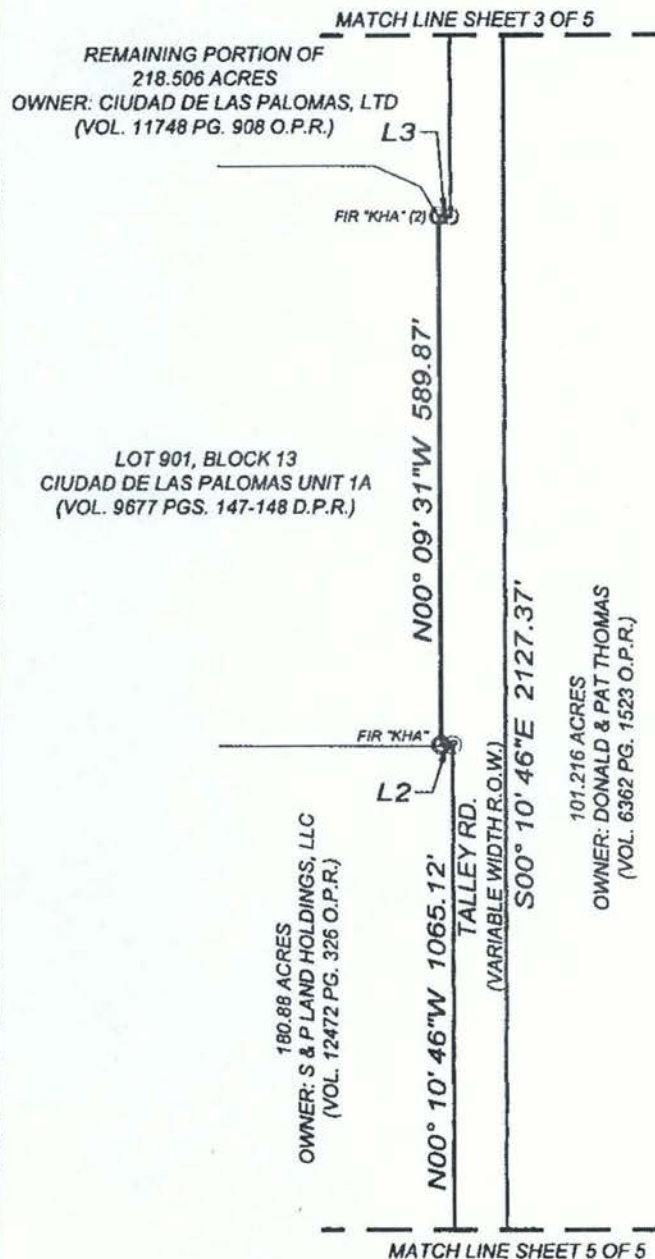


LOCATION MAP  
NOT-TO-SCALE

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- ⊙ POST AS NOTED
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- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

Line Table		
LINE #	LENGTH	DIRECTION
L2	13.62'	S89°50'52"W
L3	13.40'	S89°49'28"E



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

9/27/2018

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CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN TX 78753  
PHONE: 512-220-8263, FAX: 512-220-8263

**KFW**  
SURVEYING  
2401 Potomac Place, Suite 101, San Antonio, TX 78201  
Phone: 512-375-5451 Fax: 512-375-5451  
TOLL FREE: 800-555-5555

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO: 16-146	
DATE: 10/01/2016	DESIGNER: TJS
DRAWN: OP	CHECKED: TJS

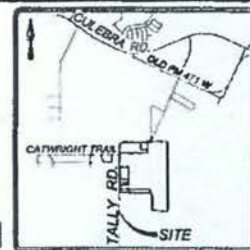


SHEET: 4 OF 5

# NOTES

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SCALE: 1"=200'



LOCATION MAP  
NOT-TO-SCALE

MATCH LINE SHEET 4 OF 5

101.216 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 6362 PG. 1523 O.P.R.)

180.88 ACRES  
OWNER: S & P LAND HOLDINGS, LLC  
(VOL. 12472 PG. 326 O.P.R.)

N00° 11' 33"W 691.48'

TALLEY RD.

(60' R.O.W.)

S00° 11' 33"E 691.47'

8.00 ACRES  
OWNER: ALAMO COMMUNITY  
CHURCH-SAN ANTONIO  
(VOL. 18164 PG. 1127 O.P.R.)

LOT 1, BLOCK 1  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: DANIEL R. CARDENAS  
(VOL. 16425 PG. 2476 O.P.R.)

REMAINING PORTION OF  
10.00 ACRES  
OWNER: JOSEPH M FAUNCE  
(VOL. 8979 PG. 1056 O.P.R.)

P.O.B.

TAMARON PASS  
(60' RIGHT-OF-WAY)

L1

LOT 1  
BLOCK 13  
WESTPOINTE WEST UT-2A  
(VOL. 9653 PG. 171 D.P.R.)  
OWNER: BECKER RANCH LTD  
(VOL. 7723 PG. 1880 O.P.R.)

LOT 1, BLOCK 3  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: LUCIO & MARIA  
GUAJARDO  
(DOC #20180115465 O.P.R.)

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING

Line Table

LINE #	LENGTH	DIRECTION
L1	60.00'	S89°48'27"W



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
17100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
PHONE: 512-239-5282 FAX: 512-239-5253

**KFW**  
SURVEYING

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE: 10/02/2018	DESIGNER: TAS
DRAWN: DP	CHECKED: TAS

SHEET: 5 OF 5



**EXHIBIT C**

**SWORN AFFIDAVIT OF PETITIONER**

**SWORN AFFIDAVIT OF THE FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING CREATION OF,  
AND CONSENTING TO INCLUSION IN, THE TALLEY ROAD 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 I am the owner representing more than 50% of all record owners of property within the proposed District or I own taxable real property that constitutes more than 50% of the area of all taxable real property within the proposed District. I request the creation of the Talley Road 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 included in Exhibit "A" and Exhibit "B" attached to the Petition for creation of the Talley Road Special Improvement District.

NAME:

WAYNE LEE BENKE

BY:

Wayne Lee Benke  
Wayne Lee Benke

DATE:

9/28/18

**ACKNOWLEDGMENT**

STATE OF

Texas

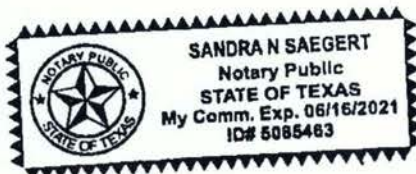
§

COUNTY OF

Bexar

§

This instrument was acknowledged before me on this 28<sup>th</sup> day of September, 2018, by Wayne Lee Benke, on behalf of said individual.



Sandra N Saegert

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

Printed Name of Notary: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

Exhibit "X" Page "8 of 8"





**GERARD C. RICKHOFF**

BEXAR COUNTY CLERK

100 Dolorosa, Suite 104  
San Antonio, TX 78205

(210) 335-2216  
Mon - Fri 8am - 5pm

Visit our website at:  
[www.Bexar.org](http://www.Bexar.org)

**Receipt Number:** 20181001000876

**Status:** ORIGINAL COPY

Description	Document Type	Document #	Book/Vol/Page	# Pages	GF/Serial #	Amount
Real Property Recordings	MISC	20180194661		30		\$138.00

**Total Documents : 1**

**Total: \$138.00**

Payment Method	Payment ID	Authorization #	Amount
Check	8397	WALK IN	\$138.00

**Tender Subtotal:**

**Total Payments: \$138.00**

Check: \$138.00

Change Due: \$0.00

Client Name: BROWN AND ORTIZ PC

Date: 10/01/2018 | 03:33PM  
Clerk: Kelsey H



\*VG-76-2018-20180194661\*

**File Information**

**FILED IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY  
GERARD C. RICKHOFF, BEXAR COUNTY CLERK**

**Document Number:** 20180194661  
**Recorded Date:** October 01, 2018  
**Recorded Time:** 3:33 PM  
**Total Pages:** 30  
**Total Fees:** \$138.00

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

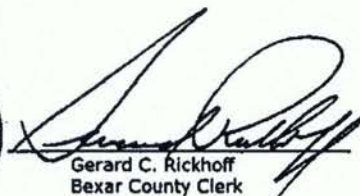
**\*\* Do Not Remove \*\***

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 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 Bexar County, Texas on:  
10/1/2018 3:33 PM



  
Gerard C. Rickhoff  
Bexar County Clerk



**EXHIBIT B**

**COUNTY PID APPLICATION**



# Bexar County Application for a Public Improvement District

Applicant must complete this application in its entirety and attach all requested documentation in order for this application to be considered by Bexar County. Bexar County staff will evaluate the application for further consideration by Commissioners Court. Any applicant knowingly providing false representation in this application will subject any agreements to become void.

1. Applicant/Property Owner: Wayne Lee Benke

Applicant: 2. Applicant/Developer: Talley Extension Revitalization Initiative, LLC

Contact: \_\_\_\_\_

Address: See Attached - Exhibit C

Date: October 1, 2018

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant is a(n): See Attached - Exhibit C

☐ Individual

☐ Corporation

☐ Non Profit Organization

☐ Partnership

☐ Limited Partnership

☐ Limited Liability Partnership

Application must include the following: (additional information may be requested as needed):

- ☐ Petition complying with Chapter 382 of the Local Government Code
- ☐ Term and tax rate/assessment proposed
- ☐ Assessed value of project (beginning to end with a build out schedule)
- ☐ Developer Financial Statements (including balance sheet & income statement)
- ☐ Financial Plan (to include a detailed Debt Service Plan, pro forma, cost estimate, eligible project costs)
- ☐ Market Analysis
- ☐ Master Development Plan prepared in accordance with the City of San Antonio's Unified Development Code
- ☐ Affordability range of housing
- ☐ Census tract information to include poverty levels and density
- ☐ Written description of how this project will impact governmental services to include law enforcement, fire, emergency services, utilities and schools
- ☐ Draft Development Agreement



**EXHIBIT C**

**APPLICANT INFORMATION**

## APPLICANT INFORMATION

### 1. Applicant/Property Owner

Name: Wayne Lee Benke  
Address: 6850 Talley Road  
San Antonio, Texas 78253

### 2. Applicant/Developer

Name: Talley Extension Revitalization Initiative, LLC,  
a Texas limited liability company  
By: Gordon V. Hartman, President  
Address: 1202 W. Bitters, Bldg. 1, Suite 1200  
San Antonio, Texas 78216



**EXHIBIT D**

**SIGNATURE PAGES FOR APPLICANT/PROPERTY OWNER**

### Disclosure Statement

Applicant must truthfully complete this section which includes nine (9) questions before an application will be reviewed by Bexar County.

1. Have any of the principals/partners submitted other TIF or Public Improvement District applications to Bexar County?  
☐ YES - If yes, provide name and date of application(s). NO ☒
2. Have any of the principals/partners been or are currently involved in any litigation, lawsuits and/or settlements with Bexar County?  
☐ YES - If yes, provide a written explanation including resulting judgments. NO ☒
3. Have any of the principals/partners ever been convicted of any felonies or are currently under indictment for any such crimes?  
☐ YES - If yes, provide an explanation. NO ☒
4. Have any of the principals/partners been convicted of violating any law, code, statute or ordinance regarding conditions of human habitation with the last five (5) years?  
☐ YES - If yes, provide an explanation. NO ☒
5. Do any of the principals/partners owe delinquent ad valorem taxes or any other debt to Bexar County?  
☐ YES - If yes, provide a list of delinquent debt(s). NO ☒
6. Have any of the principals/partners ever owned (fully or partially) any property foreclosed by Bexar County or any other entity involved with this application?  
☐ YES - If yes, provide an explanation. NO ☒
7. Have any of the principals/partners defaulted on loans or other legally binding agreements in the past twenty (20) years?  
☐ YES - If yes, provide an explanation. NO ☒
8. Are any of the principals/partners employed by Bexar County or any other entity involved with this application?  
☐ YES - If yes, provide an explanation. NO ☒
9. Do any of the principals/partners serve on boards/commissions or other volunteer groups of Bexar County or any other entity involved with this application?  
☐ YES - If yes, provide an explanation. NO ☒

I have answered the nine questions included here in the Disclosure Statement section of this application and have done so truthfully.

SIGNATURE: Wayne Lee Benke Date: 9-28-2018  
Wayne Lee Benke



**Certification**

I/~~We~~, Wayne Lee Benke certify that I/~~AA~~e have the authority to act on the behalf of the applicant, N/A, to submit this application and that all the information and representations in this application and all information furnished in support of this application is given for the purpose of creating a Public Improvement District under the Bexar County Public Improvement District Policy and is true and complete to the best of the applicant's knowledge and belief.

The undersigned applicant hereby agrees that the applicant shall not in the provision of services, or in any other manner, discriminate against any person on the basis of race, color, creed, religion, sex, national origin, age, familial status or handicap.

Verification of any of the information contained in this application may be obtained from any source named herein.

The undersigned applicant hereby agrees that the applicant shall at all times indemnify and hold harmless Bexar County, its employees, officers, directors and consultants against all loses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from, arising out of or relating to the acceptance, consideration, approval or disapproval of this request.

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this document to be executed in its name on this 28th day of September, 2018

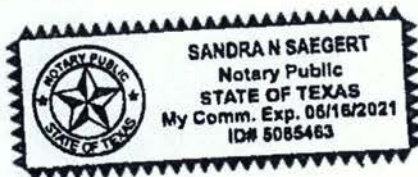
Wayne Lee Benke  
Signature    Wayne Lee Benke  
Title

\*\*\*\*\*  
(ACKNOWLEDGMENT)

STATE OF TEXAS        §  
                                 §  
COUNTY OF BEXAR    §

This instrument was acknowledged before me on this 28th day of September, 2018, by

WAYNE LEE BENKE.



Sandra N. Saegert  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

PRINTED NAME – NOTARY PUBLIC

COMMISSION EXPIRES: \_\_\_\_\_

**EXHIBIT E**

SIGNATURE PAGES FOR APPLICANT/DEVELOPER



### Disclosure Statement

Applicant must truthfully complete this section which includes nine (9) questions before an application will be reviewed by Bexar County.

1. Have any of the principals/partners submitted other TIF or Public Improvement District applications to Bexar County?  
☐ YES - If yes, provide name and date of application(s). NO ☒
2. Have any of the principals/partners been or are currently involved in any litigation, lawsuits and/or settlements with Bexar County?  
☐ YES - If yes, provide a written explanation including resulting judgments. NO ☒
3. Have any of the principals/partners ever been convicted of any felonies or are currently under indictment for any such crimes?  
☐ YES - If yes, provide an explanation. NO ☒
4. Have any of the principals/partners been convicted of violating any law, code, statute or ordinance regarding conditions of human habitation with the last five (5) years?  
☐ YES - If yes, provide an explanation. NO ☒
5. Do any of the principals/partners owe delinquent ad valorem taxes or any other debt to Bexar County?  
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☐ YES - If yes, provide an explanation. NO ☒
7. Have any of the principals/partners defaulted on loans or other legally binding agreements in the past twenty (20) years?  
☐ YES - If yes, provide an explanation. NO ☒
8. Are any of the principals/partners employed by Bexar County or any other entity involved with this application?  
☐ YES - If yes, provide an explanation. NO ☒
9. Do any of the principals/partners serve on boards/commissions or other volunteer groups of Bexar County or any other entity involved with this application?  
☐ YES - If yes, provide an explanation. NO ☒

I have answered the nine questions included here in the Disclosure Statement section of this application and have done so truthfully.

Talley Extension Revitalization Initiative, LLC

SIGNATURE: \_\_\_\_\_ Date: 9-28-2018

Gordon V. Hartman, President



**Certification**

I, Gordon V. Hartman

~~I/We~~, \_\_\_\_\_, certify that ~~I/We~~ have the authority to act on the behalf of the applicant, \*, to submit this application and that all the information and representations in this application and all information furnished in support of this application is given for the purpose of creating a Public Improvement District under the Bexar County Public Improvement District Policy and is true and complete to the best of the applicant's knowledge and belief.

The undersigned applicant hereby agrees that the applicant shall not in the provision of services, or in any other manner, discriminate against any person on the basis of race, color, creed, religion, sex, national origin, age, familial status or handicap.

Verification of any of the information contained in this application may be obtained from any source named herein.

The undersigned applicant hereby agrees that the applicant shall at all times indemnify and hold harmless Bexar County, its employees, officers, directors and consultants against all losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from, arising out of or relating to the acceptance, consideration, approval or disapproval of this request.

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this document to be executed in its name on this 28th day of September, 2018

Talley Extension Revitalization Initiative, LLC

Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Gordon V. Hartman  
President

\*\*\*\*\*  
\*Talley Extension Revitalization Initiative, LLC

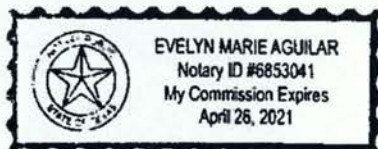
**(ACKNOWLEDGMENT)**

STATE OF TEXAS

§  
§  
§

COUNTY OF BEXAR

This instrument was acknowledged before me on this 28th day of September, 2018, by GORDON V. HARTMAN, President of Talley Extension Revitalization Initiative, LLC, a Texas limited liability company, on behalf of said entity.



\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

\_\_\_\_\_  
PRINTED NAME - NOTARY PUBLIC

COMMISSION EXPIRES: \_\_\_\_\_



**EXHIBIT F**

CERTIFICATE OF FORMATION FOR APPLICANT/DEVELOPER

**CERTIFICATE OF FORMATION  
OF  
TALLEY EXTENSION REVITALIZATION INITIATIVE, LLC**

**Article 1  
Entity Name and Type**

The filing entity being formed is a limited liability company. The name of the entity is Talley Extension Revitalization Initiative, LLC.

**Article 2  
Registered Agent and Registered Office**

The initial registered agent is an individual by the name of Gordon V. Hartman. The business address of the registered agent and the registered office address is 1202 W. Bitters, Bldg. 1, Suite 1200, San Antonio, Texas 78216.

**Article 3  
Governing Authority**

The limited liability company will have managers. The name and address of the initial manager is set forth below.

<u>Name</u>	<u>Address</u>
San Antonio Hartman Development Management, LLC	1202 W. Bitters, Bldg. 1, Suite 1200 San Antonio TX 78216

**Article 4  
Purpose**

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Act.



Article 4  
Meetings

The members of the filing entity may take action without holding a meeting, providing notice, or taking a vote if the members of the filing entity having at least the minimum number of votes that would be necessary to take the action that is the subject of the consent at a meeting, in which each member entitled to vote on the action is present and votes, signs a written consent or consents stating the action taken.

Article 6  
Organizer

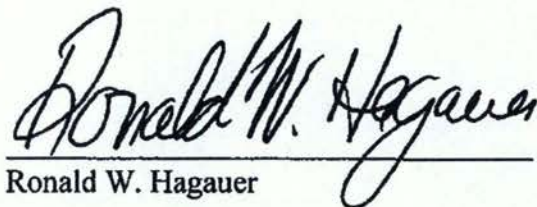
The name and address of the organizer:

Ronald W. Hagauer  
4630 N Loop 1604 W, Suite 514  
San Antonio TX 78249

Article 6  
Effectiveness of Filing

This document becomes effective when the document is filed by the Secretary of State.

The undersigned signs this document on the 25<sup>th</sup> day of September, 2018, subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

  
Ronald W. Hagauer

**CERTIFICATE OF FORMATION  
OF  
TALLEY EXTENSION REVITALIZATION INITIATIVE, LLC**

**Article 1  
Entity Name and Type**

The filing entity being formed is a limited liability company. The name of the entity is Talley Extension Revitalization Initiative, LLC.

**Article 2  
Registered Agent and Registered Office**

The initial registered agent is an individual by the name of Gordon V. Hartman. The business address of the registered agent and the registered office address is 1202 W. Bitters, Bldg. 1, Suite 1200, San Antonio, Texas 78216.

**Article 3  
Governing Authority**

The limited liability company will have managers. The name and address of the initial manager is set forth below.

<u>Name</u>	<u>Address</u>
San Antonio Hartman Development Management, LLC	1202 W. Bitters, Bldg. 1, Suite 1200 San Antonio TX 78216

**Article 4  
Purpose**

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Act.



Article 4  
Meetings

The members of the filing entity may take action without holding a meeting, providing notice, or taking a vote if the members of the filing entity having at least the minimum number of votes that would be necessary to take the action that is the subject of the consent at a meeting, in which each member entitled to vote on the action is present and votes, signs a written consent or consents stating the action taken.

Article 6  
Organizer

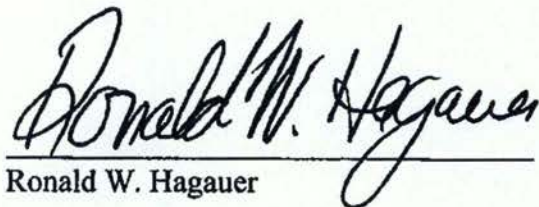
The name and address of the organizer:

Ronald W. Hagauer  
4630 N Loop 1604 W, Suite 514  
San Antonio TX 78249

Article 6  
Effectiveness of Filing

This document becomes effective when the document is filed by the Secretary of State.

The undersigned signs this document on the 25<sup>th</sup> day of September, 2018, subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

  
\_\_\_\_\_  
Ronald W. Hagauer

**EXHIBIT G**

**PID SUMMARY**



KENNETH W. BROWN, AICP  
DANIEL ORTIZ  
JAMES B. GRIFFIN  
JAMES MCKNIGHT  
NINA PRADO  
CAROLINE E. McDONALD



PAUL M. JUAREZ  
OF COUNSEL

112 E. PECAN STREET  
SUITE 1360  
SAN ANTONIO, TEXAS 78205  
TELEPHONE: 210.299.3704  
FAX: 210.299.4731

## **TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT**

### **PID SUMMARY**

#### **1. Public Improvement District**

- a. Name: Talley Road Special Improvement District
- b. Property Owner: Wayne Lee Benke
- c. Developer: Talley Extension Revitalization Initiative, LLC
- d. Jurisdiction: Bexar County (City of San Antonio's Extraterritorial Jurisdiction)
- e. Acreage: Approximately 232.314 Acres Total (including portions of Talley Road and Alamo Ranch Parkway)

#### **2. Statutory Authority and Ad Valorem Tax**

- a. The Talley Road Special Improvement District (District) would be a public improvement district created pursuant to Chapter 382 of the TX Local Gov't Code with the power to assess an ad valorem tax at a rate not to exceed the City's tax rate.
- b. No bonds, sales tax, hotel occupancy tax, or assessments.

#### **3. Project**

- a. 1,000 Single-Family Homes (approximately \$225k / unit)
- b. Proposed Improvements: Individual Lot Improvements (onsite), Alamo Ranch Parkway Improvements (onsite), Talley Road Improvements (onsite and offsite), and Offsite Sanitary Sewer
- c. Improvements are dependent on phasing/adjacent platting, County obtaining the necessary ROW/easements, other developer improvements, and reimbursements through the District
- d. Improvement Costs: approximately \$35.5M for onsite, \$7M for offsite, \$10M for Talley Road Extension (onsite and offsite), and \$52.5M total
- e. District Revenue: approximately \$44M over 30 years

**EXHIBIT H**

**AERIAL EXHIBIT OF PID BOUNDARIES**



**LEGEND**

- Site
- Offsite Sewer
- Talley Road



**KFW**  
ENGINEERS + SURVEYING




3421 PINEAHL DRIVE SUITE 200  
SAN ANTONIO, TEXAS 78211  
PHONE (210) 579-8444  
FAX (210) 579-8441

**TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT**  
**PID EXHIBIT**

REVISIONS:	ISSUE DATE:
JOB NO. 585-01-01	
DATE: October 2018	DESIGNER:
DRAWN: K.L.	CHECKED: B.L.
SHEET: 1	

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.



- LEGEND**
-  Site (Onsite Improvements)
  -  Offsite Drainage Improvement
  -  13' ROW Dedication (Offsite Improvements)
  -  Talley Road

PID LIMITS

OFFSITE DRAINAGE  
IMPROVEMENT

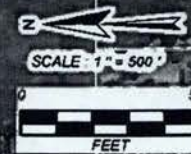
Need 13' of ROW dedication

TALLEY RD

Need 13' of ROW dedication

Need 13' of ROW dedication

Need 13' of ROW dedication



**KFW**  
ENGINEERS + SURVEYING

3471 PHILADELPHIA PKWY SUITE 200  
SAN ANTONIO, TEXAS 78211  
PHONE (210) 978-8444  
FAX (210) 978-8441

TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT

Talley Road Exhibit

REVISIONS	ISSUE DATE
JOB NO. 585-01-01	
DATE October 2018	DESIGNER:
DRAWN K.L.	CHECKED B.L.
SHEET: 1	

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.



**EXHIBIT I**

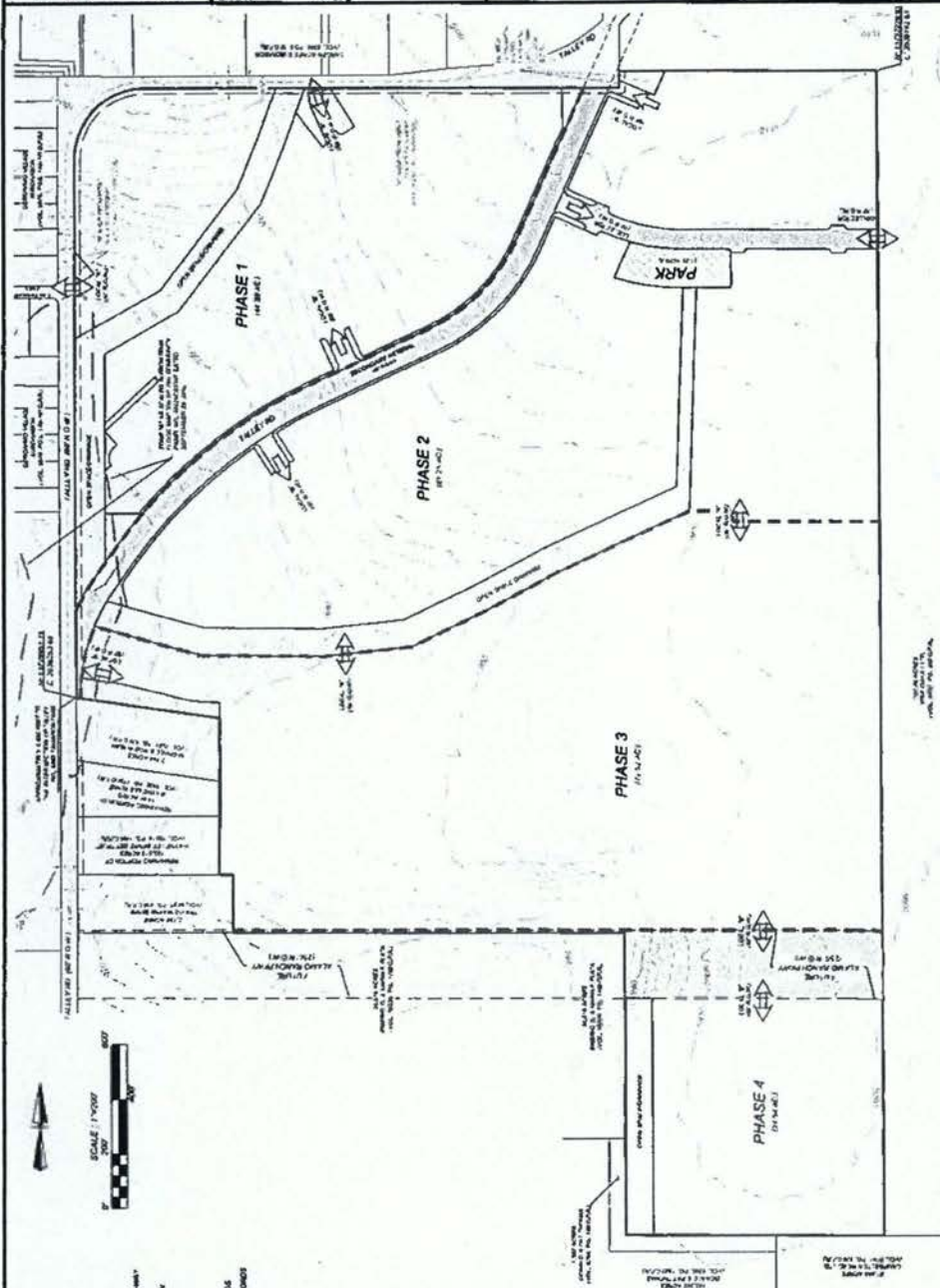
**PRELIMINARY LOT LAYOUT**





**EXHIBIT J**

**PROPOSED MASTER DEVELOPMENT PLAN**



Experiment	Reference	No. of subjects	2.6. Subjected test group				Effect
			2.6.1. 1st test	2.6.2. 2nd test	2.6.3. 3rd test	2.6.4. 4th test	
2.6.1.1	1	10	100%	100%	100%	100%	100%
2.6.1.2	2	10	100%	100%	100%	100%	100%
2.6.1.3	3	10	100%	100%	100%	100%	100%
2.6.1.4	4	10	100%	100%	100%	100%	100%
2.6.1.5	5	10	100%	100%	100%	100%	100%
2.6.1.6	6	10	100%	100%	100%	100%	100%
2.6.1.7	7	10	100%	100%	100%	100%	100%
2.6.1.8	8	10	100%	100%	100%	100%	100%
2.6.1.9	9	10	100%	100%	100%	100%	100%
2.6.1.10	10	10	100%	100%	100%	100%	100%
2.6.1.11	11	10	100%	100%	100%	100%	100%
2.6.1.12	12	10	100%	100%	100%	100%	100%
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2.6.1.15	15	10	100%	100%	100%	100%	100%
2.6.1.16	16	10	100%	100%	100%	100%	100%
2.6.1.17	17	10	100%	100%	100%	100%	100%
2.6.1.18	18	10	100%	100%	100%	100%	100%
2.6.1.19	19	10	100%	100%	100%	100%	100%
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2.6.1.34	34	10	100%	100%	100%	100%	100%
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2.6.1.38	38	10	100%	100%	100%	100%	100%
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2.6.1.46	46	10	100%	100%	100%	100%	100%
2.6.1.47	47	10	100%	100%	100%	100%	100%
2.6.1.48	48	10	100%	100%	100%	100%	100%
2.6.1.49	49	10	100%	100%	100%	100%	100%
2.6.1.50	50	10	100%	100%	100%	100%	100%

Period Lane Facts		
Lane #	Length	Description
1.1	210.00'	MSD 0.7' 2070'
1.2	48.91'	MSD 0.8' 2070'
1.3	139.21'	MSD 1.2' 2270'
1.4	292.34'	MSD 0.7' 6170'
1.5	80.49'	MSD 0.6' 0470'

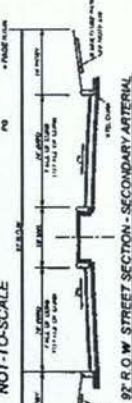
## LEGAL DESCRIPTION

**RECORDS OF LAND FOR THE DISTRICTS OF**  
SARREY, THE METROPOLIS, THE COUNTY OF MIDDLESEX AND THE  
COUNTY OF LONDON, AND THE METROPOLIS OF GREAT  
BRITAIN, FROM 1831 TO 1841, INCLUSIVE, AND THE  
COUNTY OF LONDON, FROM 1841 TO 1851, INCLUSIVE.  
THESE RECORDS ARE THE PROPERTY OF THE  
COUNTY OF LONDON, AND ARE KEPT AT THE  
COUNTY CLERK'S OFFICE, 10, ABchurch Lane, London, E.C. 4.  
THESE RECORDS ARE AVAILABLE FOR CONSULTATION  
AT THE COUNTY CLERK'S OFFICE, 10, ABchurch Lane, London, E.C. 4.  
THESE RECORDS ARE AVAILABLE FOR CONSULTATION  
AT THE COUNTY CLERK'S OFFICE, 10, ABchurch Lane, London, E.C. 4.  
THESE RECORDS ARE AVAILABLE FOR CONSULTATION  
AT THE COUNTY CLERK'S OFFICE, 10, ABchurch Lane, London, E.C. 4.

LARRY L. LEE, JR., Mayor  
 1415 W. 10th Street  
 Tulsa, OK 74103  
 Phone: 336-1111  
 FAX: 336-1111

MDP: 17-00015.00  
DATE OF PREPARATION: MAY 10, 2017

**LEGEND**

LOCATION MAP  
HOW TO GOAL

92' R O W STREET SECTION - SECONDARY ARTERIAL



70' R.O.W. STREET SECTION - COLLECTOR



—



END ROW STREET SECTION - LOCAL "A"

- [illegible]



**EXHIBIT K**

**FIELD NOTES/SURVEY EXHIBITS FOR PID BOUNDARIES**

# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.

2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.

3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.

4. SET IRON PINS ARE 1/2" DIAMETER REBAR WITH A BLUE CAP STAMPED "KFW SURVEYING"

5. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

6. SEE SHEET 4 OF 4 FOR PROPERTY LEGEND AND LINE TABLE.

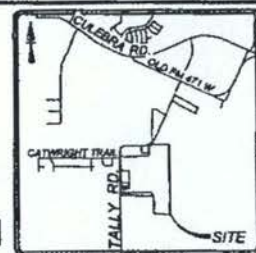
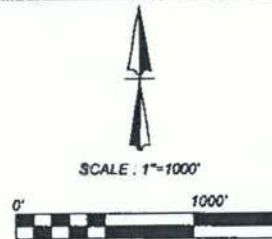
7. THIS DOCUMENT WAS PREPARED UNDER 22TAC863.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED

## SYMBOL LEGEND

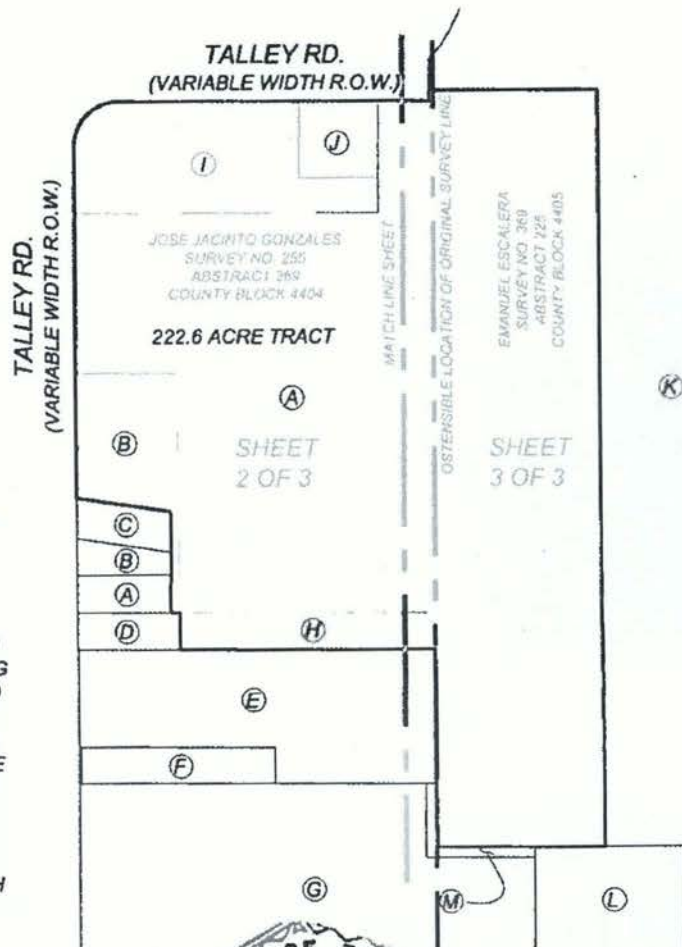
O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS  
D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

## LEGAL DESCRIPTION

A 222.6 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING ALL OF A CALLED 4.393 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3361 PAGE 617 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS (O.P.R.), THE REMAINING PORTION OF A 20.15 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1729 O.P.R., A PORTION OF A CALLED 14.85 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1726 O.P.R., A PORTION OF A CALLED 233.0 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 5539 PAGE 405 O.P.R., THE REMAINING PORTION OF A CALLED 9.964 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3107 PAGE 186 O.P.R. AND ALL OF WHICH WERE CONVEYED TO WAYNE LEE BENKE GST TRUST OF RECORD IN VOLUME 13514 PAGE 1496 O.P.R.



LOCATION MAP  
NOT-TO-SCALE



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12140 PARK 35 CIRCLE BLDG. A, SUITE 138 MC-230 AUSTIN, TX 78753  
PHONE: 512-259-5262, FAX: 512-259-5253

**KFW**  
SURVEYING

3471 Pleasanton Pkwy, Suite 101, San Antonio, TX 78241  
Phone: 210-491-9141 • Fax: 210-491-9141  
TSP#18, Class # 102258

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 08/25/2018	DESIGNER TAS
DRAWN BY	CHECKED TAS

SHEET: 1 OF 4



SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

# TALLEY RD. (VARIABLE WIDTH R.O.W.)

S89° 52' 59"E 1741.93'

SEE DETAIL "C"

FIR

N00° 00' 08"W 1278.69'

222.6 ACRE TRACT

TALLEY RD.

(VARIABLE WIDTH R.O.W.)

S0° 10' 00"E 1400.48'

(B)

(C)

(B)

(A)

(D)

(E)

S89° 55' 16"E  
13.00'

FIR "MOY"

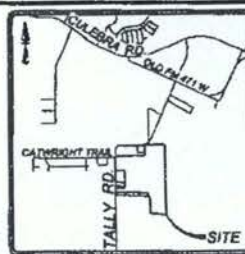


ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN TX 78753  
PHONE: 512-238-5283 FAX: 512-238-5253

**KFW**  
SURVEYING  
12121 Professional Plaza, Suite 150, San Antonio, TX 78203  
Phone: 214-545-2000 Fax: 214-545-2001  
Toll-free: 1-800-828-2000

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

SCALE: 1"=500'



LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

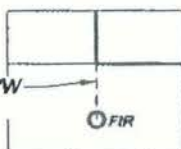
- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- CALCULATED POINT

N9° 25' 20"E  
1.38'



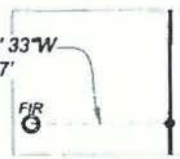
DETAIL "A"  
NOT TO SCALE

S0° 04' 34"W  
0.36'



DETAIL "B"  
NOT TO SCALE

N89° 59' 33"W  
2.67'



DETAIL "C"  
NOT TO SCALE



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

REVISIONS	ISSUE DATE
JOB NO. 15-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN GP	CHECKED TAS

SHEET: 2 OF 4

SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

MATCH LINE SEE SHEET 2 OF 3

N89° 59' 00"E 943.36'

SIR  
SIR

L2

FIR "RPLS 4611"

SCALE: 1"=500'



LOCATION MAP  
NOT-TO-SCALE

### SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP  
STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL  
PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF  
BEXAR COUNTY, TEXAS
- ⊙ FIP FOUND IRON PIPE

222.6 ACRE TRACT

S00° 20' 24"E 4236.14'

(A)

(K)

(H)

POST - ANGLE IRON

(E)

N00° 07' 09"W 1107.09'

FIR "BAKER"

(G)

FIP 1 1/2"

N89° 57' 55"W 946.64'

(L)

SIR



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
PHONE: 512-250-5253 FAX: 512-250-5253

**KFW**  
SURVEYING  
4411 Potomac Place, Suite 101, San Antonio, TX 78211  
Phone: 210-575-5444 Fax: 210-575-5441  
Toll Free: 1-800-392-5253

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

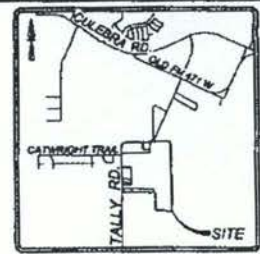
REVISIONS		ISSUE DATE	
JOB NO.	16-146	DATE	09/25/2018
DRAWN BY	OP	DESIGNER	TAS
CHECKED	TAS		

SHEET: 3 OF 4



# **PROPERTY LEGEND**

- (A) 183.81 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 18572 PG. 505 O.P.R.)
- (B) 14.85 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1726 O.P.R.)
- (C) 2.744 ACRES  
OWNER: MICHAEL L. & ROBYN K. KLAR  
(VOL. 7991 PG. 631 O.P.R.)
- (D) 2.758 ACRES  
OWNER: TRAVIS WAYNE BENKE  
(VOL. 6021 PG. 435 O.P.R.)
- (E) REMAINING PORTION OF 34.618 ACRES  
OWNER: EMERIO G. & MARIA E. PLATA  
(VOL. 10320 PG. 1789 O.P.R.)
- (F) LOT 1, BLOCK 12  
TALLEY ROAD SUBDIVISION  
(VOL. 9808 PG. 105 O.P.R.)  
OWNER: DAVID & MARTHA PLATA  
(VOL. 17766 PG. 1 O.P.R.)
- (G) 101.218 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 6362 PG. 1523 O.P.R.)
- (H) REMAINING PORTION OF 9.894 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3107 PG. 186 O.P.R.)
- (I) REMAINING PORTION OF 20.15 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1729 O.P.R.)
- (J) 4.393 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3381 PG. 617 O.P.R.)
- (K) 157.48 ACRES  
OWNER: VISE OAKS LTD  
(VOL. 9437 PG. 963 O.P.R.)
- (L) 51.568 ACRES  
OWNER: CAMPBELTON ROAD LTD  
(VOL. 8187 PG. 828 O.P.R.)
- (M) 1.332 ACRES  
OWNER: DONALD & PAT J. THOMAS  
(VOL. 8294 PG. 183 O.P.R.)



LOCATION MAP  
NOT-TO-SCALE

Line Table		
LINE #	LENGTH	DIRECTION
L1	682.31'	N00°09'38"W
L2	61.20'	N00°05'09"W
L3	210.00'	N00°07'26"W
L4	49.91'	N89°55'26"W
L5	338.27'	N00°13'42"E
L6	227.54'	N00°07'57"W
L7	530.79'	N81°50'54"W

Curve Table					
Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	400.42'	256.48'	089°27'04"	N44°43'50"E	360.98'



*[Handwritten Signature]*

TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
17100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC 200 AUSTIN, TX 78753  
PHONE: 512-226-5207, FAX: 512-226-5253



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN CP	CHECKED TAS

SHEET: 4 OF 4



**FIELD NOTES  
FOR  
TALLEY ROAD PUBLIC IMPROVEMENTS DISTRICT**

A **222.6 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being all of a called 4.393 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Records of Bexar County, Texas, the remaining portion of a 20.15 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Records of Bexar County, Texas, a portion of a called 14.85 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, a portion of a called 233.0 acre tract of land as described in Volume 5539 Page 405 of the Deed Records of Bexar County, Texas and the remaining portion of a called 9.964 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3107 Page 186 of the Official Public Records of Bexar County, Texas, all of which were conveyed to Wayne Lee Benke GST Trust of record in Volume 13514 Page 1496 of the Official Public Records of Bexar County, Texas. Said **222.6 acre** tract of land being more particularly described by metes and bounds as follows:

**Beginning** at a calculated point in the east right-of-way line of Talley Road, a called 60' wide public right-of-way, the westerly line of the 14.85 acre tract and the 233.0 acre tract, for the northwest corner of a called 2.744 acre tract of land as conveyed to Michael and Robyn Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas and the most westerly southwest corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod with a plastic cap stamped "Moy" in the east right-of-way line of Talley Road bears, S  $00^{\circ} 10' 00''$  E, a distance of 1400.48 feet, thence S  $89^{\circ} 55' 16''$  E a distance of 13.00 feet;

**THENCE:** Along and with the easterly and southerly right-of-way line of Talley Road and the westerly lines of the 14.85 acre tract, the 233.0 acre tract and the 20.15 acre tract and the northerly lines of the 20.15 acre tract and the 4.393 acre tract, the following five (5) courses:

1. N  $00^{\circ} 09' 36''$  W, a distance of **682.31 feet** to a calculated point, for an angle point of the tract described herein,
2. N  $00^{\circ} 00' 08''$  W, a distance of **1278.69 feet** to a calculated point, for a point of curvature to the right of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod bears, N  $89^{\circ} 59' 33''$  W, a distance of 2.67 feet,
3. With a curve to the right having a radius of **256.48 feet**, an arc length of **400.42 feet**, a delta angle of  **$089^{\circ} 27' 04''$**  and a chord bears, N  $44^{\circ} 43' 50''$  E, a distance of **360.98 feet** to a found  $\frac{1}{2}$ " iron rod for a point of non-tangency of the tract described herein,
4. S  $89^{\circ} 52' 59''$  E, at a distance of 1454.92 feet passing a found  $\frac{1}{2}$ " iron rod for the northeast corner of the 4.393 acre tract of land and continuing for a total distance of **1741.93 feet** to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" for an interior corner of the tract described herein, and



5. **N 00° 06' 09" W**, a distance of **61.20 feet** to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" at a westerly exterior corner of a called 157.48 acre tract of land as conveyed to Vise Oaks I, Ltd., of record in Volume 9437 Page 963 of the Official Public Records of Bexar County, Texas, for the most northerly northwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** Departing the southeasterly right-of-way line of Talley Road and along and with the common lines between the 157.48 acre tract and the 233.0 acre tract, the following two (2) courses:

1. **N 89° 59' 00" E**, a distance of **943.36 feet** to a found  $\frac{1}{2}$ " iron rod with a plastic cap stamped "RPLS 4611" for an interior corner of the 157.48 acre tract, the northeast corner of the 233.0 acre tract and the tract described herein, and
2. **S 00° 20' 24" E**, a distance of **4236.14 feet** to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southwest corner of the 157.48 acre tract, in the north line of a called 51.568 acre tract of land as conveyed to Campbellton Road, Ltd., of record in Volume 8187 Page 828 of the Official Public Records of Bexar County, Texas, for the southeast corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 57' 55" W**, along and with the south line of the 233.0 acre tract and the north lines of the 51.568 acre tract and a called 1.332 acre tract of land as conveyed to Donald and Pat Thomas of record in Volume 8294 Page 183 of the Official Public Records of Bexar County, Texas, a distance of **946.64 feet** to a found  $1\frac{1}{2}$ " iron pipe for an interior corner of the 1.332 acre tract, the most southerly southwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 00° 07' 09" W**, along and with a westerly line of the 233.0 acre tract and an easterly line of the 1.332 acre tract, at a distance of 357.12 feet passing a found  $\frac{1}{2}$ " iron rod with a plastic cap stamped "Baker" for a northeast exterior corner of the 1.332 acre tract and the southeast corner of a called 34.616 acre tract of land as conveyed to Emerio G. and Maria F. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, and continuing along and with the westerly line of the 233.0 acre tract and the east line of the 34.616 acre tract, a total distance of **1107.09 feet** to an angle iron post for the northeast corner of the 34.616 acre tract, the southeast corner of the 9.694 acre tract, an interior corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 34.616 acre tract and a southerly line of the 233.0 acre tract and the 9.694 acre tract, a distance of **1438.51 feet** to a point for the southeast corner of a called 2.758 acre tract of land as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public records of Bexar County, Texas and a southwest exterior corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod bears, **S 00° 04' 34" W**, a distance of 0.36 feet;

**THENCE:** **N 00° 07' 26" W**, along and with the east line of the 2.758 acre tract and into and across the 9.694 acre tract and the 233.0 acre tract, a distance of **210.00 feet** to a point for the northeast corner of the 2.758 acre tract, in the north line of the 9.694 acre tract and for an interior corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod bears, **N 09° 25' 20" E**, a distance of 1.38 feet;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 2.758 acre tract, a distance of **49.91 feet** to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" for a southwest exterior corner of the tract described herein;

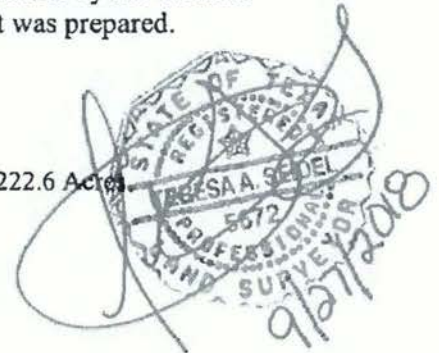
**THENCE:** N 00° 13' 42" E, into and across the 233.0 acre tract and the 14.85 acre tract, a distance of **338.27 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southeast corner of the 2.744 acre tract and an exterior corner of the tract described herein

**THENCE:** Along and with east and north lines of the 2.744 acre tract and continuing into and across the 233.0 acre tract and the 14.85 acre tract, the following two (2) courses:

1. N 00° 07' 57" W, a distance of **227.54 feet** to a found ½" iron rod for the northeast corner of the 2.744 acre tract and an interior corner of the tract described herein, and
2. N 81° 50' 54" W, a distance of **530.79 feet** to the **POINT OF BEGINNING** and containing **222.6 acres**, more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 (2011) Texas State Plane South Central Zone, 4204. Distances recited herein are surface distances using an average combined scale factor of 0.9998300289.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: January 24, 2017  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\FN - 222.6 Acres



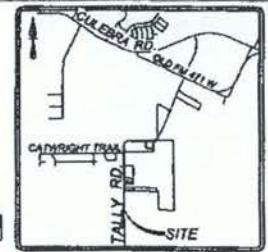




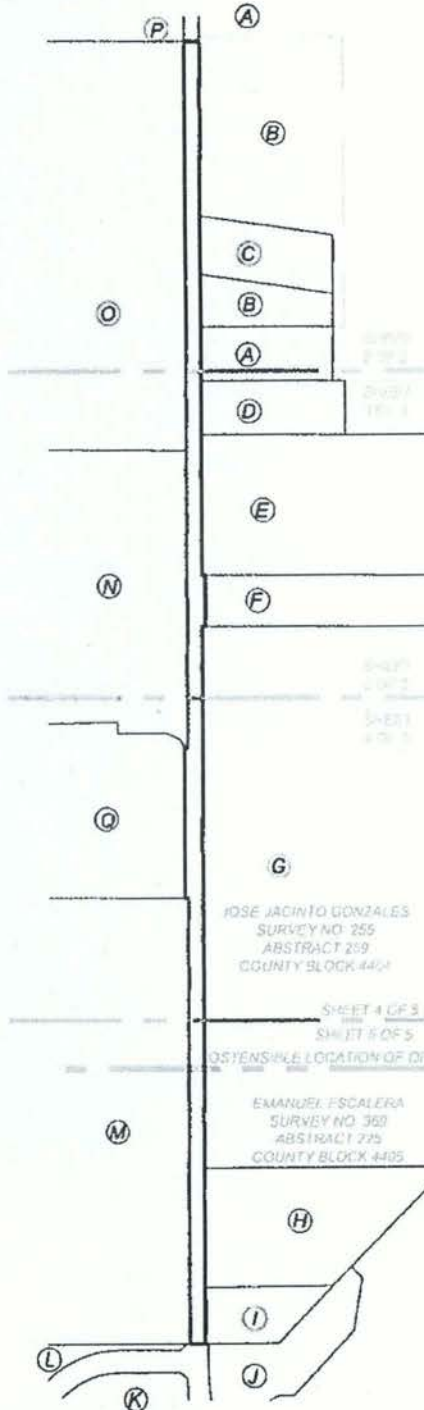
# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9996300289.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
5. THIS DOCUMENT WAS PREPARED UNDER 22TAC683.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

SCALE 1"=700'



LOCATION MAP  
NOT-TO-SCALE



- |   |  |
|---|--|
| <p><b>A</b> 183.61 ACRES<br/>OWNER: WAYNE LEE BENKE<br/>(VOL. 18572 PG. 505 O.P.R.)</p> <p><b>B</b> 14.85 ACRES<br/>OWNER: WAYNE LEE BENKE<br/>(VOL. 5536 PG. 1728 O.P.R.)</p> <p><b>C</b> 2.744 ACRES<br/>OWNER: MICHAEL L. &amp; ROBYN K. KLAR<br/>(VOL. 7991 PG. 631 O.P.R.)</p> <p><b>D</b> 2.759 ACRES<br/>OWNER: TRAVIS WAYNE BENKE<br/>(VOL. 6021 PG. 435 O.P.R.)</p> <p><b>E</b> REMAINING PORTION OF 34.616 ACRES<br/>OWNER: EMERIO G. &amp; MARIA E. PLATA<br/>(VOL. 10320 PG. 1769 O.P.R.)</p> <p><b>F</b> LOT 1, BLOCK 12<br/>TALLEY ROAD SUBDIVISION<br/>(VOL. 9608 PG. 105 O.P.R.)<br/>OWNER: DAVID &amp; MARTHA PLATA<br/>(VOL. 17766 PG. 1 O.P.R.)</p> <p><b>G</b> 101.216 ACRES<br/>OWNER: DONALD &amp; PAT THOMAS<br/>(VOL. 8362 PG. 1523 O.P.R.)</p> <p><b>H</b> 8.00 ACRES<br/>OWNER: ALAMO COMMUNITY<br/>CHURCH-SAN ANTONIO<br/>(VOL. 18164 PG. 1127 O.P.R.)</p> <p><b>I</b> REMAINING PORTION OF 10.00 ACRES<br/>OWNER: JOSEPH M FAUNCE<br/>(VOL. 8979 PG. 1058 O.P.R.)</p> | <p><b>J</b> LOT 1, BLOCK 13<br/>WESTPOINTE WEST UT-2A<br/>(VOL. 9653 PG. 171 D.P.R.)<br/>OWNER: BECKER RANCH LTD<br/>(VOL. 7723 PG. 1880 O.P.R.)</p> <p><b>K</b> LOT 1, BLOCK 3, TAMARON SUBD. UNIT 1<br/>(VOL. 9533 PG. 126 D.P.R.)<br/>OWNER: LUCIO &amp; MARIA GUJARDO<br/>(DOC #20180115465 O.P.R.)</p> <p><b>L</b> LOT 1, BLOCK 1, TAMARON SUBD. UNIT 1<br/>(VOL. 9533 PG. 126 D.P.R.)<br/>OWNER: DANIEL R. CARDENAS<br/>(VOL. 16425 PG. 2478 O.P.R.)</p> <p><b>M</b> 180.88 ACRES<br/>OWNER: S &amp; P LAND HOLDINGS, LLC<br/>(VOL. 12472 PG. 326 O.P.R.)</p> <p><b>N</b> REMAINING PORTION OF 218.506 ACRES<br/>OWNER: CIUDAD DE LAS PALOMAS, LTD<br/>(VOL. 11748 PG. 908 O.P.R.)</p> <p><b>O</b> 317.310 ACRES<br/>OWNER: HENRY J. &amp; FRANK G JR<br/>PERSYN<br/>(VOL. 5980 PG. 840 O.P.R.)</p> <p><b>P</b> LOT 1, BLOCK 4<br/>GERONIMO VILLAGE SUBDIVISION<br/>(VOL. 5970 PGS. 140-141 D.P.R.)<br/>OWNER: DOMINGO &amp; JANIE HERNANDEZ<br/>(VOL. 15740 PG. 889 O.P.R.)</p> <p><b>Q</b> LOT 901, BLOCK 13<br/>CIUDAD DE LAS PALOMAS UNIT 1A<br/>(VOL. 9877 PGS. 147-148 D.P.R.)</p> |
|---|--|

## LEGAL DESCRIPTION

A 7.270 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.

## SYMBOL LEGEND

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

**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 156 MC 230 AUSTIN, TX 78753  
PHONE: 512-238-5263 FAX: 512-238-5263

**KFW**  
SURVEYING  
10111 Montrose Blvd. Suite 100 Austin, TX 78753  
Phone: 512-238-5263 Fax: 512-238-5263  
Teresa A. Seidel, P.L.S.

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISION	ISSUE DATE
JOB NO. 16-146	
DATE 10/02/2018	DESIGNER TAS
DRAWN CP	CHECKED TAS

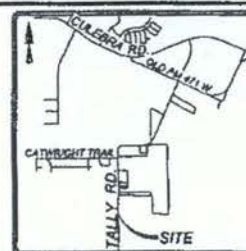
SHEET: 1 OF 5



# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
5. THIS DOCUMENT WAS PREPARED UNDER 22TAC863.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

SCALE: 1"=200'



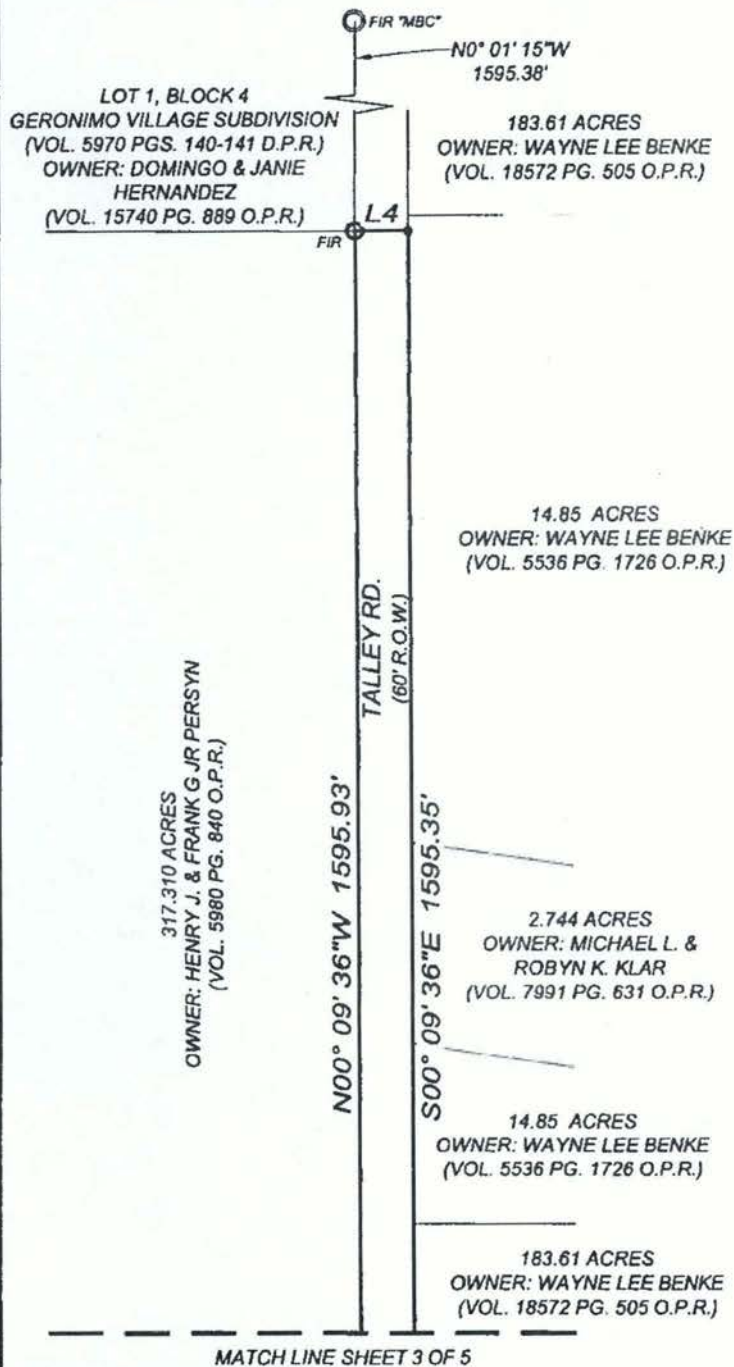
LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- Ⓟ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT

Line Table

LINE #	LENGTH	DIRECTION
L4	60.00'	S89°37'02"E



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

9/27/2018

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG A, SUITE 100 MC 230 AUSTIN, TX 78753  
PHONE: 512-299-5243, FAX: 512-299-5253

**KFW**  
SURVEYING  
3417 Parkview Ridge, Suite 100, San Antonio, TX 78217  
Phone: 210-579-1000 • Fax: 210-579-1001  
www.kfw-surveying.com

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE: 09/25/2018	DESIGNER: TAS
DRAWN: GP	CHECKED: TAS

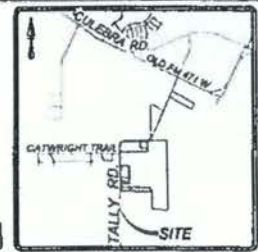


SHEET: 2 OF 5

# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.
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3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
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SCALE: 1"=200'



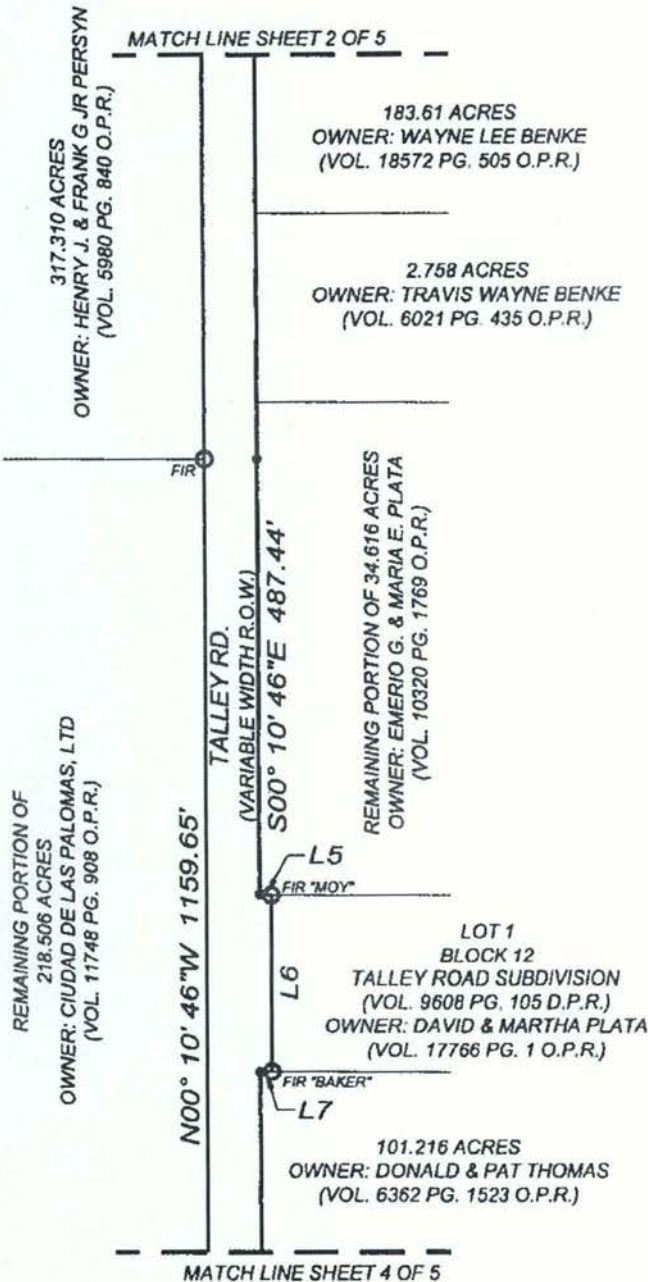
LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT

Line Table

LINE #	LENGTH	DIRECTION
L5	13.00'	S89°55'16"E
L6	199.74'	S00°10'51"E
L7	13.00'	N89°55'16"W



TERESA A. SEIDEL  
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DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
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THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
13100 PARK 35 CIRCLE BLDG. A, SUITE 100 MC-230 AUSTIN, TX 78753  
PHONE: 512-238-5282, FAX: 512-238-5257



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE: 10/02/2018	DESIGNER: TAS
DRAWN: OP	CHECKED: TAS



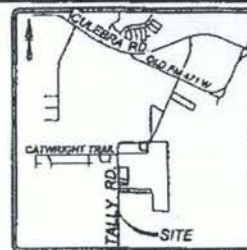
SHEET: 3 OF 5



# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.
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SCALE: 1"=200'



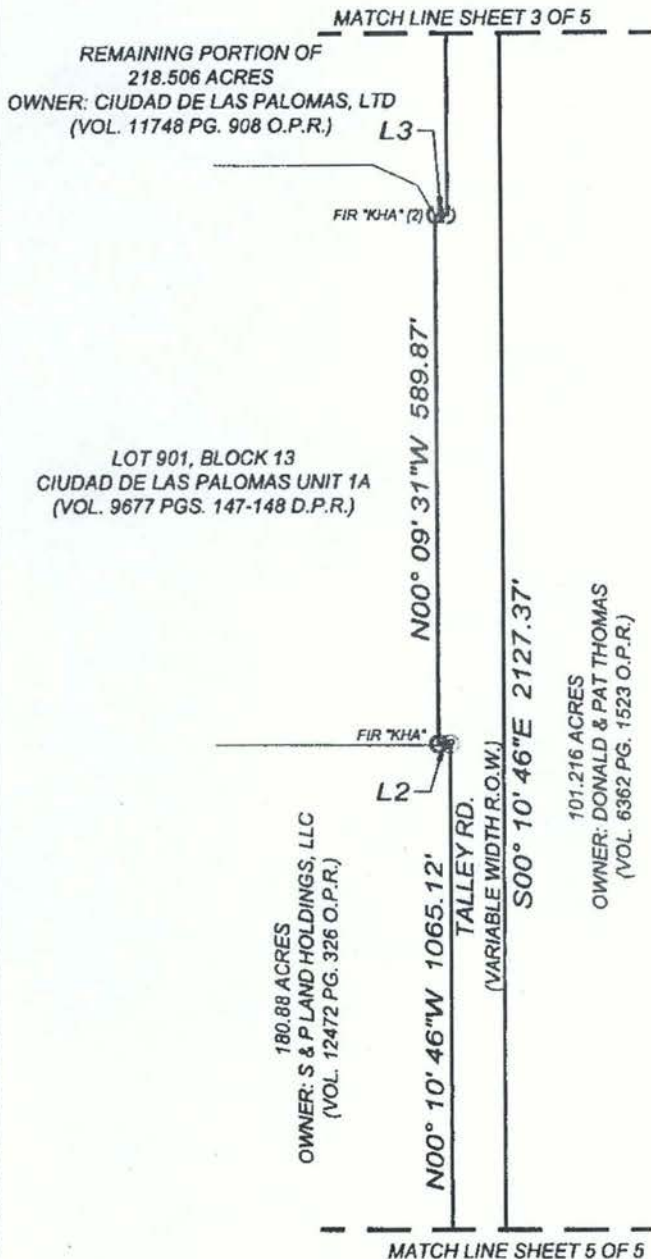
LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

Line Table

LINE #	LENGTH	DIRECTION
L2	13.62'	S89°50'52"W
L3	13.40'	S89°49'28"E



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 100 MC-200 AUSTIN TX 78753  
PHONE: 512-229-5283 FAX: 512-229-5282



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/20/2018	DESIGNER TAS
DRAWN BY	CHECKED TAS

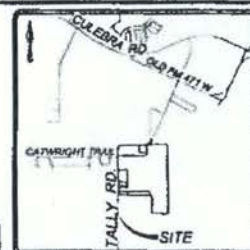


SHEET: 4 OF 5

# NOTES

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2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
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SCALE: 1"=200'



LOCATION MAP  
NOT-TO-SCALE

MATCH LINE SHEET 4 OF 5

101.216 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 6362 PG. 1523 O.P.R.)

180.88 ACRES  
OWNER: S & P LAND HOLDINGS, LLC  
(VOL. 12472 PG. 326 O.P.R.)

TALLEY RD.  
(60' R.O.W.)  
N00° 11' 33"W 691.48'  
S00° 11' 33"E 691.47'

8.00 ACRES  
OWNER: ALAMO COMMUNITY  
CHURCH-SAN ANTONIO  
(VOL. 18164 PG. 1127 O.P.R.)

LOT 1, BLOCK 1  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: DANIEL R. CARDENAS  
(VOL. 16425 PG. 2476 O.P.R.)

REMAINING PORTION OF  
10.00 ACRES  
OWNER: JOSEPH M FAUNCE  
(VOL. 8979 PG. 1056 O.P.R.)

P.O.B.

TAMARON PASS  
(60' RIGHT-OF-WAY)

LOT 1, BLOCK 3  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: LUCIO & MARIA  
GUAJARDO  
(DOC #20180115465 O.P.R.)

LOT 1  
BLOCK 13  
WESTPOINTE WEST UT-2A  
(VOL. 9653 PG. 171 D.P.R.)  
OWNER: BECKER RANCH LTD  
(VOL. 7723 PG. 1880 O.P.R.)

## SYMBOL LEGEND

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- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING

Line Table

LINE #	LENGTH	DIRECTION
L1	60.00'	S89°48'27"W



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

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THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 130 MC-230 AUSTIN, TX 78753  
PHONE: 512-238-5282 FAX: 512-238-5253

**KFW**  
SURVEYING

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 15-146	
DATE: 10/02/2018	DESIGNER: TAS
DRAWN: CIP	CHECKED: TAS



SHEET: 5 OF 5





**FIELD NOTES  
FOR  
A 7.270 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **7.270 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod, for the southwest corner of the remaining portion of a 10.00 acre tract as conveyed to Joseph M. Faunce of record in Volume 8979 Page 1056 of the Official Public Records of Bexar County, Texas, an exterior corner of Talley Road, a variable width right-of-way, and the southeast corner of the tract described herein;

**THENCE: S 89°48'27" W**, over and across Talley Road, a distance of **60.00 feet** to a calculated point, for the southeast corner of a 180.88 acre tract as conveyed to S & P Land Holdings, LLC of record in Volume 12472 Page 326 of the Official Public Records of Bexar County, Texas, an interior corner of Talley Road, and the southwest corner of the tract described herein;

**THENCE: N 00°11'33" W** along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **691.48 feet** to a calculated point, for an angle point of the 180.88 acre tract, the west line of Talley Road and the tract described herein;

**THENCE: N 00°10'46" W**, continuing along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **1065.12 feet** to a post, for the northeast corner of the 180.88 acre tract, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°50'52" W**, along and with the north line of the 180.88 acre tract and a south line of Talley Road, a distance of **13.62 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast of Lot 901, Block 13 of the Ciudad De Las Palomas Unit 1A, a plat of record in Volume 9677 Pages 147-148 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: N 00°09'31" W**, along and with the east line of Lot 901, Block 13 and the west line of Talley Road a distance of **589.87 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the northeast corner of Lot 901, Block 13, an exterior corner of a remaining portion of a 218.506 acre tract as conveyed to Ciudad de Las Palomas, LTD of record in Volume 11748 Page 908 of the Official Public Records of Bexar County, Texas, Talley Road and the tract described herein;

**THENCE: S 89°50'52" E**, along and with a south line of the remaining portion of the 218.506 acre tract and a north line of Talley Road a distance of **13.40 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast corner of the remaining portion of the 218.506 acre tract, an exterior corner of Talley Road and the tract described herein;



**THENCE: N 00°10'46" W**, along and with the west line of Talley Road and the east line of the remaining portion of the 218.506 acre tract, a distance **1159.65 feet** to a found ½" rod, for the northeast corner of the remaining portion of the 218.506 acre tract, the southeast corner of a 317.310 acre tract conveyed to Henry J. & Frank G. Jr. Persyn of record in Volume 5980 Page 840 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: N 00°09'36" W**, along and with the west line of Talley Road and the east line of the 317.310 acre tract, a distance of **1595.93 feet** to a found ½" iron rod for the southeast corner of Lot 1, Block 4 of the Geronimo Village subdivision, a plat of record in Volume 5970 Pages 140-141 of the Deed and Plat Record of Bexar County, Texas, the northeast corner of the 317.130 acre tract and the northwest corner of the tract described herein, from which a found ½" iron rod for the northeast corner of Lot 1, Block 1 of the Geronimo Village subdivision and an exterior corner of Talley Road bears, N 0°01'15" W, a distance of 1595.38 feet;

**THENCE: S 89°37'02" E**, over and across Talley Road, a distance of **60.00 feet** to a calculated point in the east line of a 14.85 acre as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, for the northeast corner of the tract described herein;

**THENCE: S 00°09'36" E**, along and with the east line of Talley Road and the west lines of the 14.85 acre tract, a 2.744 acre tract as conveyed to Michael L. & Robyn K. Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas, a 183.61 acre tract as conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Records of Bexar County, Texas, a 2.758 acre tract as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public Records of Bexar County, Texas, a remaining portion of 34.616 acres as conveyed to Emerio G. & Maria E. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, a distance of **1595.35 feet** to a calculated point, for an angle point of the remaining portion of the 34.616 acre tract, Talley Road, and the tract described herein;

**THENCE: S 00°10'46" E**, continuing along and with the east line of Talley Road and the west line of the remaining portion of the 34.616 acres, a distance of **487.44 feet** to a calculated point, for the southwest corner of the remaining portion of the 34.616 acres, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°55'16" E**, along and with the south line of the remaining portion of the 34.616 acres and a north line of Talley Road, a distance of **13.00 feet** to a found ½" iron rod with plastic cap stamped "Moy", for the northwest corner of Lot 1, Block 12 of the Talley Road subdivision, a plat of record in Volume 9608 Page 105 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'51" E**, along and with the west line Lot 1, Block 12 and the east line of Talley Road, a distance of **199.74 feet** to a found ½" iron rod with plastic cap stamped "Baker", in the north line of a 101.216 acre tract as conveyed to Donald & Pat Thomas of record in Volume 6362 Page 1523 of the Official Public Records of Bexar County, Texas, for the southwest corner of Lot 1, Block 12, an exterior corner of Talley Road and the tract described herein;



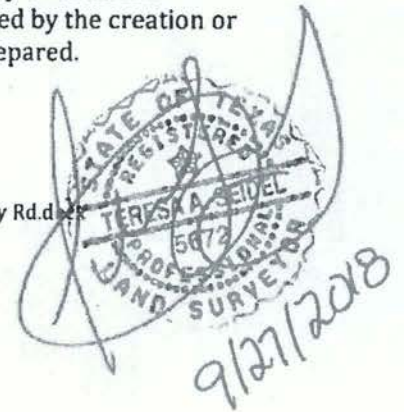
**THENCE: N 89°55'16" W**, along and with the north line of the 101.216 acres and a south line of Talley Road, a distance of **13.00 feet** to a calculated point, for the northwest corner of the 101.216 acres and an interior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'46" E**, along and with the west line 101.216 acres and the east of Talley Road, a distance of **2127.37 feet** to a found ½" iron rod, for the southwest corner of the 101.216 acres, a northwest corner of a 8.00 acre tract as conveyed to Alamo Community Church-San Antonio of record in Volume 18164 Page 1127 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: S 00°11'33" E**, along and with the east line of Talley Road, the west lines of the 8.00 acre tract and the remaining portion of the 10.00 acre tract, a distance of **691.47 feet** to the **POINT OF BEGINNING** and containing **7.270** acres or 316,663 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 7.270 Ac Talley Rd.dwg





9/27/2018

Scale: 1 inch= 626 feet

File: 7.270 ac.ndp

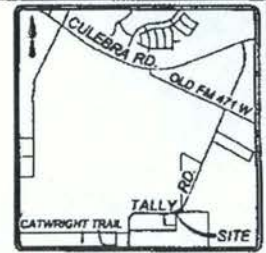
Tract 1: 7.2696 Acres (316663 Sq. Feet), Closure: s29.1824e 0.01 ft. (1/999999), Perimeter=10376 ft.

01 n00.1133w 691.48	11 s89.5516e 13.00
02 n00.1046w 1065.12	12 s00.1051e 199.74
03 s89.5052w 13.62	13 n89.5516w 13.00
04 n00.0931w 589.87	14 s00.1046e 2127.37
05 s89.5052e 13.40	15 s00.1133e 691.47
06 n00.1046w 1159.65	16 s89.4827w 60.00
07 n00.0936w 1595.93	
08 s89.3702e 60.00	
09 s00.0936e 1595.35	
10 s00.1046e 487.44	

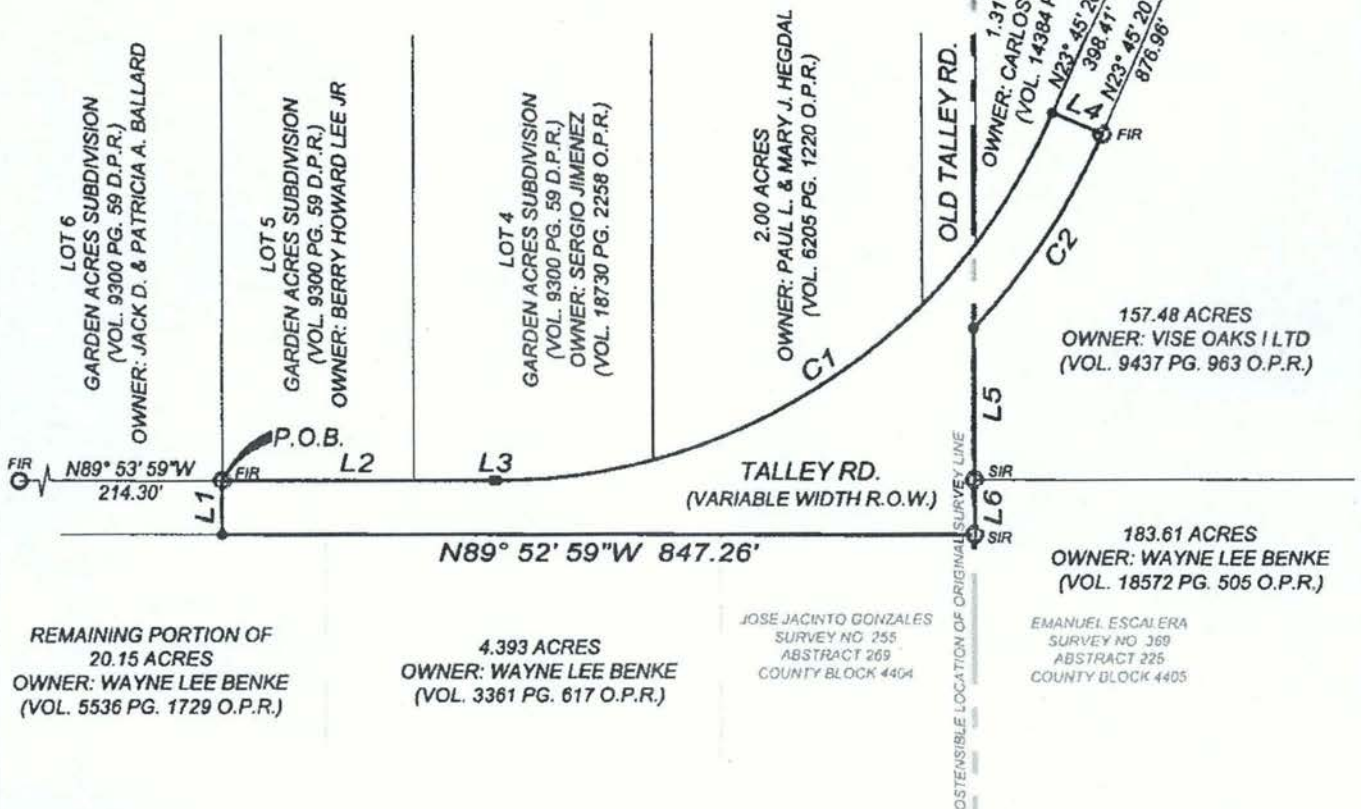


# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300269.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.
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5. THIS DOCUMENT WAS PREPARED UNDER 22TAC683.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



LOCATION MAP  
NOT-TO-SCALE



## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- CALCULATED POINT
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING

## LEGAL DESCRIPTION

A 2.444 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 12100 PARK 35 CIRCLE BLDG. A SUITE 150 MC 730 AUSTIN, TX 78753 PHONE 512-238-5262, FAX 512-238-5253

**KFW**  
SURVEYING

201 Professional Survey, Suite 151, New Address: 10101  
Phone: 512-238-5262, Fax: 512-238-5253  
TFLS 1-10-100228



SCALE: 1"=200'



TERESA A. SEIDEL

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER TAS
DRAWN CP	CHECKED TAS

SHEET: 1 OF 1





**FIELD NOTES  
FOR  
A 2.444 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **2.444 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod in the north right-of-way line of Talley Road, a variable width right-of-way, for the southeast corner of Lot 6 and the southwest corner of Lot 5 both of the Garden Acres Subdivision, a plat of record in Volume 9300 Page 59 of the Deed and Plat Records of Bexar County, Texas, from which a found  $\frac{1}{2}$ " iron rod for the southwest corner of Lot 6, bears N 89°53'59"W, a distance of 214.30 feet;

**THENCE: S 89°52'59" E** along and with the north right-of-way line of Talley Road and the south line of Lot 5 and Lot 4 of the Garden Acres Subdivision, a distance of **303.43 feet** to a point, for an angle point of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE: S 89°52'53" E** continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a distance of **4.36 feet** to a point, for a point of curvature to the left of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE:** continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a 2.00 acre tract conveyed to Paul L. & Mary J. Hegdal of record in Volume 6205 Page 1220 of the Official Public Record of Bexar County Texas, Old Talley Road and a 1.31 acre tract conveyed to Carlos & Norma Alvarez of record in Volume 14384 Page 308 of the Official Public Record of Bexar County, Texas with the curve to the left having an arc of **794.15 feet**, a radius of **683.20 feet**, a delta of 66°36'00" and a chord bears **N 56°55'48"E**, a distance of **750.19 feet** to a point, for the point of curvature and the most northerly corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N 23°45'20"E, a distance of 398.41 feet;

**THENCE: S 66°22'12" E** over and across Talley Road, a distance of **60.00 feet** to a found  $\frac{1}{2}$ " iron rod in the southeast line of Talley Road and the northwest line of a 157.48 acre tract conveyed to Vise Oaks I, LTD of record in Volume 9437 Page 963 of the Official Public Record of Bexar County, Texas, for a point of curvature and the northeast corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N23°45'20"E, a distance of 876.96 feet;

**THENCE:** along and with the southeast line of Talley Road and the northwest line of a 157.48 acre tract the following two (2) courses:



1. with a curve to the right having an arc of **262.71 feet**, a radius of **743.20 feet**, a delta of **20°15'11"** and a chord bears **S 33°45'23"W**, a distance of **261.34 feet** to a point, for an interior corner of the tract described herein, and
2. **S 00°16'43" E**, a distance of **167.92 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", at the southwest corner of the 157.48 acre tract, for the northwest corner of a 183.61 acre tract conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Record of Bexar County, Texas;

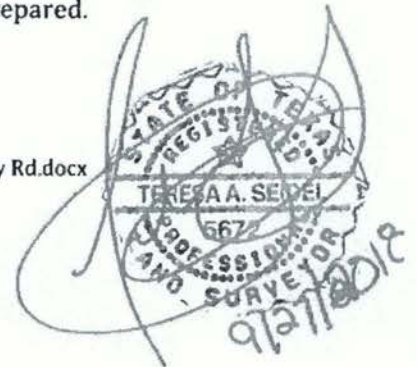
**THENCE: S 00°06'09" E**, continuing along and with the southeast line of Talley Road and the northwest line of the 183.61 acre tract, a distance of **61.20 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for an interior corner of the 183.61 acre tract and the southeast corner of the tract described herein;

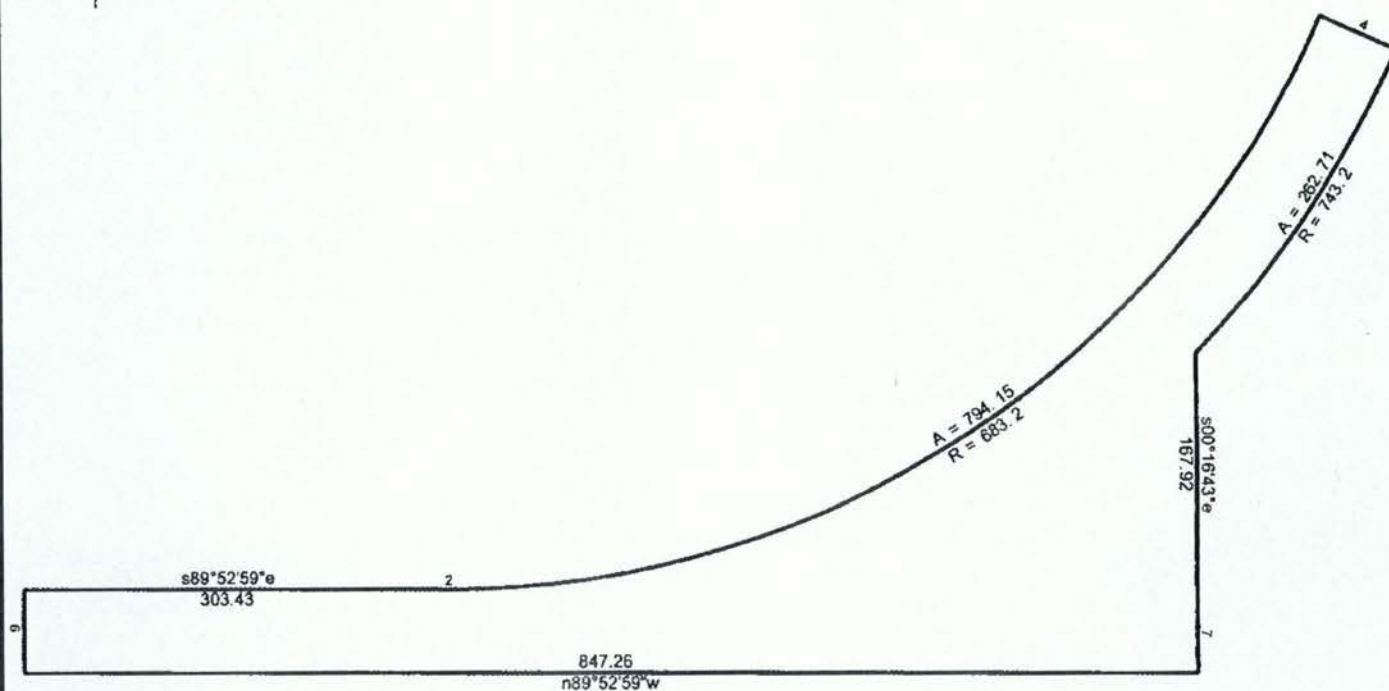
**THENCE: N 89°52'59" W** along and with the south line of Talley Road and the north line of the 183.61 acre tract, a 4.393 acre tract conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Record of Bexar County, Texas and the remaining portion of a 20.15 acre tract conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Record of Bexar County, Texas, a distance of **847.26 feet** to point, for the southwest corner of the tract described herein;

**THENCE: N 00°07'01" E** over and across Talley Road, a distance of **60.00 feet** to the **POINT OF BEGINNING** and containing 2.444 acres or 106,455 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 2.444Ac Talley Rd.docx





9/27/2018

Scale: 1 inch= 128 feet

File: 2.444 ac.ndp

Tract 1: 2.4439 Acres (106457 Sq. Feet), Closure: s87.4919e 0.01 ft. (1/304694), Perimeter=2561 ft.

01 s89.5259e 303.43

08 n89.5259w 847.26

02 s89.5253e 4.36

09 n00.0701e 60.00

03 Lt, r=683.20, arc=794.15, chord=n56.5548e 750.19

04 s66.2212e 60.00

05 Rt, r=743.20, arc=262.71, chord=s33.4523w 261.34

06 s00.1643e 167.92

07 s00.0609e 61.20



**EXHIBIT L**

**BEXAR COUNTY APPRAISAL DISTRICT INFORMATION**

Property Identification # 209208

Geo ID: 04404-000-0180  
Situs 6850 TALLEY RD SAN  
Address: ANTONIO, TX 78253  
Property Type: Real  
State Code: D1

Property Information 2019

Legal CB 4404 P-18 & CB 4405  
Description: P-3 & P-4A ABS 225  
Abstract: A04404  
Neighborhood: E/S TLLY-CULEB S(NS)  
Appraised Value: N/A  
Jurisdictions: 08, 10, CAD, 79, 09, 11,  
56, 06

Owner Identification #: 153471

Name: BENKE WAYNE LEE  
Exemptions:  
DBA: Null

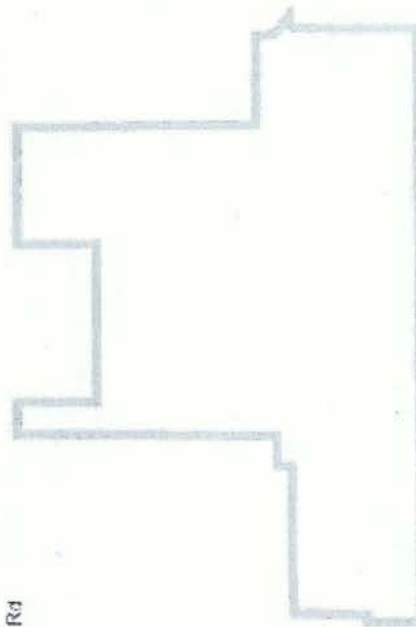
Rosa Trl

Cartwright Trl

Mesquite Trl

Little Joe Trl

12 Rd



BCAD, Texas Parks & Wild

Bexar CAD Map Search

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## Bexar CAD

Property Search > 209208 BENKE WAYNE LEE for Year 2018 Tax Year: 2018

### Property

#### Account

Property ID:	209208	Legal Description:	CB 4404 P-18 & CB 4405 P-3 & P-4A ABS 225
Geographic ID:	04404-000-0180	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	6850 TALLEY RD SAN ANTONIO, TX 78253	Mapsco:	576D3
Neighborhood:	E/S TLLY-CULEB S(NS)	Map ID:	
Neighborhood CD:	21095		

#### Owner

Name:	BENKE WAYNE LEE	Owner ID:	153471
Mailing Address:	6850 TALLEY RD SAN ANTONIO, TX 78253-4680	% 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:	+	\$3,254,910	\$17,270
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$3,254,910	
(-) Ag or Timber Use Value Reduction:	-	\$3,237,640	
<hr/>			
(=) Appraised Value:	=	\$17,270	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$17,270	

### Taxing Jurisdiction

Owner: BENKE WAYNE LEE  
 % Ownership: 100.000000000000%  
 Total Value: \$3,254,910

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$17,270	\$17,270	\$4.09
08	SA RIVER AUTH	0.018580	\$17,270	\$17,270	\$3.21
09	ALAMO COM COLLEGE	0.149150	\$17,270	\$17,270	\$25.76
10	UNIV HEALTH SYSTEM	0.276235	\$17,270	\$17,270	\$47.71
11	BEXAR COUNTY	0.277429	\$17,270	\$17,270	\$47.91
56	NORTHSIDE ISD	1.375500	\$17,270	\$17,270	\$237.55
79	BEXAR CO EMERG DIST #2	0.100000	\$17,270	\$17,270	\$17.27
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$17,270	\$17,270	\$0.00
Total Tax Rate:		2.220562			
Taxes w/Current Exemptions:					\$383.50
Taxes w/o Exemptions:					\$383.49

#### Improvement / Building

No improvements exist for this property.

#### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RID	Range Improved Dryland	5.0000	217800.00	0.00	0.00	\$74,280	\$540
2	RID	Range Improved Dryland	142.0000	6185520.00	0.00	0.00	\$2,636,750	\$15,340
3	RBR	Rangeland Brush	36.6130	1594862.28	0.00	0.00	\$543,880	\$1,390

#### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$3,254,910	17,270	17,270	\$0	\$17,270
2017	\$12,820	\$3,254,910	17,270	30,090	\$0	\$30,090
2016	\$13,490	\$2,699,700	17,270	30,760	\$0	\$30,760
2015	\$10,000	\$2,304,190	17,270	27,270	\$0	\$27,270

**2019 data current as of Sep 28 2018 12:43AM.**

**2018 and prior year data current as of Sep 7 2018 9:05AM**

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

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



Property Identification # 209211

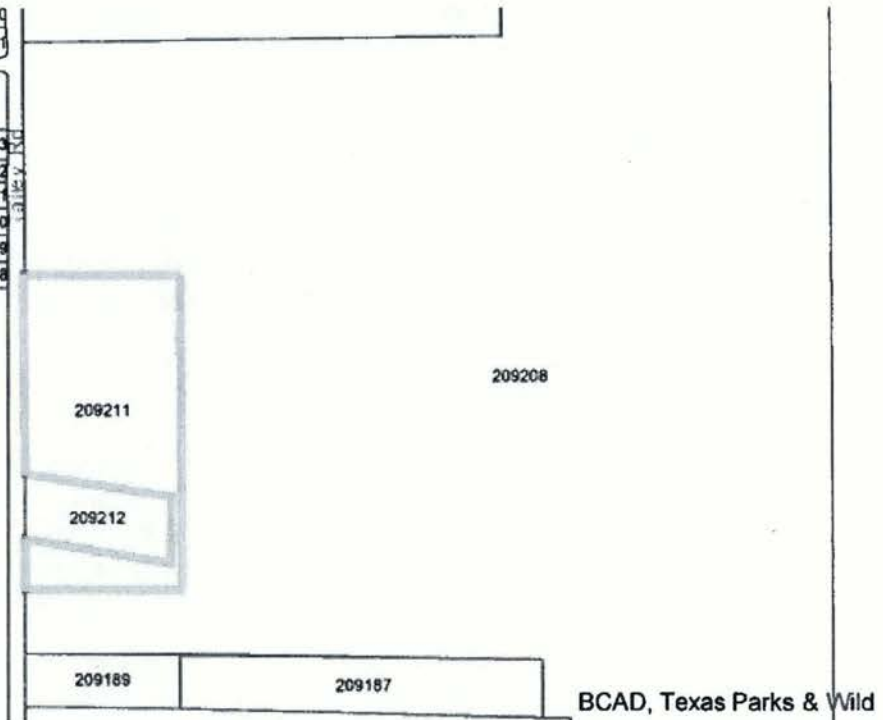
Property Information 2019

Owner Identification # 153471

Geo ID: 04404-000-0183  
Situs 6850 TALLEY RD SAN  
Address: ANTONIO, TX 78253  
Property Type: Real  
State Code: D1

Legal Description: CB 4404 P-18A ABS 269  
Abstract: A04404  
Neighborhood: E/S TLLY-CULEB S(NS)  
Appraised Value: N/A  
Jurisdictions: 08, 10, CAD, 79, 09, 11,  
56, 06

Name: BENKE WAYNE LEE  
Exemptions:  
DBA: Null



Bexar CAD Map Search

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## Bexar CAD

Property Search > 209211 BENKE WAYNE LEE for Year 2018 Tax Year: 2018

### Property

#### Account

Property ID:	209211	Legal Description:	CB 4404 P-18A ABS 269
Geographic ID:	04404-000-0183	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	6850 TALLEY RD SAN ANTONIO, TX 78253	Mapsc0:	576D3
Neighborhood:	E/S TLLY-CULEB S(NS)	Map ID:	
Neighborhood CD:	21095		

#### Owner

Name:	BENKE WAYNE LEE	Owner ID:	153471
Mailing Address:	6850 TALLEY RD SAN ANTONIO, TX 78253-4680	% 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:	+	\$186,240	\$1,040
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$186,240	
(-) Ag or Timber Use Value Reduction:	-	\$185,200	
<hr/>			
(=) Appraised Value:	=	\$1,040	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$1,040	

### Taxing Jurisdiction



Owner: BENKE WAYNE LEE  
 % Ownership: 100.000000000000%  
 Total Value: \$186,240

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$1,040	\$1,040	\$0.24
08	SA RIVER AUTH	0.018580	\$1,040	\$1,040	\$0.19
09	ALAMO COM COLLEGE	0.149150	\$1,040	\$1,040	\$1.55
10	UNIV HEALTH SYSTEM	0.276235	\$1,040	\$1,040	\$2.87
11	BEXAR COUNTY	0.277429	\$1,040	\$1,040	\$2.89
56	NORTHSIDE ISD	1.375500	\$1,040	\$1,040	\$14.31
79	BEXAR CO EMERG DIST #2	0.100000	\$1,040	\$1,040	\$1.04
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,040	\$1,040	\$0.00
Total Tax Rate:		2.220562			
Taxes w/Current Exemptions:					\$23.09
Taxes w/o Exemptions:					\$23.09

### Improvement / Building

No improvements exist for this property.

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RNP	Range Native Pasture	7.0000	304920.00	0.00	0.00	\$126,340	\$600
2	RNP	Range Native Pasture	5.1060	222417.36	0.00	0.00	\$59,900	\$440

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$186,240	1,040	1,040	\$0	\$1,040
2017	\$0	\$186,240	1,040	1,040	\$0	\$1,040
2016	\$0	\$186,240	1,040	1,040	\$0	\$1,040
2015	\$0	\$186,240	1,040	1,040	\$0	\$1,040

### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		Deed	Deed		BENKE, WAYNE LEE	5536	1726	0

**2019 data current as of Sep 28 2018 12:43AM.**

**2018 and prior year data current as of Sep 7 2018 9:05AM**

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

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

Property Identification # 209187

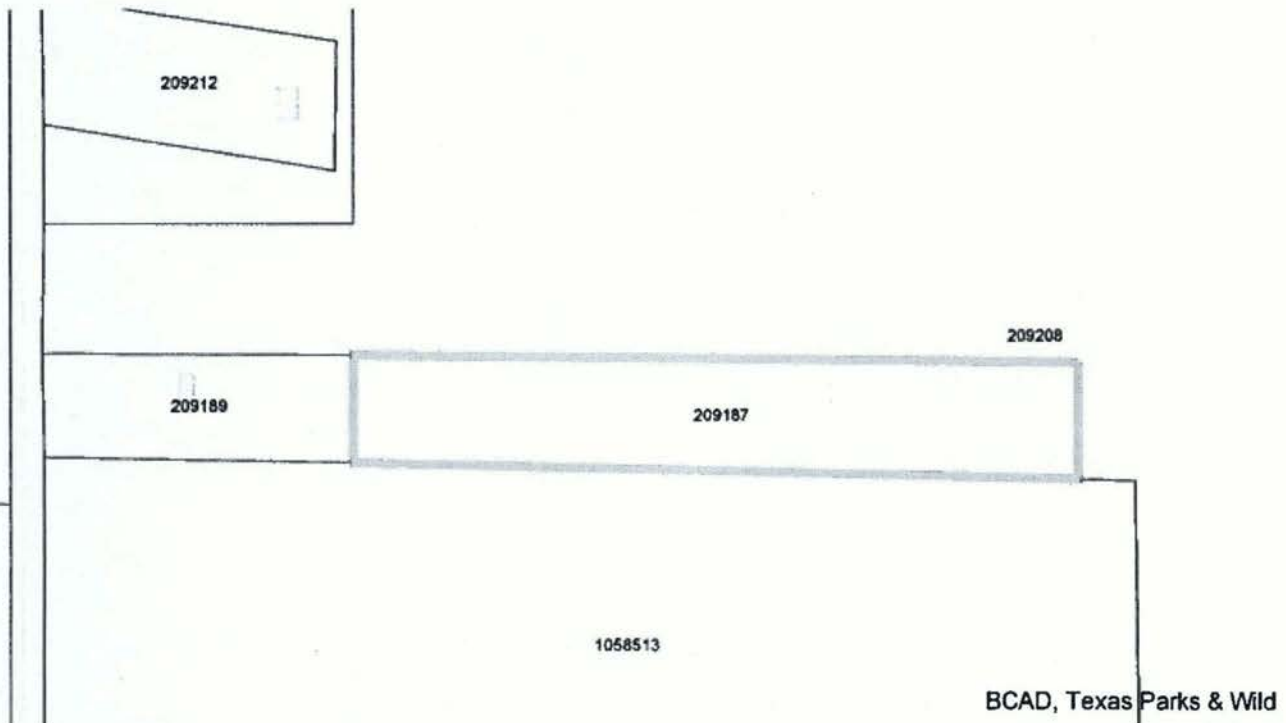
Geo ID: 04404-000-0124  
Situs 6850 TALLEY RD SAN  
Address: ANTONIO, TX 78253  
Property Type: Real  
State Code: D1

Property Information: 2019

Legal Description: CB 4404 P12B ABS 269  
Abstract: A04404  
Neighborhood: E/S TLLY-CULEB S(NS)  
Appraised Value: N/A  
Jurisdictions: 08, 56, 10, CAD, 79, 09,  
06, 11

Owner Identification # 153471

Name: BENKE WAYNE LEE  
Exemptions:  
DBA: Null



Bexar CAD Map Search

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## Bexar CAD

Property Search > 209187 BENKE WAYNE LEE for Year 2018 Tax Year: 2018

### Property

#### Account

Property ID:	209187	Legal Description:	CB 4404 P12B ABS 269
Geographic ID:	04404-000-0124	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	002		
Property Use Description:	Rural		

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	6850 TALLEY RD SAN ANTONIO, TX 78253	Mapsc0:	576D3
Neighborhood:	E/S TLLY-CULEB S(NS)	Map ID:	
Neighborhood CD:	21095		

#### Owner

Name:	BENKE WAYNE LEE	Owner ID:	153471
Mailing Address:	6850 TALLEY RD SAN ANTONIO, TX 78253-4680	% 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:	+	\$117,770	\$550
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$117,770	
(-) Ag or Timber Use Value Reduction:	-	\$117,220	
<hr/>			
(=) Appraised Value:	=	\$550	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$550	

### Taxing Jurisdiction

Owner: BENKE WAYNE LEE  
 % Ownership: 100.000000000000%  
 Total Value: \$117,770

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$550	\$550	\$0.13
08	SA RIVER AUTH	0.018580	\$550	\$550	\$0.10
09	ALAMO COM COLLEGE	0.149150	\$550	\$550	\$0.82
10	UNIV HEALTH SYSTEM	0.276235	\$550	\$550	\$1.52
11	BEXAR COUNTY	0.277429	\$550	\$550	\$1.53
56	NORTHSIDE ISD	1.375500	\$550	\$550	\$7.57
79	BEXAR CO EMERG DIST #2	0.100000	\$550	\$550	\$0.55
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$550	\$550	\$0.00
Total Tax Rate:		2.220562			
Taxes w/Current Exemptions:					\$12.22
Taxes w/o Exemptions:					\$12.21

#### Improvement / Building

No improvements exist for this property.

#### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RNP	Range Native Pasture	6.3860	278174.16	0.00	0.00	\$117,770	\$550

#### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$117,770	550	550	\$0	\$550
2017	\$0	\$117,770	550	550	\$0	\$550
2016	\$0	\$117,770	550	550	\$0	\$550
2015	\$0	\$117,770	550	550	\$0	\$550

#### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		Deed	Deed		BENKE, WAYNE LEE	3107	0186	0

**2019 data current as of Sep 28 2018 12:43AM.**

**2018 and prior year data current as of Sep 7 2018 9:05AM**

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

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



Owner Identification #: 153471

Name: BENKE WAYNE LEE  
Exemptions:  
DBA: Null



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## Bexar CAD

Property Search > 209210 BENKE WAYNE LEE for Year 2018 Tax Year: 2018

### Property

#### Account

Property ID:	209210	Legal Description:	CB 4404 P-18B ABS 269 NO LABEL# OR SERIAL#
Geographic ID:	04404-000-0182	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	6850 TALLEY RD SAN ANTONIO, TX 78253	Mapsc0:	576D2
Neighborhood:	E/S TLLY-CULEB S(NS)	Map ID:	
Neighborhood CD:	21095		

#### Owner

Name:	BENKE WAYNE LEE	Owner ID:	153471
Mailing Address:	6850 TALLEY RD SAN ANTONIO, TX 78253-4680	% Ownership:	100.0000000000%
		Exemptions:	

### Values

(+) Improvement Homesite Value:	+	\$6,330	
(+) Improvement Non-Homesite Value:	+	\$9,080	
(+) Land Homesite Value:	+	\$9,020	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$354,640	\$2,120
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$379,070	
(-) Ag or Timber Use Value Reduction:	-	\$352,520	
<hr/>			
(=) Appraised Value:	=	\$26,550	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$26,550	

### Taxing Jurisdiction



Owner: BENKE WAYNE LEE  
 % Ownership: 100.000000000000%  
 Total Value: \$379,070

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$26,550	\$26,550	\$6.28
08	SA RIVER AUTH	0.018580	\$26,550	\$26,550	\$4.93
09	ALAMO COM COLLEGE	0.149150	\$26,550	\$26,550	\$39.60
10	UNIV HEALTH SYSTEM	0.276235	\$26,550	\$26,550	\$73.34
11	BEXAR COUNTY	0.277429	\$26,550	\$26,550	\$73.65
56	NORTHSIDE ISD	1.375500	\$26,550	\$26,550	\$365.20
79	BEXAR CO EMERG DIST #2	0.100000	\$26,550	\$26,550	\$26.55
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$26,550	\$26,550	\$0.00
Total Tax Rate:		2.220562			
Taxes w/Current Exemptions:					\$589.55
Taxes w/o Exemptions:					\$589.56

### Improvement / Building

**Improvement #1:** Mobile Home **State Code:** E2 **Living Area:** 720.0 sqft **Value:** \$6,330

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	F - NO		0	720.0

**Improvement #2:** Residential **State Code:** E2 **Living Area:** sqft **Value:** \$9,080

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
SH1	Shed (1 side open)	A - NO		0	3600.0

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RHS	R/1 Family Homesite Single	0.5000	21780.00	0.00	0.00	\$9,020	\$0
2	RID	Range Improved Dryland	19.6500	855954.00	0.00	0.00	\$354,640	\$2,120

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$15,410	\$363,660	2,120	26,550	\$0	\$26,550
2017	\$13,610	\$363,660	2,120	24,750	\$0	\$24,750
2016	\$14,650	\$290,930	2,120	23,990	\$0	\$23,990
2015	\$14,970	\$290,930	2,120	24,310	\$0	\$24,310

### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		Deed	Deed		BENKE, WAYNE LEE	5536	1729	0

Property Identification # 209192

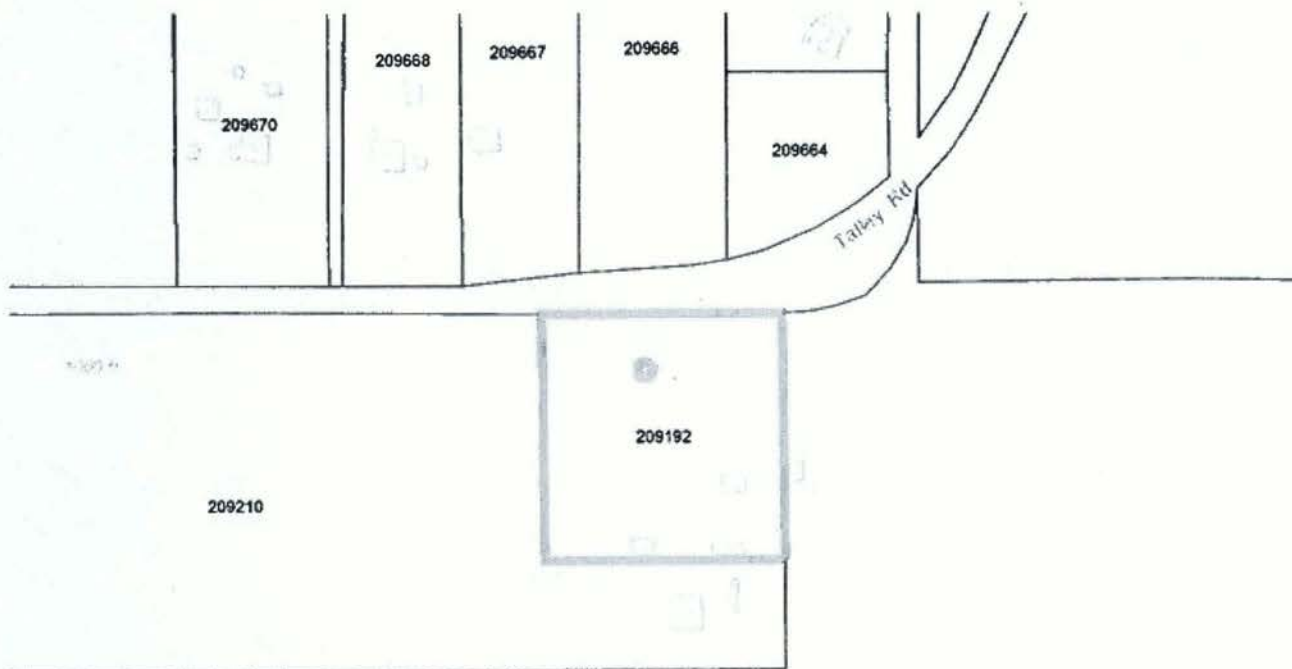
Geo ID: 04404-000-0129  
Situs 6850 TALLEY RD SAN  
Address: ANTONIO, TX 78253  
Property Type: Real  
State Code: D1

Property Information: 2019

Legal CB: 4404 P-12D ABS: 269  
Description: REFER TO: 04404-000-0128  
Abstract: A04404  
Neighborhood: E/S TLLY-CULEB S(NS)  
Appraised Value: N/A  
Jurisdictions: 08, 56, CAD, 10, 79, 11, 09, 06

Owner Identification # 153471

Name: BENKE WAYNE LEE  
Exemptions:  
DBA: Null



BCAD, Texas Parks & Wild

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 > 209192 BENKE WAYNE LEE for Year 2018

Tax Year: 2018

### Property

#### Account

Property ID:	209192	Legal Description:	CB: 4404 P-12D ABS: 269 REFER TO: 04404-000-0128
Geographic ID:	04404-000-0129	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	6850 TALLEY RD SAN ANTONIO, TX 78253	Mapsc0:	576D2
Neighborhood:	E/S TLLY-CULEB S(NS)	Map ID:	
Neighborhood CD:	21095		

#### Owner

Name:	BENKE WAYNE LEE	Owner ID:	153471
Mailing Address:	6850 TALLEY RD SAN ANTONIO, TX 78253-4680	% 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:	+	\$66,110	\$400
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$66,110	
(-) Ag or Timber Use Value Reduction:	-	\$65,710	
<hr/>			
(=) Appraised Value:	=	\$400	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$400	

### Taxing Jurisdiction

Owner: BENKE WAYNE LEE  
 % Ownership: 100.000000000000%  
 Total Value: \$66,110

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$400	\$400	\$0.10
08	SA RIVER AUTH	0.018580	\$400	\$400	\$0.07
09	ALAMO COM COLLEGE	0.149150	\$400	\$400	\$0.60
10	UNIV HEALTH SYSTEM	0.276235	\$400	\$400	\$1.11
11	BEXAR COUNTY	0.277429	\$400	\$400	\$1.11
56	NORTHSIDE ISD	1.375500	\$400	\$400	\$5.50
79	BEXAR CO EMERG DIST #2	0.100000	\$400	\$400	\$0.40
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$400	\$400	\$0.00
Total Tax Rate:		2.220562			
Taxes w/Current Exemptions:					\$8.89
Taxes w/o Exemptions:					\$8.88

#### Improvement / Building

No improvements exist for this property.

#### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RID	Range Improved Dryland	3.6630	159560.28	0.00	0.00	\$66,110	\$400

#### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$66,110	400	400	\$0	\$400
2017	\$0	\$66,110	400	400	\$0	\$400
2016	\$0	\$66,110	400	400	\$0	\$400
2015	\$0	\$66,110	400	400	\$0	\$400

#### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		Deed	Deed		BENKE, WAYNE LEE	3361	0617	0

**2019 data current as of Sep 28 2018 12:43AM.**

**2018 and prior year data current as of Sep 7 2018 9:05AM**

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

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



Property Identification # 209191

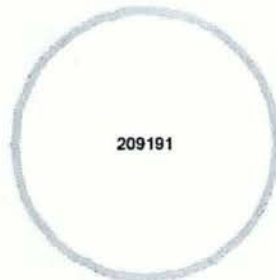
Geo ID: 04404-000-0128  
Situs 6850 TALLEY RD SAN  
Address: ANTONIO, TX 78253  
Property Type: Real  
State Code: E1

Property Information: 2019

Legal Description: CB: 4404 P-12D ABS: 269  
REFER TO: 04404-000-0129  
Abstract: A04404  
Neighborhood: E/S TLLY-CULEB S(NS)  
Appraised Value: N/A  
Jurisdictions: CAD, 79, 06, 10, 09, 11, 56, 08

Owner Identification #: 153471

Name: BENKE WAYNE LEE  
Exemptions: HS, OTHER  
DBA: Null



BCAD, Texas Parks & Wild

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 > 209191 BENKE WAYNE LEE for Year 2018

Tax Year: 2018

### Property

#### Account

Property ID: 209191      Legal Description: CB: 4404 P-12D ABS: 269 REFER TO: 04404-000-0129  
Geographic ID: 04404-000-0128      Zoning: OCL  
Type: Real      Agent Code:  
Property Use Code: 002  
Property Use Description: Rural

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address: 6850 TALLEY RD      Mapsco: 576D2  
SAN ANTONIO, TX 78253  
Neighborhood: E/S TLLY-CULEB S(NS)      Map ID:  
Neighborhood CD: 21095

#### Owner

Name: BENKE WAYNE LEE      Owner ID: 153471  
Mailing Address: 6850 TALLEY RD      % Ownership: 100.000000000000%  
SAN ANTONIO, TX 78253-4680  
Exemptions: HS, OTHER

### Values

(+) Improvement Homesite Value:	+	\$90,480	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$15,050	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$105,530	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$105,530	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$105,530	

### Taxing Jurisdiction

Owner: BENKE WAYNE LEE  
% Ownership: 100.000000000000%  
Total Value: \$105,530

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	Tax Ceiling
06	BEXAR CO RD & FLOOD	0.023668	\$105,530	\$102,530	\$24.27	\$32.60



08	SA RIVER AUTH	0.018580	\$105,530	\$95,530	\$17.75	
09	ALAMO COM COLLEGE	0.149150	\$105,530	\$75,530	\$81.51	\$81.51
10	UNIV HEALTH SYSTEM	0.276235	\$105,530	\$95,530	\$263.89	
11	BEXAR COUNTY	0.277429	\$105,530	\$55,530	\$115.76	\$115.76
56	NORTHSIDE ISD	1.375500	\$105,530	\$57,200	\$535.45	\$535.45
79	BEXAR CO EMERG DIST #2	0.100000	\$105,530	\$105,530	\$105.53	
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$105,530	\$105,530	\$0.00	
Total Tax Rate:		2.220562				
				Taxes w/Current Exemptions:	\$1,144.16	
				Taxes w/o Exemptions:	\$2,343.36	

### Improvement / Building

**Improvement #1:** Residential **State Code:** E1 **Living Area:** 1472.0 sqft **Value:** \$82,900

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	A - SB		1983	1472.0
PAC	Terrace with cover	A - SB		1983	200.0

**Improvement #2:** Residential **State Code:** E1 **Living Area:** sqft **Value:** \$3,700

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
SH1	Shed (1 side open)	A - NO		0	1200.0

**Improvement #3:** Residential **State Code:** E1 **Living Area:** sqft **Value:** \$3,880

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
SH1	Shed (1 side open)	A - NO		0	1260.0

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	BSE	Base Rate Lot	0.7300	31798.80	0.00	0.00	\$15,050	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$90,480	\$15,050	0	105,530	\$0	\$105,530
2017	\$90,570	\$15,050	0	105,620	\$0	\$105,620
2016	\$95,560	\$15,050	0	110,610	\$0	\$110,610
2015	\$95,670	\$15,050	0	110,720	\$2,832	\$107,888

**2019 data current as of Sep 28 2018 12:43AM.**

**2018 and prior year data current as of Sep 7 2018 9:05AM**

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

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

**EXHIBIT M**

**DEED INFORMATION**



2370450

WARRANTY DEED

THE STATE OF TEXAS  
COUNTY OF BEXAR

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

That I, TOMMIE WILSON BENKE, as duly appointed, qualified, and acting Trustee for the TOMMIE WILSON BENKE FAMILY LIVING TRUST (hereinafter "Grantor") of the County of Bexar and State of Texas, have GRANTED and CONVEYED as a GIFT, and by these presents do GRANT, GIVE, and CONVEY unto WAYNE LEE BENKE, (hereinafter "Grantee") of the County of Bexar and State of Texas, all that certain property in Bexar County, Texas, described as follows, to-wit:

A certain tract of land containing 20.15 acres more or less out of a 233.0 acre tract of land conveyed to Earle and Tommie Wilson Benke by Arthur J. Berger et al., on March 21, 1966, as recorded in Volume 5539, pages 405 through 407 of the Deed of Records of Bexar County, Texas, said 20.15 acre tract out of the J. Gonzales Survey No. 225, Abstract 269, County Block 4404; and being more particularly described as follows:

BEGINNING at an iron pin set for the Northeast Corner of the 20.15 acre tract along the south right-of-way of Talley Road, said corner being 1266.6 feet from a point formed by the extension of the most Westerly and North property line of the 233.0 acre tract, or being 1216.6 feet from a point where a steel rod is placed at the end of a 50 foot curve on Talley Road.

THENCE, south a distance of 430 feet to an iron pin at an interior corner of the 20.15 acre tract;

THENCE, east a distance of 445 feet to an iron pin set in the ground;

THENCE, south a distance of 196 feet to an iron pin being the Southeast Corner of said 20.15 acre tract;

THENCE, west a distance of 1711.6 feet to an iron pin being the Southwest Corner of said 20.15 acre tract;

THENCE, north along the east right-of-way of Talley Road a distance of 576 feet to a steel rod at a point of curve, being 50.0 feet S. 0° - 14' E. from the intersection of the east line of Talley Road with the south line of Talley Road;

THENCE, in a northeasterly direction with a curve to the right whose radius is 50.0 feet for a distance of 75.84 feet to a steel rod on the south line of Talley Road;

12-31-92 0779970 0800380  
12-31-92 0779970 0800380

\$5.00 Y OUR 091028

VOL 5536 PAGE 1729

THENCE, east along the south right-of-way of Talley Road  
a distance of 1316.6 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the above described premises,  
together with all and singular the rights and appurtenances  
thereto in anywise belonging, unto the said Grantee, above names,  
his heirs and assigns forever, and Grantor does hereby bind the  
TOMMIE WILSON BENKE FAMILY LIVING TRUST and myself individually,  
and my heirs, executors and administrators to WARRANT and FOREVER  
DEFEND all and singular the said premises unto the said Grantee,  
above named, his heirs and assigns, against every person  
whomsoever lawfully claiming or to claim the same or any part  
thereof.

EXECUTED this 30 day of December, A.D., 1992

Tommie W. Benke  
TOMMIE WILSON BENKE, TRUSTEE FOR THE  
TOMMIE WILSON BENKE FAMILY LIVING TRUST

THE STATE OF TEXAS  
COUNTY OF BEXAR

\$  
\$  
\$

ORIGINAL DIM

BEFORE ME, the undersigned authority, on this day  
personally appeared TOMMIE WILSON BENKE, known to me to be the  
person whose name is subscribed to the foregoing instrument, and  
acknowledged to me that she executed the same in the capacity and  
for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office on this 30 day  
of December, A.D. 1992.



Barbara Ann Bauer  
NOTARY PUBLIC IN AND FOR BEXAR  
COUNTY, TEXAS

My commission expires: 3 30 94

After recording, return to:  
Randal Seewald  
4510 Green Acres Woods  
San Antonio, Texas 78249

BABenke

Wayne Benke  
6850 Talley Rd  
SAN ANTONIO, TEXAS  
78253

WMS 536 PAGE 1730



FILED IN MY OFFICE  
ROBERT D. GREEN  
COUNTY CLERK BEXAR CO.  
1992 DEC 31 AM 8:13



ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, 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 THE DATE AND AT THE TIME STAMPED  
HEREON BY ME AND WAS FULLY RECORDED IN THE OFFICIAL PUBLIC  
RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS ON:

JAN 4 1993

*Robert D. Green*  
COUNTY CLERK BEXAR COUNTY, TEXAS

100 5536-1731

929538

## WARRANTY DEED

THE STATE OF TEXAS §  
 COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS:

That I, TOMMIE BENKE, a widow (hereinafter "grantor") of the County of Bexar and State of Texas, have GRANTED and CONVEYED as a GIFT, and by these presents do GRANT, GIVE and CONVEY unto WAYNE LEE BENKE, (hereinafter "grantee") of the County of Bexar and State of Texas, all that certain property in Bexar County, Texas, described as follows, to-wit:

A certain tract of land containing 4.393 acres out of the North Part of a 233.0 acre tract of land conveyed to Earle and Tommie Benke by Arthur J. Berger et al., on March 21, 1966, as recorded in Volume 5539, pages 405 through 407 of the Deed Records of Bexar County, Texas, said 4.393 acre tract out of the J. Gonzales Survey No. 225, Abstract 269, County Block 4404; and being more particularly described as follows:

BEGINNING at an iron pin set for the Northwest Corner of the 4.393 acre tract, said corner being 1266.6 feet from a point formed by the extension of the most Westerly and North property line of the 233.0 acre tract, or being 1216.6 feet from a point where a steel rod is placed at the end of a 50 foot curve on Talley Road.

THENCE, east along the south right-of-way of Talley Road for a distance of 445 feet to an iron pin set in the Northeast corner of said 4.393 acre tract;

THENCE, south a distance of 430 feet to an iron pin being the southeast corner of said 4.393 acre tract;

THENCE, west a distance of 445 feet to an iron pin set in the ground being the southwest corner of said 4.393 acre tract;

THENCE, north a distance of 430 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, above named, his heirs and assigns forever, and I do hereby bind myself, my heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said grantee, above named, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 19 day of March, A.D., 1985.

Mrs. Tommie Benke  
 TOMMIE BENKE

THE STATE OF TEXAS §  
 COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared TOMMIE BENKE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

03/29/85

1707HO

\$3.00 S 1

150

GIVEN UNDER MY HAND AND SEAL of office on this 19 day of March, A.D., 1985.

After recording, return to:  
 Randal Secwald  
 4510 Green Acres Wdn.  
 San Antonio, Tx 78249



Paul Thomas  
 NOTARY PUBLIC IN AND FOR BEXAR  
 COUNTY, TEXAS

My commission expires: 9-16-86

VOL 3361 PAGE 0617



RECEIVED  
ROBERT E. GREEN  
COUNTY CLERK BEXAR CO.

1985 MAR 29 PM 1 34

STATE OF TEXAS  
COUNTY OF BEXAR  
I hereby certify that the instrument was filed in the Public  
Records of the State of Texas, in the County of Bexar, Texas, and  
will be recorded in the Public Records of said County of Bexar, Texas.

APR 1 1985



*Robert E. Green*  
COUNTY CLERK BEXAR COUNTY TEXAS

VOL 336 | PAGE 618

FILED BY AIC  
TUSCANY STONE

GF# 4041010075 NG

**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.**

**SPECIAL WARRANTY DEED**

Date: May 26, 2017

Grantor: WAYNE LEE BENKE GST TRUST  
WAYNE LEE BENKE, Trustee

Grantor's Mailing Address (including County):

6850 TALLEY ROAD  
SAN ANTONIO, TEXAS 78253 (BEXAR COUNTY)

Grantee: WAYNE L. BENKE

Grantee's Mailing Address (including County):

6850 TALLEY ROAD  
SAN ANTONIO, TEXAS 78253 (BEXAR COUNTY)

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

Property (including any improvements):

A 183.61 acre tract of land in Bexar County, Texas, more fully described in Exhibit "A" attached hereto for all purposes.

Reservations from and exceptions to conveyance and warranty:

Any and all of record, if any.

Grantor, for the consideration, receipt of which is acknowledged, 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 to 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, by, through or under us, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.



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

WAYNE LEE BENKE GST TRUST

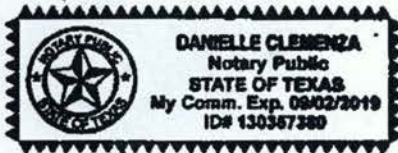
By: Wayne Lee Benke  
WAYNE LEE BENKE, Trustee

**Acknowledgment**

State of Texas §

County of Bexar §

This instrument was acknowledged before me on 5/11/17, by WAYNE LEE BENKE, TRUSTEE OF THE WAYNE LEE BENKE GST TRUST.



[Signature]  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**  
WAYNE L. BENKE  
6850 TALLEY ROAD  
SAN ANTONIO, TEXAS 78253

## Exhibit A

183.61 acre tract of land out of the 233.0 acre tract originally owned by Earle Benke and wife, Tommie Benke, and being described as a certain tract of land containing TWO HUNDRED THIRTY-THREE (233.0) ACRES out of the Northwest part of the Partition of 588.0 Acres of the Estate of Mary Uhl comprising Three Tracts of Land as follows:

FIRST: Mamie Uhl Halliday 130.46 Acres; SECOND: 59.54 Acres formerly owned by Emma Uhl, deceased; THIRD: 43.0 Acres also out of Emma Uhl Tract.

The said Three Tracts of land comprising a total of 233.0 Acres, being 134.4 Acres out of J.J. Gonzales Survey 225, Abstract 269, County Block 4404; and 98.60 Acres out of M. Escalera Survey 369, Abstract 225, County Block 4405. The said 233.0 Acres fronts on the south side of Tally Road and on the east side of Tally Road, about 20 miles in a westerly direction from the Court House in Bexar County, Texas, and being more particularly described in Deed dated March 21, 1966, from Arthur J. Berger and Richard R. Danek to Earle Benke and wife, Tommie Benke, filed for record with the County Clerk of Bexar County, Texas, on April 1, 1966.

Said 233.0 acre tract having been reduced by a conveyance of 9.694 acre tract to Wayne Lee Benke in Deed dated March 27, 1984, recorded in Volume 3107, Page 0186, Real Property Record of Bexar County, Texas, and being described as follows, to-wit:

A certain tract of land containing 9.694 acres out of the Southwest Part of a 233.0 acre tract of land conveyed to Earle and Tommie Benke by Arthur J. Berger et al., on March 21, 1966, as recorded in Volume 5539, Pages 405 through 407 of the Deed Records of Bexar County, Texas, said 9.694 acre tract consisting of 9.414 acres out of the J. Gonzales Survey No. 225, Abstract 269, County Block 4404 and 0.55 acres out of the M. Escalera Survey No. 369, Abstract 225, County Block 4405; and being more particularly described as follows:

BEGINNING at an iron pin set for the Southwest corner of the 9.694 acre tract, said corner also being a Southwest corner of the above described 233.0 acre tract and being S. 0° 14' E, 3068.7 feet along the east right-of-way line of Tally Road from the most northwesterly corner of said 233.0 acre tract.

THENCE, N. 0° 14' W., along said Tally Road right-of-way line a distance of 210.0 feet to the northwest corner of this tract;

THENCE, East, a distance of 2018.8 feet to the northeast corner of this tract;

THENCE, S. 0° 12' E., a distance of 210.0 feet to the southeast corner of this tract, same being an interior corner of the 233.0 acre tract;



### Exhibit A (Cont.)

THENCE, West, a distance of 2010.8 feet to the POINT OF BEGINNING.

And, said 233.0 acre tract having also been reduced by a conveyance of 4.393 acre tract to Wayne Lee Benke in Deed dated March 19, 1985, recorded in Volume 3361, Page 0617, Real Property Records of Bexar County, Texas, and being described as follows:

A certain tract of land containing 4.393 acres out of the North Part of a 233.0 acre tract of land conveyed to Earle and Tommie Benke by Arthur J. Berger et al., on March 21, 1966, as recorded in Volume 5539, Pages 405 through 407 of the Deed Records of Bexar County, Texas, said 4.393 acre tract out of the J. Gonzales Survey No. 225, Abstract 269, County Block 4404; and being more particularly described as follows:

BEGINNING at an iron pin set for the Northwest Corner of the 4.393 acre tract, said corner being 1266.6 feet from a point formed by the extension of the most Westerly and North property line of

the 233.0 acre tract, or being 1216.6 feet from a point where a steel rod is placed at the end of a 50 foot curve on Talley Road.

THENCE, east along the south right-of-way of Talley Road for a distance of 445 feet to an iron pin set in the Northeast corner of said 4.393 acre tract;

THENCE, south a distance of 430 feet to an iron pin being the southeast corner of said 4.393 acre tract;

THENCE, west a distance of 445 feet to an iron pin set in the ground being the southwest corner of said 4.393 acre tract;

THENCE, north a distance of 430 feet to the POINT OF BEGINNING.

Doc# 20170115654  
# Pages 5  
06/16/2017 10:05AM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$38.00

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.  
06/16/2017 10:05AM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*



2370449

WARRANTY DEED

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

That I, TOMMIE WILSON BENKE, as duly appointed, qualified, and acting Trustee for the TOMMIE WILSON BENKE FAMILY LIVING TRUST (hereinafter "Grantor") of the County of Bexar and State of Texas, have GRANTED and CONVEYED as a GIFT, and by these presents do GRANT, GIVE, and CONVEY unto WAYNE LEE BENKE, (hereinafter "Grantee") of the County of Bexar and State of Texas, all that certain property in Bexar County, Texas, described as follows, to-wit:

A certain tract of land containing 14.85 acres out of a 233.0 acre tract of land conveyed to Earle and Tommie Benke by Arthur J. Berger et al on March 21, 1966, as recorded in Vol. 5539 page 405-407, Deed Records of Bexar County, Texas; said 14.85 acre tract being contained within County Block 4404, J. Gonzales Sur. 225, Abst. 269, and being more particularly described as follows:

BEGINNING at an iron pin set for the S.W. corner of the 14.85 acre tract, being S. 0° 14' E. 2,648.7' along the E. R.O.W. line of Tally Rd. from the most Northwesterly corner of said 233.0 acre tract;

THENCE N. 0° 14' W. along said Tally Rd. R.O.W. line a distance of 1,130.0' to the N.W. corner of this tract;

THENCE E. a distance of 572.0' to the N.E. corner of this tract;

THENCE S. 0° 12' E. a distance of 1,130.0' to the S.E. corner of this tract;

THENCE W. a distance of 572.0' to the point of beginning;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, above named, his heirs and assigns forever, and Grantor does hereby bind the TOMMIE WILSON BENKE FAMILY LIVING TRUST and myself individually, and my heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said Grantee, above named, his heirs and assigns, against every person

12-31-92 0779970 0000372     \$2.00    1    001    00053

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whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 30 day of December, A.D., 1992

Tommie Wilson Benke  
TOMMIE WILSON BENKE, TRUSTEE FOR THE  
TOMMIE WILSON BENKE FAMILY LIVING TRUST

THE STATE OF TEXAS

COUNTY OF BEXAR

S  
S  
S

ORIGINAL DIM

BEFORE ME, the undersigned authority, on this day personally appeared TOMMIE WILSON BENKE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same in the capacity and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office on this 30 day of December, A.D. 1992.



Barbara Ann Bauer  
NOTARY PUBLIC IN AND FOR BEXAR  
COUNTY, TEXAS

My commission expires: 3-30-94

After recording, return to:

Randal Seewald  
4514 Green Acres Woods  
San Antonio, Texas 78249

Wayne Benke  
6850 Talley Rd  
San Antonio, Texas  
78253

B:Wenke(2)

VOU5536 PAGE 1 727



ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, 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 THE DATE AND AT THE TIME STAMPED  
HEREON BY ME AND WAS DULY RECORDED IN THE OFFICIAL PUBLIC  
RECORDS OF REAL PROPERTY AT SAN ANTONIO, TEXAS ON:



JAN 4 1993

*Robert D. Green*  
COUNTY CLERK BEXAR COUNTY, TEXAS

*RD*  
FILED IN MY OFFICE  
ROBERT D. GREEN  
COUNTY CLERK BEXAR CO.  
1992 DEC 31 AM 8:13

VOL 536 PAGE 1728

WARRANTY DEED

764479

THE STATE OF TEXAS §  
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS:

That I, TOMMIE BENKE, a widow (hereinafter "grantor") of the County of Bexar and State of Texas, have GRANTED and CONVEYED as a GIFT, and by these presents do GRANT, GIVE and CONVEY unto WAYNE LEE BENKE, (hereinafter "grantee") of the County of Bexar and State of Texas, all that certain property in Bexar County, Texas, described as follows, to-wit:

A certain tract of land containing 9.694 acres out of the Southwest Part of a 233.0 acre tract of land conveyed to Earle and Tommie Benke by Arthur J. Berger et al., on March 21, 1966, as recorded in Volume 5539, pages 405 through 407 of the Deed Records of Bexar County, Texas, said 9.694 acre tract consisting of 9.414 acres out of the J. Gonzales Survey No. 225, Abstract 269, County Block 4404 and 0.55 acres out of the M. Escalera Survey No. 369, Abstract 225, County Block 4405; and being more particularly described as follows:

BEGINNING at an iron pin set for the Southwest corner of the 9.694 acre tract, said corner also being a Southwest corner of the above described 233.0 acre tract and being 8.0° 14'E, 3.068.7 feet along the east right-of-way line of Tally Road from the most northwesterly corner of said 233.0 acre tract.

THENCE, N.0° 14'W, along said Tally Road right-of-way line a distance of 210.0 feet to the northwest corner of this tract;

THENCE, East, a distance of 2018.8 feet to the northeast corner of this tract;

THENCE, S.0° 12'E, a distance of 210.0 feet to the southeast corner of this tract, same being an interior corner of the 233.0 acre tract;

THENCE, West, a distance of 2010.8 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, above named, his heirs and assigns forever, and I do hereby bind myself, my heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said grantee, above named, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 27 day of March, A.D., 1984.

Tommie Benke  
TOMMIE BENKE

THE STATE OF TEXAS §  
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared TOMMIE BENKE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

1 051584 01

\$3.00 08310399

GIVEN UNDER MY HAND AND SEAL of office on this 27 day of March, A.D., 1984.

Benke Travis  
6060 Talley rd  
San Antonio, Texas

Pat Thomas  
NOTARY PUBLIC IN AND FOR BEXAR  
COUNTY, TEXAS

My commission expires: 9-16-86





STATE OF TEXAS  
COUNTY OF BEXAR  
I hereby certify that the foregoing was filed in the office  
of the County Clerk of Bexar County, Texas, on the 15th day of  
May, 1984, at 2:11 PM, and that the same is a true and  
correct copy of the original as the same appears in the  
Official Public Records of Bexar County, Texas.

  
MAY 15 1984  
*Robert D. Green*  
COUNTY CLERK BEXAR COUNTY, TEXAS

FILED IN MY OFFICE  
ROBERT D. GREEN  
COUNTY CLERK BEXAR CO.  
1984 MAY 15 PM 2 11  
*mc*

**EXHIBIT N**

**SUMMARY OF PUBLIC IMPROVEMENTS AND ESTIMATED COSTS**



### Talley Road Special Improvement District - Public Improvement Costs

Item	Talley Road Extension: Onsite and Offsite Major Public Improvements (Arterial Road and Drainage)	Onsite Major Public Improvements (Arterial Road)	Onsite Major Public Improvements (Collector Road)	Public Neighborhood Improvements for 1,000 Residential Lots Onsite (Sewer, Water, Streets, and Drains)	Offsite Major Improvements
Talley Road Extension (1.5 Miles)	\$10,000,000 (approximately \$8.5M onsite and \$1.5M offsite)				
Alamo Ranch Parkway Extension (0.2 Miles)		\$1,500,000			
Collector Road (0.25 Miles)			\$1,000,000		
Offsite Sewer Extension (4.5 Miles)					\$7,000,000
Residential Subdivision 1,000 Lots @ \$33,000 Each				\$33,000,000	
<b>TOTAL:</b>		<b>\$12,500,000</b>		<b>\$33,000,000</b>	<b>\$7,000,000</b>

The total estimated cost of the Talley Road Extension public improvements (onsite and offsite): **\$10MM**

The total estimated cost of the onsite public improvements: \$2.5MM + \$33MM = **\$35.5MM**

The total estimated cost of the offsite public improvements: **\$7MM**

The total estimated cost of the public improvements (onsite and offsite): **\$52.5MM**

**EXHIBIT O**

**FINANCIAL PROJECTIONS, ASSESSED VALUES, AND BUILD-OUT SCHEDULE**



### Talley Road Special Improvement District PID

Year #	Year	Housing Units on the Ground	Taxable Basis Per Unit	Total Taxable Basis	Ad Valorem Tax / 100 * .558270	Cumulative
1	2019	0	\$0	\$0	\$0	\$0
2	2020	50	\$225,000	\$11,250,000	\$62,805	\$62,805
3	2021	150	\$225,000	\$33,750,000	\$188,416	\$251,222
4	2022	250	\$225,000	\$56,250,000	\$314,027	\$565,248
5	2023	350	\$250,000	\$87,500,000	\$488,486	\$1,053,735
6	2024	470	\$250,000	\$117,500,000	\$655,967	\$1,709,702
7	2025	590	\$275,000	\$162,250,000	\$905,793	\$2,615,495
8	2026	710	\$275,000	\$195,250,000	\$1,090,022	\$3,705,517
9	2027	810	\$275,000	\$222,750,000	\$1,243,546	\$4,949,064
10	2028	910	\$275,000	\$250,250,000	\$1,397,071	\$6,346,134
11	2029	1000	\$300,000	\$300,000,000	\$1,674,810	\$8,020,944
12	2030	1000	\$300,000	\$300,000,000	\$1,674,810	\$9,695,754
13	2031	1000	\$300,000	\$300,000,000	\$1,674,810	\$11,370,564
14	2032	1000	\$325,000	\$325,000,000	\$1,814,378	\$13,184,942
15	2033	1000	\$325,000	\$325,000,000	\$1,814,378	\$14,999,319
16	2034	1000	\$325,000	\$325,000,000	\$1,814,378	\$16,813,697
17	2035	1000	\$325,000	\$325,000,000	\$1,814,378	\$18,628,074
18	2036	1000	\$350,000	\$350,000,000	\$1,953,945	\$20,582,019
19	2037	1000	\$350,000	\$350,000,000	\$1,953,945	\$22,535,964
20	2038	1000	\$350,000	\$350,000,000	\$1,953,945	\$24,489,909
21	2039	1000	\$350,000	\$350,000,000	\$1,953,945	\$26,443,854
22	2040	1000	\$350,000	\$350,000,000	\$1,953,945	\$28,397,799
23	2041	1000	\$350,000	\$350,000,000	\$1,953,945	\$30,351,744
24	2042	1000	\$350,000	\$350,000,000	\$1,953,945	\$32,305,689
25	2043	1000	\$350,000	\$350,000,000	\$1,953,945	\$34,259,634
26	2044	1000	\$350,000	\$350,000,000	\$1,953,945	\$36,213,579
27	2045	1000	\$350,000	\$350,000,000	\$1,953,945	\$38,167,524
28	2046	1000	\$350,000	\$350,000,000	\$1,953,945	\$40,121,469
29	2047	1000	\$350,000	\$350,000,000	\$1,953,945	\$42,075,414
30	2048	1000	\$350,000	\$350,000,000	\$1,953,945	\$44,029,359
TOTALS:					\$44,029,359	\$44,029,359



**PROJECTIONS FOR TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT PID**

**Talley Road Special Improvement District PID - Calculation of Direct Economic Impact From Date Property Goes On Tax Roll**

FYE Year	Bexar County			University Health System			Alamo Community College			Northside ISD		
	Ad Valore Tax \$0.277429	Total Impact	Cummul. Impact	Ad Valore Tax \$0.276235	Total Impact	Cummul. Impact	Ad Valore Tax \$0.14915	Total Impact	Cummul. Impact	Ad Valore Tax \$1.3755	Total Impact	Cummul. Impact
2019	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020	\$ 31,211	\$ 31,211	\$ 31,211	\$ 31,076	\$ 31,076	\$ 31,076	\$ 16,779	\$ 16,779	\$ 16,779	\$ 154,744	\$ 154,744	\$ 154,744
2021	\$ 93,632	\$ 93,632	\$ 124,843	\$ 93,229	\$ 93,229	\$ 124,306	\$ 50,338	\$ 50,338	\$ 67,118	\$ 464,231	\$ 464,231	\$ 618,975
2022	\$ 156,054	\$ 156,054	\$ 280,897	\$ 155,382	\$ 155,382	\$ 279,688	\$ 83,897	\$ 83,897	\$ 151,014	\$ 773,719	\$ 773,719	\$ 1,392,694
2023	\$ 242,750	\$ 242,750	\$ 523,647	\$ 241,706	\$ 241,706	\$ 521,394	\$ 130,506	\$ 130,506	\$ 281,521	\$ 1,203,563	\$ 1,203,563	\$ 2,596,256
2024	\$ 325,979	\$ 325,979	\$ 849,626	\$ 324,576	\$ 324,576	\$ 845,970	\$ 175,251	\$ 175,251	\$ 456,772	\$ 1,616,213	\$ 1,616,213	\$ 4,212,469
2025	\$ 450,129	\$ 450,129	\$ 1,299,755	\$ 448,191	\$ 448,191	\$ 1,294,161	\$ 241,996	\$ 241,996	\$ 698,768	\$ 2,231,749	\$ 2,231,749	\$ 6,444,218
2026	\$ 541,680	\$ 541,680	\$ 1,841,435	\$ 539,349	\$ 539,349	\$ 1,833,510	\$ 291,215	\$ 291,215	\$ 989,983	\$ 2,685,664	\$ 2,685,664	\$ 9,129,881
2027	\$ 617,973	\$ 617,973	\$ 2,459,408	\$ 615,313	\$ 615,313	\$ 2,448,823	\$ 332,232	\$ 332,232	\$ 1,322,215	\$ 3,063,926	\$ 3,063,926	\$ 12,193,808
2028	\$ 694,266	\$ 694,266	\$ 3,153,674	\$ 691,278	\$ 691,278	\$ 3,140,101	\$ 373,248	\$ 373,248	\$ 1,695,463	\$ 3,442,189	\$ 3,442,189	\$ 15,635,996
2029	\$ 832,287	\$ 832,287	\$ 3,985,961	\$ 828,705	\$ 828,705	\$ 3,968,806	\$ 447,450	\$ 447,450	\$ 2,142,913	\$ 4,126,500	\$ 4,126,500	\$ 19,762,496
2030	\$ 832,287	\$ 832,287	\$ 4,818,248	\$ 828,705	\$ 828,705	\$ 4,797,511	\$ 447,450	\$ 447,450	\$ 2,590,363	\$ 4,126,500	\$ 4,126,500	\$ 23,888,996
2031	\$ 832,287	\$ 832,287	\$ 5,650,535	\$ 828,705	\$ 828,705	\$ 5,626,216	\$ 447,450	\$ 447,450	\$ 3,037,813	\$ 4,126,500	\$ 4,126,500	\$ 28,015,496
2032	\$ 901,644	\$ 901,644	\$ 6,552,179	\$ 897,764	\$ 897,764	\$ 6,523,980	\$ 484,738	\$ 484,738	\$ 3,522,550	\$ 4,470,375	\$ 4,470,375	\$ 32,485,871
2033	\$ 901,644	\$ 901,644	\$ 7,453,824	\$ 897,764	\$ 897,764	\$ 7,421,744	\$ 484,738	\$ 484,738	\$ 4,007,288	\$ 4,470,375	\$ 4,470,375	\$ 36,956,246
2034	\$ 901,644	\$ 901,644	\$ 8,355,468	\$ 897,764	\$ 897,764	\$ 8,319,508	\$ 484,738	\$ 484,738	\$ 4,492,025	\$ 4,470,375	\$ 4,470,375	\$ 41,426,621
2035	\$ 901,644	\$ 901,644	\$ 9,257,112	\$ 897,764	\$ 897,764	\$ 9,217,271	\$ 484,738	\$ 484,738	\$ 4,976,763	\$ 4,470,375	\$ 4,470,375	\$ 45,896,996
2036	\$ 971,002	\$ 971,002	\$ 10,228,114	\$ 966,823	\$ 966,823	\$ 10,184,094	\$ 522,025	\$ 522,025	\$ 5,498,788	\$ 4,814,250	\$ 4,814,250	\$ 50,711,246
2037	\$ 971,002	\$ 971,002	\$ 11,199,115	\$ 966,823	\$ 966,823	\$ 11,150,916	\$ 522,025	\$ 522,025	\$ 6,020,813	\$ 4,814,250	\$ 4,814,250	\$ 55,525,496
2038	\$ 971,002	\$ 971,002	\$ 12,170,117	\$ 966,823	\$ 966,823	\$ 12,117,739	\$ 522,025	\$ 522,025	\$ 6,542,838	\$ 4,814,250	\$ 4,814,250	\$ 60,339,746
2039	\$ 971,002	\$ 971,002	\$ 13,141,118	\$ 966,823	\$ 966,823	\$ 13,084,561	\$ 522,025	\$ 522,025	\$ 7,064,863	\$ 4,814,250	\$ 4,814,250	\$ 65,153,996
2040	\$ 971,002	\$ 971,002	\$ 14,112,120	\$ 966,823	\$ 966,823	\$ 14,051,384	\$ 522,025	\$ 522,025	\$ 7,586,888	\$ 4,814,250	\$ 4,814,250	\$ 69,968,246
2041	\$ 971,002	\$ 971,002	\$ 15,083,121	\$ 966,823	\$ 966,823	\$ 15,018,206	\$ 522,025	\$ 522,025	\$ 8,108,913	\$ 4,814,250	\$ 4,814,250	\$ 74,782,496
2042	\$ 971,002	\$ 971,002	\$ 16,054,123	\$ 966,823	\$ 966,823	\$ 15,985,029	\$ 522,025	\$ 522,025	\$ 8,630,938	\$ 4,814,250	\$ 4,814,250	\$ 79,596,746
2043	\$ 971,002	\$ 971,002	\$ 17,025,124	\$ 966,823	\$ 966,823	\$ 16,951,851	\$ 522,025	\$ 522,025	\$ 9,152,963	\$ 4,814,250	\$ 4,814,250	\$ 84,410,996
2044	\$ 971,002	\$ 971,002	\$ 17,996,126	\$ 966,823	\$ 966,823	\$ 17,918,674	\$ 522,025	\$ 522,025	\$ 9,674,988	\$ 4,814,250	\$ 4,814,250	\$ 89,225,246
2045	\$ 971,002	\$ 971,002	\$ 18,967,127	\$ 966,823	\$ 966,823	\$ 18,885,496	\$ 522,025	\$ 522,025	\$ 10,197,013	\$ 4,814,250	\$ 4,814,250	\$ 94,039,496
2046	\$ 971,002	\$ 971,002	\$ 19,938,129	\$ 966,823	\$ 966,823	\$ 19,852,319	\$ 522,025	\$ 522,025	\$ 10,719,038	\$ 4,814,250	\$ 4,814,250	\$ 98,853,746
2047	\$ 971,002	\$ 971,002	\$ 20,909,130	\$ 966,823	\$ 966,823	\$ 20,819,141	\$ 522,025	\$ 522,025	\$ 11,241,063	\$ 4,814,250	\$ 4,814,250	\$ 103,667,996
2048	\$ 971,002	\$ 971,002	\$ 21,880,132	\$ 966,823	\$ 966,823	\$ 21,785,964	\$ 522,025	\$ 522,025	\$ 11,763,088	\$ 4,814,250	\$ 4,814,250	\$ 108,482,246

SUMMARY OF CUMULATIVE IMPACT					
	Bexar County	University Health System	Alamo Community College	Northside ISD	Total
Year 2033	\$ 7,453,824	\$ 7,421,744	\$ 4,007,288	\$ 36,956,246	\$ 55,839,101
Year 2038	\$ 12,170,117	\$ 12,117,739	\$ 6,542,838	\$ 60,339,746	\$ 91,170,439
Year 2043	\$ 17,025,124	\$ 16,951,851	\$ 9,152,963	\$ 84,410,996	\$ 127,540,934
Year 2048	\$ 21,880,132	\$ 21,785,964	\$ 11,763,088	\$ 108,482,246	\$ 163,911,429



## **Financial Summary**

It is projected that the Talley Road Special Improvement District PID will include 1,000 single-family residential homes with a projected home value of \$225,000. The homes are projected to begin on the 2020 tax roll, at a rate of 50 to 100 homes per year, through year 2048.

Additionally, based on the projected values and absorption rates, the projected financial and economic impacts, for several entities in Bexar County, are summarized below:

Summary of Cumulative Impact					
	Bexar County	University Health System	Alamo Community College	Northside ISD	Total
Year 2033	\$ 7,453,824	\$ 7,421,744	\$ 4,007,288	\$ 36,956,246	\$ 55,839,101
Year 2038	\$ 12,170,117	\$ 12,117,739	\$ 6,542,838	\$ 60,339,746	\$ 91,170,439
Year 2043	\$ 17,025,124	\$ 16,951,851	\$ 9,152,963	\$ 84,410,996	\$ 127,540,934
Year 2048	\$ 21,880,132	\$ 21,785,964	\$ 11,763,088	\$ 108,482,246	\$ 163,911,429

**EXHIBIT P**

**DESCRIPTION OF UTILITY SERVICE PROVIDERS, EMERGENCY SERVICE  
PROVIDERS, AND APPLICABLE SCHOOL DISTRICT**



**DESCRIPTION OF UTILITY SERVICE PROVIDERS, EMERGENCY SERVICE PROVIDERS, AND APPLICABLE SCHOOL DISTRICT**

1. Electricity and Gas - CPS
2. Water and Sewer- SAWS
3. Phone - AT&T
4. Cable - Spectrum
5. Police - Bexar County
6. Fire and Emergency Services - Emergency Service District No. 2
7. School District - Northside Independent School District

EF  
11/29/2018  
Item No. 29B

# EXHIBIT “B”



## **TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT DEVELOPMENT AGREEMENT**

This Development Agreement (this "Agreement") is entered by and between the **City of San Antonio**, a Texas home-rule municipal corporation located within Bexar County, Texas (hereinafter, referred to as "City"); and **Wayne Lee Benke**, owner of the Property (as defined herein and hereafter referred to as "Owner"). City and Owner shall hereafter collectively be referred to as "Parties" or in the singular as "Party."

### **RECITALS**

**Whereas**, Owner filed a petition with, and an application was submitted to, Bexar County, Texas (the "County"), on October 1, 2018, to create a public improvement district to be named the Talley Road Special Improvement District (the "District") pursuant to Chapter 382 of the Texas Local Government Code, as amended (the "Code"); and

**Whereas**, the District and District Property (as defined herein) specifically consists of the "Benke Tract" (222.6 acres approximately) and two (2) portions of Talley Road (2.444 acres approximately and 7.270 acres approximately), as more particularly described in **Exhibit "A"** and **Exhibit "B"**; and

**Whereas**, Talley Extension Revitalization Initiative, LLC, a Texas limited liability company (hereinafter, referred to as the "Developer") proposes to purchase the Benke Tract and, upon the County's creation of the District and Developer's acquisition of the Benke Tract, Developer intends to develop the "Project" (as further defined and described herein); and

**Whereas**, the Parties desire to enter into this Agreement pursuant to Subchapter G of Chapter 212 of the Texas Local Government Code, § 212.172, et. sec. to reflect that in consideration of Owner's agreement to abide by and comply with the terms of this Agreement and the conditions stated herein, City will agree to consent to (1) the establishment of the District within the City's extraterritorial jurisdiction ("ETJ") and the inclusion of the District Property therein; and (2) to the County's delegation to the District of (i) powers granted by Section 52, Article III of the Texas Constitution and the powers and duties of a road district in accordance with Section 382.101 of the Code, save and except the powers to exercise eminent domain, annexation and exclusion of property from the District; and (ii) the power to provide water, wastewater, or drainage facilities in accordance with Section 382.101 of the Code, except that the City does not consent to the retail provision of water, wastewater and drainage services or to a Certificate of Convenience and Necessity for either water or wastewater services to customers within the District.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties now wish to enter into this Agreement and agree as follows:

## **I. DEFINITIONS**

1.1 “Agreement” shall mean this document executed by the Parties, which may be amended from time to time, pursuant to the provisions contained herein.

1.2 “Annexation Area” shall mean the area that the City determines in its sole discretion to annex in accordance with this Agreement up to and including the entire “Property” as defined herein.

1.3 “Director” shall mean the Director of the Department of Planning.

1.4 “City” and “County” shall have the meanings specified above.

1.5 “Code” shall mean the Texas Local Government Code, as amended.

1.6 “Developer” shall have the meaning specified above and include any successors and assigns.

1.7 “District” shall mean the public improvement district proposed in Owner’s petition for the creation of the Talley Road Special Improvement District filed with the County on October 1, 2018 which includes the District Property.

1.8 District Property shall refer to approximately 232.314 acres of property, which consists of the Property (as defined herein) and two (2) portions of Talley Road (approximately 2.444 acres and approximately 7.270 acres). The District Property is more particularly described and illustrated in **Exhibits “A” and “B”** which are incorporated herein for all purposes.

1.9 “Property” shall refer to approximately 222.6 acres of property, (the “Benke Tract”) which is the portion of the District Property owned by Wayne Lee Benke and consisting of the taxable real property within the District. The Property is also more specifically described and depicted in the metes and bounds and surveys attached hereto as **Exhibit “A,”** but does not include the 2.444 acres and 7.270 acres referenced in Section 1.8 above.

1.10 “Effective Date” shall mean the effective date of the County’s order creating the District.

1.11 “Master Development Plan” (“MDP”) is the proposed plan of development for the Project, as depicted in **Exhibit “C”** attached hereto and incorporated herein for all purposes.



1.12 "Owner" shall have the meaning specified above and shall include any successors and assigns.

1.13 "Project" shall have the meaning specified in Section 3.1 of this Agreement, which may be amended from time to time in accordance with section 3.2.

Singular and Plural: Words used herein in the singular, where the context so permits, also includes the plural and vice versa, unless otherwise specified.

## **II. REPRESENTATIONS AND ACKNOWLEDGMENTS**

2.1 The recitals set forth hereinabove are included here as if set out in full and are part of the conditions of this Agreement and binding on Parties.

2.2 Owner represents to City that he is the owner of the Property and has the legal capacity and authority to enter into this Agreement and to perform the requirements of this Agreement.

2.3 Owner acknowledges that any improvements or contributions made to the Property in anticipation of payment or reimbursement from the District shall not be, nor construed to be, financial obligations of the City and City is not involved in the creation of the District or is in any other way required or obligated to perform any actions, contribute any funds or resources or otherwise participate in the establishment of the District, except as provided in this Agreement.

2.4 Owner acknowledges that the City's consent described in Section 4.1 below is for the boundaries of the District and the District Property, as described and depicted in Exhibits "A" and "B" that are attached hereto and to the Project and the MDP as depicted in Exhibit "C" unless the MDP is properly amended in accordance with section 3.2 of this Agreement.

## **III. THE PROJECT & PUBLIC INFRASTRUCTURE**

3.1 The Project consists of certain proposed public infrastructure on the Property, as further described and depicted in the MDP attached hereto as **Exhibit "C."**

3.2 The MDP may be amended from time to time through the process currently outlined in the City's Unified Development Code ("UDC") with review and approval of the City's Director of the Department of Planning and the Director of the Development Services Department each of whom reserves the right to exercise discretion with respect to MDP amendment approvals as afforded them under the UDC.

#### **IV. CONSIDERATION**

4.1 In exchange for Owner's agreement to be bound by the terms of this Agreement, City consents to (1) the establishment of the District within the City's extraterritorial jurisdiction ("ETJ") and the inclusion of the District Property therein; and (2) to the County's delegation to the District of (i) powers granted by Section 52, Article III of the Texas Constitution and the powers and duties of a road district in accordance with Section 382.101 of the Code, save and except the powers to exercise eminent domain, and to annex or exclude property from the District; and (ii) the power to provide water, wastewater, or drainage facilities in accordance with Section 382.101 of the Code, save and except the power to provide retail water, wastewater and drainage services or to obtain a Certificate of Convenience and Necessity for either water or wastewater services to customers within the District.

4.2 Non-annexation. The Parties agree that in exchange for Owner's agreement to comply with the terms of this Agreement for the entire term of the Agreement, City will continue the ETJ status of the Property and defer annexation of the Property and the District Property for the term of this Agreement.

4.3 Voluntary petition for annexation. The Parties agree that this Agreement constitutes a voluntary petition to the City for annexation of the Property for full purposes under the provisions of Subchapter C-3 of Chapter 43 of the Code which shall be deemed submitted to the City on the Effective Date of this Agreement. Subject to Section 4.2 above, the City may exercise its right to annex the Property or any portion thereof (the "Annexation Area") in its sole discretion upon default of this Agreement by the Owner, subject to the provisions of Sections 6.3 and 6.4 of this Agreement, or at the end of the term of this Agreement. The Parties further agree that this Agreement does not obligate the City to annex the entire Property for limited or full purposes at any time.

4.4 Owner agrees that this voluntary petition may not be revoked and is intended to be and shall be binding upon the Owner as well as his successors and assigns in ownership of any right, title or interest in and to the Property or any part thereof.

4.5 Waiver. To the extent authorized by state and local laws, the Parties agree that the City is only obligated to perform those tasks set forth in Subchapter C-3 of Chapter 43 of the Texas Local Government Code that are required when annexing property under that subchapter. Owner agrees that the Owner shall not oppose any action taken by the City to annex the Annexation Area under this Agreement or under Subchapter C-3 of Chapter 43 of the Code.

4.6 All covenants, agreements and terms contained herein obligating Owner shall run with the land and shall hereafter bind his successors and assigns and all future owners of properties located within the Property contained therein, including all parts of the Annexation Area.



4.7 The following language shall be included in each deed or lease of any real property located within the Property, or by separate document that is recorded, which is executed after the Effective Date of this Agreement:

"This (conveyance or lease, as applicable) is made and accepted subject to that certain voluntary petition for annexation, provided in Section 4.3 of the Development Agreement, executed on \_\_\_\_\_, 2018, and recorded in the deed records of Bexar County under Bexar County Document No. [\_\_\_\_\_] which permits the City of San Antonio to annex the herein described property upon the terms and conditions set forth therein. Acceptance of this conveyance or lease, as applicable, shall evidence your consent and agreement to such annexation by the City and may be relied upon by the City as a beneficiary of your consent and agreement.

Further, this (conveyance or lease, as applicable) is made and accepted subject to the development rules, regulations and ordinances of the City of San Antonio applicable to properties in the City's extraterritorial jurisdiction as described in the development agreement. Acceptance of this conveyance or lease, as applicable, shall evidence consent and agreement to such developmental standards rules and regulations which may be relied upon by the City as a beneficiary of your consent and agreement."

4.8 Owner agrees that Owner will comply with all municipal rules, regulations, orders, ordinances and other local laws applicable to all properties within the City's ETJ, during all phases of development and construction of the Project and during the term of this Agreement.

4.9 As applicable, and subject to Section 4.10 below, Owner shall comply with the requirements of Section 382.109 of the Code regarding road projects on the Property, as described by Section 382.109 of the Code to the extent such requirements apply to properties located in the City's ETJ. .

4.10 Notwithstanding any provision herein to the contrary, the Parties agree and acknowledge that, in accordance with Section 212.172(g), this Agreement constitutes a permit under Chapter 245 of the Code.

4.11 The Parties agree and acknowledge that Section 382.201 of the Code, as it exists on the Effective Date of this Agreement, shall apply to this Agreement.

## **V. SERVICE AGREEMENT**

5.1 In the event the City annexes the Annexation Area pursuant to this Agreement, the Parties agree to the specific provisions under this section which shall constitute an "Agreement Regarding Services" pursuant to section 43.0672 of the Texas Local Government Code. The Parties agree that this Agreement Regarding Services shall run with the land and shall govern all municipal services to be provided to the Annexation Area and that the City shall be under no



further obligation to negotiate services with any subsequent owners of any property located or developed within the Annexation Area, provided that upon annexation of the Annexation Area, if the municipal services have changed or otherwise include additional services not referenced herein, the City will provide all municipal services to the Annexation Area that apply to other properties located within the city limits within no more than 3 years from the date of annexation. The Agreement Regarding Services shall survive termination of this Agreement only to the extent the City annexes the Annexation Area pursuant to this Agreement.

In general the Agreement Regarding Services includes three service components: **(1) Annexation Service Requirements, (2) Additional Services and (3) a Capital Improvement Program.** Providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public and private non-profit service organizations to provide such services by contract in whole or in part. It may also include separate agreements with associations or similar entities. Services are provided and fees are assessed in accordance with the City's Code of Ordinances, as may be amended. Notwithstanding any provision herein to the contrary, municipal services will be provided pursuant to the requirement of the Texas Local Government Code Chapter 43.056(g).

**1. Annexation Service Requirements** – The following services will be provided in the Annexation Area commencing on the effective date of the annexation for full purposes, unless otherwise noted.

**A. Police Protection** – The San Antonio Police Department (SAPD) will provide protection and law enforcement services in the Annexation Area within the time frame established in section 5.1.

These services include:

- Routine patrols and responses;
- Handling of complaints and incident reports;
- Special units, such as traffic enforcement, criminal investigations, covert operations, K-9 Unit, Family Assistance Crisis Teams, Bomb Squad, and Special Weapons and Tactics Team (SWAT); and
- Any other services or programs provided to the citizens of San Antonio at the time of annexation.

The Annexation Area will become part of an existing patrol district based upon factors such as the size of the area, population, and the expected number of calls for service. These factors will also determine the need for hiring additional patrol officers to ensure all patrol districts are adequately staffed 24 hours a day, seven days a week, and to maintain an average response time pursuant to the requirement of the Texas Local Government Code Chapter 43.056(g). SAPD San Antonio Fear Free Environment Unit (SAFFE) officers will be available to meet as requested to discuss police issues.



Police Substations are responsible for a Patrol "Service Area," under the command of a Captain. These Service Areas are divided into Patrol Sections. The Patrol Sections, with supervisory responsibilities assigned to Sergeants, are divided into "Patrol Districts." The "Patrol Districts" are geographically defined areas established for several reasons, including but not limited to:

- Serving as a manpower distribution tool based on call volume, population, area size, and geographic variables;
- Providing a means of establishing primary responsibility to individual officers, during their tour of duty, for various activities within a specific geographic area; and
- Providing an efficient and effective means of assigning, identifying, and locating officers, within a generalized area, using currently available technology.

The Annexation Area will be served by the substation assigned to that geographic area. There is no specific number of officers that can be assigned to a patrol district. Patrol districts are staffed with at least one officer, 24 hours a day, seven days a week. Many times multiple officers are assigned to single districts.

Police services are initiated by on-sight officer activity, citizen requests, and any other means available. The most common means by which officers receive their assignments is through direct supervisory command and radio/computer transmissions by police dispatchers.

**B. Fire Protection and Emergency Medical Service (EMS)** – The San Antonio Fire Department (SAFD) will provide fire protection services and EMS service as provided by requirements of the Texas Local Government Code Chapter 43.056(g). Service will be provided through the use of fire engines, ladder trucks, full-time and peak period EMS ambulances, Medical Officers and Chief Officers. SAFD will be providing fire protection and EMS from the station assigned to that geographic area.

**C. Solid Waste Collection Services** – Solid Waste Collection services are provided and fees are assessed in accordance with Chapter 14 of the City's Code of Ordinances, as may be amended. Fees for services are assessed monthly on CPS Energy Utility bills. If private collection services are used, the City solid waste fees will not be assessed. Additionally, such services will be provided in accordance with Section 43.0661 of the Texas Local Government Code.

*Commercial Solid Waste Services* – The City's Commercial collection for garbage are available on a case by case basis for qualifying businesses in a manner similar to residential services. Bulky item, brush and bagged leaf collections are not provided to businesses. If the City-provided commercial service is not desired, businesses may utilize private service providers.

**D. Operation and Maintenance of Water and Wastewater Facilities** – San Antonio Water System (SAWS) will maintain and operate the public water and wastewater facilities that are within its certified service area. Routine standard maintenance of the facilities is



performed on a scheduled basis. Emergency maintenance and repairs receive immediate attention, and are available 24 hours a day, 7 days a week. The facilities will be maintained and operated in accordance with standard SAWS policies and procedures, and under the provisions of the SAWS Utility Service Regulations for the extension of facilities.

*SAWS Monthly Rates* – The SAWS rate structure is designed to provide balance between residential and business rates and to encourage conservation with rates that increase at higher levels of consumption. SAWS customers, after annexation, will pay the lower Inside City Limit rate as opposed to the Outside City Limit rate.

*SAWS Water Conservation Programs and Rebates* – SAWS water conservation education programs and rebates are available to SAWS customers. Currently commercial customers account for 6.0% of the customer base and 35.1% of SAWS' annual water sales, there is great potential for water savings through commercial conservation programs. Commercial customers also have access to water conservation education and incentives. There are programs to make irrigation systems more efficient and customer rebates for big projects that address operational efficiencies. Detailed information on these and other programs can be found on the SAWS website at [www.saws.org](http://www.saws.org).

Water service and wastewater service will be provided to the Annexation Area. Notwithstanding any provision herein to the contrary, this Agreement will not terminate, reduce, or otherwise affect any approved Equivalent Dwelling Units ("EDUs") allocated to the Annexation Area or any Utility Service Agreement ("USA") applicable to the Annexation Area.

**E. Operation and Maintenance of Roads and Streets, including Street Lighting** – The Transportation and Capital Improvements Department (TCI) is responsible for the maintenance and repair of streets, bridges, alleys and related infrastructure within the City's jurisdiction. Curbs, sidewalks, driveway approaches, curb ramps, and other street infrastructures are constructed in accordance with the City and the Americans with Disability Act (ADA) standards. Service requests or community concerns for TCI's response, such as pothole and base and pavement repairs are initiated through the City's 311 call center or online services. These services include:

- Emergency Pavement Repair
- Street Base and Pavement Repair
- Preventative Street Maintenance
- Guard Post and Guard Rail Maintenance
- De-icing and Snow Removal Services
- Neighborhood Access and Mobility Program (NAMP)
- Emergency Street Closure Services
- Street Re-striping and Marking Services

*Infrastructure Management Program (IMP)* is a five-year rolling program which focuses on the maintenance of the City infrastructure. Service needs are identified city-wide and are scheduled for street maintenance, alley maintenance, drainage maintenance, sidewalks,



traffic signals, pavement marking and Advance Transportation District (ATD) projects. The IMP provides the City a structured program schedule, potential for additional multiple year contract awards and improved utility coordination. During the budget process for each fiscal year of the City, the IMP is presented to City Council for approval. Amendments may occur throughout the year due to coordination with utilities or unforeseen conditions, such as inclement weather. The goal of the IMP is to provide the best possible maintenance for the City.

*Transportation Systems Management & Operations* – If necessary TCI will provide regulatory signage services. Traffic signal, stop and all other regulatory studies are conducted in conjunction with growth of traffic volumes. Traffic signs, signals, and markings are installed in conformance with the Texas Manual on Uniform Traffic Control Devices. Faded, vandalized, or missing signs are replaced as needed. "Call back" service is provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs. Requests for signage should be called into the City's 311 Call Center.

*Storm Water Utility* – The Storm Water Utility is housed within the TCI Department. The Storm Water Utility is responsible for drainage services as well as the installation, operation, and maintenance of drainage infrastructure throughout San Antonio.

*The Storm Water Utility Fee* is intended to cover capital and maintenance expenses associated with drainage projects and fund operational services related to the Municipal Separate Storm Sewer System (MS4) Permit as required by Federal regulations. More information about the storm water rate plan is available at <http://www.sanantonio.gov/TCI/Projects/Storm-Water-Fee>

The storm water utility fee is billed by SAWS on behalf of the City. Services are currently provided by the SAWS, in accordance with the SAWS's approved business plan and as limited by applicable codes, laws, ordinances and special agreements. Storm Water fees will be assessed for the subject property.

*Street lighting* – The planning of public street lights is coordinated by the City's Development Services Department (DSD). CPS Energy will maintain public street lighting in accordance with Sec. 43.056(b) (6) of the Texas Local Government Code and the City's policies. The City assumes the cost of electricity for public street lights.

**F. Operation and Maintenance of Parks, Playgrounds and Swimming Pools** – Maintenance responsibilities for municipally owned parks, playgrounds, and swimming pools are the responsibility of the City. Any proposed or existing privately-owned parks, playgrounds, swimming pools, recreational facilities and common spaces in the Annexation Area are the responsibility of the property owner(s).

**G. Operation and Maintenance of Any Other Publicly Owned Facility, Building, or Service** – Should the City acquire any other facilities, buildings, or services necessary for



municipal services for the Annexation Area, an appropriate City department will provide maintenance services for them.

**2. Additional Services** – Certain services, in addition to the above services, will be provided within the Annexation Area commencing on the effective date of the annexation for full purposes, unless otherwise noted. They are as follows:

**A. Code Compliance** – The Code Compliance Division of DSD enforces the City codes and regulations to protect the health, safety and general welfare of the community. Current enforcement is provided to the following and is not limited to:

- Vacant dangerous premises and structures,
- Junked vehicles,
- Weeded vacant lots,
- Zoning (Unified Development Code (“UDC”)),
- Property maintenance,
- Minimum housing, including unsanitary premises,
- Front yard parking,
- Alley and right-of-way violations,
- Monthly inspections of salvage/junk yards,
- Monitoring and enforcing materials received at salvage/junk yards, and
- Enforcement of garage sale permits
- The Code and ordinances enforced by DSD are subject to changes by the City Council

**B. Building and Other Permits** – Incomplete construction must obtain building permits from DSD in accordance with the City codes. Incomplete construction implies that final inspections have not been conducted and approved. For new commercial construction, incomplete construction indicates approved final inspections for building, mechanical, plumbing, electric, fire, traffic, drainage, sidewalks, irrigation inspections have not been obtained. Other field inspections may be applicable for new commercial construction depending on the specific use and/or location of the project. Any required permits, including, but not limited to, building, trade, and sign permits may be applied for at the Cliff Morton Development and Business Services Center located at 1901 South Alamo Street, San Antonio, TX. In addition, as part of the permitting process, applicant will be required to adhere to the City’s Tree and Landscape requirements. A one-stop development service counter has been created to assist the public with any development questions that relate to building, planning and TCI issues.

**C. Certificate of Occupancy** – New and existing businesses must obtain a Certificate of Occupancy and related inspections required by the City code from DSD and San Antonio Metropolitan Health District. In accordance with the adopted Building Code, no person may occupy a building or a space without first obtaining a Certificate of Occupancy. Certificates of Occupancy may be applied for at the Cliff Morton Development and Business Services Center located at 1901 South Alamo Street, San Antonio, TX.



**D. Library Services** – The nearest library services to the Annexation Area can be identified through the web address [www.mysapl.org/digital](http://www.mysapl.org/digital).

The San Antonio Public Library locations provide the following services:

- Library materials for adults, young adults and children including books, periodicals, compact disks, DVD, videos, audio books, and electronic books;
- Programming for adults, young adults and children such as regularly scheduled story time;
- Book discussion groups and other topics of interest to the community; and
- Access to the website, databases and other computer programs, is available seven days a week through the web address [www.mysapl.org/digital](http://www.mysapl.org/digital).

Professional staff is available to assist library customers with reference and reader's advisory questions and public meeting room space are available. More information is available at the San Antonio Public Library Website: [www.mysapl.org](http://www.mysapl.org).

**E. Health Department Services** – The San Antonio Metropolitan Health District (SAMHD) currently provides certain public health services, including dental screening and treatment, communicable disease control, emergency preparedness and response, and health education to persons residing in the Annexation Area through an inter-local agreement with Bexar County-University Health Systems. Upon full purpose annexation the following additional services will become available:

- Investigation of public health related complaints including food borne illness, recreational water quality, and public swimming pools and spas, and investigation of toxic exposures;
- Permitting and routine sanitation inspections of food establishments, schools, day cares, swimming pools and mobile living parks;
- Enforcement of the City's smoking ordinance in public places;
- Investigation of reported elevated Blood Lead Levels (BLL) in children;
- Access to community health clinics; and
- Medical Assistance Program benefits

SAMHD will provide additional services for oversight of day care centers, semi-public swimming pools, air quality permits and livestock issues.

**F. Animal Care Services** – The Annexation Area will receive the same level of service as within the City Limits of the City. These services include, but may not be limited to, animal enforcement and control, educational and public outreach, low cost animal related resources such as microchips and spay/neuter services, and community cat program services.

**G. Other Services** – The City Departments with jurisdiction in the Annexation Area will provide services according to City policy and procedures.

**3. Capital Improvements Program** – The City will initiate the construction of capital improvements as may be necessary for providing municipal services. The timing for the construction of capital projects that may be necessary for the delivery of municipal services will



be done in accordance with the requirements of Subchapter C of Chapter 43, Local Government Code.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

- A. Police Protection** – No capital improvements are necessary at this time to provide police services.
- B. Fire Protection** – No capital improvements are necessary at this time to provide fire services.
- C. Emergency Medical Service** – No capital improvements are necessary at this time to provide EMS services.
- D. Solid Waste Collection** – No capital improvements are necessary at this time to provide solid waste collection services.
- E. Roads and Streets** – No newly constructed road or street related capital improvements are necessary at this time to provide services. The City will assume maintenance responsibilities for all public streets.
- F. Parks, Playgrounds and Swimming Pools** – No capital improvements are necessary at this time to provide parks and recreation services.
- G. Library Services** – No capital improvements are necessary at this time.
- H. Capital Improvements Planning** – The Annexation Area will be included with other territory within the municipality in connection with planning for new or expanded facilities and/or services. All other capital improvements will be considered through the 6-Year Capital Budget that represents the City's long-range physical infrastructure development and improve plan. Major funding sources are General Obligation Bonds, Certificates of Obligation, Storm Water Revenue Bonds, and Community Development Block Grants as applicable. Capital projects are placed in inventory by the City Council representative through input from community and neighborhood associations, other public processes, and comprehensive planning processes.
- I.** This Article in no way prohibits the City from amending any or modifying any of the above programs or services in accordance with the police, legislative and regulatory power of the City. Any such changes in services that apply to all properties for which the above services are provided shall apply to all property annexed pursuant to this Agreement.



## **VI. DEFAULT**

6.1 Subject to Sections 6.3 and 6.4 below, Owner shall be declared in "Default" of this Agreement if Owner violates or causes a violation of any rules, regulations, orders, ordinances or other laws that are applicable to the Property, as described herein, during the term of this Agreement.

6.2 Subject to Sections 6.3 and 6.4 below, a Party shall be declared in "Default" if a material breach occurs of any covenant, obligation, or provisions of this Agreement.

6.3 Notwithstanding any provision to the contrary, no Party shall be declared in Default, under this Agreement, until written notice of Default has been given to the defaulting Party (which notice shall set forth in reasonable detail the nature of the Default) and until such Party has been given, from and after the receipt of such written notice, ninety (90) calendar days to cure the Default (the "Cure Period"). The Cure Period may be extended by written agreement of the Parties and shall be subject to approval of the City Council.

6.4 The duties of a Party to observe or perform any of the provisions of this Agreement, on its part to be performed or observed, shall be excused for a period equal to the period of prevention, delay, or stoppage due to causes beyond the control of the applicable Party, including reason of strikes, civil riots, war, invasion, fire or other casualty, or Acts of God.

## **VII. REMEDIES**

7.1 Upon the occurrence of Default by Owner, the defaulting party shall be subject to the enforcement provisions set forth in Chapter 35, Article IV – Procedures, Division 11. – Enforcement, Sec. 35-491, as amended, of the City's Code of Ordinances (Unified Development Code).

7.2 Upon the occurrence of Default by a Party, the non-defaulting Party may seek all remedies available to it at law or in equity, including, without limitation, termination, injunctive relief, mandamus, and specific performance. Additionally, upon the occurrence of Default by Owner, the City may proceed with voluntary annexation of the Property as provided in this Agreement.

7.3 No remedy herein conferred upon or reserved to the Parties is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

7.4 The Parties hereto expressly agree that, in the event of litigation, each Party hereby waives its right to payment of attorneys' fees.

## **VIII. NON-WAIVER**

No course of dealing on the part of the Parties nor any failure or delay by the Parties in exercising any right, power, or privilege under this Agreement shall operate as a waiver of any right, power or privilege owing under this Agreement.

## **IX. ASSIGNMENT**

9.1 All covenants and agreements contained herein by the City shall bind its successors and assigns and shall inure to the benefit of Owner and his successors and assigns.

9.2 This Agreement (including the duties, rights and obligations set forth herein) may not be assigned by Owner except for assignments to home builders, individual single lot owners, and as described in section 9.3 below, without the prior written consent of City, and subject to approval by the City Council, as evidenced by passage of an ordinance, with the exception of the initial assignment of duties, rights and obligations set forth in this Agreement by the Owner to Developer as a result of the conveyance of the Property to Developer. Any subsequent assignment by Developer except for assignments to home builders, individual single lot owners, and as described in section 9.3 below shall only be done with the written consent of the City as evidenced by action of the City Council by ordinance. Upon the initial assignment of rights, duties and obligations under this Agreement by Owner to Developer as provided in this section, Owner shall be relieved of its rights and obligations under this Agreement occurring after this Agreement is assigned to Developer.

9.3 Notwithstanding Section 9.2., after the Project has been completed and the Property has been developed, without prior written consent of the City and approval by City Council, (i) all rights relating under this Agreement, including (without implied limitation) the right of non-annexation, shall run with the land and any subsequent owner, mortgagee, lessee or other party with an interest therein shall enjoy such rights; (ii) if Owner and/or Developer possesses or acquires any rights or entitlements with respect to the development of the Property and the construction of improvements thereon which run with all or a part the land, any subsequent owner, mortgagee, lessee or other party with an interest therein shall automatically be a beneficiary of such rights and entitlements to the extent of such interest in such Property or portion thereof; and (iii) Owner and/or Developer may collaterally assign its rights and obligations hereunder to any lender to which such party has granted a lien encumbering all or part of such Property.

## **X. ENTIRE AGREEMENT**

10.1 This written Agreement embodies the final and entire agreement between Parties hereto and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of Parties.



10.2 The exhibits attached to this Agreement are incorporated herein and shall be considered a part of this Agreement for the purposes stated herein. Notwithstanding, the exhibits shall not constitute any binding commitment regarding, but not limited to, the final location of boundaries and improvements and infrastructure, such being of approximate location that may be amended from time to time by the Parties.

## **XI. AMENDMENTS AND TERMINATION**

11.1 Except where the terms of this Agreement expressly provide otherwise, any alterations, additions, or deletions to the terms hereof, shall be effected only by amendment, in writing, executed by the Parties, and subject to approval by the City Council, as evidenced by passage of an ordinance.

## **XII. SEVERABILITY**

If any clause or provision of this Agreement is held invalid, illegal or unenforceable under present or future federal, state or local laws, including but not limited to the charter, code, or ordinances of the City, then and in that event it is the intent of Parties hereto that such invalidity, illegality or unenforceability shall not affect any other clause or provision hereof and that the remainder of this Agreement shall be construed as if such invalid, illegal or unenforceable clause or provision was never contained herein. It is also the intent of Parties hereto that in lieu of each clause or provision of this Agreement that is invalid, illegal, or unenforceable, there be added as a part of this Agreement a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

## **XIII. INDEPENDENT CONTRACTORS**

Owner covenants and agrees that it is an independent contractor and is not an officer, agent servant or employee of the City; that Owner shall have exclusive control of and exclusive rights to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of each party's officers, agents, employees, contractors, subcontractors and consultants, except as where the City may enforce the provisions of the City's Code of Ordinances; that the doctrine of "respondeat superior" shall not apply as between the City and Owner, all officers, agents, employees, contractors, subcontractors and consultants of Owner, and nothing herein shall be construed as creating the relationship of employer-employee, principal-agent, partners or joint venturers between the City and Owner. The Parties hereto understand and agree that the City shall not be liable for any claims which may be asserted by any third party occurring in connection with the performance by Owner under this Agreement and that the Owner has no authority to bind the City.

## **XIV. LEGAL AUTHORITY**

The person(s) executing this Agreement on behalf of the respective Parties, represent, warrant, assure and guarantee that they have full legal authority to (i) execute this Agreement on

behalf of the respective Party, and (ii) to bind the respective Party to all of the terms, conditions, provisions, and obligations herein contained.

#### **XV. VENUE AND GOVERNING LAW**

15.1 THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.

15.2 Any legal action or proceeding brought or maintained, directly or indirectly, as a result of this Agreement shall be heard and determined in Bexar County, Texas.

#### **XVI. PARTIES' REPRESENTATIONS**

This Agreement has been jointly negotiated between the Parties and shall not be construed against a Party because that Party may have primarily assumed responsibility for the drafting of this Agreement.

#### **XVII. NOTICE**

17.1 All notices, demands or other communications given in connection with or required under this Agreement must be in writing and delivered to the person to whom it is directed and may be given by (a) overnight delivery using a nationally recognized overnight courier, in which case notice shall be deemed delivered one business day after deposit with such courier, (b) sent by email with a PDF attachment with an original copy thereof transmitted to the recipient by one of the means described in clauses (a), (c) or (d), in which case notice shall be deemed delivered on the date of transmittal of the email with PDF attachment, (c) personal delivery, in which case notice shall be deemed delivered upon receipt or refusal of delivery, or (d) United States certified mail, return receipt requested, postage prepaid, addressed to the addressee, in which case notice shall be deemed delivered three business after deposit of such notice, postage prepaid, in a mailbox under the care, custody or control of the United States Postal Service. All notices, demands and other communications shall be given to the Parties at the addresses set forth below, or at any other addresses that they have theretofore specified by written notice delivered in accordance herewith:

**City:**

City of San Antonio, Texas

If intended for City, to:  
City of San Antonio  
Attn: Bridgett White or  
Director of the  
Department of Planning  
P.O. Box 839966  
San Antonio, Texas 78283-3966



**Owner:** Wayne Lee Benke  
6850 Talley Rd.  
San Antonio, Texas 78253-4680  
Tel. (210) 688-3511  
Email: wbbenke@aol.com

**With copies to:** Brown & Ortiz, P.C.  
Attention: Daniel Ortiz  
112 E. Pecan Street, Suite 1360  
San Antonio, Texas 78205

17.2 Each Party may change its address by written notice in accordance with this Article.

#### **XVIII. CAPTIONS**

All captions used herein are only for the convenience of reference and shall not be construed to have any effect or meaning as to the Agreement between Parties hereto.

#### **XIX. UNINTENDED OMISSION**

If any punctuation, word, clause, sentence, or provisions necessary to give meaning, validity, or effect to any other word, clause, sentence, or provision of this Agreement is omitted, then it is hereby declared that such omission was unintentional and that the omitted punctuation, word, clause, sentence or provision shall be supplied by inference.

#### **XX. COUNTERPARTS**

This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument. This Agreement may be executed in any number of counterparts and by different Parties in separate counterparts, each of which when so executed and delivered, shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument. Delivery of an executed counterpart of a signature page to this Agreement by facsimile or electronic mail shall be as effective as delivery of a manually executed counterpart of this Agreement, except that any Party delivering an executed counterpart of this Agreement by facsimile or electronic mail also must deliver a manually executed counterpart of this Agreement. Notwithstanding the foregoing, failure to deliver a manually executed counterpart shall not affect the validity, enforceability, and binding effect of this Agreement.

## **XXI. RECORDATION**

This Agreement shall be recorded in the Real Property Records of Bexar County, Texas.

## **XXII. TERM**

The term of this Agreement shall commence on the Effective Date and terminate thirty (30) years from the Effective Date. The term may be extended upon mutual consent and written agreement between the Parties and subject to approval by the City Council, as evidenced by passage of an ordinance. Notwithstanding any provision herein to the contrary, in the event the District is dissolved within 1 year from the Effective Date, this Agreement automatically terminates upon the effective date of the District's dissolution, without any further action from the Parties and the Parties are relieved of any further rights and obligations under this Agreement.

*Signatures on the Following Pages*



**IN WITNESS THEREOF**, Parties hereto have executed this Agreement to be effective as of the Effective Date.

**CITY:**

**CITY OF SAN ANTONIO, TEXAS**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST/SEAL:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: City Clerk

Date: \_\_\_\_\_

**APPROVED AS TO LEGAL FORM:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: City Attorney

Date: \_\_\_\_\_

**ACKNOWLEDGEMENT**

State of Texas       §

§

County of Bexar    §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2018 by \_\_\_\_\_, \_\_\_\_\_ of the City of San Antonio, a Texas home rule municipality, on behalf of said municipality.

Date: \_\_\_\_\_

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

My Commission expires: \_\_\_\_\_



IN WITNESS THEREOF, Parties hereto have executed this Agreement to be effective as of the Effective Date.

**OWNER:**

**WAYNE LEE BENKE**

By: Wayne Lee Benke

Name: Wayne Lee Benke

Date: 11-17-18

**ACKNOWLEDGEMENT**

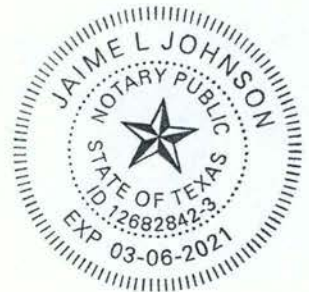
State of Texas                   §  
  §  
County of Bexar               §

This instrument was acknowledged before me on this 17 day of November 2018 by Wayne Lee Benke.

Date: 11/17/18

Jaime L Johnson  
Notary Public, State of Texas

My Commission expires: 3/6/21



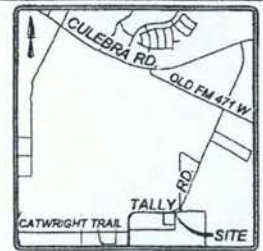
**EXHIBIT A**

**FIELD NOTES AND SURVEY MAPS**

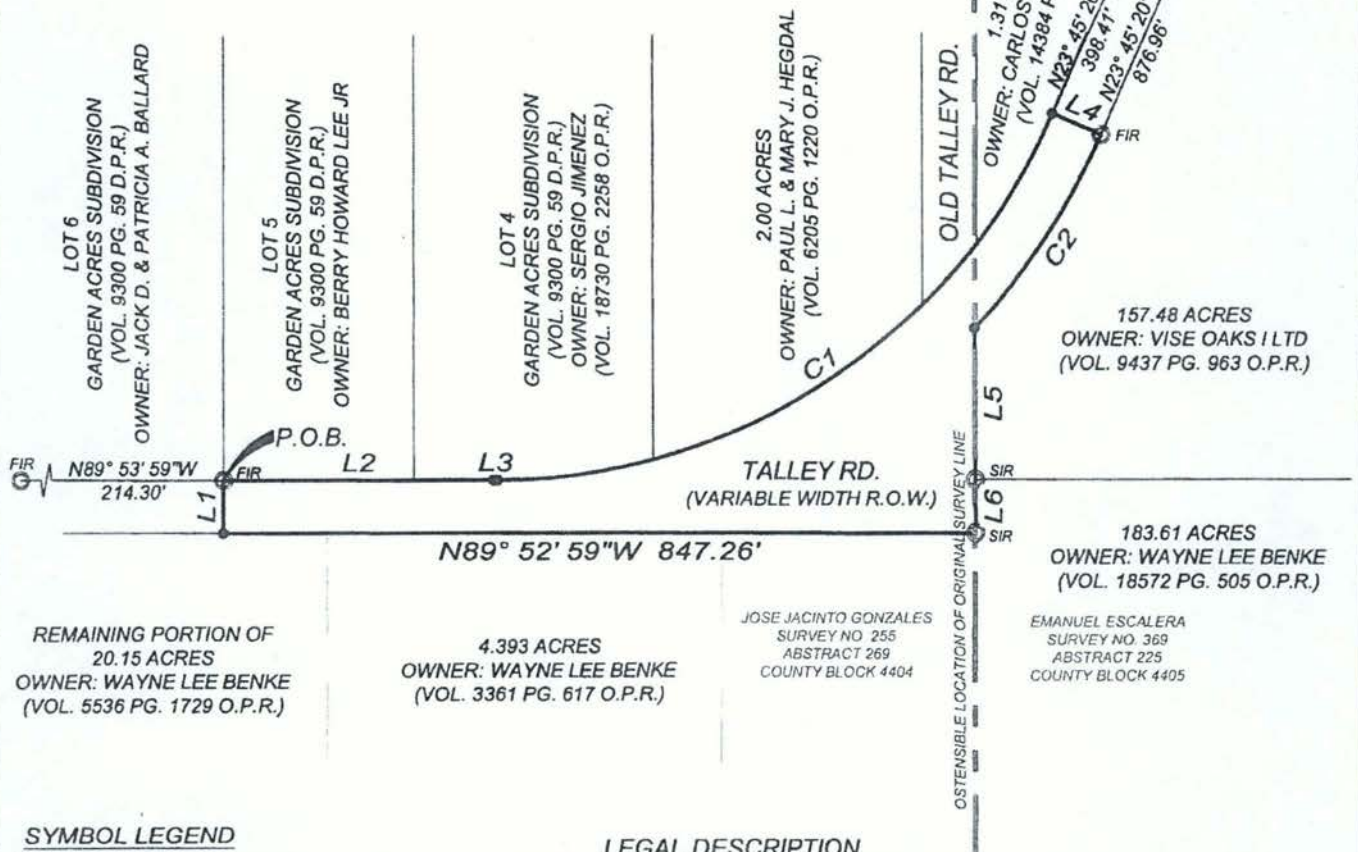


# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9996300289.
2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.
3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
5. THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



LOCATION MAP  
NOT-TO-SCALE



## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- CALCULATED POINT
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING

## LEGAL DESCRIPTION

A 2.444 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 26 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
PHONE: 512-239-5263, FAX: 512-239-5263

**KFW**  
SURVEYING  
2421 Pleasant Place, Suite 101, San Antonio, TX 78201  
Phone: 512-375-5444 • Fax: 512-375-5441  
TSPS License: 1812206

**TALLEY ROAD**  
PUBLIC IMPROVEMENT DISTRICT

**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE: 09/26/2018	DESIGNER: TAS
DRAWN: OP	CHECKED: TAS

**SHEET: 1 OF 1**





**FIELD NOTES  
FOR  
A 2.444 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **2.444 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod in the north right-of-way line of Talley Road, a variable width right-of-way, for the southeast corner of Lot 6 and the southwest corner of Lot 5 both of the Garden Acres Subdivision, a plat of record in Volume 9300 Page 59 of the Deed and Plat Records of Bexar County, Texas, from which a found  $\frac{1}{2}$ " iron rod for the southwest corner of Lot 6, bears N 89°53'59"W, a distance of 214.30 feet;

**THENCE:** S 89°52'59" E along and with the north right-of-way line of Talley Road and the south line of Lot 5 and Lot 4 of the Garden Acres Subdivision, a distance of **303.43 feet** to a point, for an angle point of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE:** S 89°52'53" E continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a distance of **4.36 feet** to a point, for a point of curvature to the left of the south line of Lot 4 and the north line of Talley Road and the tract described herein;

**THENCE:** continuing along and with the north right-of-way line of Talley Road and the south line of Lot 4, a 2.00 acre tract conveyed to Paul L. & Mary J. Hegdal of record in Volume 6205 Page 1220 of the Official Public Record of Bexar County Texas, Old Talley Road and a 1.31 acre tract conveyed to Carlos & Norma Alvarez of record in Volume 14384 Page 308 of the Official Public Record of Bexar County, Texas with the curve to the left having an arc of **794.15 feet**, a radius of **683.20 feet**, a delta of 66°36'00" and a chord bears N 56°55'48"E, a distance of **750.19 feet** to a point, for the point of curvature and the most northerly corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N 23°45'20"E, a distance of 398.41 feet;

**THENCE:** S 66°22'12" E over and across Talley Road, a distance of **60.00 feet** to a found  $\frac{1}{2}$ " iron rod in the southeast line of Talley Road and the northwest line of a 157.48 acre tract conveyed to Vise Oaks I, LTD of record in Volume 9437 Page 963 of the Official Public Record of Bexar County, Texas, for a point of curvature and the northeast corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod, bears N23°45'20"E, a distance of 876.96 feet;

**THENCE:** along and with the southeast line of Talley Road and the northwest line of a 157.48 acre tract the following two (2) courses:



1. with a curve to the right having an arc of **262.71 feet**, a radius of **743.20 feet**, a delta of **20°15'11"** and a chord bears **S 33°45'23"W**, a distance of **261.34 feet** to a point, for an interior corner of the tract described herein, and
2. **S 00°16'43" E**, a distance of **167.92 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", at the southwest corner of the 157.48 acre tract, for the northwest corner of a 183.61 acre tract conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Record of Bexar County, Texas;

**THENCE: S 00°06'09" E**, continuing along and with the southeast line of Talley Road and the northwest line of the 183.61 acre tract, a distance of **61.20 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for an interior corner of the 183.61 acre tract and the southeast corner of the tract described herein;

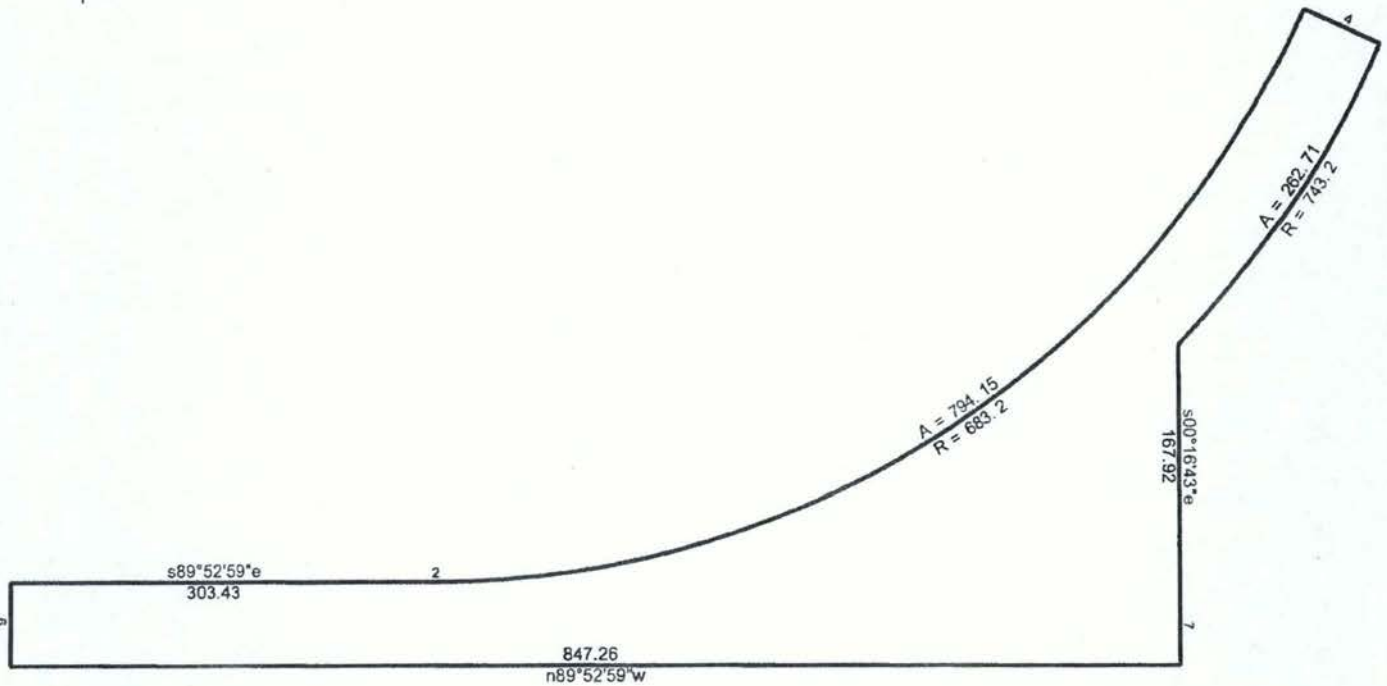
**THENCE: N 89°52'59" W** along and with the south line of Talley Road and the north line of the 183.61 acre tract, a 4.393 acre tract conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Record of Bexar County, Texas and the remaining portion of a 20.15 acre tract conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Record of Bexar County, Texas, a distance of **847.26 feet** to point, for the southwest corner of the tract described herein;

**THENCE: N 00°07'01" E** over and across Talley Road, a distance of **60.00 feet** to the **POINT OF BEGINNING** and containing 2.444 acres or 106,455 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 2.444Ac Talley Rd.docx





9/27/2018

Scale: 1 inch= 128 feet

File: 2.444 ac.ndp

Tract 1: 2.4439 Acres (106457 Sq. Feet), Closure: s87.4919e 0.01 ft. (1/304694), Perimeter=2561 ft.

01 s89.5259e 303.43

08 n89.5259w 847.26

02 s89.5253e 4.36

09 n00.0701e 60.00

03 Lt, r=683.20, arc=794.15, chord=n56.5548e 750.19

04 s66.2212e 60.00

05 Rt, r=743.20, arc=262.71, chord=s33.4523w 261.34

06 s00.1643e 167.92

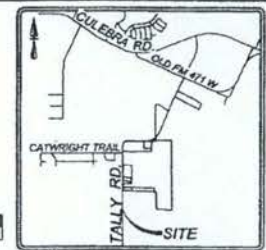
07 s00.0609e 61.20



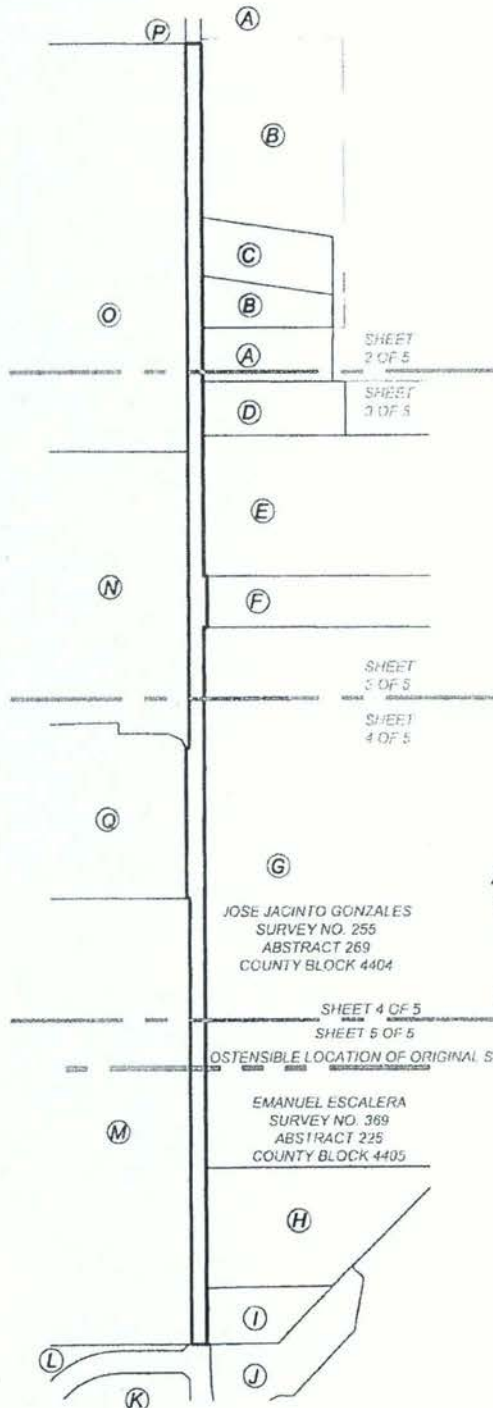
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SCALE: 1"=700'



LOCATION MAP  
NOT-TO-SCALE



- |  |   |
|--|---|
| <p>(A) 183.61 ACRES<br/>OWNER: WAYNE LEE BENKE<br/>(VOL. 18572 PG. 505 O.P.R.)</p> <p>(B) 14.85 ACRES<br/>OWNER: WAYNE LEE BENKE<br/>(VOL. 5536 PG. 1726 O.P.R.)</p> <p>(C) 2.744 ACRES<br/>OWNER: MICHAEL L. &amp; ROBYN K. KLAR<br/>(VOL. 7991 PG. 631 O.P.R.)</p> <p>(D) 2.758 ACRES<br/>OWNER: TRAVIS WAYNE BENKE<br/>(VOL. 6021 PG. 435 O.P.R.)</p> <p>(E) REMAINING PORTION OF 34.616 ACRES<br/>OWNER: EMERIO G. &amp; MARIA E. PLATA<br/>(VOL. 10320 PG. 1769 O.P.R.)</p> <p>(F) LOT 1, BLOCK 12<br/>TALLEY ROAD SUBDIVISION<br/>(VOL. 9608 PG. 105 D.P.R.)<br/>OWNER: DAVID &amp; MARTHA PLATA<br/>(VOL. 17766 PG. 1 O.P.R.)</p> <p>(G) 101.216 ACRES<br/>OWNER: DONALD &amp; PAT THOMAS<br/>(VOL. 6362 PG. 1523 O.P.R.)</p> <p>(H) 8.00 ACRES<br/>OWNER: ALAMO COMMUNITY<br/>CHURCH-SAN ANTONIO<br/>(VOL. 18164 PG. 1127 O.P.R.)</p> <p>(I) REMAINING PORTION OF 10.00 ACRES<br/>OWNER: JOSEPH M FAUNCE<br/>(VOL. 8979 PG. 1056 O.P.R.)</p> | <p>(J) LOT 1, BLOCK 13<br/>WESTPOINTE WEST UT-2A<br/>(VOL. 9653 PG. 171 D.P.R.)<br/>OWNER: BECKER RANCH LTD<br/>(VOL. 7723 PG. 1880 O.P.R.)</p> <p>(K) LOT 1, BLOCK 3, TAMARON SUBD. UNIT 1<br/>(VOL. 9533 PG. 126 D.P.R.)<br/>OWNER: LUCIO &amp; MARIA GUAJARDO<br/>(DOC #20180115465 O.P.R.)</p> <p>(L) LOT 1, BLOCK 1, TAMARON SUBD. UNIT 1<br/>(VOL. 9533 PG. 126 D.P.R.)<br/>OWNER: DANIEL R. CARDENAS<br/>(VOL. 16425 PG. 2476 O.P.R.)</p> <p>(M) 180.88 ACRES<br/>OWNER: S &amp; P LAND HOLDINGS, LLC<br/>(VOL. 12472 PG. 326 O.P.R.)</p> <p>(N) REMAINING PORTION OF 218.506 ACRES<br/>OWNER: CIUDAD DE LAS PALOMAS, LTD<br/>(VOL. 11748 PG. 908 O.P.R.)</p> <p>(O) 317.310 ACRES<br/>OWNER: HENRY J. &amp; FRANK G JR<br/>PERSYN<br/>(VOL. 5980 PG. 840 O.P.R.)</p> <p>(P) LOT 1, BLOCK 4<br/>GERONIMO VILLAGE SUBDIVISION<br/>(VOL. 5970 PGS. 140-141 D.P.R.)<br/>OWNER: DOMINGO &amp; JANIE HERNANDEZ<br/>(VOL. 15740 PG. 889 O.P.R.)</p> <p>(Q) LOT 901, BLOCK 13<br/>CIUDAD DE LAS PALOMAS UNIT 1A<br/>(VOL. 9677 PGS. 147-148 D.P.R.)</p> |
|--|---|

## LEGAL DESCRIPTION

A 7.270 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING A PORTION OF TALLEY ROAD OF BEXAR COUNTY, TEXAS.

## SYMBOL LEGEND

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

**STATE OF TEXAS**  
**REGISTERED**  
**TERESA A. SEIDEL**  
**5672**  
**PROFESSIONAL LAND SURVEYOR**

TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 156 MC 230 AUSTIN, TX 78753  
PHONE: 512-239-5263, FAX: 512-239-5262

**KFW**  
**SURVEYING**  
3421 Fawcett Hwy, Suite 101, San Antonio, TX 78217  
Phone: 210-597-1444 - Fax: 210-597-1444  
TSPS 5 Firms # 1002388

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO: 16-146	
DATE: 10/09/2018	DESIGNER: TAS
DRAWN: CP	CHECKED: TAS

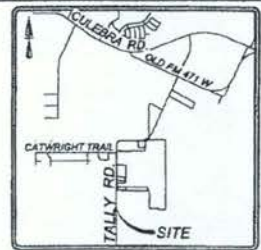
SHEET: 1 OF 5



# NOTES

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SCALE: 1"=200'

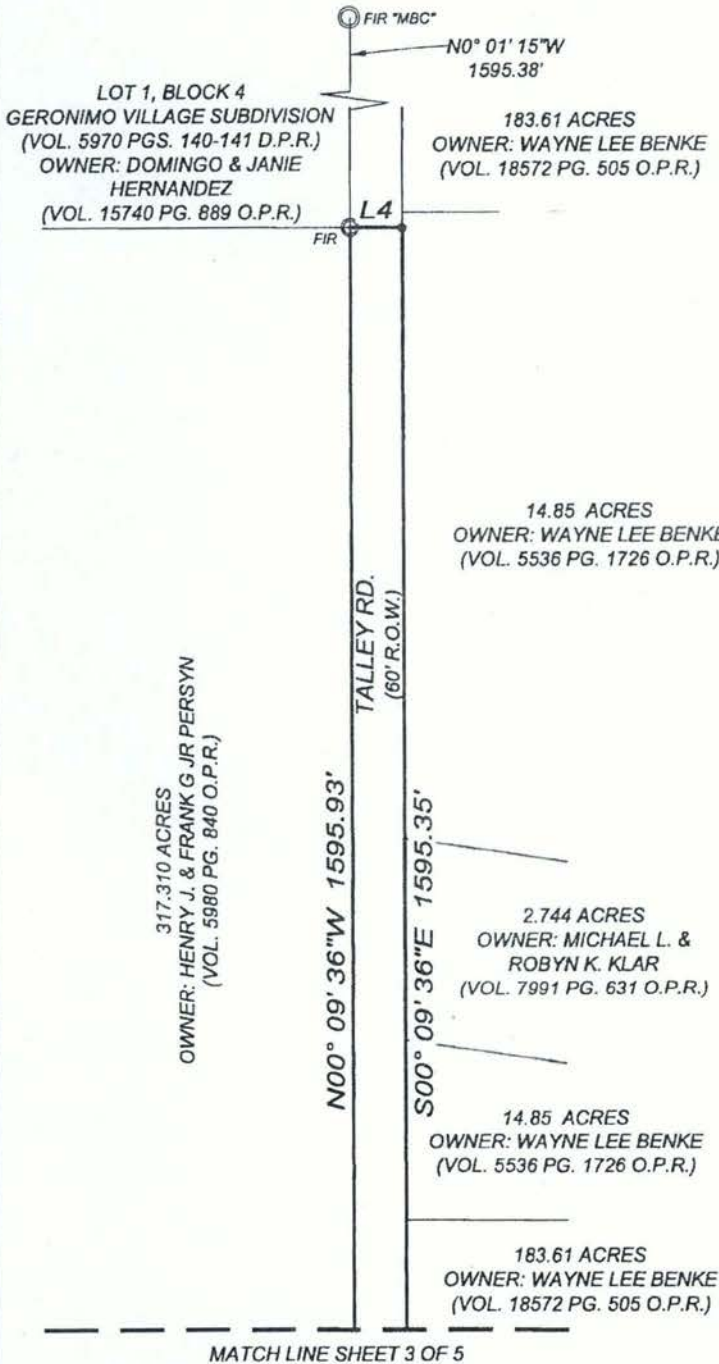


LOCATION MAP  
NOT-TO-SCALE

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT

Line Table		
LINE #	LENGTH	DIRECTION
L4	60.00'	S89°37'02"E



MATCH LINE SHEET 3 OF 5

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 12100 PARK 35 CIRCLE BLDG. A, SUITE 158 MC 230 AUSTIN, TX 78753 PHONE: 512-239-5263, FAX: 512-239-5263



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/05/2018	DESIGNER TAS
DRAWN CP	CHECKED TAS



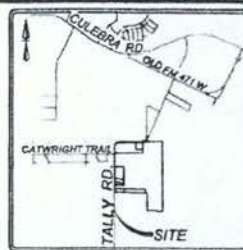
SHEET: 2 OF 5



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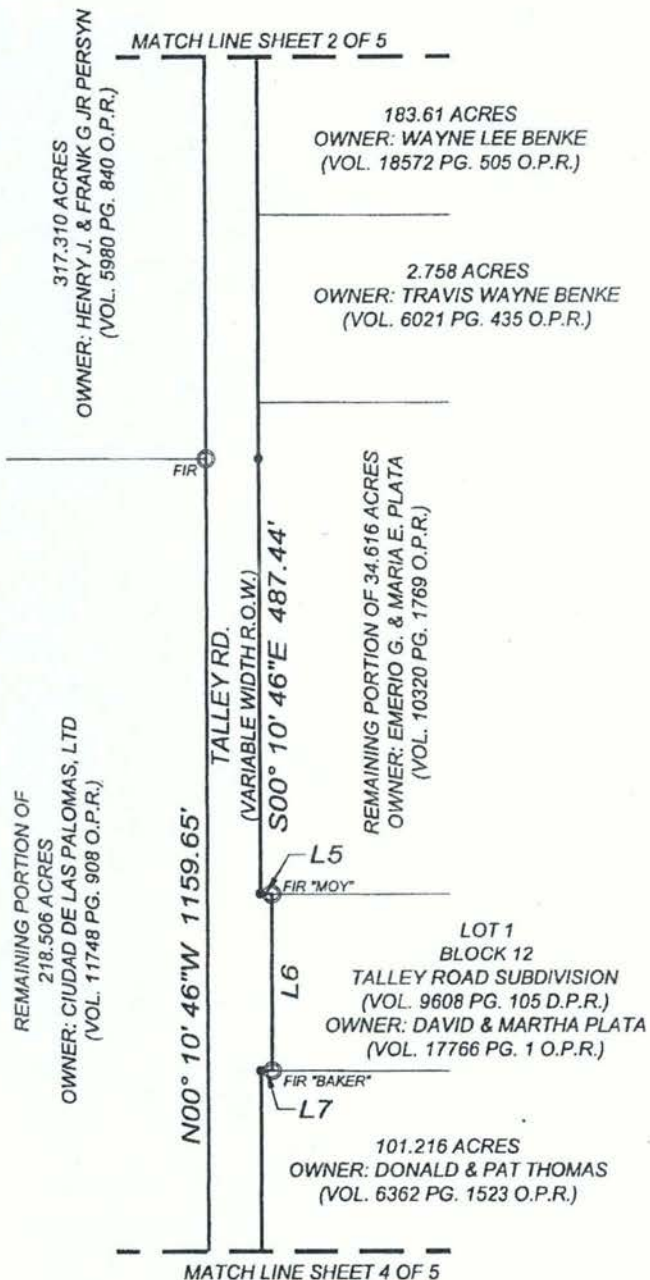
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- CALCULATED POINT

Line Table

LINE #	LENGTH	DIRECTION
L5	13.00'	S89°55'16"E
L6	199.74'	S00°10'51"E
L7	13.00'	N89°55'16"W



**TERESA A. SEIDEL**  
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EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

**9/27/2018**

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**KFW**  
SURVEYING  
3421 Fenderson Plaza, Suite 101, San Antonio, TX 78201  
Phone: 210-579-8444 • Fax: 210-579-8441  
100% Firm # 1010000

**TALLEY ROAD**  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/20/2018	DESIGNER TAS
DRAWN GP	CHECKED TAS

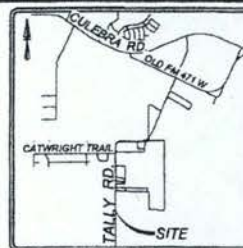


**SHEET: 3 OF 5**

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SCALE: 1"=200'

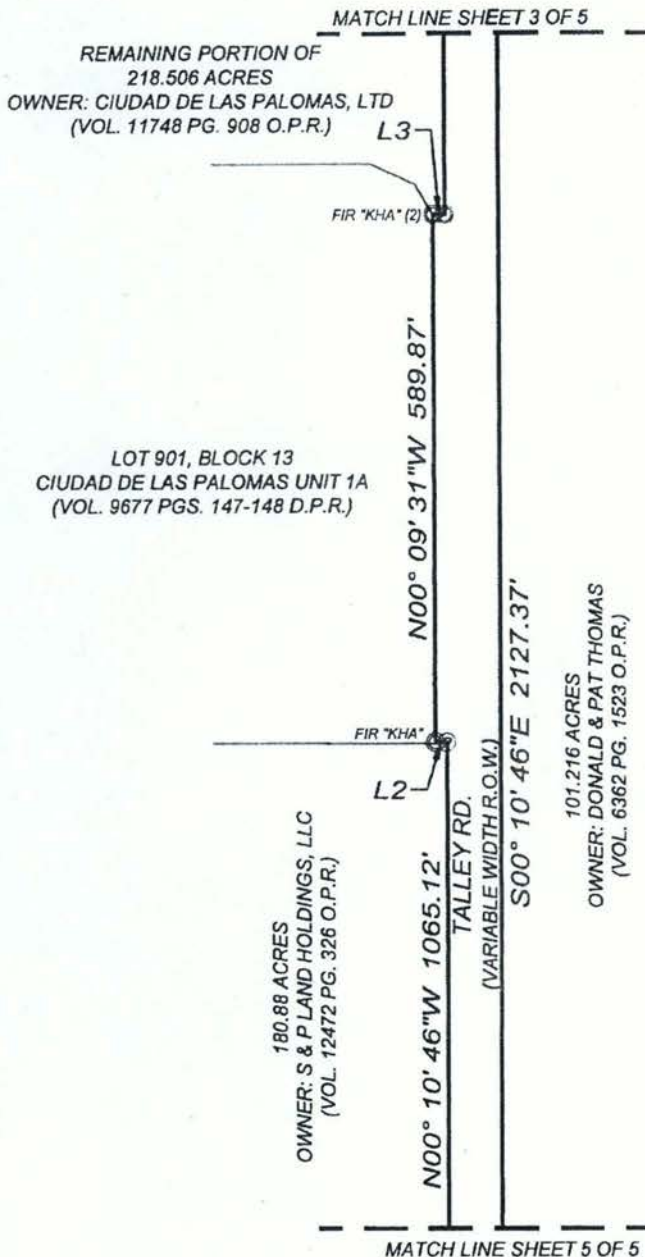


LOCATION MAP  
NOT-TO-SCALE

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

Line Table		
LINE #	LENGTH	DIRECTION
L2	13.62'	S89°50'52"W
L3	13.40'	S89°49'28"E



TERESA A. SEIDEL  
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EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

9/27/2018

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PHONE: 512-239-5263, FAX: 512-239-5263

**KFW**  
SURVEYING  
3421 FARMERS PLACE, SUITE 101, SAN ANTONIO, TX 78217  
PHONE: 512-239-5263, FAX: 512-239-5263

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
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DATE 09/20/2018	DESIGNER TAS
DRAWN CP	CHECKED TAS



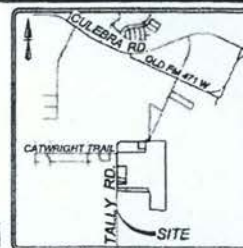
SHEET: 4 OF 5



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3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.
4. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
5. THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

SCALE: 1"=200'



LOCATION MAP  
NOT-TO-SCALE

MATCH LINE SHEET 4 OF 5

101.216 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 6362 PG. 1523 O.P.R.)

180.88 ACRES  
OWNER: S & P LAND HOLDINGS, LLC  
(VOL. 12472 PG. 326 O.P.R.)

N00° 11' 33"W 691.48'  
TALLEY RD.  
(60' R.O.W.)

S00° 11' 33"E 691.47'

8.00 ACRES  
OWNER: ALAMO COMMUNITY  
CHURCH-SAN ANTONIO  
(VOL. 18164 PG. 1127 O.P.R.)

LOT 1, BLOCK 1  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: DANIEL R. CARDENAS  
(VOL. 16425 PG. 2476 O.P.R.)

REMAINING PORTION OF  
10.00 ACRES  
OWNER: JOSEPH M FAUNCE  
(VOL. 8979 PG. 1056 O.P.R.)

P.O.B.

TAMARON PASS  
(60' RIGHT-OF-WAY)

LOT 1, BLOCK 3  
TAMARON SUBD. UNIT 1  
(VOL. 9533 PG. 126 D.P.R.)  
OWNER: LUCIO & MARIA  
GUJARDO  
(DOC #20180115465 O.P.R.)

LOT 1  
BLOCK 13  
WESTPOINTE WEST UT-2A  
(VOL. 9653 PG. 171 D.P.R.)  
OWNER: BECKER RANCH LTD  
(VOL. 7723 PG. 1880 O.P.R.)

## SYMBOL LEGEND

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING

Line Table		
LINE #	LENGTH	DIRECTION
L1	60.00'	S89°48'27"W



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-220 AUSTIN, TX 78753  
PHONE: 512-239-5253, FAX: 512-239-5253



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS		ISSUE DATE
JOB NO.	16-146	
DATE	10/02/2018	DESIGNER TAS
DRAWN	OP	CHECKED TAS

SHEET: 5 OF 5





**FIELD NOTES  
FOR  
A 7.270 ACRE TRACT  
TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**

A **7.270 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being a portion of Talley Road of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod, for the southwest corner of the remaining portion of a 10.00 acre tract as conveyed to Joseph M. Faunce of record in Volume 8979 Page 1056 of the Official Public Records of Bexar County, Texas, an exterior corner of Talley Road, a variable width right-of-way, and the southeast corner of the tract described herein;

**THENCE: S 89°48'27" W**, over and across Talley Road, a distance of **60.00 feet** to a calculated point, for the southeast corner of a 180.88 acre tract as conveyed to S & P Land Holdings, LLC of record in Volume 12472 Page 326 of the Official Public Records of Bexar County, Texas, an interior corner of Talley Road, and the southwest corner of the tract described herein;

**THENCE: N 00°11'33" W** along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **691.48 feet** to a calculated point, for an angle point of the 180.88 acre tract, the west line of Talley Road and the tract described herein;

**THENCE: N 00°10'46" W**, continuing along and with the west line of Talley Road and the east line of the 180.88 acre tract, a distance of **1065.12 feet** to a post, for the northeast corner of the 180.88 acre tract, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°50'52" W**, along and with the north line of the 180.88 acre tract and a south line of Talley Road, a distance of **13.62 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast of Lot 901, Block 13 of the Ciudad De Las Palomas Unit 1A, a plat of record in Volume 9677 Pages 147-148 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: N 00°09'31" W**, along and with the east line of Lot 901, Block 13 and the west line of Talley Road a distance of **589.87 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the northeast corner of Lot 901, Block 13, an exterior corner of a remaining portion of a 218.506 acre tract as conveyed to Ciudad de Las Palomas, LTD of record in Volume 11748 Page 908 of the Official Public Records of Bexar County, Texas, Talley Road and the tract described herein;

**THENCE: S 89°50'52" E**, along and with a south line of the remaining portion of the 218.506 acre tract and a north line of Talley Road a distance of **13.40 feet** to a found  $\frac{1}{2}$ " iron rod with plastic cap stamped "KHA", for the southeast corner of the remaining portion of the 218.506 acre tract, an exterior corner of Talley Road and the tract described herein;



**THENCE: N 00°10'46" W**, along and with the west line of Talley Road and the east line of the remaining portion of the 218.506 acre tract, a distance **1159.65 feet** to a found ½" rod, for the northeast corner of the remaining portion of the 218.506 acre tract, the southeast corner of a 317.310 acre tract conveyed to Henry J. & Frank G. Jr. Persyn of record in Volume 5980 Page 840 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: N 00°09'36" W**, along and with the west line of Talley Road and the east line of the 317.310 acre tract, a distance of **1595.93 feet** to a found ½" iron rod for the southeast corner of Lot 1, Block 4 of the Geronimo Village subdivision, a plat of record in Volume 5970 Pages 140-141 of the Deed and Plat Record of Bexar County, Texas, the northeast corner of the 317.130 acre tract and the northwest corner of the tract described herein, from which a found ½" iron rod for the northeast corner of Lot 1, Block 1 of the Geronimo Village subdivision and an exterior corner of Talley Road bears, N 0°01'15" W, a distance of 1595.38 feet;

**THENCE: S 89°37'02" E**, over and across Talley Road, a distance of **60.00 feet** to a calculated point in the east line of a 14.85 acre as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, for the northeast corner of the tract described herein;

**THENCE: S 00°09'36" E**, along and with the east line of Talley Road and the west lines of the 14.85 acre tract, a 2.744 acre tract as conveyed to Michael L. & Robyn K. Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas, a 183.61 acre tract as conveyed to Wayne Lee Benke of record in Volume 18572 Page 505 of the Official Public Records of Bexar County, Texas, a 2.758 acre tract as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public Records of Bexar County, Texas, a remaining portion of 34.616 acres as conveyed to Emerio G. & Maria E. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, a distance of **1595.35 feet** to a calculated point, for an angle point of the remaining portion of the 34.616 acre tract, Talley Road, and the tract described herein;

**THENCE: S 00°10'46" E**, continuing along and with the east line of Talley Road and the west line of the remaining portion of the 34.616 acres, a distance of **487.44 feet** to a calculated point, for the southwest corner of the remaining portion of the 34.616 acres, an interior corner of Talley Road and the tract described herein;

**THENCE: S 89°55'16" E**, along and with the south line of the remaining portion of the 34.616 acres and a north line of Talley Road, a distance of **13.00 feet** to a found ½" iron rod with plastic cap stamped "Moy", for the northwest corner of Lot 1, Block 12 of the Talley Road subdivision, a plat of record in Volume 9608 Page 105 of the Deed and Plat Records of Bexar County, Texas, an exterior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'51" E**, along and with the west line Lot 1, Block 12 and the east line of Talley Road, a distance of **199.74 feet** to a found ½" iron rod with plastic cap stamped "Baker", in the north line of a 101.216 acre tract as conveyed to Donald & Pat Thomas of record in Volume 6362 Page 1523 of the Official Public Records of Bexar County, Texas, for the southwest corner of Lot 1, Block 12, an exterior corner of Talley Road and the tract described herein;

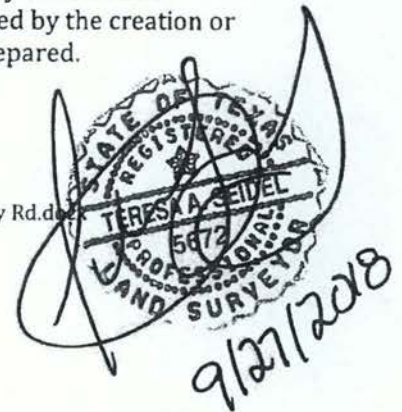
**THENCE: N 89°55'16" W**, along and with the north line of the 101.216 acres and a south line of Talley Road, a distance of **13.00 feet** to a calculated point, for the northwest corner of the 101.216 acres and an interior corner of Talley Road and the tract described herein;

**THENCE: S 00°10'46" E**, along and with the west line 101.216 acres and the east of Talley Road, a distance of **2127.37 feet** to a found ½" iron rod, for the southwest corner of the 101.216 acres, a northwest corner of a 8.00 acre tract as conveyed to Alamo Community Church-San Antonio of record in Volume 18164 Page 1127 of the Official Public Records of Bexar County, Texas, an angle point of Talley Road and the tract described herein;

**THENCE: S 00°11'33" E**, along and with the east line of Talley Road, the west lines of the 8.00 acre tract and the remaining portion of the 10.00 acre tract, a distance of **691.47 feet** to the **POINT OF BEGINNING** and containing **7.270** acres or 316,663 square feet more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: September 26, 2018  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\ FN - 7.270 Ac Talley Rd.dwg







9/27/2018

Scale: 1 inch= 626 feet File: 7.270 ac.ndp

Tract 1: 7.2696 Acres (316663 Sq. Feet), Closure: s29.1824e 0.01 ft. (1/999999), Perimeter=10376 ft.

01 n00.1133w 691.48	11 s89.5516e 13.00
02 n00.1046w 1065.12	12 s00.1051e 199.74
03 s89.5052w 13.62	13 n89.5516w 13.00
04 n00.0931w 589.87	14 s00.1046e 2127.37
05 s89.5052e 13.40	15 s00.1133e 691.47
06 n00.1046w 1159.65	16 s89.4827w 60.00
07 n00.0936w 1595.93	
08 s89.3702e 60.00	
09 s00.0936e 1595.35	
10 s00.1046e 487.44	

# NOTES

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES USING AN AVERAGE COMBINED FACTOR OF 0.9998300289.

2. THE TRACT SHOWN HEREON IS SUBJECT TO ALL BEXAR COUNTY ORDINANCES AND RESTRICTIONS.

3. METES AND BOUNDS WERE PREPARED FOR THIS EXHIBIT.

4. SET IRON PINS ARE 1/2" DIAMETER REBAR WITH A BLUE CAP STAMPED "KFW SURVEYING"

5. ADJOINERS SHOWN HEREON ARE PER CURRENT BEXAR COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

6. SEE SHEET 4 OF 4 FOR PROPERTY LEGEND AND LINE TABLE.

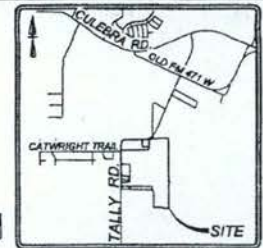
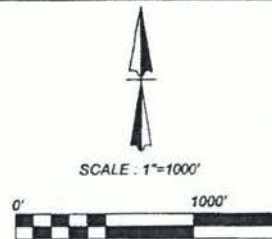
7. THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, THIS IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

## SYMBOL LEGEND

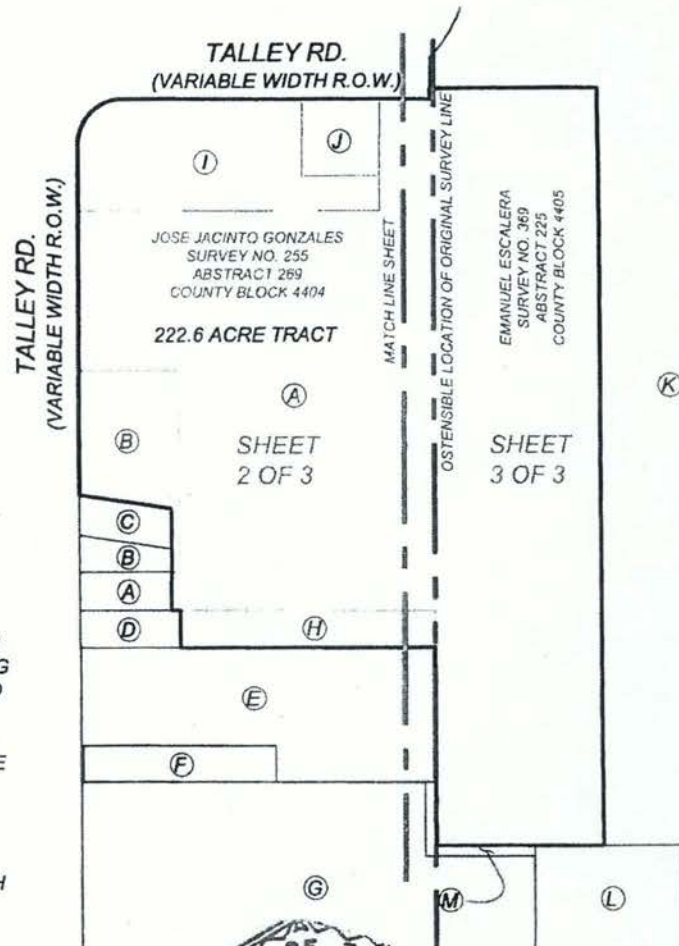
O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS  
D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

## LEGAL DESCRIPTION

A 222.6 ACRE TRACT OF LAND, OUT OF THE EMANUEL ESCALERA SURVEY NO. 369, ABSTRACT 225, COUNTY BLOCK 4405 AND THE JOSE JACINTO GONZALES SURVEY NO. 255, ABSTRACT 269, COUNTY BLOCK 4404, BOTH OF BEXAR COUNTY, TEXAS AND BEING ALL OF A CALLED 4.393 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3361 PAGE 617 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS (O.P.R.), THE REMAINING PORTION OF A 20.15 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1729 O.P.R., A PORTION OF A CALLED 14.85 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 5536 PAGE 1726 O.P.R., A PORTION OF A CALLED 233.0 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 5539 PAGE 405 O.P.R., THE REMAINING PORTION OF A CALLED 9.964 ACRE TRACT OF LAND AS CONVEYED TO WAYNE LEE BENKE OF RECORD IN VOLUME 3107 PAGE 186 O.P.R. AND ALL OF WHICH WERE CONVEYED TO WAYNE LEE BENKE GST TRUST OF RECORD IN VOLUME 13514 PAGE 1496 O.P.R.



LOCATION MAP  
NOT-TO-SCALE



TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED CAN BE DIRECTED TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753 PHONE: 512-238-5262 FAX: 512-238-5253



TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE: 09/25/2018	DESIGNER: TAS
DRAWN: OP	CHECKED: TAS

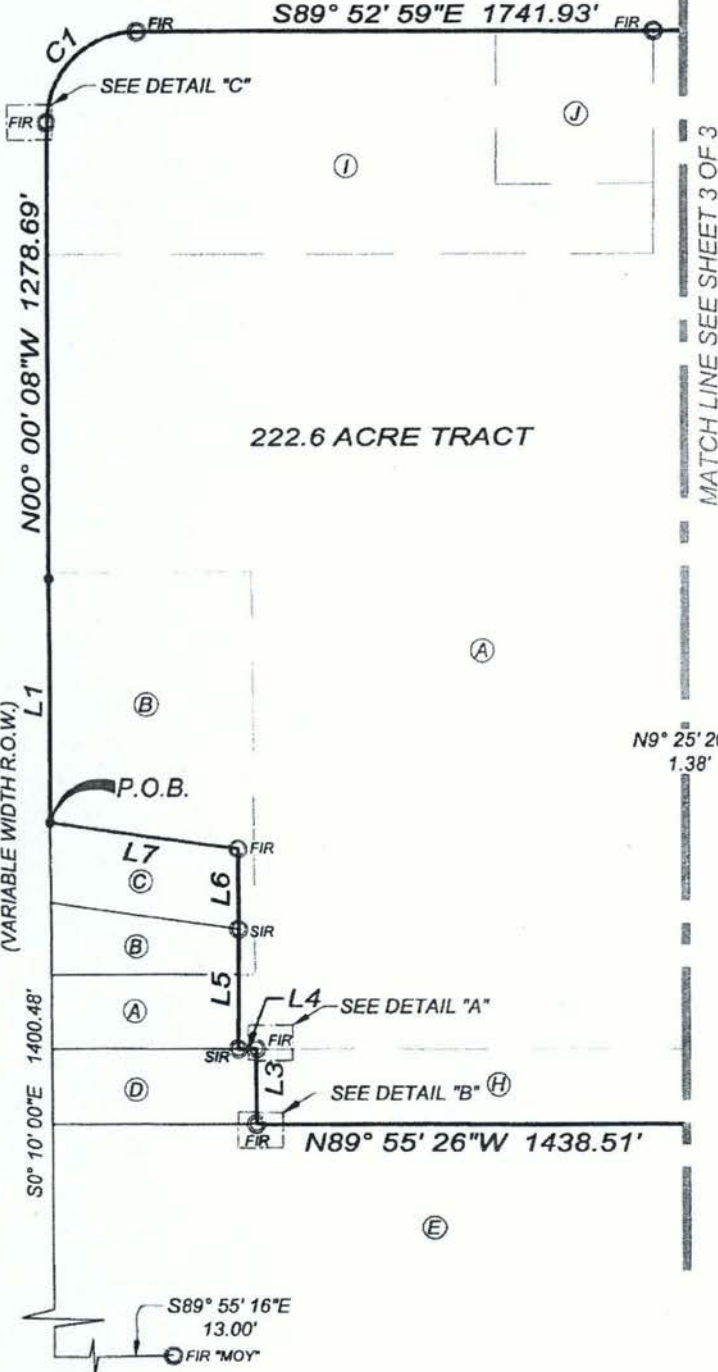
SHEET: 1 OF 4



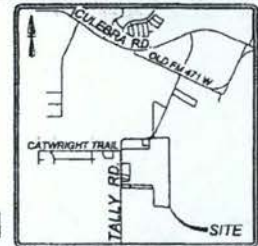
SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

**TALLEY RD.**  
(VARIABLE WIDTH R.O.W.)

S89° 52' 59"E 1741.93'



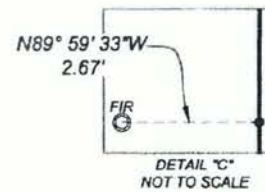
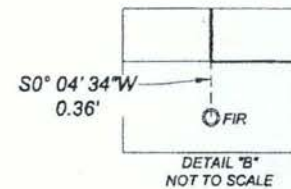
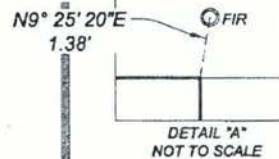
SCALE: 1"=500'



LOCATION MAP  
NOT-TO-SCALE

**SYMBOL LEGEND**

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- CALCULATED POINT



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 106 MC-230 AUSTIN, TX 78753  
PHONE: 512-239-5283, FAX: 512-239-5283



**TALLEY ROAD**  
PUBLIC IMPROVEMENT DISTRICT

**TERESA A. SEIDEL**  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

9/27/2018

REVISIONS	ISSUE DATE
JOB NO: 16-146	
DATE: 09/25/2018	DESIGNER: TAS
DRAWN: CP	CHECKED: TAS

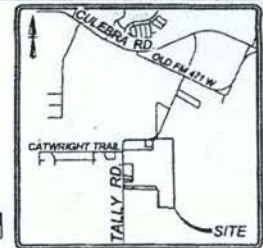
**SHEET: 2 OF 4**

SEE SHEET 1 OF 4 FOR NOTES.  
SEE SHEET 4 OF 4 FOR LINE  
TABLE AND PROPERTY LEGEND.

MATCH LINE SEE SHEET 2 OF 3

N89° 59' 00"E 943.36'  
SIR  
L2  
FIR "RPLS 4611"

SCALE: 1"=500'



LOCATION MAP  
NOT-TO-SCALE

**SYMBOL LEGEND**

- FIR FOUND 1/2" IRON ROD OR AS NOTED
- SIR SET 1/2" IRON ROD WITH A BLUE CAP STAMPED "KFW SURVEYING"
- ⊙ POST AS NOTED
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- ⊙ FIP FOUND IRON PIPE

222.6 ACRE TRACT

S00° 20' 24"E 4236.14'

POST - ANGLE IRON

N00° 07' 09"W 1107.09'

FIR "BAKER"

FIP 1 1/2"

N89° 57' 55"W 946.64'

SIR



*[Signature]*  
TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
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THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 36 CIRCLE BLDG. A, SUITE 150 MC-200 AUSTIN, TX 78753  
PHONE: 512-238-5263, FAX: 512-238-5253

**KFW**  
SURVEYING  
3421 FARMERS POND, SUITE 151, SAN ANTONIO, TX 78217  
PHONE: 512-238-5263 • FAX: 512-238-5253  
TSP/LS Firm # 1012286

TALLEY ROAD  
PUBLIC IMPROVEMENT DISTRICT

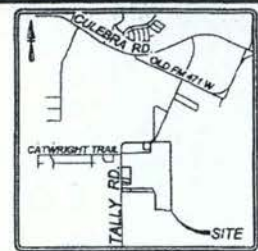
REVISIONS	ISSUE DATE
JOB NO. 16-146	
DATE 09/25/2018	DESIGNER: TAS
DRAWN: DP	CHECKED: TAS

SHEET: 3 OF 4



# **PROPERTY LEGEND**

- (A) 183.61 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 18572 PG. 505 O.P.R.)
- (B) 14.85 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1726 O.P.R.)
- (C) 2.744 ACRES  
OWNER: MICHAEL L. & ROBYN K. KLAR  
(VOL. 7991 PG. 631 O.P.R.)
- (D) 2.758 ACRES  
OWNER: TRAVIS WAYNE BENKE  
(VOL. 6021 PG. 435 O.P.R.)
- (E) REMAINING PORTION OF 34.616 ACRES  
OWNER: EMERIO G. & MARIA E. PLATA  
(VOL. 10320 PG. 1769 O.P.R.)
- (F) LOT 1, BLOCK 12  
TALLEY ROAD SUBDIVISION  
(VOL. 9608 PG. 105 O.P.R.)  
OWNER: DAVID & MARTHA PLATA  
(VOL. 17766 PG. 1 O.P.R.)
- (G) 101.216 ACRES  
OWNER: DONALD & PAT THOMAS  
(VOL. 6362 PG. 1523 O.P.R.)
- (H) REMAINING PORTION OF 9.694 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3107 PG. 186 O.P.R.)
- (I) REMAINING PORTION OF 20.15 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 5536 PG. 1729 O.P.R.)
- (J) 4.393 ACRES  
OWNER: WAYNE LEE BENKE  
(VOL. 3361 PG. 617 O.P.R.)
- (K) 157.48 ACRES  
OWNER: VISE OAKS I LTD  
(VOL. 9437 PG. 963 O.P.R.)
- (L) 51.568 ACRES  
OWNER: CAMPBELTON ROAD LTD  
(VOL. 8187 PG. 828 O.P.R.)
- (M) 1.332 ACRES  
OWNER: DONALD & PAT J. THOMAS  
(VOL. 8294 PG. 183 O.P.R.)



LOCATION MAP  
NOT-TO-SCALE

Line Table		
LINE #	LENGTH	DIRECTION
L1	682.31'	N00°09'38"W
L2	61.20'	N00°06'09"W
L3	210.00'	N00°07'26"W
L4	49.91'	N89°55'26"W
L5	338.27'	N00°13'42"E
L6	227.54'	N00°07'57"W
L7	530.79'	N81°50'54"W

Curve Table					
Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	400.42'	256.48'	089°27'04"	N44°43'50"E	360.98'



ANY COMPLAINTS REGARDING THE SERVICES YOU HAVE RECEIVED  
CAN BE DIRECTED TO:  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING  
12100 PARK 35 CIRCLE BLDG. A, SUITE 150 MC-230 AUSTIN, TX 78753  
PHONE: 512-239-5263, FAX: 512-239-5263



## **TALLEY ROAD PUBLIC IMPROVEMENT DISTRICT**



*[Signature]*  
TERESA A. SEIDEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5672  
EMAIL: TSEIDEL@KFWENGINEERS.COM  
DATE OF EXHIBIT: 09/25/2018  
PROJECT NO.: 16-146

REVISIONS		ISSUE DATE
JOB NO.	16-146	
DATE	08/25/2018	DESIGNER: TAS
DRAWN: CP	CHECKED: TAS	

**SHEET: 4 OF 4**



**FIELD NOTES  
FOR  
TALLEY ROAD PUBLIC IMPROVEMENTS DISTRICT**

A **222.6 acre** tract of land, out of the Emanuel Escalera Survey No. 369, Abstract 225, County Block 4405 and the Jose Jacinto Gonzales Survey No. 255, Abstract 269, County Block 4404, both of Bexar County, Texas and being all of a called 4.393 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3361 Page 617 of the Official Public Records of Bexar County, Texas, the remaining portion of a 20.15 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1729 of the Official Public Records of Bexar County, Texas, a portion of a called 14.85 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 5536 Page 1726 of the Official Public Records of Bexar County, Texas, a portion of a called 233.0 acre tract of land as described in Volume 5539 Page 405 of the Deed Records of Bexar County, Texas and the remaining portion of a called 9.964 acre tract of land as conveyed to Wayne Lee Benke of record in Volume 3107 Page 186 of the Official Public Records of Bexar County, Texas, all of which were conveyed to Wayne Lee Benke GST Trust of record in Volume 13514 Page 1496 of the Official Public Records of Bexar County, Texas. Said **222.6 acre** tract of land being more particularly described by metes and bounds as follows:

**Beginning** at a calculated point in the east right-of-way line of Talley Road, a called 60' wide public right-of-way, the westerly line of the 14.85 acre tract and the 233.0 acre tract, for the northwest corner of a called 2.744 acre tract of land as conveyed to Michael and Robyn Klar of record in Volume 7991 Page 631 of the Official Public Records of Bexar County, Texas and the most westerly southwest corner of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod with a plastic cap stamped "Moy" in the east right-of-way line of Talley Road bears, S 00° 10' 00" E, a distance of 1400.48 feet, thence S 89° 55' 16" E a distance of 13.00 feet;

**THENCE:** Along and with the easterly and southerly right-of-way line of Talley Road and the westerly lines of the 14.85 acre tract, the 233.0 acre tract and the 20.15 acre tract and the northerly lines of the 20.15 acre tract and the 4.393 acre tract, the following five (5) courses:

1. N 00° 09' 36" W, a distance of 682.31 feet to a calculated point, for an angle point of the tract described herein,
2. N 00° 00' 08" W, a distance of 1278.69 feet to a calculated point, for a point of curvature to the right of the tract described herein, from which a found  $\frac{1}{2}$ " iron rod bears, N 89° 59' 33" W, a distance of 2.67 feet,
3. With a curve to the right having a radius of 256.48 feet, an arc length of 400.42 feet, a delta angle of 089° 27' 04" and a chord bears, N 44° 43' 50" E, a distance of 360.98 feet to a found  $\frac{1}{2}$ " iron rod for a point of non-tangency of the tract described herein,
4. S 89° 52' 59" E, at a distance of 1454.92 feet passing a found  $\frac{1}{2}$ " iron rod for the northeast corner of the 4.393 acre tract of land and continuing for a total distance of 1741.93 feet to a set  $\frac{1}{2}$ " iron rod with a blue plastic cap stamped "KFW SURVEYING" for an interior corner of the tract described herein, and



5. **N 00° 06' 09" W**, a distance of **61.20 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" at a westerly exterior corner of a called 157.48 acre tract of land as conveyed to Vise Oaks I, Ltd., of record in Volume 9437 Page 963 of the Official Public Records of Bexar County, Texas, for the most northerly northwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** Departing the southeasterly right-of-way line of Talley Road and along and with the common lines between the 157.48 acre tract and the 233.0 acre tract, the following two (2) courses:

1. **N 89° 59' 00" E**, a distance of **943.36 feet** to a found ½" iron rod with a plastic cap stamped "RPLS 4611" for an interior corner of the 157.48 acre tract, the northeast corner of the 233.0 acre tract and the tract described herein, and
2. **S 00° 20' 24" E**, a distance of **4236.14 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southwest corner of the 157.48 acre tract, in the north line of a called 51.568 acre tract of land as conveyed to Campbellton Road, Ltd., of record in Volume 8187 Page 828 of the Official Public Records of Bexar County, Texas, for the southeast corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 57' 55" W**, along and with the south line of the 233.0 acre tract and the north lines of the 51.568 acre tract and a called 1.332 acre tract of land as conveyed to Donald and Pat Thomas of record in Volume 8294 Page 183 of the Official Public Records of Bexar County, Texas, a distance of **946.64 feet** to a found 1 ½" iron pipe for an interior corner of the 1.332 acre tract, the most southerly southwest corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 00° 07' 09" W**, along and with a westerly line of the 233.0 acre tract and an easterly line of the 1.332 acre tract, at a distance of 357.12 feet passing a found ½" iron rod with a plastic cap stamped "Baker" for a northeast exterior corner of the 1.332 acre tract and the southeast corner of a called 34.616 acre tract of land as conveyed to Emerio G. and Maria F. Plata of record in Volume 10320 Page 1769 of the Official Public Records of Bexar County, Texas, and continuing along and with the westerly line of the 233.0 acre tract and the east line of the 34.616 acre tract, a total distance of **1107.09 feet** to an angle iron post for the northeast corner of the 34.616 acre tract, the southeast corner of the 9.694 acre tract, an interior corner of the 233.0 acre tract and the tract described herein;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 34.616 acre tract and a southerly line of the 233.0 acre tract and the 9.694 acre tract, a distance of **1438.51 feet** to a point for the southeast corner of a called 2.758 acre tract of land as conveyed to Travis Wayne Benke of record in Volume 6021 Page 435 of the Official Public records of Bexar County, Texas and a southwest exterior corner of the tract described herein, from which a found ½" iron rod bears, **S 00° 04' 34" W**, a distance of 0.36 feet;

**THENCE:** **N 00° 07' 26" W**, along and with the east line of the 2.758 acre tract and into and across the 9.694 acre tract and the 233.0 acre tract, a distance of **210.00 feet** to a point for the northeast corner of the 2.758 acre tract, in the north line of the 9.694 acre tract and for an interior corner of the tract described herein, from which a found ½" iron rod bears, **N 09° 25' 20" E**, a distance of 1.38 feet;

**THENCE:** **N 89° 55' 26" W**, along and with the north line of the 2.758 acre tract, a distance of **49.91 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for a southwest exterior corner of the tract described herein;

**THENCE:** N 00° 13' 42" E, into and across the 233.0 acre tract and the 14.85 acre tract, a distance of **338.27 feet** to a set ½" iron rod with a blue plastic cap stamped "KFW SURVEYING" for the southeast corner of the 2.744 acre tract and an exterior corner of the tract described herein

**THENCE:** Along and with east and north lines of the 2.744 acre tract and continuing into and across the 233.0 acre tract and the 14.85 acre tract, the following two (2) courses:

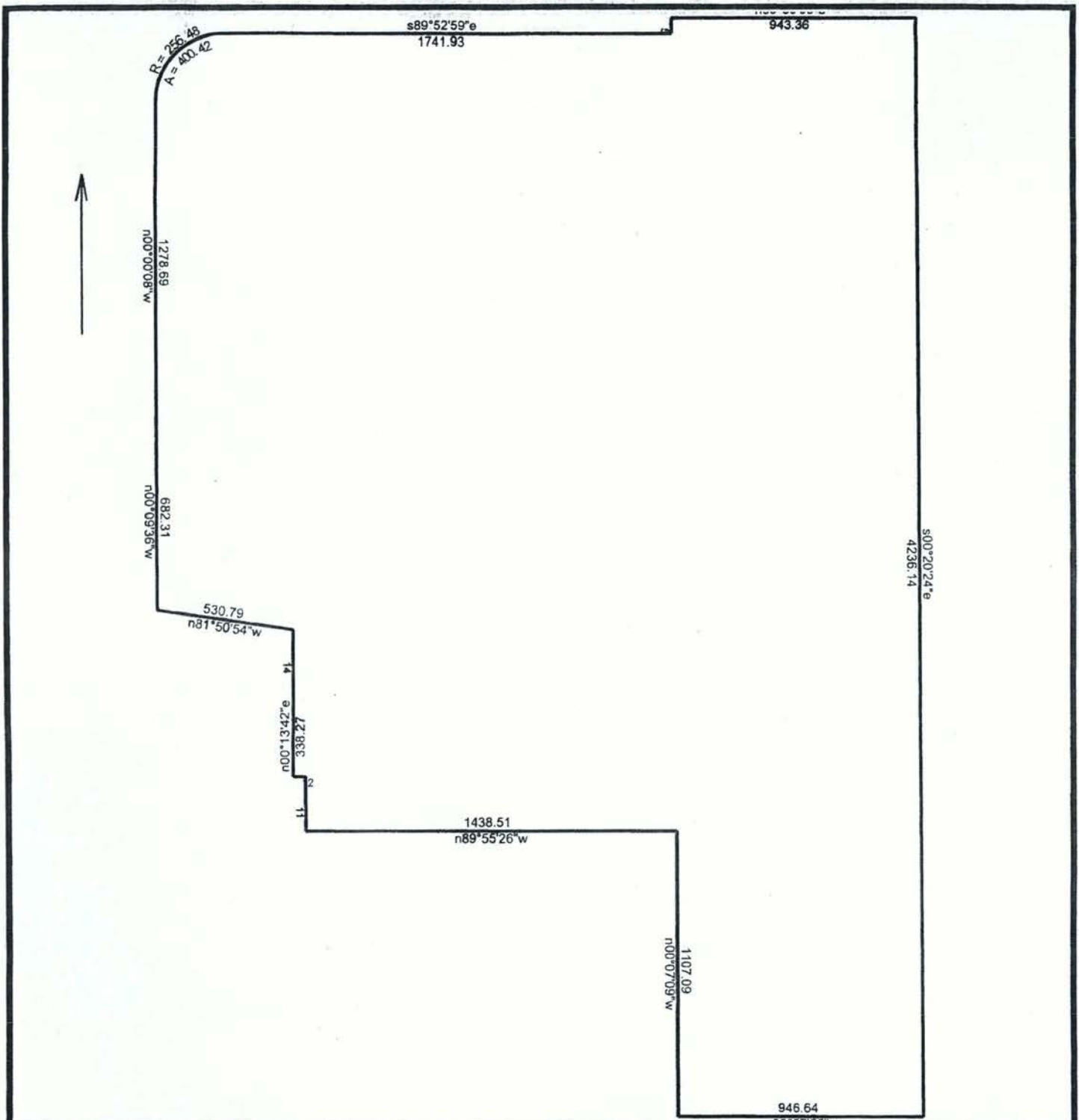
1. N 00° 07' 57" W, a distance of **227.54 feet** to a found ½" iron rod for the northeast corner of the 2.744 acre tract and an interior corner of the tract described herein, and
2. N 81° 50' 54" W, a distance of **530.79 feet** to the **POINT OF BEGINNING** and containing **222.6 acres**, more or less, in Bexar County, Texas. Said tract being described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 (2011) Texas State Plane South Central Zone, 4204. Distances recited herein are surface distances using an average combined scale factor of 0.9998300289.

This document was prepared under 22tac663.21, this is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 16-146  
Prepared by: KFW Surveying  
Date: January 24, 2017  
File: S:\Draw 2016\16-146 Talley Rd - Benke Tract\DOCS\FN - 222.6 Acres







9/27/2018

Scale: 1 inch= 512 feet

File: 222.6 ac.ndp

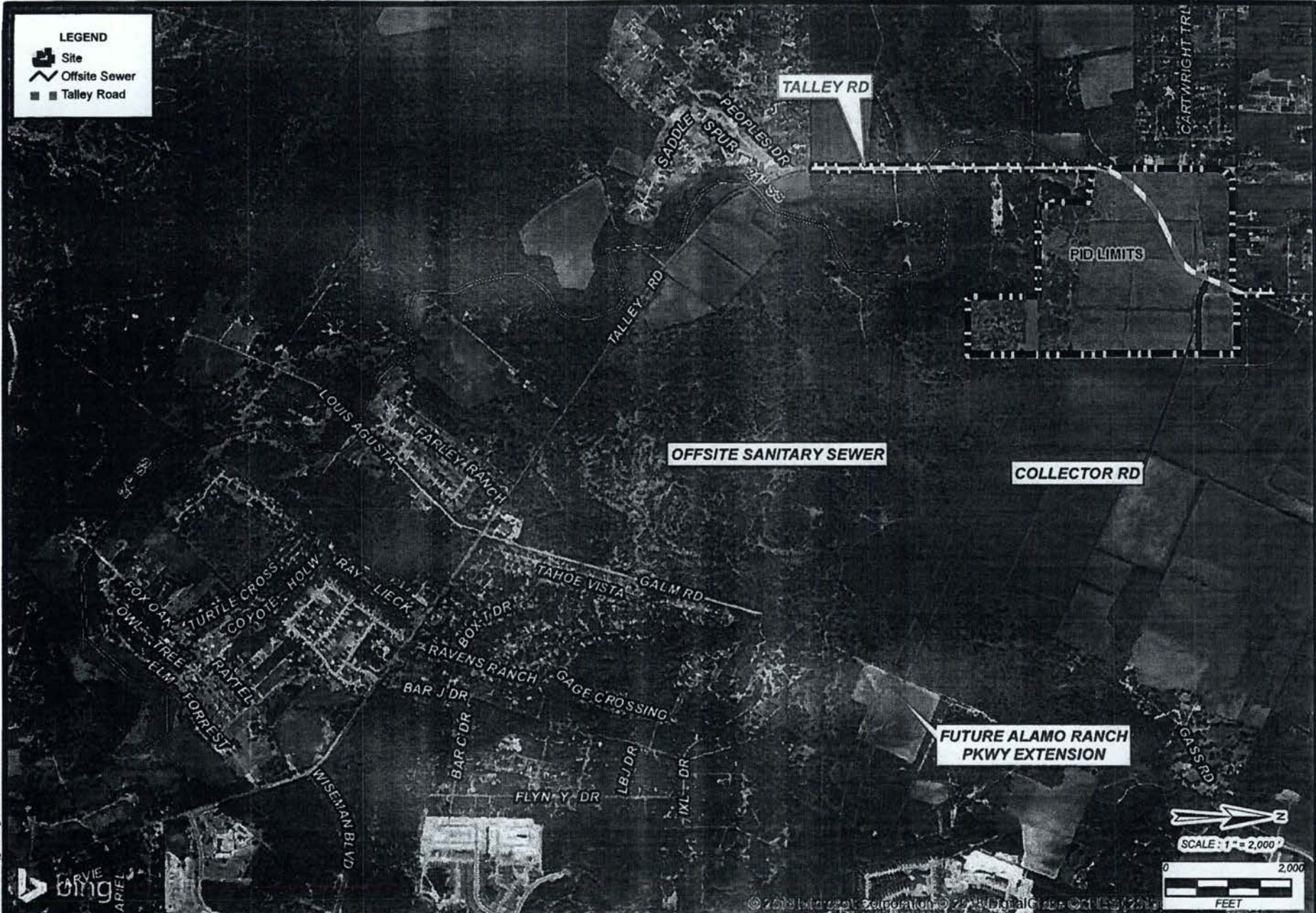
Tract 1: 222.5541 Acres, Closure: s75.4645e 0.02 ft. (1/868271), Perimeter=14193 ft.

01 n00.0936w 682.31	11 n00.0726w 210.00
02 n00.0008w 1278.69	12 n89.5526w 49.91
03 Rt, r=256.48, arc=400.42, chord=n44.4350e 360.98	13 n00.1342e 338.27
04 s89.5259e 1741.93	14 n00.0757w 227.54
05 n00.0609w 61.20	15 n81.5054w 530.79
06 n89.5900e 943.36	
07 s00.2024e 4236.14	
08 n89.5755w 946.64	
09 n00.0709w 1107.09	
10 n89.5526w 1438.51	

**EXHIBIT B**

**BOUNDARY MAP OF THE DISTRICT**





**KFW**  
ENGINEERS + SURVEYING  
FIRM# 9513 FIRM# 10122300  
3411 PASADENA PKWY, SUITE 200  
SAN ANTONIO, TEXAS 78231  
PHONE (210) 979-8444  
FAX (210) 979-8441

**TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT**  
**PID EXHIBIT**

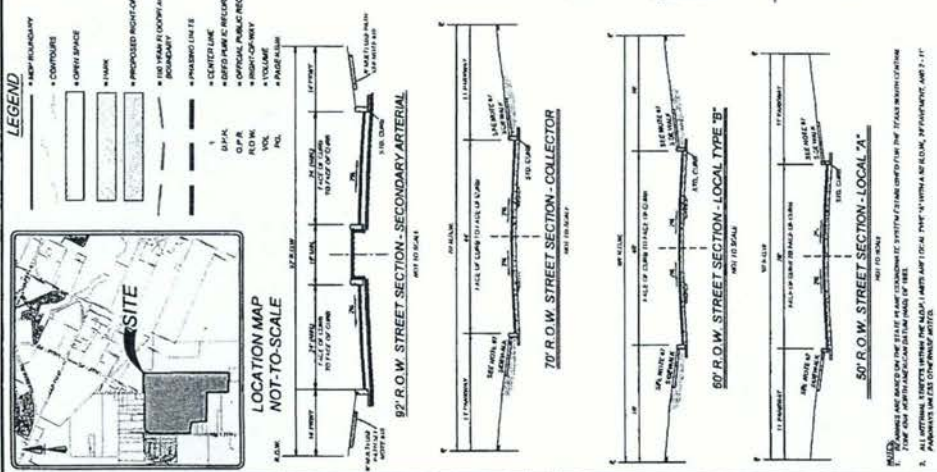
REVISIONS:	ISSUE DATE:
JOB NO. 585-01-01	
DATE: October 2018	DESIGNER:
DRAWN: K.L.	CHECKED: B.L.
<b>SHEET: 1</b>	

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

**EXHIBIT C**

**PROPOSED MASTER DEVELOPMENT PLAN**



[illegible][illegible]

Paved Lane Tests		
Lane #	Length	Temperature
1,1	218.00'	60.00° to 20.7°
1,2	49.81'	60.00° to 20.7°
1,3	338.22'	60.00° to 42.2°
1,4	277.54'	60.00° to 53.9°
1,5	60.48'	60.00° to 58.9°

[illegible]

OWNERS/ADVERTISER:  
OWENS INVESTMENT S, LLC  
8705 RIVER VALLEY, SUITE 103  
SAN ANTONIO, TX 78201  
PHONE: 214-944-1188

3421 FALESANOS PKWY SUITE 200  
 SAN ANTONIO, TX 78231  
 PHONE: (214) 676-6444  
 FAX: (214) 676-6445