



CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

December 6, 1988

Mr. M. W. Cude, P.E.
M. W. Cude & Associates, Inc.
10325 Bandera Road
San Antonio, Texas 78250

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed and accepted the revised conceptual plan for Misty Oaks PUD. Although the committee has accepted the plan as designed, it is still subject to PUD requirements and will need Planning Commission approval. The plan has been assigned File #88 for future reference.

Please note that this action does not establish any commitment for the provision of utilities, services or zoning of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Unified Development Code. Any platting will have to comply with the regulations in force at the time of platting.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

A handwritten signature in cursive script that reads "M C O'Neal".

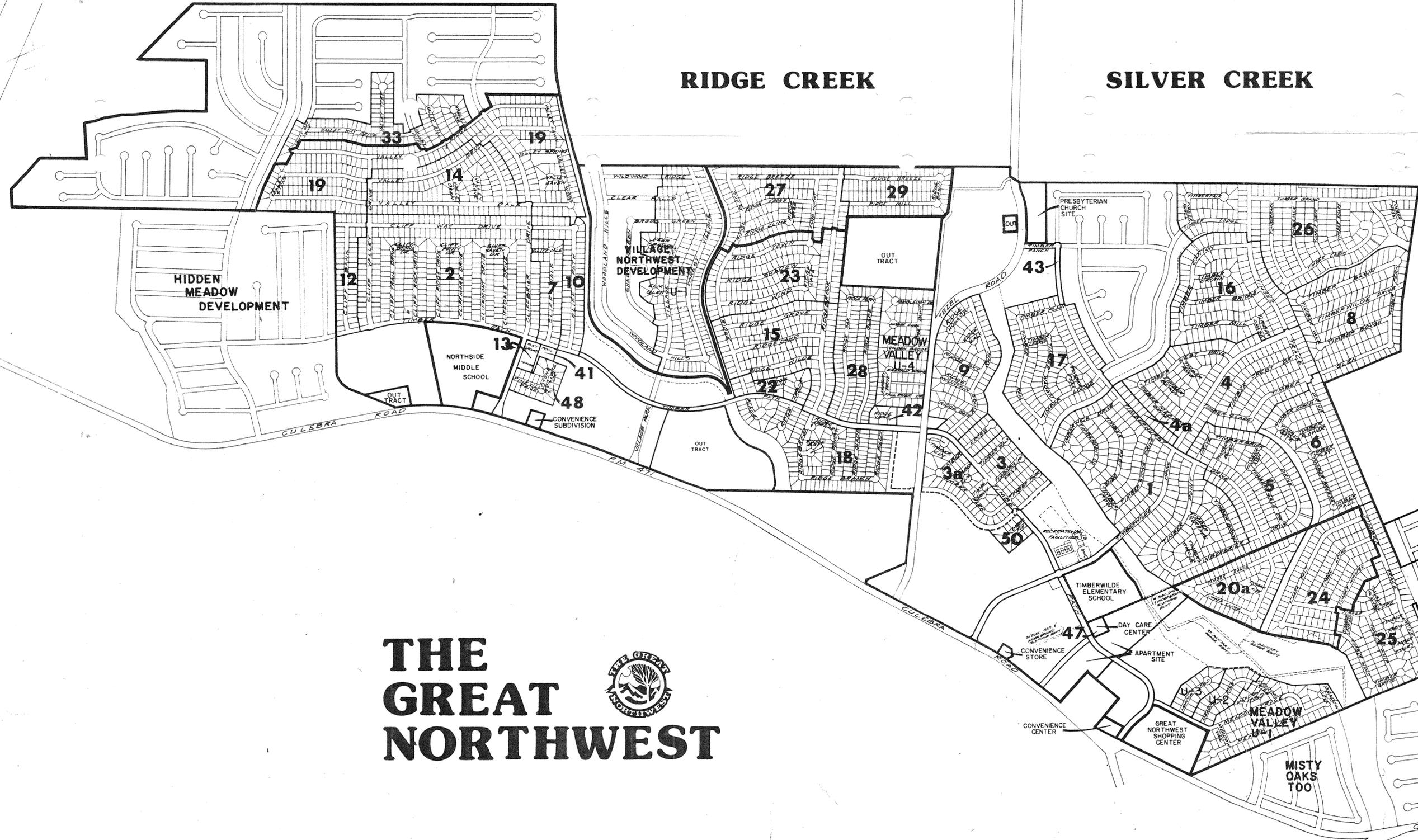
Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/hdlv

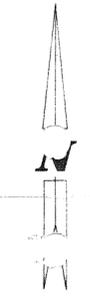
EMERALD VALLEY

RIDGE CREEK

SILVER CREEK



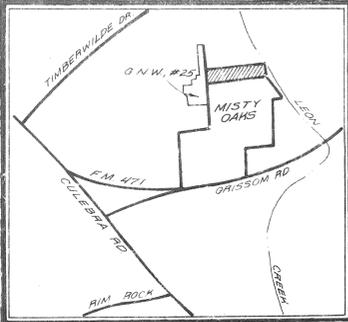
SCALE: 1" = 800'
 C.M.W. CUDE & ASSOCIATES
 CONSULTING ENGINEERS
 P.O. BOX 1411
 SAN ANTONIO, TEXAS 78214



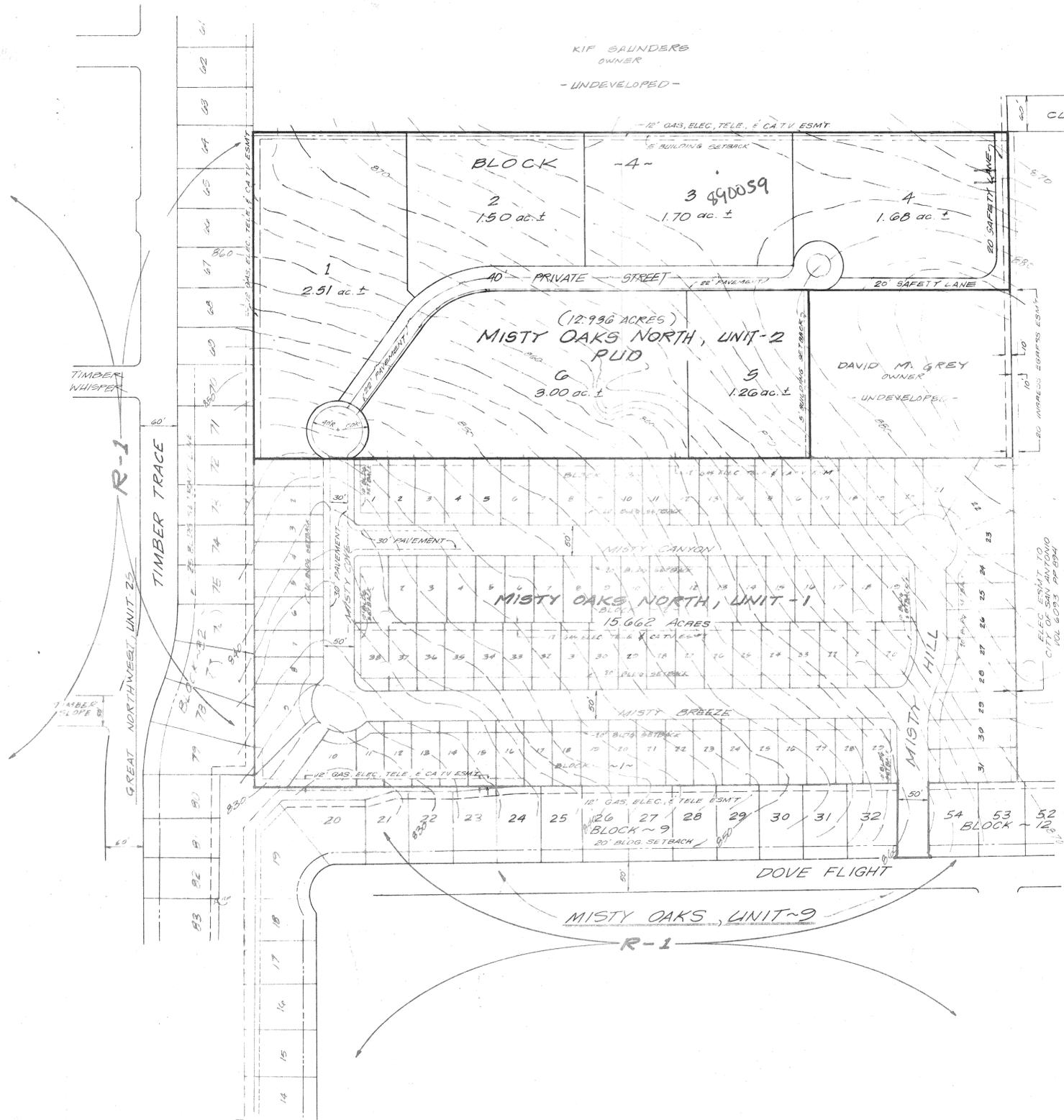
THE GREAT NORTHWEST

RECEIVED
 DEC 13 1983
 DEPARTMENT OF PLANNING
 Subdivision Section

#88



LOCATION MAP



Scale 1"=100'

PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
 Date: 12-1-88
 File # 88
 Signed: McNeal

UNIT 1 LOTS 78-1	UNIT 2 LOTS 2-6
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 10' DIA. - 60" DIA PAVEMENT 3' WITH 3" SIDEWALKS. 40' PRIVATE STREET-22' PAVEMENT 2. SEWER CITY OF SAN ANTONIO SEWERAGE DISPOSAL DESIGNED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT - 1	UNDER CONST	MAY 1, 1989
UNIT - 2	DECEMBER 88	JANUARY 1989

WESTGATE MANAGEMENT CORP. DEVELOPER P.O. BOX 28506 ADDRESS 792-3619 PHONE NO.

PLANNED UNIT DEVELOPMENT PLAN "FINAL"

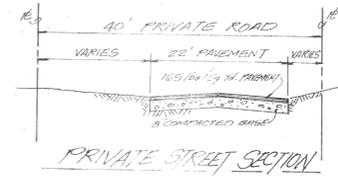
MISTY OAKS NORTH, UNIT - 1 & 2

M.W. CUDE & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 P.O. Box 16411 San Antonio, Texas

DESIGNED BY: J. CAWTRILL DATE: DEC. 3, 1988
 CHECKED BY: M.W. CUDE JOB NO.: 2198-01

REVISIONS	
DATE	DESCRIPTION
12-18-88	
12-18-88	

SHEET 1



#88

12/10/85
 REVISOR: 11/15/85
 11-28-85
 REVISOR: NOV 28, 1988 REVISOR: NOV 22, 1988

CV	RADIUS	DELTA	TANGENT	LENGTH
1	275.00'	24°18'25"	59.22'	116.66'
2	5.00'	20°00'00"	5.00'	7.85'
3	275.00'	7°03'34"	18.26'	33.28'
4	50.00'	135°21'53"	120.81'	117.83'
5	25.00'	82°27'28"	24.71'	30.03'
6	5.00'	84°18'35"	4.53'	7.30'
7	325.00'	12°44'21"	56.54'	111.97'
8	275.00'	17°14'51"	41.71'	82.78'
9	10.00'	26°10'43"	11.54'	17.14'

WE WAYNE T. NANCE AND R.D. LENZEN JOIN IN THE EXECUTION OF THIS PLAT FOR THE SOLE PURPOSE OF SUBJECTING THAT PORTION OF LAND WE OWN ABUTTING THE WEST LINE OF THIS SUBDIVISION AND DESIGNATED ON THIS PLAT AS A DRAINAGE AND SANITARY SEWER EASEMENT AND I, FURTHER, MAKE NO OTHER REPRESENTATION OF THIS PLAT.

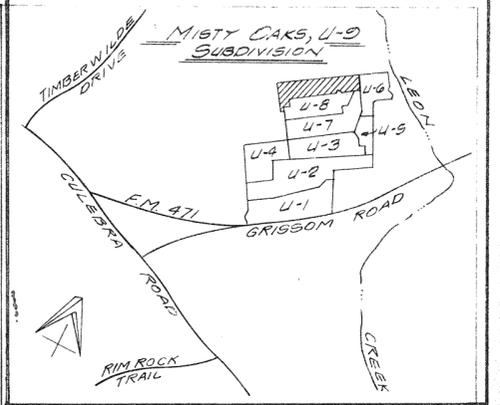
Wayne T. Nance
 WAYNE T. NANCE
R.D. Lenzen
 R.D. LENZEN

STATE OF TEXAS
 COUNTY OF BEXAR
 BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED WAYNE T. NANCE AND R.D. LENZEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 24th DAY OF August A.D. 1979

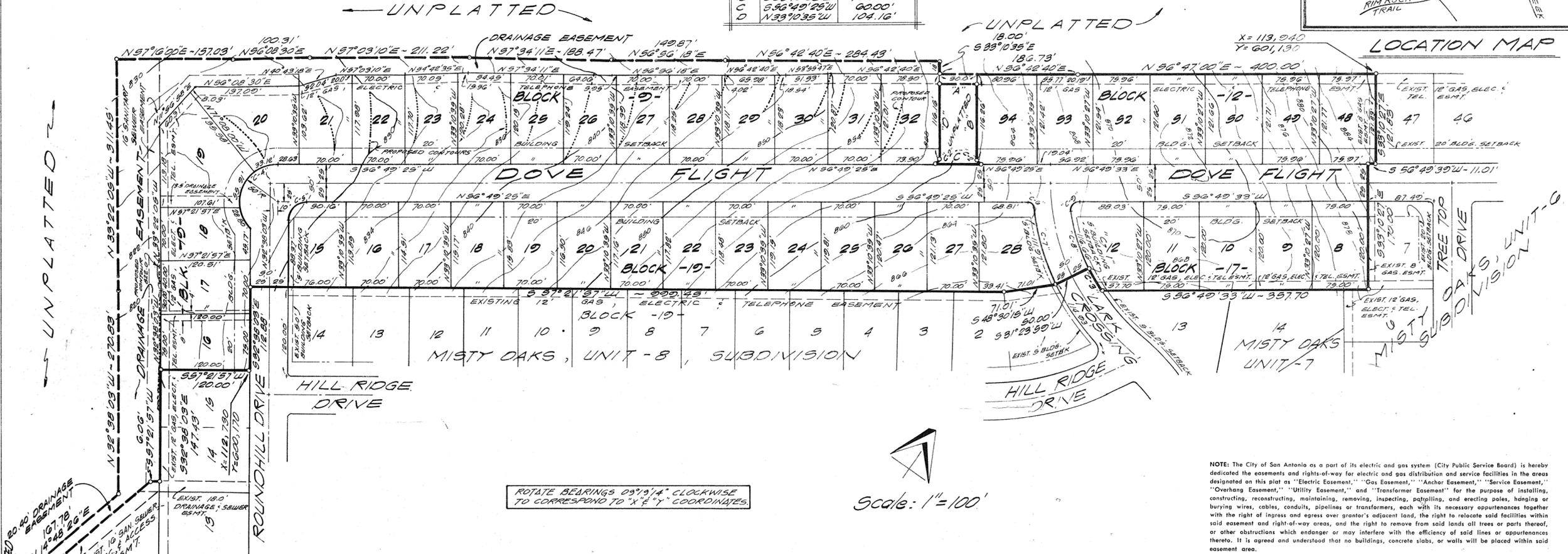
Nelli Lu Moore
 NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

Planning Commission
 City of San Antonio
 NOV 7 1979

PLAT APPROVED



LINE	BEARING	DISTANCE
A	N56°42'40"E	90.00'
B	S33°10'35"E	104.26'
C	S36°49'29"W	60.00'
D	N33°10'35"W	104.16'



ROTATE BEARINGS 09°30'14" CLOCKWISE TO CORRESPOND TO X-Y COORDINATES

Scale: 1"=100'

NOTE: The City of San Antonio as a part of its electric and gas system (City Public Service Board) is hereby dedicating the easements and rights-of-way for electric and gas distribution and service facilities in the areas designated on this plat as "Electric Easement," "Gas Easement," "Anchor Easement," "Service Easement," "Overhang Easement," "Utility Easement," and "Transformer Easement" for the purpose of installing, constructing, reconstructing, maintaining, removing, inspecting, patrolling, and erecting poles, hanging or burying wires, cables, conduits, pipelines or transformers, each with its necessary appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to relocate said facilities within said easement and right-of-way areas, and the right to remove from said lands all trees or parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or appurtenances thereon. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.

Any CPS monetary loss resulting from modifications required of CPS equipment, located within said easement, due to grade changes or ground elevation alterations shall be charged to the person or persons deemed responsible for said grade changes or ground elevation alteration.

STATE OF TEXAS
 COUNTY OF BEXAR
 I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

Eugene H. Dawson
 REGISTERED PROFESSIONAL ENGINEER

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16th DAY OF AUGUST A.D. 1979

Jesus F. Pacheco
 NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF BEXAR
 THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

MEADER CONSTRUCTION CO.
 BY: *Ike Meader* - PRESIDENT
 OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS
 COUNTY OF BEXAR
 BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED IKE MEADER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 16th DAY OF AUGUST A.D. 1979

Jesus F. Pacheco
 NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

SUBDIVISION PLAT
 of
MISTY OAKS, UNIT-9, SUBDIVISION

BEING 12.187 ACRES OF LAND COMPRISED OF 10.893 ACRES OUT OF A 117.967 ACRE TRACT; 0.427 ACRES OUT OF A 14.253 ACRE TRACT AND 0.867 ACRES OUT OF A 49.042 AND A 54.255 ACRE TRACT ALL OUT OF THE ELIZABETH PLUNKETT SURVEY NO 72, ABSTRACT 973, COUNTY BLOCK 4433, BEXAR COUNTY, TEXAS.

PAPE-DAWSON ENGINEERS

STATE OF TEXAS
 COUNTY OF BEXAR
 I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Eugene H. Dawson
 REGISTERED PROFESSIONAL ENGINEER

OR
 REGISTERED PUBLIC SURVEYOR
 SWORN TO AND SUBSCRIBED BEFORE ME THIS 16th DAY OF AUGUST A.D. 1979

Jesus F. Pacheco
 NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF BEXAR

I, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF A.D. AT M. AND DULY RECORDED THE DAY OF A.D. AT M. IN THE RECORDS OF OF SAID COUNTY, IN BOOK VOLUME ON PAGE IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS DAY OF A.D. COUNTY CLERK, BEXAR COUNTY, TEXAS

THIS PLAT OF HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.
 DATED THIS 7th DAY OF November A.D. 1979
 BY: *Robert R. Ashby* CHAIRMAN
 BY: *Robert R. Ashby* SECRETARY

#88

INFORMATION SHEET FOR
PRELIMINARY OVERALL AREA DEVELOPMENT PLAN
(P.O.A.D.P.)

FILE NO. 83-11-60-20
(To be assigned by the Planning Dept.)

MISTY OAKS NORTH UNIT 1 & 2
P.O.A.D.P. NAME

WAYNE NANCE & ASSOC. P.O. BOX 16411 SA. 78216 PHONE NO.
NAME OF DEVELOPER/SUBDIVIDER ADDRESS

M.W. CURE & ASSOC, INC. P.O. BOX 16411 S.A. TEX. 681-2951
NAME OF CONSULTANT ADDRESS PHONE NO.

GENERAL LOCATION OF SITE NORTH OF DOVE FLIGHT & 910' EAST
OF ITS INTERSECTION WITH ROUNDHILL DR

EXISTING ZONING (IF APPLICABLE) O.C.L.

<u>PROPOSED WATER SERVICE</u>	<u>PROPOSED LAND USE</u>	<u>PROPOSED SEWER SERVICE</u>
<input checked="" type="checkbox"/> City Water Board () Other District _____ Name	<input checked="" type="checkbox"/> Single Family (6-7) () Duplex () Multi-Family () Business () Industrial	<input checked="" type="checkbox"/> City of San Antonio () Other System _____ Name () Septic Tank(s)
<input type="checkbox"/> Water Wells		

DATE FILED Dec 13, 1983

REVISIONS FILED _____
(if applicable)

DUE DATE OF RESPONSE Jan 11, 1984
(within 20 working days of receipt)

DATE OF RESPONSE _____
(within 15 working days of receipt)

JUNE 1985

(Date of expiration of plan, if no plats are received within 18 months of the plan filing)

NEEDED INFORMATION:

INFORMATION REQUESTED. The FOADP as an overview of the developer's projected land use, shall include, at least the following information:

- (a) perimeter property lines;
- (b) name of the plan and the subdivisions;
- (c) scale;
- (d) proposed land use(s) by location and type;
- (e) existing and proposed circulation system of collector and arterial streets and their relationship to any adjacent major thoroughfares and any proposed alternative pedestrian circulation systems: (side-walks, lanes, paths, etc.)
- (f) the proposed source and type of sewage disposal and water supply;
- (g) contour lines at no greater than ten (10) foot intervals;
- (h) projected sequence of phasing;
- (i) existing and/or proposed zoning classification(s);
- (j) known ownership and proposed development of adjacent undeveloped land; and
- (k) existing adjacent streets or development which impact upon access decisions within the proposed FOADP.

*Copies to all of Deann 12-14-83
Committee will review 12-20-83*



CITY OF SAN ANTONIO

P O BOX 9066

SAN ANTONIO, TEXAS 78285

December 1, 1988

Mr. M. W. Cude, P.E.
M. W. Cude & Associates, Inc.
P. O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed and accepted the revised conceptual plan for Misty Oaks PUD. Although the committee has accepted the plan as designed, it is still subject to PUD requirements and will need Planning Commission approval. The plan has been assigned File #88 for future reference.

Please note that this action does not establish any commitment for the provision of utilities, services or zoning of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Unified Development Code. Any platting will have to comply with the regulations in force at the time of platting.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/hdlv



CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

November 21, 1988

Mr. M. W. Cude, P.E.
M.W. Cude & Associates, Inc.
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed your revised Preliminary Area Development Plan (POADP) for Misty Oaks #88 on November 18, 1988 and did not accept the plan. The committee requests that Misty Cove Drive be extended to the north property line as a stub street to allow an eventual tie into Clyde Dent. This will provide a second means of access for all the residences north of Dove Flight. In addition, if the large lots should be developed in the future for multifamily or non-residential uses, it would provide an alternative access other than through the single-family subdivision.

If you do not concur with this request, you may appeal to the Planning Commission by submitting a written request.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/sm



CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

December 20, 1985

M. W. Cude & Associates
Mr. M. W. Cude
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North, Units 1&2 POADP
(File #83-11-60-20) (Revised December 11, 1985)

Dear Mr. Cude:

The POADP Committee has reviewed and accepted your proposed plan for Misty Oaks North, Units 1&2 (see attached).

If you have any questions, please contact Roy Ramos in our Subdivision Section at 299-7900.

Sincerely,


Michael C. O'Neal
Planning Administrator
Dept. of Planning

MCO/RR/sm
Attachment

Roy



CITY OF SAN ANTONIO

P. O. BOX 9066

SAN ANTONIO, TEXAS 78285

November 26, 1985

M.W. Cude & Associates
Mr. M. W. Cude
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North, Units 1 & 2 POADP
File #83-11-60-20 (Revised November 15, 1985)

Dear Mr. Cude:

The POADP Committee has reviewed the revised plan for Misty Oaks North Units 1&2. At its meeting of November 22, 1985, the Committee determined not to accept the revised plan.

The Committee has two concerns with the revised plan.

1. If Unit-2 is to be developed as a Mobile Home Park, then access should not be through an established single family subdivision. Access should be gained from Clyde Dent Drive.

2. If the streets in Unit-2 are to be private, then a turnaround should be provided at the end of the public right-of-way on Misty Cove.

If you wish to discuss these recommendations, I would be most happy to meet with you at your convenience. In accordance with Section 36-20(c) of the Subdivision Regulations, you may also appeal this decision to the Planning Commission for resolution.

Sincerely,

A handwritten signature in cursive script that reads "Mconreal".

Michael C. O'Neal
Planning Administrator
Dept. of Planning

sm



CITY OF SAN ANTONIO

P O BOX 9046

SAN ANTONIO, TEXAS 78285

Date: July 10, 1984

Applicant: M. W. Cude & Associates, Inc.
Mr. Michael Cude
Address: P.O. Box 16411
San Antonio, Texas 78216

Re: Misty Oaks North Preliminary Plan
Units 1 & 2 P.O.A.D.P. *Revision dated*
File #: 83-11-60-20 *June 29, 1984*

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

- (X) meets the P.O.A.D.P. requirements
- () does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations.
 - () 36-20D(a) () 36-20D(e) () 36-20D(i)
 - () 36-20D(b) () 36-20D(f) () 36-20D(j)
 - () 36-20D(c) () 36-20D(g) () 36-20D(k)
 - () 36-20D(d) () 36-20D(h) () _____

- (X) is in general compliance with the Subdivision Regulations
- () lacks compliance with the Subdivision Regulations regarding:
 - () Street layout
 - () Relation to adjoining street system
 - () Stub streets
 - () Street jogs or intersections
 - () Dead-end streets
 - () Cul-de-sac streets in excess of 500'
 - () Low density lots fronting onto major thoroughfares
 - () 24' alley(s)
 - () _____
 - () _____

- () See annotations/comments on attached copy of your plan.
- (X) Comments: This acknowledges receipt of the street design amendment as suggested by the staff in the POADP review comments dated Dec. 20, 1983. Staff offers no objections to the amendment as submitted.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By Rebecca Luntanilla Gault



CITY OF SAN ANTONIO

P. O. BOX 3066

SAN ANTONIO, TEXAS 78285

Date: December 20, 1983

Applicant: M.W. Cude & Assoc. Inc
Mr. Michael Cude
 Address: P.O. BOX 16411
San Antonio, Tx 78216

Re: Misty Oaks North Preliminary Plan
of 1 and 2 P.O.A.D.P.
 File #: 83-11-60-20

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

- meets the P.O.A.D.P. requirements
- does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations:

- | | | |
|------------------------------------|------------------------------------|------------------------------------|
| <input type="checkbox"/> 36-20D(a) | <input type="checkbox"/> 36-20D(e) | <input type="checkbox"/> 36-20D(i) |
| <input type="checkbox"/> 36-20D(b) | <input type="checkbox"/> 36-20D(f) | <input type="checkbox"/> 36-20D(j) |
| <input type="checkbox"/> 36-20D(c) | <input type="checkbox"/> 36-20D(g) | <input type="checkbox"/> 36-20D(k) |
| <input type="checkbox"/> 36-20D(d) | <input type="checkbox"/> 36-20D(h) | <input type="checkbox"/> |

is in general compliance with the Subdivision Regulations

lacks compliance with the Subdivision Regulations regarding:

- | | |
|---|---|
| <input type="checkbox"/> Street layout | <input type="checkbox"/> Low density lots |
| <input type="checkbox"/> Relation to adjoining street system | fronting onto major thoroughfares |
| <input type="checkbox"/> Stub streets | <input type="checkbox"/> 24' alley(s) |
| <input type="checkbox"/> Street jogs or intersections | <input type="checkbox"/> |
| <input type="checkbox"/> Dead-end streets | _____ |
| <input type="checkbox"/> Cul-de-sac streets in excess of 500' | _____ |

See annotations/comments on attached copy of your plan.

Comments: A street design amendment as generally shown on the attached P.O.A.D.P. is recommended. The proposal would allow a linkage with the potential Clyde Dent extension.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By [Signature]



CITY OF SAN ANTONIO

P. O. BOX 9056
SAN ANTONIO, TEXAS 78285

Date: Dec. 20, 1983

m.w. lude & assoc inc.

Applicant: Mr. Michael Lude

Address: P.O. Box 16411
SA. 78216

North

Preliminary Plan

Re: Michy Dehes Unit 1 & 2 P.O.A.D.P.

File #: 83-11-60-20

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

meets the P.O.A.D.P. requirements

does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations:

- | | | |
|------------------------------------|------------------------------------|------------------------------------|
| <input type="checkbox"/> 36-20D(a) | <input type="checkbox"/> 36-20D(e) | <input type="checkbox"/> 36-20D(i) |
| <input type="checkbox"/> 36-20D(b) | <input type="checkbox"/> 36-20D(f) | <input type="checkbox"/> 36-20D(j) |
| <input type="checkbox"/> 36-20D(c) | <input type="checkbox"/> 36-20D(g) | <input type="checkbox"/> 36-20D(k) |
| <input type="checkbox"/> 36-20D(d) | <input type="checkbox"/> 36-20D(h) | <input type="checkbox"/> _____ |

is in general compliance with the Subdivision Regulations

lacks compliance with the Subdivision Regulations regarding:

- | | |
|---|--|
| <input type="checkbox"/> Street layout | <input type="checkbox"/> Low density lots |
| <input type="checkbox"/> Relation to adjoining street system | <input type="checkbox"/> fronting onto major thoroughfares |
| <input type="checkbox"/> Stub streets | <input type="checkbox"/> 24' alley(s) |
| <input type="checkbox"/> Street jogs or intersections | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Dead-end streets | _____ |
| <input type="checkbox"/> Cul-de-sac streets in excess of 500' | _____ |

See annotations/comments on attached copy of your plan.

Comments: ~~staff has that consideration be given to street design amendment~~
generally as shown on the attached P.O. U.P.P. is recommended. This proposal would allow a linkage with the ^{potential} Clyde Dent extension.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By _____

Westgate Management Corp.

P.O. Box 28506
San Antonio, Texas 78228

AC 512
732-3515

November 18, 1988

Planning Department
City of San Antonio
P. O. Box 839966
San Antonio, Texas 78283-3966

Attn: Mr. Roland Lozano

Re: P.O.A.D.P. review of Misty Oaks North, Unit 2

Dear Sir:

By this letter I request to appear before the Planning Commission to request a variance from the requirement created by the review of the P.O.A.D.P. committee for a stub street through the property.

Yours truly,



H. J. Buckley
President

HJB:sh



CITY OF SAN ANTONIO

P O BOX 9066

SAN ANTONIO, TEXAS 78285

November 21, 1988

Mr. M. W. Cude, P.E.
M.W. Cude & Associates, Inc.
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed your revised Preliminary Area Development Plan (POADP) for Misty Oaks #88 on November 18, 1988 and did not accept the plan. The committee requests that Misty Cove Drive be extended to the north property line as a stub street to allow an eventual tie into Clyde Dent. This will provide a second means of access for all the residences north of Dove Flight. In addition, if the large lots should be developed in the future for multifamily or non-residential uses, it would provide an alternative access other than through the single-family subdivision.

If you do not concur with this request, you may appeal to the Planning Commission by submitting a written request.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/sm

DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
ESTATES OF MISTY OAKS

THE STATE OF TEXAS

COUNTY OF BEXAR

THIS DECLARATION made on the date hereinafter set forth by WESTGATE MANAGEMENT CORP., a Texas corporation, and G.B. & J.L. PROPERTIES, hereinafter referred to as "Declarant",

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain 12.936 acre parcel of property situated in Bexar County, Texas described by field notes attached hereto as Exhibit "A" and made a part hereof for all purposes and whereas Declarant desires to subdivide said tract into tracts of one (1) or more acres and totaling approximately six (6) tracts, as a Planned Unit Development (P.U.D.) in accordance with the applicable subdivision regulations and/or ordinances of the City of San Antonio, which are incorporated herein by reference.

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed, subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I.

DEFINITIONS

Section 1.1. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 1.2. "Lot" shall mean and refer to any plot of land which is a part of the property.

Section 1.3. "Declarant" shall mean and refer to WESTGATE MANAGEMENT CORP., a Texas corporation, and G.B. & J.L. Properties, its successors and assigns, if such successors or assigns should acquire more than one (1) undeveloped lot from the Declarant for the purpose of development. For the purpose of this Declaration, the term "development" shall mean the construction of residential buildings, and consequently, an "undeveloped lot" shall be a lot upon which a residential building has not been constructed. Any one who acquires title to any tract prior to the recording of the subdivision plat but who is subject to this Declaration agrees to join with Declarant in signing such plat when presented for signature.

ARTICLE II.

ARCHITECTURAL CONTROL

Section 2.1. No building, fence, well or other structure shall be commenced, erected or maintained upon a Lot nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by an Architectural Control Committee composed of H. J. Buckley, Raul M. Escamilla and Richard L. Draker, or a representative designated by a member of said Committee. In the event of death or resignation of any member of said Committee, the remaining member or members shall have full authority to appoint a successor member or members who shall thereupon succeed to the powers and authorities of the members so replaced. In the event said Committee or its designated representative fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, such approval will not be required and this covenant will be deemed to have been fully complied with. The Committee shall have the express authority to perform fact finding functions hereunder and shall have the power to construe and interpret any covenants herein that may be vague, indefinite, uncertain and capable of more than one construction. All decisions

of such Committee shall be final and binding and there shall be no revision of any action of such Committee except by procedure for injunctive relief when such action is patently arbitrary and capricious. The powers and duties of such Committee and of its designated representative, and the requirements of this covenant, shall cease on or before January 1, 1995, provided, however, that at that time the then record Owners of a majority of the Lots in the Properties controlled by these covenants shall have the power through a duly recorded written instrument to extend the operation of this covenant for any additional period of time, and in connection with such extension shall have the power to remove any Committee member or members and replace them with other members, or to withdraw from the Committee any of its powers and duties. Neither the members of such Committee nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

ARTICLE III.

USE RESTRICTIONS

The Lots shall be occupied and used as follows:

Section 3.1. Nuisances: No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become any annoyance or nuisance to the other Owners. Any Owner shall do no act nor any work that will impair the structural soundness or integrity of another residence or impair any easement or hereditament, nor do any act nor allow any condition to exist which will adversely affect the other residences or their Owners.

Section 3.2. Use of Land: The Lots shall be used for private dwelling purposes only. No store or business house, no gas or oil or automobile service station, and no building of any kind whatsoever shall be erected or maintained thereon except private dwelling units and such outbuildings as are customarily appurtenant to dwellings, each unit being designed to occupancy for a single family. No residence of temporary character shall be permitted on any Lot. No existing dwelling shall be moved onto any Lot in this

Subdivision, unless expressly approved in writing by the Architectural Control Committee.

No shack, basement, garage, trailer, tent, barn or other outbuilding erected on or moved onto any Lot in the subdivision shall at any time be used as a residence, as living quarters by servants engaged on the premises, or anyone, after completion of the main building. Nothing contained in this Section shall preclude or prohibit the erecting on the lot of a detached garage so long as same is compatible with the main structure.

Section 3.3. Frontage: Every dwelling erected on any Lot with frontage on a public or private street shall front, or present a good frontage to the street on which said Lot fronts.

Section 3.4: Size Dwelling: No dwelling, exclusive of open porches, garages, carports or patios, shall be permitted on any Lot at a cost of less than \$60,000.00 exclusive of lot costs, based on cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the permitted dwelling size. On all Lots, the entire floor area of the main structure, exclusive of first floor open porches and garages, shall not be less than 1,700 square feet for a single-story house, nor less than 2,250 square feet total for a two-story house.

Section 3.5: Outbuilding Requirements: Every outbuilding and detached garage, except a greenhouse, poultry pen or barn, shall correspond in style and architecture to the dwelling to which it is appurtenant, and shall be of the same exterior materials, both walls and roof, as such dwelling. No outbuilding shall exceed a height of two stories.

Section 3.6: Building Location: No building shall be located on any Lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. The side lot setback for any lot shall be a minimum of fifteen (15)

feet. For the purpose of this covenant, eaves, steps and open porches shall not be considered as part of the building; provided, however, that this shall not be construed to permit any portion of a building on a Lot to encroach upon another Lot.

Section 3.07: Signs: No signs, banners or pennants of any kind shall be displayed to the public view on any residential Lot except one professional sign of not more than thirty inches by thirty inches advertising the Property for sale or rent or signs used by a builder advertising the Property during construction and sales period. No portable signs of any kind shall be placed upon any lot.

Section 3.8: Oil and Mining Operations: No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon any Lot. No derrick or other structure designated for use in boring for oil or natural gas shall be erected, maintained or permitted on any Lot. No tank for the storage of oil or other flammable fluids may be maintained on any of the Lots.

Section 3.9: Livestock and Poultry: No animals, livestock, or poultry of any kind (except chickens, which shall be kept penned) shall be raised, bred, or kept on any Lot, except that horses (not to exceed two (2) per acre or fraction thereof), and cows (not to exceed one (1) per acre, dogs, cats or other household pets may be kept, provided that none of the permitted animals are kept, bred or raised for any commercial purpose.

Section 3.10: Garbage and Refuse Disposal: (a) Grass and weeds shall be kept mowed to prevent an unsightly appearance. Dead or damaged trees, which might create a hazard to property or persons on any Lot or adjacent Lot, shall be promptly removed or repaired.

(b) No Lot shall be used or maintained as a dumping ground for rubbish, debris, or waste matter. Trash, garbage, and other waste shall be kept in sanitary containers and shall be disposed of at regular intervals, consistent with good housekeeping. All incinerators or other equipment for the storage or disposal of all

such matters (to the extent such incinerators and equipment may lawfully be kept in residential subdivisions, pursuant to applicable municipal, county, state or federal laws, regulations or ordinances) shall be kept in a clean and sanitary condition and shall comply with all current laws, regulations and ordinances and those that may be promulgated in the future by any federal, state, county, municipal, or other governmental body with regard to environmental quality and waste disposal. Vacant Lots shall not be used as dumping grounds for rubbish, trash, rubble or extra soil.

(c) Each owner/occupant is hereby obligated to and responsible for the exterior maintenance of their respective dwelling unit on a regular and continuing basis. Such maintenance shall include, but not be limited to the regular mowing, edging, watering of lawns and the maintenance/replacement of shrubs and trees and the repainting of the exterior of the unit as it becomes necessary and the replacement or repair of any portion of the exterior resulting from damage from whatever cause. The purpose of this section being to provide for the attractive appearance of the subdivision at all times. Should owner/occupant fail to provide the aforesaid maintenance then Declarant shall have the right, but not the obligation to perform said maintenance at the expense of the owner/occupant.

Section 3.11: Fences, Walls, Hedges: In order to ensure general uniformity of appearance of those fence sections that can be viewed from a street, all fence plans showing location, design and materials shall be submitted for approval to the Architectural Control Committee prior to construction. No fence shall be constructed within or impede the access to or use of any easement except as provided elsewhere herein.

Section 3.12: Easements: Easements for installation and maintenance of utilities and drainage (U & D) facilities are reserved over the rear of each Lot and along the private street and safety lane. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may

change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The U & D easement area of each Lot and all improvements in it shall be maintained continuously by the Owner of the Lot, except for those improvements for which a public authority or utility company is responsible. The Owner of the Property upon which a U & D easement is located may use it for yard purposes except the easement adjacent to the private street. Fencing across the U & D easement shall be permitted except when such an easement is in combination with a safety lane or as otherwise provided for elsewhere herein, but gates along the side and rear lot lines must be provided. The gates shall be at least as wide as the easement and shall be capable of being opened and closed at all times. These gates shall be secured in the center by a drop rod or some similar device which does not obstruct free passage over the easement. The drop rod may be lowered into a drop rod keeper installed so as to be flush with the ground level. No permanent type center pole for the gates may be erected on the easement. The gates provided for herein shall remain unlocked at all times.

There is hereby created a five foot (5') wide easement for drainage purposes on, over, and across the rear lot line of each lot and a three foot (3') wide easement for drainage purposes on, over and across the side lot lines of each and every lot.

A safety lane for ingress and egress (I & E) whether created exclusively for I & E or in combination with other easements shall at all times remain open, and unobstructed so as to provide uninterrupted use, however such safety lane is created for the exclusive use by residents, guests, invitees and emergency vehicles only and are not created for use by the general public.

Section 3.13: Private Street/Safety Lane: There will be created by plat a private street to serve the majority of the lots in the development, together with a safety lane. Such facilities shall be the responsibility of all owners of property to maintain the facilities, the cost of which shall be borne equally per owner. Should an owner refuse to pay its portion of such maintenance costs

and other owner(s) fund the cost of the necessary repairs, those providing such funds shall be entitled to file a lien against the property of the non-participating owner, or seek reimbursement through a court having jurisdiction.

Section 3.14: Mobile Homes: No mobile home, motor home, motorized recreational vehicle, boat, boat trailer, trailer of any nature, truck, bus, travel trailer, inoperable or partially dismantled vehicle shall be parked, stored, or permitted to remain on the street in front of the Lot, upon a dedicated easement, or on the Lot visible from any public or private street, unless permission to do so is specifically granted in writing by the Architectural Control Committee.

Section 3.15: Rooflines: No roof-mounted or ground-mounted appurtenances, and/or structures, including, but not limited to wireless radio or television masts (except the height necessary for normal area TV reception), or satellite antenna dishes, or flagpoles shall be installed without the prior written approval of the Architectural Control Committee.

Section 3.16. Sidewalks: In the event sidewalks lying along and adjacent to public streets are required to be installed by any governmental authority, the installation of such sidewalks shall be the responsibility of and at the expense of the owner whose tract abutts such public street and shall be installed at the time permanent improvements are constructed on the building site.

ARTICLE IV.

GENERAL PROVISIONS

Section 4.1. Enforcement: Declarant, or any Owner, shall have the right to enforce, by any proceeding, at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 4.2. Severability: Invalidation of any one of these

covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

Section 4.3. Amendments: This Declaration may be amended during the first three (3) year period by an instrument signed by not less than a majority of the Lot Owners, and thereafter by an instrument signed by not less than two-thirds (2/3rds) of the Lot Owners. Any amendment must be recorded in the Real Property Records of Bexar County, Texas.

Section 4.4: Amendments by Declarant: Notwithstanding Section 4.3, Declarant shall have and hereby reserves the right at any time and from time to time, without the joinder or consent of any other party to amend this Declaration by any instrument in writing duly signed, acknowledged, and filed for record for the purpose of correcting any typographical or grammatical error, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of this Declaration and shall not impair or affect the vested property or other rights of any Owner or his mortgagee.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this ____ day of _____, 1987.

WESTGATE MANAGEMENT CORP.

Attest:

Secretary

H. J. Buckley, President

G.B. & J. L. PROPERTIES

By: _____
Richard L. Draker

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared H. J. BUCKLEY, President of WESTGATE MANAGEMENT CORP., a Texas Corporation, and RICHARD L. DRAKER of G.B. & J.L. PROPERTIES, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and in consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 1988.

Notary Public in and for Bexar
County, Texas
Notary's name printed _____
My commission expires: _____

12.936 acres (563,471 sq. ft.) of land being out of a 14.953 acre tract of land described in Deed from Fred S. Kuentz and wife, Johnnie Mac Kuentz to David M. Grey, dated June 21, 1967, recorded in Volume 5781, Page 530-531 of the Deed Records of Bexar County, Texas and being out of the Elizabeth Plunkett Survey No. 72, Abstract 573, County Block 4433, Bexar County, Texas; said 12.936 acres of land being more particularly described as follows:

- Beginning: At a found iron pin on the South Right of Way line of Clyde Dent Drive; said pin being the Northeast corner of said 14.953 acre tract and the Northeast corner of the herein described parcel;
- Thence: S19°57'44"E, 261.18 feet with the East boundary of said 14.953 acre tract to a found iron pin being the North corner of a 2.000 acre tract;
- Thence: S70°39'32"W, 316.46 feet with the North boundary of said 2.000 acre tract to a found iron pin being the Northwest corner of said 2.000 acre tract;
- Thence: S19°57'44"E, 275.51 feet with the West boundary of said 2.000 acre tract to a found iron pin on the South boundary of said 14.953 acre tract and the North boundary of Misty Oaks North, Unit-1 as described by plat recorded in Volume 9505, Page 8 of the Deed and Plat Records of Bexar County, Texas; said pin being the Southwest corner of said 2.000 acre tract and the Southeast corner of the herein described parcel;
- Thence: S70°34'01"W, 898.71 feet with the South boundary of said 14.953 acre tract and the North boundary of Misty Oaks North, Unit-1 to a found iron pin being the Southwest corner of said 14.953 acre tract, the Northwest corner of Misty Oaks North, Unit-1 and the Southwest corner of the herein described parcel;
- Thence: N19°47'34"W, 66.51 feet with the West boundary of said 14.953 acre tract to a found iron pin for an angle;
- Thence: N19°31'34"W, 469.64 feet continuing with the West boundary of said 14.953 acre tract to a found iron pin being the Northwest corner of the herein described parcel;
- Thence: N70°34'01"E, 1211.39 feet with the North boundary of said 14.953 acre tract to a found iron pin on the South Right of Way line of Clyde Dent Drive being the Northeast corner of said 14.953 acre tract, the Northeast corner of the herein described parcel and the POINT OF BEGINNING, containing 12.936 acres (563,471 sq. ft.) of land.