



City of San Antonio, Texas

Department of Development Services

October 26, 2006

Habib Erkan
Earl & Associates
111 Soledad Ste 1111
San Antonio, TX 78205

RE: Vested Rights Permit File: # 07-10-004 Hallie Heights Phase 3-T.I.F.

Dear Mr. Erkan:

We have reviewed your application for Vested Rights submitted on October 23, 2006. Based on the information provided the following are our official findings:

- Approval of rights effective December 30, 2005 for 246,549.6 square feet of residential development consisting of 43 garden homes.

All appeals and resubmittals must be filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. Appeals and resubmittals made after fifteen (15) calendar days will not be accepted. If you have any questions please contact Michael Herrera at 207-7038.

Sincerely,

A handwritten signature in black ink, appearing to read "Fernando J. De León".

Fernando J. De León, P.E.
Interim Assistant Director Development Services Department
Land Development Division



City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: # _____
Assigned by city staff

Date: _____

Vested Rights Permit

Consent Agreement

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.

(a) **Owner/Agent:** Earl & Associates, PC Attn: Habib Erkan
Phone: 210-222-1500 **Fax:** 210-222-9100
Address: 111 Soledad, Suite 1111
City: San Antonio **State:** TX **Zip code:** 78205
Engineer/Surveyor: Seda Consulting Engineers Attn: Salah Diab
Address: 6735 IH 10 West **Phone#:** 210-308-0057
City: San Antonio **State:** TX **Zip code:** 78201

(b) **Name of Project:** Hallie Heights Phase 3 - T.I.F.

(c) (k) **Site location or address of Project and Legal description:**
Along the west R.O.W line of S.W. Loop 410 adjacent to Sun Valley Elementary School
ALSO SEE ATTACHED

Permit File # _____

Council District 4 ETJ No Over Edward's Aquifer Recharge? () yes (x) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 246,549.6 sq ft

(e) Total area of impervious surface, in square feet 121,025 sq ft

(f) Number of residential dwellings units, by type; 43 Garden Homes

(g) Type and amount of non-residential square footage; None

(h) Phases of the development, (If Applicable); Phase 3

4. What is the date the applicant claims rights vested for this Project? 12/30/05

(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4 a. What, if any, construction or related actions have taken place on the property since that date?

The property has been developed into 43 ready to build lots with all necessary public infrastructure

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

- PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

7/29/04

VRP# 07 - 10 - 004
2

10-23-06P03:42 RCVD

Permit File # _____

● **MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)***

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: _____ # _____

Date accepted: _____ Expiration Date: _____ MDP Size: _____ acres

● **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

● **Plat Application**

Plat Name: Hallie Heights Unit 3 Plat # 2006000181 Acreage: 5.886

Date submitted: 12/30/2005 Expiration Date: 12/30/2007

(Note: Plat must be approved within 18 months of application submittal date).

● **Approved Plat**

Plat Name: _____ Plat # _____ Acreage: _____ Approval

Date: _____ Plat recording Date: _____ Expiration Date: _____ Vol./Pg. _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

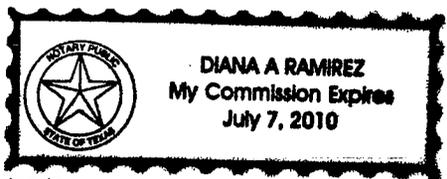
● **Other**

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: Habib Erkan Signature: [Signature] Date: 10/20/06

Sworn to and subscribed before me by Habib Erkan on this 20 day of October in the year 2006, to certify which witness my hand and seal of office.



[Signature]
Notary Public, State of Texas

7/29/04

VRP# 07 - 103 - 004

10-23-06P03:42 RCVD

PLAT APPLICATION

Submitted:

Plat ID Number: 060181

Plat Name: Hallie Heights phase - 3 TIF

Property Address/legal: along the west R.O.W Line of s.w. loop 410 ~~area~~ Adjacent to Sun Valley Elementary

Owner/Agent: H.L.H. Development Phone: 348-7136 Fax: _____

Address: 1603 Babcock, Suite 151 Zip code: 78229

Owner's Email Address _____

Engineer/Surveyor: Seda Consulting Engineers Inc. Phone: 308-0057 Fax: 308-8842

Address: 6735 IH-10 West SA-TX. Zip code: 78201

Engineer's Email Address Seda @ satx.rr.com

- All Specific Uses Proposed: Residential (S.F.) (restaurant, day care, warehouse, etc.)
- Existing Zoning R3 Case # if new application is in process _____
- City Council District 44 County Precinct _____
- Ferguson Map Grid 647 E.G School District SWISD
- DIRECTOR -OR- PLANNING COMMISSION
- Water Service: Saws Well Other Utility (name) _____
- Sewer Service: Saws Septic Other Utility (name) _____
- San Antonio City Limits Yes No 10. Edwards Aquifer Recharge zone? Yes No
- Previous/existing landfill? Yes No 11. Flood plain? Yes No
- Plat is associated with the development of a:
 - POADP/MDP: Y/N Name Hallie Heights # 756 Date Approved: 6/24/03*
 - PUD: Y/N Name _____ # _____ Date Approved: _____

PLATTED AREA

Streets Public Private Linear Ft 4040 total acreage _____

Parks Public Private total acreage _____

Off-Site Easements Permeable Nonpermeable total acreage _____

**Will this project be used in conjunction with a Tax Increment Financing Application (TIF) YES NO

If YES, please note that higher standards have been adopted and are required for projects that involve City funds like TIF. For complete information and application of the Tax Increment Financing (TIF) and Reinvestment Zone Guidelines and Criteria, please call the Neighborhood Action Department at (210) 207-7881. (Indicate "TIF" with Project Name on all submissions).

I hereby certify that all of the information on the entire Plat Application is true and correct.

Print Name: SALAH DIAZ Signature: [Signature]

Date: _____ Professional Engineer Registered Professional Land Surveyor

I hereby grant permission to the Director of Development Services to record this plat.

Print Name: Harry Hausma Signature: [Signature]

Date: _____ Owner Agent (Checking this requires a notarized Letter of Agent.)

(Only complete, legible applications will be accepted 1 original and 6 copies must be submitted.)

*Also MDP, Revised/Amended has been submitted.

VRP# 07-10-004

July 14, 2004

Mr. Roderick Sanchez
Director
Development Services Department
City of San Antonio
P. O. Box 839966
San Antonio, Texas 78283-3966

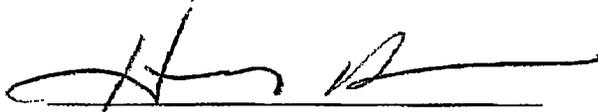
Re: Vested Right Permit on 5.886± acres known as Hallie Heights Phase 3 TIF and more fully described in the attached Exhibit "A"

Dear Mr. Sanchez:

This letter is to inform you that Earl & Associates, P.C., is hereby authorized to proceed with the necessary paperwork and submit an application for the Vesting of the above-referenced property.

AUTHORIZED BY PROPERTY OWNER:

HLH DEVELOPMENT, LP

By: 

Harry Hausman

VRP# 07-10-004

10-23-06P03:42 RCVD

Oct 18 2006 3:00PM HP LASERJET FAX

(210)-493-6772

VRR#07-10-004
 10-23-06P03:43 RCVD

Plat No. 060181

**SUBDIVISION PLAT ESTABLISHING
HALLIE HEIGHTS SUBDIVISION
PHASE - 3, T.I.F.**

Being 5.886 acres out of a tract of land said to contain 40.237 acres of land, New City Block 15173, City of San Antonio, recorded in Volume 9217, Page 753, Real Property Records of Bexar County, Texas.



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. To the best of my knowledge this plat conforms to all requirements of the Unified Development Code, except for those variances granted by the San Antonio Planning Commission.

Licensed Professional Engineer

STATE OF TEXAS
COUNTY OF BEXAR
I hereby certify that the above plat conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by:

Registered Professional Land Surveyor

STATE OF TEXAS
COUNTY OF BEXAR
The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public, except areas identified as private, forever all streets, alleys, parks, watercourses, drains, easements and public places therein shown for the purpose and consideration therein expressed.

Owner

Duly Authorized Agent

STATE OF TEXAS
COUNTY OF BEXAR
Before me, the undersigned authority on this day personally appeared Harry Hausman 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 ____ day of _____, AD.

Notary Public
Bexar County, Texas

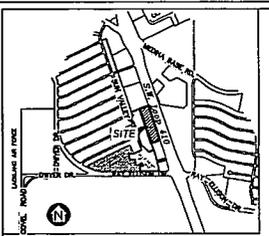
This plat of Hallie Heights Subd. Phase-3,T.I.F. has been submitted to and considered by the Planning Commission of the City of San Antonio, Texas, and is hereby approved by such Commission. Dated this ____ day of _____, AD.

By: _____
Chairman
By: _____
Secretary

STATE OF TEXAS
COUNTY OF BEXAR
I, _____ COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF _____, AD, AT _____ M. AND DULY RECORDED IN THE ____ DAY OF _____, AD, AT _____ M. IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK / VOLUME _____ ON PAGE _____ BY TESTIMONY IN WITNESS MY HAND AND OFFICIAL SEAL, OF OFFICE, THIS ____ DAY OF _____, AD, 20 ____.

COUNTY CLERK, BEXAR COUNTY TEXAS

BY: _____, DEPUTY



LOCATION MAP
N.T.S.

OWNER / DEVELOPER:

HLH Developments, L.L.P.
1603 Babcock Road, Suite # 151
San Antonio, TX 78229
(210) 646-7135
Mr. Harry Hausman

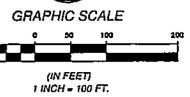
GENERAL NOTES

- 1.) PROPOSED IMPROVED CENTERLINE
- 2.) PAVES 1/2" IRON ROD UNLESS OTHERWISE NOTED
- 3.) SET 1/2" IRON ROD UNLESS OTHERWISE NOTED
- 4.) ELECTRIC, TELEPHONE, GAS & CABLE TV EASEMENT
- 5.) ELECTRIC, TELEPHONE, GAS & CABLE TV EASEMENT
- 6.) DRAINAGE EASEMENT
- 7.) NON-RESIDENTIAL ACCESS EASEMENT
- 8.) RIGHT-OF-WAY EASEMENT
- 9.) DRAINAGE EASEMENT
- 10.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 11.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 12.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 13.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 14.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 15.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 16.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 17.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 18.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 19.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED
- 20.) ALL EXISTING UTILITIES TO REMAIN UNLESS OTHERWISE NOTED

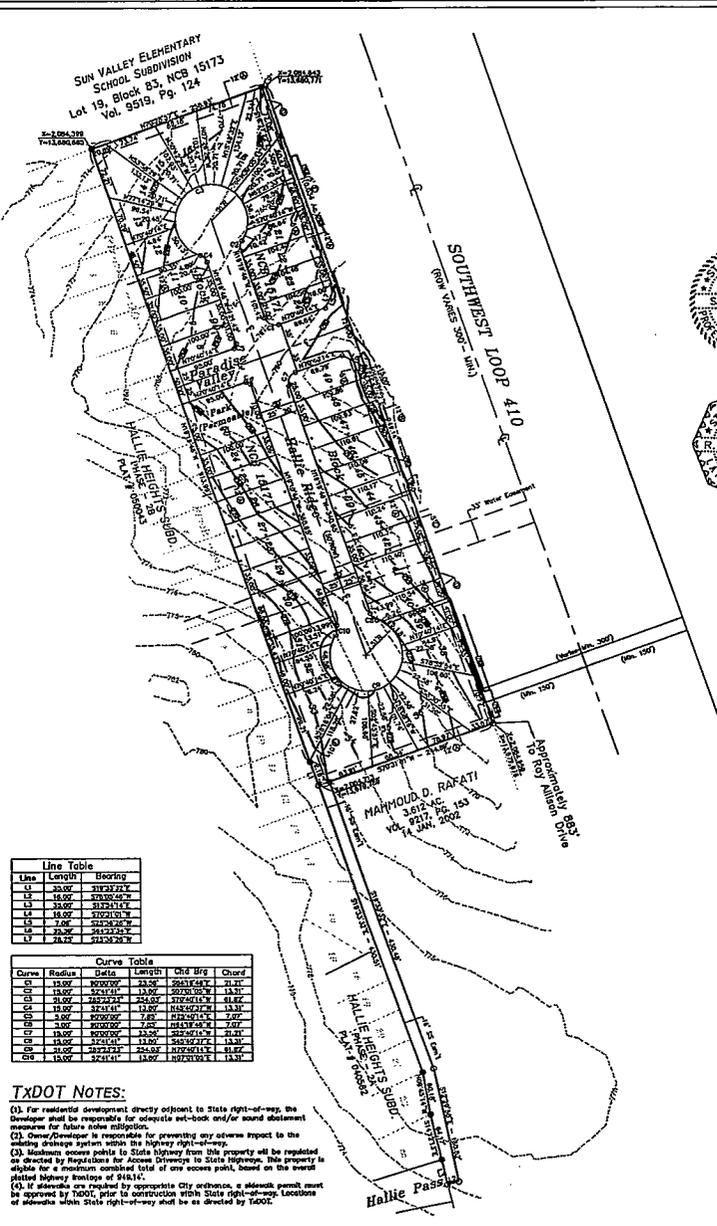
C.P.S. NOTES

THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE) HAS BEEN GRANTED THE EXCLUSIVE RIGHT OF ALL FOR ELECTRIC AND GAS EXTENSION AND SERVICE FACILITIES IN THE AREAS DESCRIBED ON THIS PLAT AS THE CITY PUBLIC SERVICE (CPS) SYSTEM. THE CITY OF SAN ANTONIO HAS GRANTED THE EXCLUSIVE RIGHT OF ALL FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIRING AND DERECTION OF ALL UTILITIES INCLUDING BUT NOT LIMITED TO: WATER, SEWER, GAS, TELEPHONE, CABLE TELEVISION, AND OTHER UTILITIES. THE CITY OF SAN ANTONIO HAS GRANTED THE EXCLUSIVE RIGHT OF ALL FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIRING AND DERECTION OF ALL UTILITIES INCLUDING BUT NOT LIMITED TO: WATER, SEWER, GAS, TELEPHONE, CABLE TELEVISION, AND OTHER UTILITIES. THE CITY OF SAN ANTONIO HAS GRANTED THE EXCLUSIVE RIGHT OF ALL FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIRING AND DERECTION OF ALL UTILITIES INCLUDING BUT NOT LIMITED TO: WATER, SEWER, GAS, TELEPHONE, CABLE TELEVISION, AND OTHER UTILITIES.

THIS PLAT DOES NOT ADOPT, ALTER, REVOKE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TELEVISION OR OTHER UTILITIES FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE OTHERWISE SHOWN.



Seda Consulting Engineers, Inc.
8723 Mt-18 Road, Suite 78201, San Antonio, Texas 78221
CIVIL, STRUCTURAL, ENVIRONMENTAL PLANNER
and
Sightline Surveying, Inc.
1777 N.E. Loop 410, Suite 609, San Antonio, Texas 78217
Office (210)841-5724 Fax (210)841-5725



Line Table

Line	Length	Bearing
L1	33.00'	S89°57'30" W
L2	18.00'	S78°30'00" W
L3	30.00'	S89°57'30" W
L4	18.00'	S78°30'00" W
L5	7.00'	S78°30'00" W
L6	24.00'	S89°57'30" W
L7	24.22'	S78°30'00" W

Curve Table

Curve	Radius	Delta	Length	Chd Brg	Chord
C1	15.00'	90°00'00"	33.98'	S45°00'00" W	24.00'
C2	18.00'	92°11'30"	33.90'	S45°00'00" W	24.00'
C3	18.00'	92°11'30"	33.90'	S45°00'00" W	24.00'
C4	18.00'	92°11'30"	33.90'	S45°00'00" W	24.00'
C5	3.00'	90°00'00"	7.85'	S45°00'00" W	5.64'
C6	3.00'	90°00'00"	7.85'	S45°00'00" W	5.64'
C7	18.00'	92°11'30"	33.90'	S45°00'00" W	24.00'
C8	18.00'	92°11'30"	33.90'	S45°00'00" W	24.00'

TxDOT NOTES:

- (1) For residential development directly adjacent to State right-of-way, the Developer shall be responsible for adequate set-back and/or sound attenuation measures for future noise mitigation.
- (2) Owner/Developer is responsible for preventing any adverse impact to the existing drainage system within the highway right-of-way.
- (3) Maximum access points to State Highway from this property will be regulated as directed by Regulations for Access Driveways to State Highways. This property is eligible for a maximum combined total of one access point, based on the overall plat highway frontage of 248.61'.
- (4) If a driveway is now required by appropriate City ordinance, a driveway permit must be approved by TxDOT, prior to construction with State right-of-way. Locations of access points State right-of-way shall be as directed by TxDOT.



City of San Antonio
 Development Services Department
Vested Rights Permit Application
Completeness Review



*Note: All Applications must comply with the Unified Development Code (UDC),
 Section 35-B124 Vested Rights Determination for the City of San Antonio.*

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

1. Appropriate filing fee.
2. Section 35-B124
 - (a) Name and address of Applicant;
 - (b) Project description and name of subdivision or development, if applicable;
 - (c) Location of development;
 - (d) Total land area, in square feet;
 - (e) Total area of impervious surface, in square feet;
 - (f) Number of residential dwelling units, by type;
 - (g) Type and amount of non-residential square footage;
 - (h) Phases of the development, if applicable;
 - (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;
 - (j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
 - (k) A legal description of the Property

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;
- and the conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

Accepted

Rejected

Completeness Review By: *Mabala A. Gauthier* **Date:** *23 OCT 06*