



City of San Antonio, Texas

Department of Development Services

December 7, 2006

Patrick W. Christensen
Brown P.C. Attorneys at Law
112 E. Pecan, Suite 1490
San Antonio, TX 78205

RE: Vested Rights Permit File: # 07-11-0011 (Fund commercial, Unit-7)

Dear Mr. Christensen:

We have reviewed your application for Vested Rights that was submitted on November 14, 2006. Based on the information provided the following are our official findings:

Applicant may have rights effective October 3, 1994, the date of application of the Preliminary Overall Area Development Plan (POADP) # 428. The area identified consists of a 22.469 Acre tract described as NCB 16334, BLK 70, Lot 3 located wholly within POADP 428. This tract is lies in the northeast corner of the intersection of State Loop 1604 and Huebner Road.

At the time of platting Fair Notice Form will be required for verification in compliance with Section 35-410 of the Unified Development Code.

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 further questions please contact Michael Herrera at 207-7038.

Sincerely,

A handwritten signature in black ink, appearing to read "F. De León, P.E.", with a stylized flourish.

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

Picked up: Robinson
DATE: 12/13/2006

KENNETH W. BROWN, AICP
DANIEL ORTIZ
PATRICK W. CHRISTENSEN
CONNIE L. BASEL

BROWN, P.C.
ATTORNEYS AT LAW

112 E. PECAN STREET
SUITE 1490
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

PAUL M. JUAREZ
OF COUNSEL

November 13, 2006

Mr. Michael Herrera
Development Services Department
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, Texas 78204
Via Hand Delivery

Mr. Norbert Hart
City Attorney's Office
City of San Antonio
100 Military Plaza, 3rd Floor
San Antonio, Texas 78205
Via Hand Delivery

Re: Vested Rights for a 22.469-Acre Tract of Land Generally Located at the Northeast Intersection of Loop 1604 and Huebner Road, San Antonio, Bexar County, Texas (the "Subject Property"); *Our File No. 9032.002*

Dear Messrs. Herrera and Hart:

Attached please find a Vested Rights Application for the above-referenced property (*see* Exhibit "1"). This request is made pursuant to the current provisions of Chapter 245 ("Issuance of Local Permits") of the Texas Local Government Code (the "Code") and the City of San Antonio's (the "COSA") Unified Development Code (the "UDC"), Chapter 35, Article 7, Division 2 ("Vested Rights").

The Subject Property is a 22.469-acre tract of land located at the northeast intersection of Loop 1604 and Huebner Road, more formally described as New City Block 16334, Lot 3, Block 70, San Antonio, Bexar County, Texas (*see* Fund Commercial Subdivision Plat No. 980089, Exhibit "2"). To provide for the development of the Subject Property, the developer filed a Preliminary Overall Area Development Plan with COSA, the Fund Subdivision POADP #428, which was approved on October 3, 1994. The Subject Property is wholly included within the Fund Subdivision POADP #428 attached for your review ("POADP #428"; *see* Exhibit "3"). The development described in POADP #428 for the Subject Property is for a commercial use

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VRP# 07 - 11 - 011

(the "Project"). POADP #428 is a required "permit" by a regulatory agency (COSA) and clearly qualifies as the first "permit" in a series of permits necessary for the development of the subject commercial Project on the Subject Property as those terms are contemplated by Chapter 245 of the Code.

Please note that. . . Section 35-2076 ("Terms of Validity") of the 1987 UDC (which was the effective UDC at the time of filing the POADP) clearly mandates that a POADP "shall become invalid if a plat is not filed within eighteen (18) months from the date the POADP is accepted." The minimum percentage/acreage requirement and ten (10)-year expiration date required in 2006 *are not* mandated by the 1987 UDC, which only refers to filing a plat (without any acreage/percentage requirement) within eighteen (18) months. Nevertheless, POADP #428 has met the 1987 UDC requirements and has consistently been recognized as a valid POADP. Furthermore, as a POADP existing prior to September 1, 1997, which has met the requirements of the 1987 UDC, the rights for the project will not expire until 10 years from the date of approval of the POADP (October 3, 2004) *or* September 25, 2007, whichever is later (*see* COSA UDC §35-712(a)(3)(A)). Therefore, the rights for the Project stated in POADP #428 for the Subject Property shall not expire until September 25, 2007.

The Project is not "dormant," as defined by Section 245.005 of the Local Government Code and Section 35-714 of the UDC, because progress toward its completion is evidenced by the filing, approval and recording of Plat No. 980089 (*see* Exhibit "2") and Plat No. 030089 (*see* Exhibit "4") which are both wholly included within POADP #428. Plat No. 980089 was approved by COSA on February 14, 2001 and was recorded in the Bexar County Real Property Records on February 03, 2006.¹ Plat No. 030040 was approved by COSA on April 23, 2003 and was recorded in the Bexar County Real Property Records on April 24, 2003. Because Plat No. 980089 and Plat No. 030089 both clearly qualify as a "permit" and were either applied for, approved and recorded between the first anniversary of the effective date of Chapter 245 of the Texas Local Government Code (May 11, 2000) and the fifth anniversary of the effective date of such Chapter (May 11, 2004), the Project has demonstrated "progress" according to the City Attorney's interpretation of the "dormancy" provisions of state law.

In conclusion, POADP #428 constitutes a "permit" as defined by Chapter 245 of the Texas Local Government Code, and was a necessary first step in the development of the Subject Property. POADP #428 has met the eighteen (18) month expiration date requirement of the 1987 COSA UDC. Furthermore, the Subject Property has not become dormant by virtue of the filing, approval, and recording of Plat No. 980089 and Plat No. 030089. The "Project" was specifically described as a commercial use on 22.469 acres in POADP #428, approved by COSA on October 3, 1994. Therefore, this Firm requests that COSA acknowledge that the 22.469 -Acre Subject Property is vested as of October 3, 1994 for a commercial development by virtue of the POADP, and the Plats listed herein.

¹ COSA approved a time extension for the recording of Plat No. 980089 on February 25, 2004 which was set to expire on February 25, 2006.

Included with this correspondence, please find the enclosed check for \$500.00 to cover the costs of processing this application and duplicate copies of the following:

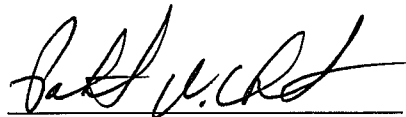
1. Vested Rights Permit Application;
2. Fund Commercial Subdivision Plat No. 980089;
3. Fund Subdivision POADP #428; and,
4. Vineyard Phase IV Subdivision Plat No. 030089;

Please do not hesitate to contact me should you have any questions regarding this matter.

Sincerely,

BROWN, P.C.

BY:



Patrick W. Christensen

/PWC

Enclosures: As stated

VRP# 07-11-011

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Permit File # _____



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

Permit File: # _____
Assigned by city staff

Date: November 13, 2006

☒ **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:** Brown, P.C. Attorneys at Law

Phone: (210) 299-3704 **Fax:** (210) 299-4731

Address: 112 E. Pecan Street, Suite 1490

City: San Antonio **State:** Texas **Zip code:** 78205

Engineer/Surveyor: Brown Engineering Co.

Address: 1000 Central Parkway N., Suite 100

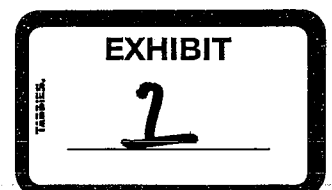
City: San Antonio **State:** Texas **Zip Code:** 78232

Name of Project: Fund Commercial Unit 7

(b) (k) **Site location or address of Project and Legal description:** NCB 16334, Lot 3, Block 70, San Antonio, Bexar County, Texas

Council District 9 **ETJ** No **Over Edward's Aquifer Recharge?** (X) yes () no

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VRP# 07-11-011



Permit File # _____

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; ±978,750.0 S.F. (±22.469 Acres)

(e) Total area of impervious surface, in square feet; ±880,874.7 S.F.

(f) Number of residential dwellings units, by type; N/A

(g) Type and amount of non-residential square footage; 1,761,750 S.F. Commercial

(h) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? 10/03/1994

(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?

N/A

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: _____

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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: Fund Subdivision POADP #428 Date submitted: September 8, 1994

Date accepted: October 3, 1994 Expiration Date: April 3, 1996 MDP Size: 22.469 acres

• **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

• **Plat Application**

Plat Name: _____ Plat # _____ Acreage: _____

Date submitted: _____ Expiration Date: _____

(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**

_____ Please see attached correspondence.

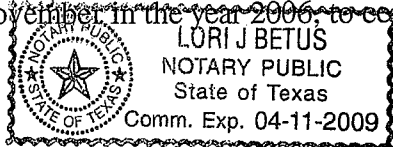
NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

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: **Patrick W. Christensen** Signature: Patrick W. Christensen

Date: November 13, 2006

Sworn to and subscribed before me by Patrick W. Christensen on this 13th day of November in the year 2006 to certify which witness my hand and seal of office.



Lori J. Betus
Notary Public, State of Texas

VRP# 07-11-011

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Date: Apr 01, 2003, 11:22am User ID: olafamontez
File: G:\246\Q8\Survey\24608pt01.dwg



1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SOUND BARRIERS AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE 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 LOCATED WITHIN THE 100' BUFFER ZONE OF THE ACCESS POINTS: ALONG FM 1600 1804' BASED ON THE ORIGINAL PLATTED MAP. THERE ARE TWO ACCESS POINTS TO THE PROPERTY: ONE ACCESS POINT ALONG FM 1600, BASED ON THE ORIGINAL PLATTED HIGHWAY FRONTAGE OF 641.93 FEET.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY DRAINAGE DISTRICT, THE DEVELOPER SHALL BE RESPONSIBLE FOR THE CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT-OF-WAY SHALL BE AS DIRECTED BY TYPOT.

UTILITY NOTES:

[illegible]

BEXAR MET WATER DISTRICT NOTE

THE BEAR MET WATER DISTRICT IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAY FOR WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THE PLAT AS "WATER EASEMENT" FOR THE PURPOSE OF INSTALLING, MAINTAINING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING AND METER READING, TOGETHER WITH THE RIGHT OF EGRESS AND ACCESS, TO THE EGRESS AND ACCESS, ADJACENT LAND AND THE RIGHT TO RELOCATED SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

WATERWATER EDU NOTE:

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDUs) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

STREETSCAPE NOTE:

UDC 35-512 STREETSCAPE WILL BE COMPLIED WITH DURING THE BUILDING STAGE.

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

- 2) NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS AQUIFER PROTECTION PLAN ("AQUIFER POLLUTION ABATEMENT PLAN" OR "WPA") OR MODIFICATION TO AN APPROVED PLAN, AS REQUIRED BY 30 TAC 213.5 OF THE TEXAS WATER CODE, OR LATEST RECHARGE ZONE AND ROTOUSHEED PROTECTION", OR LATEST REVISIONS THEREOF.

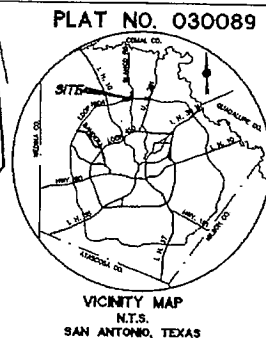
BEING LOT 16(1.184 ACRES), LOT 17(1.373 ACRES) AND LOT 18(15.864 ACRES) OF LAND AND VARIABLE WIDTH INGRESS/EGRESS EASEMENT, AND A 10' WATER EASEMENT OUT OF THAT CERTAIN 35.414 ACRES KNOWN AS LOT 10, BLOCK 70, NEW CITY BLOCK 16334, THE FUND SUBDIVISION UNIT 18, OUT OF THE F. DE LA GARZA SURVEY NO. 5, ABSTRACT 849, BEXAR COUNTY, TEXAS, AS DESCRIBED IN VOLUME 9550, PAGE 64-66, OF THE DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

THIS PLAN OF THE VINEYARD PHASE IV 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 23 DAY OF April A.D. 2003
 BY: Donat H. Hens
CHAIRMAN
 BY: Robt. A. Egan



- 1/2" IRON ROD FOUND
 (UNLESS NOTED)
 ■ TADPOLE MONUMENT FOUND
 ○ 1/2" IRON ROD SET
 - - - - - 950 - - - - - CONTOUR
 ● BENCHMARK
 - - - - - 950 - - - - - PROPOSED CONTOUR
 (CBTP) CREATED BY THIS PLAT



STATE OF KANSAS
COUNTY OF SEDGWICK

THE OWNER OF THE 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 THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

LOOP 1604 GROUP
OWNER

BY: AUTHORIZED AGENT: JOHNNY STEVENS, PARTNER
ADDRESS: 11223 N. ROCK ROAD, H-200, WICHITA, KANSAS. 67206

STATE OF KANSAS
COUNTY OF SEDGWICK

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
JOHNNY STEVENS, 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 2nd DAY OF
APRIL A.D. 2003.

SANDRA M. STEVENS
Notary Public - State of Kansas
My Comm. Expires Sept. 20, 2009

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.

STEVEN D. EKLUND, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 80187

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 UNDER MY SUPERVISION.

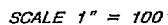
STATE OF TEXAS
COUNTY OF BEXAR

1. Berry Rickhoff COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE
ON THE 24th DAY OF April A.D. 2003 AT 11:19 A.M. AND DULY
RECORDED THE 24th RECORDS OF SAID COUNTY AT 2:03 AT 2:03 P.M. IN
THE Deeds of Bexar RECORDS OF SAID COUNTY.
ON PAGE 91 IN TESTIMONY WHEREOF, MY HAND AND
OFFICIAL SEAL OF OFFICE, THIS 24th DAY OF April A.D. 2003
COUNTY CLERK, BEXAR COUNTY, TEXAS

Bury+Partners Consulting Engineers and Surveyors
San Antonio, Texas Tel 210/525-9090
eCopyright 2002 Bury+Partners-S.A., Inc.

SHEET 4 OF 4

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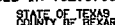
S.A.B.S. NOTE

SEE SHEET 1 OF 2
FOR EASEMENTS

- 1 ALL EXISTING DRAINAGE LINES OF THIS SUBDIVISION ARE CURRENT WITH THE
OFFICIAL COUNTY RECORD, ARE MONUMENTED ON THE SECOND SET 1/2"=60 FEET
IRON BOUNDS (UNLESS OTHERWISE NOTED)
- 2 THE OWNERS HEREBY CERTIFY THAT ALL NEARBY OWNERS OF THE LAND LOCATED
WITHIN THE SUBDIVISION HAVE BEEN ADVISED OF THE PROPOSED WITH 1/2"=60 FEET
IRON BOUND (OR OTHER STABLE MATERIAL) AFTER ROAD AND UTILITY CONSTRUCTION
IS COMPLETED AND PRIOR TO LOT SALS
- 3 ALL BOUNDARIES SHOWN HEREIN ARE BASED UPON RECORD CALLS
- 4 X AND Y COORDINATES SHOWN HEREIN ARE TEXAS STATE PLANE, NORTH-CENTRAL ZONE
AS ESTABLISHED BY GEOMETRIC POSITIONING SYSTEM
- 5 NO CONSTRUCTION OF APRON OR SIDEWALKS ARE ALLOWED WITHIN THE
BOUNDARY OF THE SUBDIVISION

980089

BEING 23.884 ACRES OF LAND SITUATED IN N.C.B. 16334, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS: BEING OUT THAT CERTAIN 118.881 ACRE TRACT DESCRIBED IN VOL. 6759, PG. 135 OF THE B.C.R.P.R.



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.

Mark A Brown
REGISTERED PROFESSIONAL ENGINEER

Sworn to and subscribed before me this the 21st day of
JAN. A.D., 2004.



DEPT. OF STATE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

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.

LOOP 1604 GROUP

OWNER	JOHNNY W. STEVENS MANAGING PARTNER
-------	---------------------------------------

STATE OF TEXAS
COUNTY OF BEXAR

Before me, the undersigned authority on this day personally appeared JOHNNY W. STEVENS 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 29 day of MAY, 1967, A.D., 2007.

NOTARY PUBLIC
Hidalgo County, Texas
My Comm. Expires 11-30-2027

Veronica Spain
NOTARY PUBLIC
HIDALGO COUNTY, TEXAS

This plat of FUND COMMERCIAL UNIT 7
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 14 day of February A.D., 2001

BY Robert J. Wandrisco
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS
COUNTY OF BEAR

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under m

Michael A. Romans 01.26.2001
REGISTERED PROFESSIONAL LAND SURVEYOR

Sworn to and subscribed before me this the 26 day of

NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR
I, Ernest Rickhoff County Clerk of said county.

do hereby certify that this paper was filed for record in my office, on the 20th day of February, 1966 A.D., at 1:15 P.M. and duly recorded the 14th day of February, 1966 A.D. at 1:15 P.M. In the presence of JOSEPH A. BURNS a Notary Public of said county, in book volume 9543, on page 216.

In testimony whereof, witness my hand and official seal of office, this 20th day of February, 1966 A.D.,

COUNTY CLERK, BEKAR COUNTY, TEXAS

BY:  DEPU
DEH: AMJ MP 44

ENGINEERING CO. SHEET 2 OF

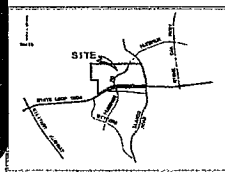
ENGINEERING CONSULTANTS
1000 CENTRAL PARKWAY N., B

1-00 DATE 01/24/2001 / SAN ANTONIO, TEXAS 78208
PHONE (210) 484-5000

VRP#02-11-011

11-14-06A07:57 RCVD

UNPLATTED



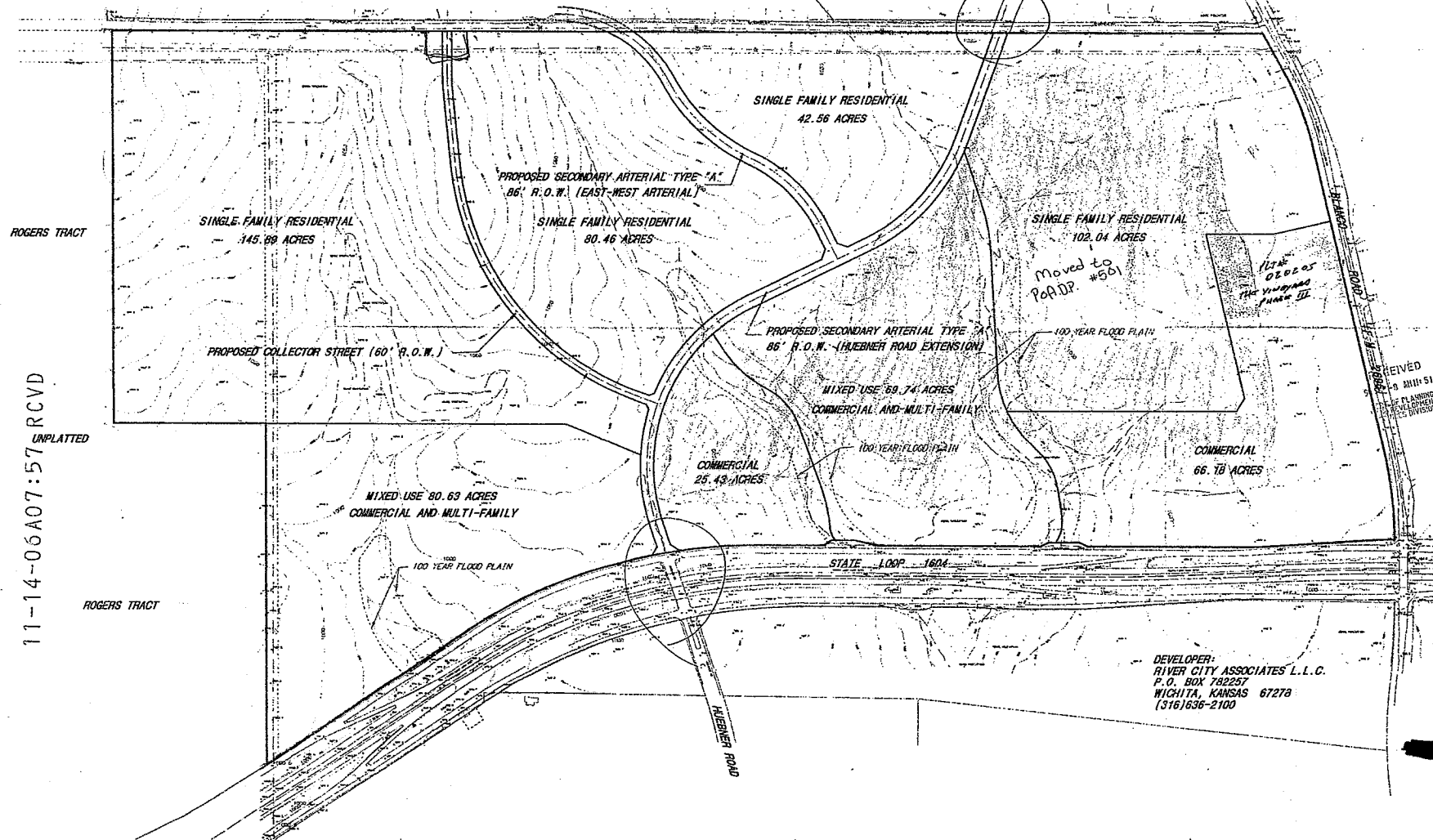
LOCATION MAP

PROPOSED GREYSTONE COUNTRY ESTATES

GREYSTONE COUNTRY ESTATES UNIT 1
VOL. 9528, PAGE 3

PLAN HAS BEEN ACCEPTED
BY THE CITY OF SAN
ANTONIO DEVELOPMENT
REVIEW COMMITTEE
Date: **October 3, 1994**
File # **428**
Signature: *D. Delaney*

SCALE: 1" = 300'



DEVELOPER:
RIVER CITY ASSOCIATES L.L.C.
P.O. BOX 782257
WICHITA, KANSAS 67278
(316)636-2100

NO.	DATE	REVISIONS
1	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
2	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
3	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
4	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
5	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
6	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
7	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
8	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
9	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
10	10/3/94	PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE

BROWN ENGINEERING, P.C.
ENGINEERING CONSULTANTS
SAN ANTONIO, TEXAS 78205
PHONE (214) 594-1111

RIVER CITY ASSOCIATES L.L.C.
FUND SUBDIVISION

P.O.A.D.P.

SHEET NO

1

VRP#02-11-011
11-14-06A07:58 RCVD

[illegible]

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE HIGHWAY-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE ROADWAY WIDENING.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY OVERSIGHT TO THE 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 ROADSWAYS TO STATE HIGHWAYS. THIS PROPERTY IS ADJACENT TO A LIMITED COMBINED TOTALS OF FOUR (4) ACCESS POINTS ALONG A LIMITED ROAD BASED ON THE OVERALL PLATTED HIGHWAY FRONTAGE OF 1523.3 FEET AND ONE ACCESS POINT ALONG THE 2006.6 FEET OF THE OVERALL PLATTED HIGHWAY FRONTAGE OF 181.1 FEET.

[illegible]

THE BEAKAR MEYER WATER DISTRICT IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAY FOR WATER CONVEYANCE AND DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THE PLAT AS "WATER EASEMENTS" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, INSPECTING AND METER READING, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE GRANTORS' ADJACENT LAND AND THE RIGHT TO RE-ENTER SAID ADJACENT WATERSHED FOR EASEMENT AND RIGHT-OF-WAY AREAS. IT IS AGREED AND UNDERSTOOD THAT NO BUILDING OR CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU's) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

UDC 35-512 STREETSCAPE WILL BE COMPLIED WITH DURING THE BUILDING STAGE

1) THIS SUBDIVISION IS WITHIN THE EDWARDS RECHARGE ZONE. DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE IV, DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFE RECHARGE ZONE AND WATERSHED PROTECTION", OR LATEST REVISIONS THEREOF.

2) NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS AQUIFER PROTECTION PLAN (WATER POLLUTION ABATEMENT PLAN OR "WAP") OR MODIFICATION TO AN APPROVED PLAN IS REQUIRED BY 30 TAC 213.5 OF THE TEXAS WATER CODE, OR LATEST VERSION THEREOF, HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TCD OFFICE, AND THE APPLICATION HAS BEEN APPROVED BY THE EXECUTIVE DIRECTOR OF THE TDEQ.

REPLAT AND SUBDIVISION PLAT ESTABLISHING
THE VINEYARD PHASE IV

BEING LOT 16(1.184 ACRES), LOT 17(1.373 ACRES) AND LOT 18(15.884 ACRES) OF LAND AND VARIABLE WIDTH INGRESS/EGRESS EASEMENT, AND A 10' WATER EASEMENT, OUT OF THAT CERTAIN 35.414 ACRES KNOWN AS LOT 10, BLOCK 70, NEW CITY BLOCK 16334, THE FUND SUBDIVISION UNIT 16, OUT OF THE F. DE LA GARZA SURVEY NO. 5, ABSTRACT 849, BEXAR COUNTY, TEXAS, AS DESCRIBED IN VOLUME 9550, PAGE 64--66, OF THE DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

THIS PLAT OF THE VINEYARD PHASE IV 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: FEB 23 1988 BY: [Signature]

BY: Harold Steward
CHAIRMAN
BY: Rodney Long
SECRETARY

THE OWNER OF THE 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 THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

BY: AUTHORIZED AGENT: JOHNNY STEVENS, PARTNER
ADDRESS: 11223 N. ROCK ROAD, H-200, WICHITA, KANSAS. 67206

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JOHNNY STEVENS, 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 2nd DAY OF April 2003.

A.D. 2003

NOTARY PUBLIC SEDGWICK COUNTY, KANSAS

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS
 PLAN TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF
 MY KNOWLEDGE THIS PLAN CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED
 DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN
 ANTONIO PLANNING COMMISSION.

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 UNDER MY SUPERVISION.

James W. Russell 4/11
JAMES W. RUSSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4230

I, Henry Rickhoff COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE
ON THE 24th DAY OF April A.D. 2003, AT 11:19 A. M. AND DULY
RECORDED IN THE Book OF 2003 AT 218 IN
THE Deeds & Plats RECORDS OF SAID COUNTY, TEXAS
ON PAGE 90 IN TESTIMONY WHEREOF, I WITNESS MY HAND AND
OFFICIAL SEAL OF OFFICE, THIS 24th DAY OF April A.D. 2003
COUNTY CLERK, BEAR COUNTY, TEXAS

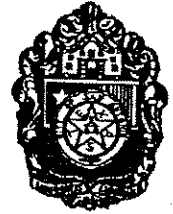
b Bury+Partners Consulting Engineers and Surveyors
San Antonio, Texas Tel 210/525-9090
©Copyright 2002 Bury+Partners-S.A., Inc.

SHEET 3 OF 4

Drawn by: ORT approved by: SOE Project No.: 246-08.20 File: G:\246\08\SURVEY\24608PLT.DWG



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: Melinda J. Gauthier Date: 14 NOV 06