

9/2



ORDER # 467



STATE OF TEXAS	§	IN THE COMMISSIONERS COURT
COUNTY OF COMAL	§	

**ORDER GRANTING CANCELLATION OF
LOT 2265 OF VINTAGE OAKS AT THE VINEYARD, UNIT 28**

WHEREAS, Texas Local Government Code § 232.008(b) states that a person owning real property in this state that has been subdivided into lots and blocks or into small subdivisions may apply to the commissioners court in the county in which the property is located for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision;”

WHEREAS, the Comal County Commissioners Court received an application from Southstar at Vintage Oaks, LLC (hereafter “Applicant”), requesting cancellation of a portion of a subdivision named Vintage Oaks at the Vineyard, Unit 28, as shown on the map attached hereto as Exhibit A and incorporated herein;

WHEREAS, Applicant desires to reestablish the property, Lot 2265 within a subdivision named Vintage Oaks at the Vineyard, Unit 28, as filed in the official records of the Comal County Clerk in Document #202006037730, as acreage, as it existed before the subdivision.

WHEREAS, Texas Local Government Code §232.008(a) states that “[t]his section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42;”

WHEREAS, Vintage Oaks at the Vineyard, Unit 28 lies in the unincorporated area of Comal County, Texas;

WHEREAS, upon receipt of the application for cancellation of a subdivision or part thereof under §—232.008, the Commissioners Court shall publish notice of the application for cancellation pursuant to the requirements of §-232.008(c);

WHEREAS, on September 9, 2021, the Commissioners Court directed the County Engineer's Office to comply with the notice requirements of §232.008(c) and scheduled the public hearing for October 7, 2021;

WHEREAS, the notice was published in a newspaper for at least three weeks before the date on which action is to be taken on the application for cancellation pursuant to §232.008(c);

WHEREAS, the Commissioners Court by order shall authorize the owner of the subdivision to file an instrument cancelling the subdivision in whole or in part if the application shows that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision or it is shown that the purchaser agrees to the cancellation in accordance with Texas Local Government Code §232.008(b);

WHEREAS, Applicant owns Lot 2265 of the subject subdivision, in its entirety and claims that the cancellation of Lot 2265 of the subdivision named Vintage Oaks at the Vineyard, Unit 28, will not interfere with the established rights of any purchaser who owns any part of the subdivision;

WHEREAS, Applicant owes no delinquent taxes on the subject portion of the subdivision named Vintage Oaks at the Vineyard, Unit 28, in accordance with Texas Local Government Code §232.008(d);

WHEREAS, the Commissioners Court has not received a written objection to the cancellation from the owners of at least ten (10) percent of the property affected by the proposed cancellation pursuant to §232.008(e);

WHEREAS, Section 232.008(h) holds that if the Commissioners Court determines the cancellation will prevent the proposed interconnection of infrastructure to pending or existing development the Court may deny the requested cancellation;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT FOR COMAL COUNTY THAT upon application, proper notice and announcement as required by law, and upon motion duly made and seconded, the cancellation of Lot 2265 within subdivision named Vintage Oaks at the Vineyard, Unit 28, in Comal County is approved, as indicated by the signatures of the Commissioners below, that the portion of subdivision named Lot 2265, Vintage Oaks at the Vineyard, Unit 28, as described in Exhibit A, is hereby cancelled and that the cancellation does not prevent the proposed interconnection of infrastructure to pending or existing development;

BE IT FURTHER RESOLVED THAT the Commissioners Court hereby orders that the Applicant is authorized to file an instrument cancelling Lot 2265 of subdivision named Vintage Oaks at the Vineyard, Unit 28 as described in Exhibit A, and that Applicant shall use the instrument form attached as Exhibit B to prepare said instrument for recordation;

BE IT FURTHER RESOLVED THAT the Commissioners Court hereby directs the Comal County Clerk to properly record the above instrument cancelling Lot 2265 of the subdivision named Vintage Oaks at the Vineyard, Unit 28, as prepared by the Applicant and appropriately notate the recordation of this instrument in the Clerk's Map and Plat Index.

EFFECTIVE THIS the 7th day of October, 2021.



SHERMAN KRAUSE, COUNTY JUDGE



**DONNA ECCLESTON,
COUNTY COMMISSIONER PCT. #1**



**SCOTT HAAG,
COUNTY COMMISSIONER PCT. #2**



**KEVIN WEBB,
COUNTY COMMISSIONER PCT. #3**



**JEN CROWNOVER
COUNTY COMMISSIONER PCT. #4**



ATTEST:

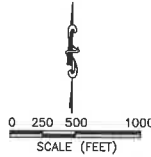


BOBBIE KOEPP, COUNTY CLERK

#202001037130

VINTAGE OAKS AT THE VINEYARD, UNIT 28
BEARD ROAD ACRES, SITUATED WITHIN THE J. OLGA SURVEY NO. 303 AND TRACT NO. 441, A OLGA
SURVEY NO. 201 ABSTRACT NO. 442, AND THE J. GRADALL SURVEY NO. 370 ABSTRACT NO. 119,
AND BEING PART OF A CALLED 200 FOUR BLOCK TRACT, RECORDED IN DOCUMENT NUMBER
20170604421, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS

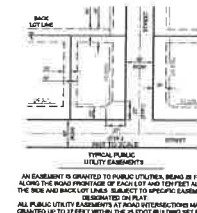
SHEET INDEX



MAIN OFFICE:
POST OFFICE BOX 10
SHERWOOD, TEXAS 75081
PHONE: 817.237.5466
FAX: 817.237.5474

BRANCOFFICES:
201 LANIA ST
NEW BRUNSWICK, TEXAS 75783
PHONE: 817.237.5488

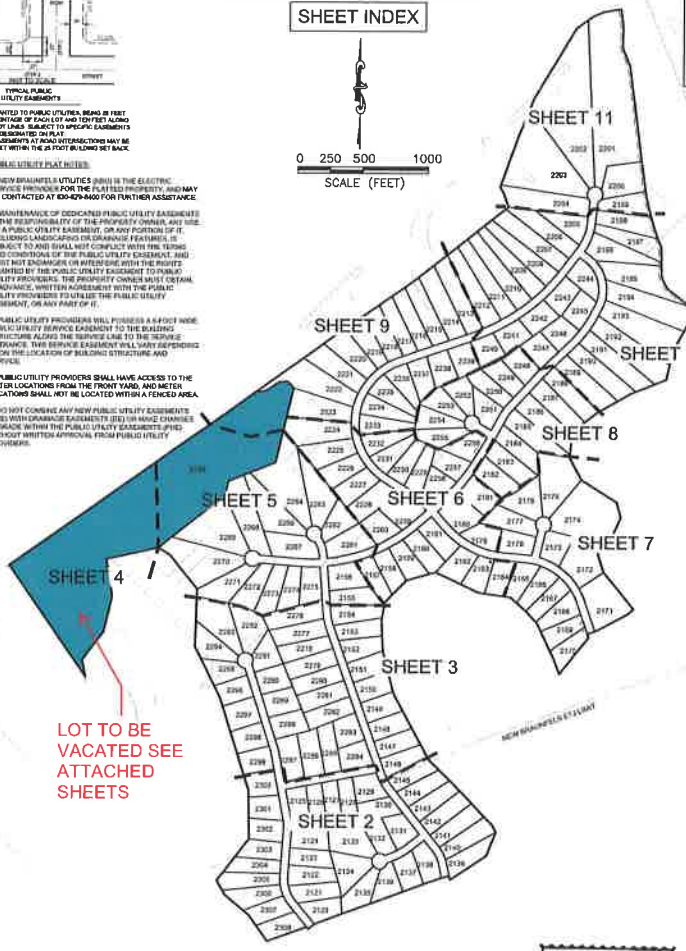
M&S ENGINEERING, L.L.C.
1316 131ST STREET, SUITE 100, WESTLAKE, TEXAS 75086
SHERWOOD SURVEYING & SUE



AN EASEMENT IS GRANTED TO PUBLIC UTILITIES, BEING 20 FEET ALONG THE FRONT PROPERTY LINE AND 10 FEET ALONG THE SIDE AND BACK OF EACH LOT, SUBJECT TO SPECIFIC EASEMENTS DESIGNATED ON THIS PLAT. ALL PUBLIC UTILITY EASEMENTS MAY BE GRANTED UP TO 20 FEET WITHIN THE 25 FOOT BOUNDARY SETBACK.

- NOTES:**
- THIS SUBDIVISION IS FILED WITHIN THE EXISTING TERRITORIAL ASSOCIATION OF A MUNICIPALITY, THE CITY OF NEW BRUNSWICK.
 - THIS PROPERTY WILL BE SERVED BY A STATE CERTIFIED PUBLIC UTILITY SUPPLY SYSTEM.
 - THIS PROPERTY WILL BE SERVED BY INDIVIDUAL ON-LINE WASTEWATER FACILITIES.
 - THIS SUBDIVISION DOES NOT WITHIN THE BOUNDARY OF THE BOUNDARY ZONING.
 - LOCAL COUNTY REQUIREMENTS: A MINIMUM SETBACK FROM FRONT PROPERTY LINE.
 - THIS PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD AREA, ZONE "A", THE 100 YEAR FLOOD ZONE, AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR COMAL COUNTY, TEXAS, DOCUMENT NUMBER 1504000001, EFFECTIVE DATE SEPTEMBER 16, 2014, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - PROPERTY OWNERS AND ADJACENTS ARE RESPONSIBLE FOR MAINTENANCE OF UTILITY FACILITIES ON THEIR PROPERTY AND MAY NOT OBTAIN EASEMENTS FOR ANY PURPOSE, CONTRACTUAL OR OTHER, THAT WOULD INTERFERE WITH THE RIGHT OF ACCESS TO SUCH FACILITIES.
 - A FINANCE STUDY HAS BEEN COMPLETED BY M & S ENGINEERING, L.L.C. FOR THIS PLAT AND IS AVAILABLE FOR REVIEW AT THE COMAL COUNTY ENGINEERS' OFFICE. A FINANCE STUDY BY THIS FIRM IS BEING CONDUCTED DURING CERTAIN STORM EVENTS HAS BEEN PLACED WITHIN BUILDING SETBACKS FOR THE CONSTRUCTION OF BUILDINGS WITHIN THE BUILDING SETBACKS INCLUDING COMMERCIAL COUNTY ENGINEERS.
 - NEW BRUNSWICK UTILITIES (NBU) IS THE ELECTRIC SERVICE PROVIDER FOR THE PLATED PROPERTY. NBU MAY BE CONTACTED AT 803-429-8600 FOR FURTHER ASSISTANCE.
 - MAINTENANCE OF DEDICATED PUBLIC UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER, AND NOT OF A PUBLIC UTILITY EASEMENT, OR ANY PORTION OF IT. INCLUDING LANDSCAPING OR ORNAMENTAL FEATURES, IT MUST NOT BE LOCATED WITHIN THE SETBACKS AND SHALL NOT INTERFERE WITH THE DESIGN AND OPERATION OF THE PUBLIC UTILITY EASEMENT. THIS MUST NOT BE ENGAGED OR INTERFERED WITH THE PROPERTY OWNERS BY THE PUBLIC UTILITY EASEMENT TO PUBLIC UTILITY PROVIDERS. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE PUBLIC UTILITY PROVIDERS TO UTILIZE THE PUBLIC UTILITY EASEMENT, OR ANY PART OF IT.
 - PUBLIC UTILITY PROVIDERS WILL PROVIDE A SAFETY WIRE PUBLIC UTILITY SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS SERVICE EASEMENT WILL ONLY BE REQUIRED UPON THE LOCATION OF BUILDING STRUCTURE AND SERVICE.
 - PUBLIC UTILITY PROVIDERS SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD, AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
 - DO NOT CONVICT ANY NEW PUBLIC UTILITY EASEMENTS (PUE) WITH EXISTING EASEMENTS (EE) OR MAKE CHANGES TO EASEMENTS WITHIN THE PUBLIC UTILITY EASEMENTS (PUE) WITHOUT WRITTEN APPROVAL FROM PUBLIC UTILITY PROVIDERS.

- PUBLIC UTILITY PLAT NOTES:**
- NEW BRUNSWICK UTILITIES (NBU) IS THE ELECTRIC SERVICE PROVIDER FOR THE PLATED PROPERTY. NBU MAY BE CONTACTED AT 803-429-8600 FOR FURTHER ASSISTANCE.
 - MAINTENANCE OF DEDICATED PUBLIC UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER, AND NOT OF A PUBLIC UTILITY EASEMENT, OR ANY PORTION OF IT. INCLUDING LANDSCAPING OR ORNAMENTAL FEATURES, IT MUST NOT BE LOCATED WITHIN THE SETBACKS AND SHALL NOT INTERFERE WITH THE DESIGN AND OPERATION OF THE PUBLIC UTILITY EASEMENT. THIS MUST NOT BE ENGAGED OR INTERFERED WITH THE PROPERTY OWNERS BY THE PUBLIC UTILITY EASEMENT TO PUBLIC UTILITY PROVIDERS. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE PUBLIC UTILITY PROVIDERS TO UTILIZE THE PUBLIC UTILITY EASEMENT, OR ANY PART OF IT.
 - PUBLIC UTILITY PROVIDERS WILL PROVIDE A SAFETY WIRE PUBLIC UTILITY SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS SERVICE EASEMENT WILL ONLY BE REQUIRED UPON THE LOCATION OF BUILDING STRUCTURE AND SERVICE.
 - PUBLIC UTILITY PROVIDERS SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD, AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
 - DO NOT CONVICT ANY NEW PUBLIC UTILITY EASEMENTS (PUE) WITH EXISTING EASEMENTS (EE) OR MAKE CHANGES TO EASEMENTS WITHIN THE PUBLIC UTILITY EASEMENTS (PUE) WITHOUT WRITTEN APPROVAL FROM PUBLIC UTILITY PROVIDERS.



LOT TO BE VACATED SEE ATTACHED SHEETS

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

STATE OF TEXAS
COUNTY OF COMAL

I, *[Signature]*, COUNTY CLERK OF COMAL COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN MY OFFICE ON THE 26th day of August, A.D. 2020.

EXHIBIT "A"

RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

#20200003T130

LOT TO BE
VACATED SEE
ATTACHED
SHEETS

STAHLMAN ALAN E
DOC# 200704005984
REMAINDER OF 241.33 AC
M.P.R.C.C.T.

MATCH LINE SEE SHEET 5

0 50 100 200
SCALE (FEET)
1" = 100'

LEGEND

- CHAMBER PINS FOUND WITH YELLOW CAP & MARKED WITH OLD SURVEYING IRON NAILS
 - CHAMBER PINS NOT SET WITH YELLOW CAP & MARKED WITH OLD SURVEYING IRON NAILS
- EMT LAKEMONT
PUB. PUBLIC UTILITY EXAMINATION
PUB. BUILDING NEIGHBORLINE
PUB. BOUNDARY LINE
PUB. PUBLIC UTILITY EXAMINATION
PUB. OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
PUB. MAP & PLAN RECORDS, TARRANT COUNTY, TEXAS
PUB. LINE MEASUREMENT BETWEEN ADJACENT PLOTS AND INTERSECTION OF BOUNDARY AND ADJACENT LOT LINE

TYPICAL PUBLIC UTILITY EXAMINATION

AN EXAMINATION IS CONDUCTED TO PUBLIC UTILITIES, WHICH IS FIRST ALIGNED TO THE PUBLIC UTILITIES OF TARRANT COUNTY AND THE CITY OF FORT WORTH, TEXAS. THE EXAMINATION IS SUBJECT TO THE PUBLIC UTILITIES ACT AND ALL PUBLIC UTILITIES SUBJECT TO ALL APPLICABLE REGULATIONS AND ORDINANCES. ALL PUBLIC UTILITIES SUBJECT TO ALL APPLICABLE REGULATIONS AND ORDINANCES. ALL PUBLIC UTILITIES SUBJECT TO ALL APPLICABLE REGULATIONS AND ORDINANCES.



SEE TO SCALE

SOUTHWEST AT VINTAGE OAKS, L.L.C. REMAINDER OF 250.092 AC. DOC# 201704048421 M.P.R.C.C.T.

VINTAGE OAKS AT THE VINEYARD 19-25 DOC. 201904013327 M.P.R.C.C.T.

VINTAGE OAKS AT THE VINEYARD, UNIT 28

MISSOFFICE
P.O. BOX 1000, FORT WORTH, TEXAS 76101
PHONE: 817.335.1111
FAX: 817.335.1112

BRANCH OFFICES
1000 LAKOTA ST., FORT WORTH, TEXAS 76104
PHONE: 817.335.1111

MSS ENGINEERING, L.L.C.
1000 LAKOTA ST., FORT WORTH, TEXAS 76104
PHONE: 817.335.1111

SHERWOOD SURVEYING & SUE
1000 LAKOTA ST., FORT WORTH, TEXAS 76104
PHONE: 817.335.1111

EXHIBIT "A"

RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

#207006037130

LOT TO BE
VACATED SEE
ATTACHED
SHEETS

STAHLMAN ALAN B
DOC# 200706005964
REMAINDER OF 280.00 AC
M.P.R.C.C.T.

RESTRICTED SENSITIVE
RECHARGE FEATURE
WITH 200FT BUFFER, WPA# NO 311;
SEE NOTE 14 SHEET 1

RESTRICTED SENSITIVE
RECHARGE FEATURE
WITH 200FT BUFFER, WPA# NO 330
SEE NOTE 14 SHEET 1

0 50 100 200
SCALE (FEET)
1" = 100'

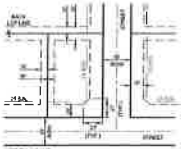
LEGEND

- 1/2" DIAMETER IRON PIPE PILING WITH HOLLOW CORE EXPOSED "RESTRICTED SENSITIVE" BUFFER ZONE
- 1/2" DIAMETER IRON PIPE PILING WITH HOLLOW CORE EXPOSED "RESTRICTED SENSITIVE" BUFFER ZONE
- ▬ EASEMENT
- ▬ PUBLIC UTILITY EASEMENT
- ▬ BUILDING RETRACTION LINE
- ▬ RIGHT-OF-WAY
- ▬ PUBLIC EASEMENT EASEMENT
- ▬ OFFICIAL PUBLIC RECORD, CONAL COUNTY, TEXAS
- ▬ MAP & PLAT RECORD, CONAL COUNTY, TEXAS
- ▬ LEGAL DESCRIPTION BETWEEN BRANCHES PAID & EXTENSION OF PUBLIC ROADWAY LOT LINE

TYPICAL PUBLIC UTILITY EASEMENTS

AN EASEMENT IS GRANTED TO PUBLIC UTILITIES, BEING 20 FEET ALONG THE ROAD FRONTAGE OF EACH LOT AND TEN FEET ALONG THE REAR AND SIDE LINES, SUBJECT TO SPECIFIC EASEMENTS DESIGNATED THEREIN.

ALL PUBLIC UTILITY EASEMENTS AT ROAD INTERSECTIONS MAY BE GRANTED UP TO 25 FEET WITHIN THE 25 FOOT BUILDING SET BACK.



MATCH LINE SHEET 4

MATCH LINE SEE SHEET 9

MATCH LINE

SEE SHEET 6

VINTAGE OAKS AT THE VINEYARD 11-25
DOC# 201706013227
M.P.R.C.C.T.

VINTAGE OAKS AT THE VINEYARD, UNIT 28

MAIN OFFICE
POST OFFICE BOX 599
SPRING BRANCH, TEXAS 77070
PHONE • 281.228.5448
FAX • 281.228.2178

BRANCH OFFICES
376 LANDA ST
NEW BRUNSWICK, TEXAS 77858
PHONE • 409.629.2844

M&S ENGINEERING, L.L.C.
CIVIL, ELECTRICAL, SURVEYING & LAND
TECHNICAL CONSULTING & DESIGN

SHERWOOD SURVEYING & S.U.E.
CIVIL, ELECTRICAL, SURVEYING & LAND
TECHNICAL CONSULTING & DESIGN

EXHIBIT "A"

RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

#202006051730

VINTAGE OAKS AT THE VINEYARD, UNIT 28

MAIN OFFICE
PO BOX 10450
DALLAS, TEXAS 75210
PHONE: 972.382.1000
FAX: 972.382.1010

BRANCH OFFICES
276 LANDA ST.
NEW ORLEANS, TEXAS 75080
PHONE: 972.382.2000

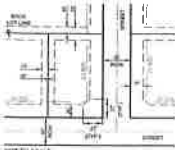
MES ENGINEERING, L.L.C.
15151 DALLAS STREET, SUITE 1000
DALLAS, TEXAS 75244
PHONE: 972.382.1000

SHERWOOD SURVEYING & SUE
15151 DALLAS STREET, SUITE 1000
DALLAS, TEXAS 75244
PHONE: 972.382.1000

TYPICAL PUBLIC UTILITY EASEMENTS

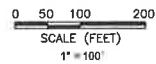
AN EASEMENT IS GRANTED TO PUBLIC UTILITIES, BEING 20 FEET ALONG THE ROAD FRONTAGE OF EACH LOT AND TEN FEET ALONG THE SIDE AND BACK LOT LINES. SUBJECT TO SPECIFIC EASEMENTS DESIGNATED ON PLAT.

ALL PUBLIC UTILITY EASEMENTS AT 100% SUBTENDENCE SHALL BE SHOWN AT 10 FT FEET WITHIN THE 20 FOOT SUBTENDENCE BACK.



LEGEND

- 1/4" DIAMETER PIPES FROM PLANT WITH FELLOW CAP STAMPED "RESTRICTED SENSITIVE RECHARGE"
- 1/4" DIAMETER PIPES FROM WELLS WITH FELLOW CAP STAMPED "RESTRICTED SENSITIVE"
- EASEMENT
- PUBLIC UTILITY EASEMENT
- BUILDING SETBACK LINE
- BOUNDARY OF LOT
- PUBLIC DRAINAGE EASEMENT
- OFFICIAL PUBLIC RECORD, COMAL COUNTY, TEXAS
- MAP PUBLIC RECORD, COMAL COUNTY, TEXAS
- LEGAL MEASUREMENT BETWEEN ADJACENT P.N. AND INTERSECTION OF PROPOSED BOUNDARY LOT LINE



RESTRICTED SENSITIVE RECHARGE FEATURE WITH 200FT BUFFER; WPAP NO S14; SEE NOTE 14 SHEET 1

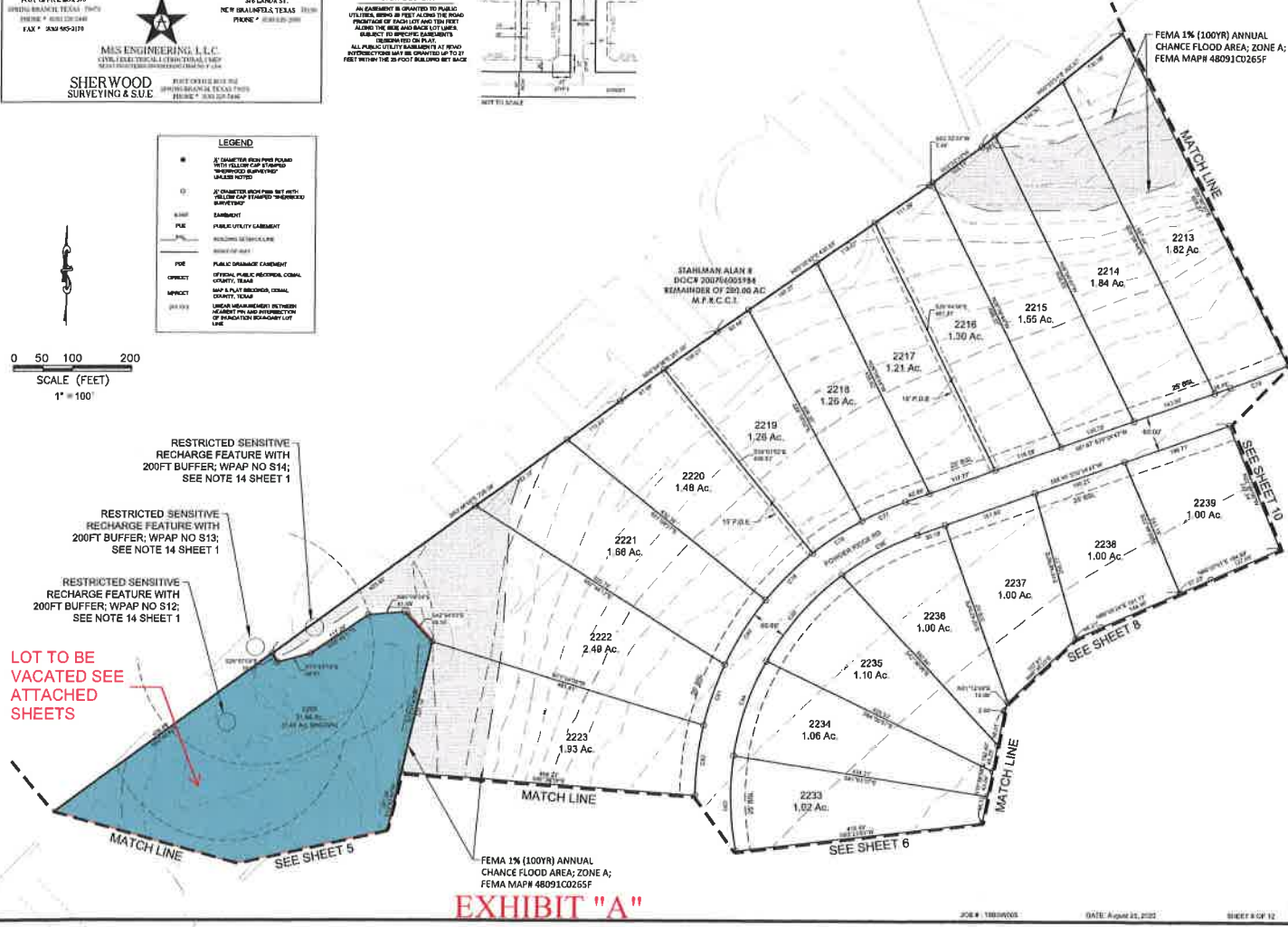
RESTRICTED SENSITIVE RECHARGE FEATURE WITH 200FT BUFFER; WPAP NO S13; SEE NOTE 14 SHEET 1

RESTRICTED SENSITIVE RECHARGE FEATURE WITH 200FT BUFFER; WPAP NO S12; SEE NOTE 14 SHEET 1

LOT TO BE VACATED SEE ATTACHED SHEETS

FEMA 1% (100YR) ANNUAL CHANCE FLOOD AREA; ZONE A; FEMA MAP# 48091C0265F

EXHIBIT "A"



RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

9. Application Form for Cancellation or Revision of a Recorded Plat

APPLICATION FORM

CANCELLATION OR REVISION OF ALL OR PART OF A RECORDED PLAT

I/WE THE UNDERSIGNED, SOUTHSTAR AT VINTAGE OAKS, LLC
(Print name)
Of 1118 VINTAGE WAY NEW BRAUNFELS, TX 78132
(Address)
BEING OWNER(S) of VINTAGE OAKS AT THE VINEYARD 28, LOT 2265
(Lot(s) and subdivision name, including unit number)

DO OFFICIALLY REQUEST THAT THE FOLLOWING ACTION BE PERMITTED (DESCRIBE):

THAT LOT 2265 OF VINTAGE OAKS AT THE VINEYARD UNIT 28 BE COMPLETELY CANCELLED AS ALLOWED BY COMAL COUNTY PER LOCAL GOVERNMENT CODE 232.008. THE "LOT" SHALL RETURN TO AN ACREAGE TRACT OF LAND AS IT EXISTED BEFORE THE SUBDIVISION OCCURED.

FURTHER, I/WE STATE THAT:

- () I/WE the above mentioned owners of said tract(s), have clear title to same; or
- (✓) The following persons/institutions hold mortgages on said tracts. All will submit statement of non-objection to proposed resubdivision before application will be processed.
FROST BANK

FINALLY, I/WE STATE THAT:

Pursuant to Texas Local Government Code, Section 232.009 (d)(1), the revision will not interfere with the established rights of any owner of a part of the subdivided land.

BY: [Signature] _____
(owner) (owner)

DATE: 8/4/21 _____

On this 9th day of SEPTEMBER, 2021, in a duly convened meeting of Commissioners Court of Comal County, the request to cancel or revise the above mentioned subdivision was officially granted/denied.

[Signature]
County Judge



This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
10/08/2021 04:31:29 PM
CHRISTY 9 Page(s)
202106052967



Bobbie Koepf



LIENHOLDER STATEMENT OF NON-OBJECTION TO PROPOSED RESUBDIVISION

The Lienholder has no objection to the vacation/cancellation of Lot 2265 within the Plat of VINTAGE OAKS AT THE VINEYARD, UNIT 28 recorded in Plat Document Number 202006037730, Official Public Records of Comal County, Texas. That Lot 2265 being more particularly described in Sheets 4, 5 and 9 of said Plat of VINTAGE OAKS AT THE VINEYARD, UNIT 28 as 31.46 acres out of 320.08 acres, situated in the J. Olivia Survey No. 300 Abstract No. 441, J. Olivia Survey No. 301 Abstract No. 442, and the J. Cassillas Survey No. 310 Abstract No. 115, and being out of a called 355.308 acre tract, recorded in Document Number 201706048421, Official Public Records of Comal County, Texas.

FROST BANK, a Texas state bank (herein "FROST" or "Lienholder"), owner and holder of those certain liens against the property described in said liens given by SOUTHSTAR AT VINTAGE OAKS, LLC and being evidenced by the following (hereinafter the "Liens"):

Deed of Trust dated April 29, 2019, recorded in Document No. 201906014719, Official Public Records of Comal County, Texas, executed by SouthStar at Vintage Oaks, LLC, securing payment of one Revolving note dated June 24, 2014, in the principal sum of \$13,500,000.00, and an Additional Note dated August 21, 2018, in the principal amount of 5,400,000.00, payable to the order of FROST BANK, as therein provided. (Affects 47.657 acre tract.)

Said notes and lien being further secured by Financing Statement recorded in Document No. 201906014799, Real Property Records of Comal County, Texas.

Deed of Trust dated October 31, 2017, recorded in Document No. 201706048424, Official Public Records of Comal County, Texas, executed by SouthStar at Vintage Oaks, LLC, securing payment of Revolving Promissory Note ("Initial Note") dated June 24, 2014, in the principal sum of \$13,500,000.00, and a Revolving Promissory Note ("Additional Note") dated June 24, 2017, in the principal sum of \$1,400,000.00, payable to the order of FROST BANK, to , Trustee, as therein provided. (Affects 250.092 acre tract)

Said note and lien being further secured by Financing Statement recorded in Document No. 201706048427, Official Public Records of Comal County, Texas.

Terms of said note, together with lien securing the same, having been modified and extended by Modification, Renewal and Extension Agreement dated October 31, 2017, recorded in Document No. 201706048428, of the Official Public Records of Comal County, Texas.

Notice of Renewal of Secured Indebtedness with regard to said note and lien recorded under Document No. 201806033331, of the Official Public Records of Comal County, Texas.

Renewal Second Lien Deed of Trust, Security Agreement-Financing Statement dated August 21, 2018, recorded in Document No. 201806033332, Official Public Records of Comal County, Texas, executed by SouthStar at Vintage Oaks, LLC, securing payment of one Revolving Promissory Note of even date therewith in the principal sum of \$5,400,000.00, payable to the order of FROST BANK, as therein provided. (Affects 250.092 acre tract, 703.579 acre tract and other property.)

Deed of Trust dated June 24, 2014, recorded in Document No. 201406021948, Official Public Records of Comal County, Texas, executed by SouthStar at Vintage Oaks, LLC, securing payment of one note of even date therewith in the principal sum of \$13,500,000.00, payable to the order of FROST BANK, as therein provided. (Affects 703.579 acre tract and other property.)

Said note and lien being further secured by Financing Statement recorded in Document No. 201406021949, Official Public Records of Comal County, Texas.

