

# ANNEXATION APPLICATION

Updated: September, 2020



## CONTACT INFORMATION

Applicant's Name	Hernan Jaramillo, P.E.	Property Owner	Bruce Cash
Company	Bain Medina Bain, Inc.	Company	JLBC710 INVESTMENTS, LLC
Applicant's Mailing Address	7073 San Pedro San Antonio, TX. 78216	Owner's Mailing Address	6504 W. Courtyard Dr.
Applicant's Phone #	210-494-7223	Owner's Phone #	512-633-6370
Applicant's Email	Hernanj@bmbi.com	Owner's Email	Bruce.cash@cashconstruction.com

## PROPERTY INFORMATION

Is the property adjacent to city limits: ☒ YES ☐ NO

Is the property proposing to connect to City utilities: ☐ YES, WATER ☒ YES, WASTE WATER ☐ NO

Is the property subject to an approved development or other agreement : ☐ YES ☒ NO

Proposed Use: Right of Way (ROW) Proposed Zoning: ROW

Reason for Annexation / Other Considerations: Incorporate into San Marcos City Limits for the expansion of Lovelady Road as requested in the PICP.

## AUTHORIZATION

*By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Filing Fee \$1,181

Technology Fee \$13

**TOTAL COST \$1,194**


Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

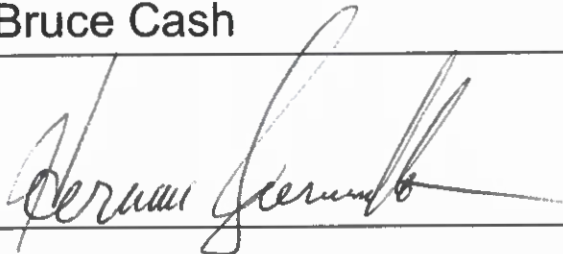
PROPERTY OWNER AUTHORIZATION

I, Bruce Cash (owner name) on behalf of  
JLBC710 INVESTMENTS, LLC (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
SH 123 (see attached exhibit) (address).

I hereby authorize Hernan Jaramillo, P.E. (agent name) on behalf of  
Bain Medina Bain, Inc. (agent company) to file this application for  
Annexation (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 05/05/2023

Printed Name, Title: Bruce Cash

Signature of Agent:  Date: 05/05/2023

Printed Name, Title: Hernan Jaramillo, P.E. | President

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### **OWNER'S CONSENT TO ANNEXATION OF LAND**

**Date:** November 4, 2021

**City:** City of San Marcos, Texas, a home rule municipal  
corporation

**Owner:** JLBC710 INVESTMENTS, LLC

**Property:** Sedona North Subdivision

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Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

OWNER:

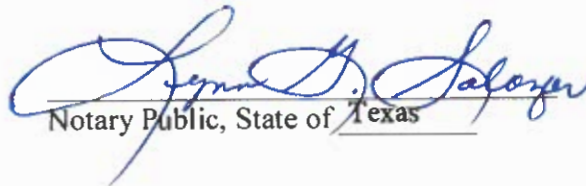
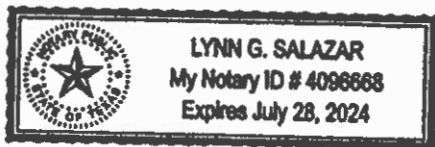


ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on MAY 5, 2023 by  
Bruce Cash.



Notary Public, State of Texas

OWNER:

By: 

Name: Bruce Cash

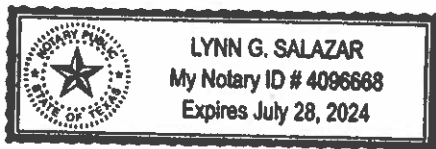
Title: Partner


ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on May 5, 2023 by Bruce Cash, Partner of JLBC710 Investments, LLC in such capacity on behalf of said entity.



  
Notary Public, State of Texas

## DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

☒ Out of City Utility Connection of Extension Application

☐ Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

**OWNER (individual):**

\_\_\_\_\_

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

[OR]

**OWNER (Entity):**

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

**Name:** Bruce Cash

**Title:** Partner

**Date:** May 5, 2023

Case No. \_\_\_\_\_ (to be inserted by City Staff)

**LEGAL DESCRIPTION**  
**For a 1.80 Acre Tract of Land**  
**AN-23-23-09**  
**City Limits Addition**

**BEING A 1.80 ACRE TRACT OF LAND OUT OF THE CHARLES HENDERSON SURVEY NO. 55, ABSTRACT NO. 226, HAYS COUNTY, TEXAS, AND THE ANDREW MITCHELL SURVEY NO. 62, ABSTRACT NO 220, GUADALUPE COUNTY, TEXAS, BEING OUT OF A 510.282 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED JULY 27, 2021 TO JLBC 710 INVESTMENTS, LLC, RECORDED IN DOCUMENT NO. 202199026066, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALSO BEING OUT OF A STATE OF TEXAS RIGHT OF WAY DESCRIBED IN VOL. 143, PG. 495; VOL. 143, PG. 497; VOL. 217, PG. 2; VOL. 217, PG. 16; VOL. 271, PG. 509; VOL. 71, PG. 521 OV THE GUADALUPE COUNTY DEED RECORDS; SAID 1.80 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 1/2" iron rod with orange plastic cap stamped "BAIN MEDINA BAIN INC. PROPERTY CORNER" found (N=13,844,331.20, E=2,303,616.72) on the east right-of-way line of State Highway 123, a 130-foot wide right-of-way, common with the northwest boundary line of said 510.282 acre tract, said corner marking the southwest corner of the herein described tract:

**THENCE, S.89°02'24"W.**, into and across said State Highway 123 right-of-way, a distance of **130.00 feet** to a point located on the west right-of-way line;

**THENCE, N.02°58'51"E.**, along said west right-of-way line in a northeasterly direction, a distance of **40.44 feet** to a point;

**THENCE, N.89°02'56"E.**, into and across said State Highway 123 right-of-way, a distance of **130.00 feet** to a point located on the east right-of-way line of State Highway 123 common with the westerly boundary line of said 510.282-acre tract, from which a 1/2" iron rod with yellow plastic cap stamped "DAM" bears **N.02°58'58" E.**, a distance of **19.70 feet**;

**THENCE**, into and across said 510.282-acre tract, the following courses and distances:

**N. 89°02'56" E.**, a distance of **230.40 feet** to a point marking to beginning of a arc to the left having a radius of **230.00 feet**;

Continuing along said arc to the left having a radius of **230.00 feet**, a central angle of **40°33'47"**, an arc length of **162.83 feet**, a chord that bears **N. 68°45'30" E.**, a distance of **159.45 feet** to point;



**N. 48°28'37" E.**, a distance of **753.85 feet** to a point marking the beginning of an arc to the right having a radius of **15.00 feet**;

Continuing along said arc to the right having a radius of **15.00 feet**, a central angle of **90°00'00"**, an arc length of **23.56 feet**, a chord bearing **S. 86°31'23" E.** a distance of **21.21 feet** to a point marking an interior corner hereof;

**N. 48°28'37" E.**, a distance of **60.00 feet** to a point marking a non-tangent curve to the right having a radius of **15.00 feet**;

Continuing along said arc to the right having a radius of **15.00 feet**, a central angle of **90°00'00"**, an arc length of **23.56 feet**, a chord bearing **N. 03°28'37" E.** a distance of **21.21 feet** to a point marking a point of tangency;

**N. 48°28'37" E.**, a distance of **548.30 feet** to a point marking the beginning of an arc to the right having a radius of **15.00 feet**;

Continuing along said arc to the right having a radius of **15.00 feet**, a central angle of **90°00'00"**, an arc length of **23.56 feet**, a chord bearing **S. 86°31'23" E.** a distance of **21.21 feet** to a point marking a northwesterly corner hereof;

**N. 48°28'32" E.**, a distance of **60.00 feet** to a point marking a northwesterly corner hereof, from which a 1/2-inch iron rod with a yellow plastic cap stamped "DAM" bears **S. 41°16'29" E.** a distance of **69.04 feet**;

**S. 41°31'23" E.**, a distance of **25.12 feet** to a 1/2-inch iron rod with orange plastic cap stamped "BAIN MEDINA BAIN INC PROPERTY CORNER" marking the northeasterly corner hereof;

**S. 48°28'37" W.**, a distance of **1467.45 feet** to a 1/2-inch iron rod with orange plastic cap stamped "BAIN MEDINA BAIN INC PROPERTY CORNER" marking the beginning of an arc to the right having a radius of **269.90 feet**;

Continuing along said arc to the right having a radius of **269.90 feet**, a central angle of **40°41'31"**, an arc length of **191.68 feet**, a chord bearing **S. 68°48'43" W.** a distance of **187.68 feet** to a point;

**S. 89°02'24" W.**, a distance of **232.50 feet** to the **Point of Beginning** containing an area of **1.80 acres** of land, more or less.

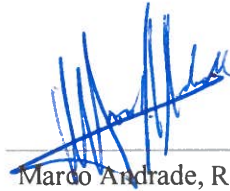
Property Owner: JLBC 710 INVESTMENTS, LLC

Bearings shown hereon are based on the Texas State Plane Coordinate System, Central Zone (4203), NAD 83(2011).

All distances are surface values using a combined scale factor of 1.00014

This property description is accompanied by a separate plat of even date.

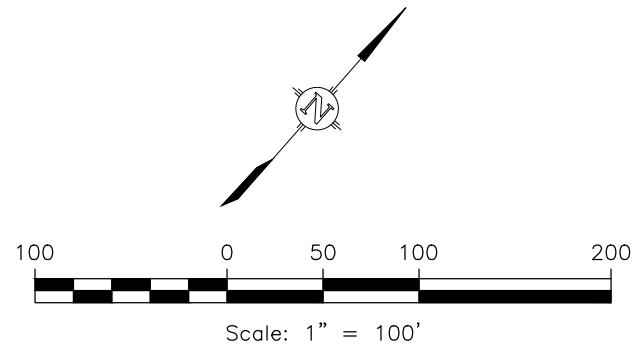
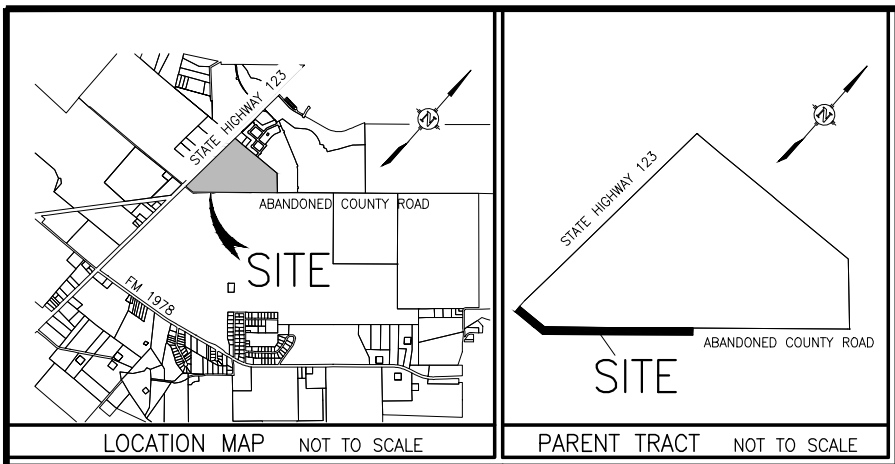
Surveyed on the ground the \_\_03\_\_ day of \_\_JULY\_\_ 2023.



Marco Andrade, R.P.L.S. #6490

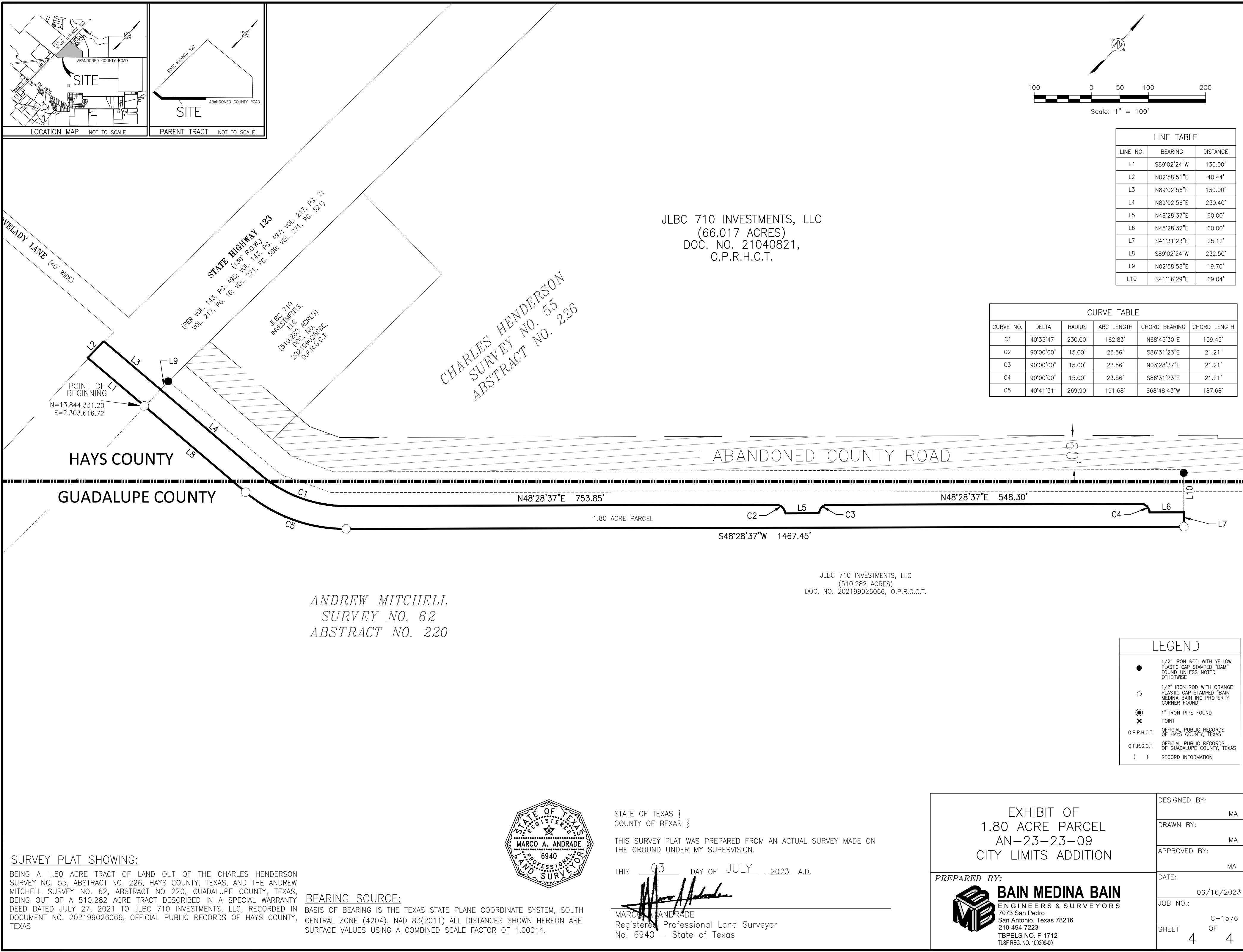


Date: Jul 05, 2023, 9:32am User ID: mandrade  
File: W: Work C-1516 Bruce San Marcos Development\Crystal Clear SUD\Survey Metes & Bounds\City Limits Addition\CCSUD Boundary\_City Limit Add.dwg



LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S89°02'24"W	130.00'
L2	N02°58'51"E	40.44'
L3	N89°02'56"E	130.00'
L4	N89°02'56"E	230.40'
L5	N48°28'37"E	60.00'
L6	N48°28'32"E	60.00'
L7	S41°31'23"E	25.12'
L8	S89°02'24"W	232.50'
L9	N02°58'58"E	19.70'
L10	S41°16'29"E	69.04'

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	40°33'47"	230.00'	162.83'	N68°45'30"E	159.45'
C2	90°00'00"	15.00'	23.56'	S86°31'23"E	21.21'
C3	90°00'00"	15.00'	23.56'	N03°28'37"E	21.21'
C4	90°00'00"	15.00'	23.56'	S86°31'23"E	21.21'
C5	40°41'31"	269.90'	191.68'	S68°48'43"W	187.68'



**SURVEY PLAT SHOWING:**

BEING A 1.80 ACRE TRACT OF LAND OUT OF THE CHARLES HENDERSON SURVEY NO. 55, ABSTRACT NO. 226, HAYS COUNTY, TEXAS, AND THE ANDREW MITCHELL SURVEY NO. 62, ABSTRACT NO. 220, GUADALUPE COUNTY, TEXAS, BEING OUT OF A 510.282 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED JULY 27, 2021 TO JLBC 710 INVESTMENTS, LLC, RECORDED IN DOCUMENT NO. 202199026066, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS

**BEARING SOURCE:**

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83(2011) ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES USING A COMBINED SCALE FACTOR OF 1.00014.



STATE OF TEXAS }  
COUNTY OF BEXAR }

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 03 DAY OF JULY, 2023 A.D.

MARCO A. ANDRADE  
Registered Professional Land Surveyor  
No. 6940 - State of Texas

EXHIBIT OF  
1.80 ACRE PARCEL  
AN-23-23-09  
CITY LIMITS ADDITION

PREPARED BY:  
**BAIN MEDINA BAIN**  
ENGINEERS & SURVEYORS  
7073 San Pedro  
San Antonio, Texas 78216  
210-494-7223  
TBPELS NO. F-1712  
TLSF REG. NO. 100209-00

DESIGNED BY: MA  
DRAWN BY: MA  
APPROVED BY: MA  
DATE: 06/16/2023  
JOB NO.: C-1576  
SHEET 4 OF 4



THE CITY OF SAN MARCOS  
VOL. 1349, PG. 162,  
O.P.R.H.C.T.

THE CITY OF SAN MARCOS  
VOL. 1349, PG. 156,  
O.P.R.H.C.T.

COTTONWOOD CREEK  
PHASE 3, UNIT 1  
DOC. NO. 19007114  
O.P.R.H.C.T.

COTTONWOOD CREEK  
PHASE 3, UNIT 2  
DOC. NO. 19034771,  
O.P.R.H.C.T.

COTTONWOOD CREEK  
PHASE 3, UNIT 3  
DOC. NO. 19028634,  
O.P.R.H.C.T.

JOHNNIE LYNN KRAAK MCCLELLAN  
(5.00 ACRES)  
VOL. 944, PG. 231,  
O.P.R.G.C.T.

THOMAS P. KRAAK  
(0.907 ACRES)  
VOL. 1045, PG. 630,  
O.P.R.G.C.T.

JLBC 710 INVESTMENTS, LLC  
(510.282 ACRES)  
DOC. NO. 202199026066,  
O.P.R.G.C.T.

PROPOSED ANNEXATION BOUNDARY

LOCATION MAP

1" = 100'

100 50 0 50 100

JOB #: C-1576

DATE: 6/9/23

DESIGN: N.R.

DRAWN: N.R.

CHECKED: H.J.

SHEET : OF