

ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION

Updated: October, 2018

Case # ZC- 23 - 01



CONTACT INFORMATION

Applicant's Name	FRANKLIN MOUNTAIN SAN MARCOS I. L.P	Property Owner	FRANKLIN MOUNTAIN SAN MARCOS I. L.P
Applicant's Mailing Address	16380 ADDISON RD. ADDISON TX 75001	Owner's Mailing Address	16380 ADDISON RD. ADDISON TX 75001
Applicant's Phone #	972-380-5900	Owner's Phone #	972-380-5900
Applicant's Email	CKENDALL@LANDMARKINTERESTS.COM	Owner's Email	CKENDALL@LANDMARKINTERESTS.COM

PROPERTY INFORMATION

Subject Property Address(es): SEE ATTACHED EXHIBITS FOR 6 PARCELS TOTALING 588.821 ACRES

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 588.821 ACRES Tax ID #: R _____

Preferred Scenario Designation: _____ Existing Zoning: COUNTY

Existing Land Use(s): AGRICULTURAL

DESCRIPTION OF REQUEST

Proposed Zoning District(s): HEAVY INDUSTRIAL AND COMMERCIAL

Proposed Land Uses / Reason for Change: LAND OWNER REQUESTS ZONING UPON THE APPROVAL OF THE PENDING AMENDMENT TO THE SMART TERMINAL DEVELOPMENT AGREEMENT

AUTHORIZATION

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* \$1,030 plus \$100 per acre Technology Fee \$12 MAXIMUM COST \$3,012

**Existing Neighborhood Regulating Plan Included.*

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, **RYAN BURKHARDT, MANAGER** (owner) acknowledge that I am the rightful owner of the property located at **SEE ATTACHED** (address).

I hereby authorize _____ (agent name) to file this application for _____ (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: *RYAN BURKHARDT*, MANAGER Date: 10/19/2022

Printed Name: RYAN BURKHARDT

Signature of Agent: _____ Date: _____

Printed Name: _____

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

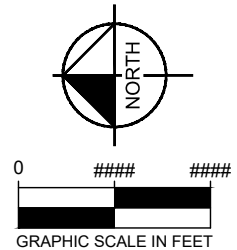
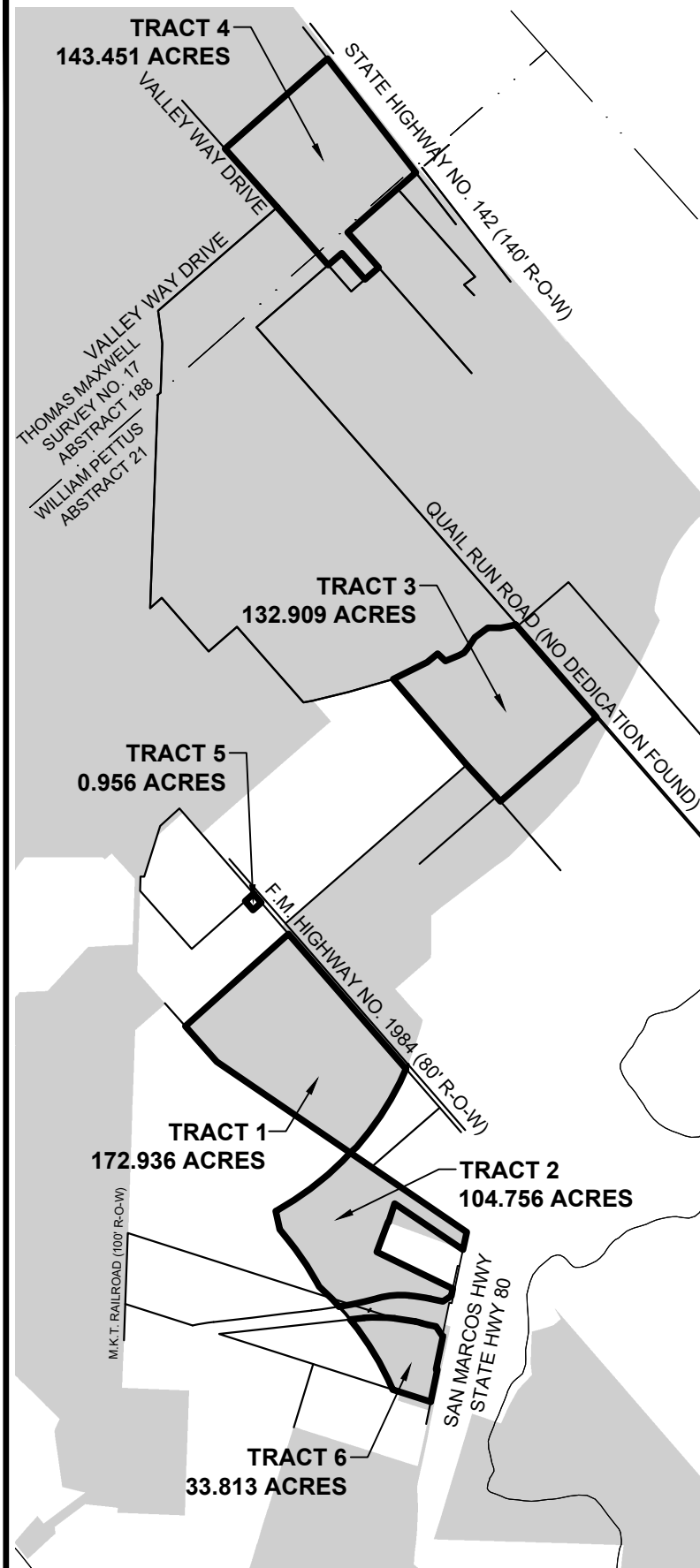
- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$88 plus an \$12 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$88 plus a \$12 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: RYAN BURKHARDT

Date: 10/19/2022

Print Name: RYAN BURKHARDT



LEGEND

- ETJ AREA
- ADJOINER PROPERTY BOUNDARY
- REZONING PROPERTY BOUNDARY
- APPROXIMATE SURVEY BOUNDARY

ZC-23-01 LEGAL DESCRIPTION OF 172.936, 104.756, 132.909, 143.451, 0.956 AND 33.813 ACRE TRACTS OF LAND

WILLIAM PETTUS SURVEY,
ABSTRACT NO. 21 AND THOMAS
MAXWELL SURVEY NO. 17,
ABSTRACT NO. 188
CITY OF SAN MARCOS
CORPORATE LIMITS AND ETJ,
CALDWELL COUNTY, TEXAS

Kimley»Horn

10101 Reunion Place, Suite 400
San Antonio, Texas 78216 FIRM # 10193973

Tel. No. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 3000'	TIA	JGM	12/1/2022	064421519	1 OF 1

**A METES AND BOUNDS
DESCRIPTION OF TRACT 1
A 172.936 ACRE TRACT OF LAND**

BEING a 172.936 acre tract of land situated in the William Pettus Survey, Abstract No.21, City of San Marcos Extra Territorial Jurisdiction (ETJ), Caldwell County, Texas; and being a portion of that certain 765.723 acre Tract 2 described in instrument to Franklin Mountain San Marcos I, LP, recorded in Document No. 2021-007604 of the Official Public Records of Caldwell County, Texas, and being more particularly described as follows:

COMMENCING at a point marking the north corner of the Amended Plat of Memory Lawn Memorial Park, recorded in Cabinet A, Page 152A, B, and C, of the Plat Records of Caldwell County, and marking an interior southerly corner of said 765.723 acre tract;

THENCE, North 34°18'54" East, 449.83 feet crossing said 765.723 acre tract to a point on the City Limits and (ETJ) line of the City of San Marcos (City Limits line is based on shape files from City of San Marcos GIS page - 11/03/2022), and marking the **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing over and across said 765.723 acre tract, and with the said City Limits and ETJ line the following three (3) courses and distances:

1. North 34°18'54" East, 2857.09 feet to a point for corner;
2. North 48°28'23" East, 838.99 feet to a point for corner;
3. South 41°49'51" East, 2448.11 feet to a point for corner on the northwesterly right-of-way line of F.M. Highway No. 1984 (80 feet wide);

THENCE, South 48°59'16" West, 3164.95 feet along said northwesterly right-of-way line to a point for corner on the aforesaid City Limits and ETJ line;

THENCE, with the said ETJ line, leaving said right-of-way, and over and across aforesaid 765.723 acre tract the following six (6) courses and distances:

1. North 65°37'30" West, 257.33 feet to a point for corner;
2. North 61°52'30" West, 345.51 feet to a point for corner;
3. North 58°07'30" West, 345.51 feet to a point for corner;
4. North 54°22'30" West, 345.51 feet to a point for corner;
5. North 50°37'30" West, 345.51 feet to a point for corner;
6. North 42°18'22" West, 152.82 feet to the **POINT OF BEGINNING**, and containing 172.936 acres of land in Caldwell County County, Texas.

The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc., dated 10-14-2021. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 11/30/2022 at 3:06 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

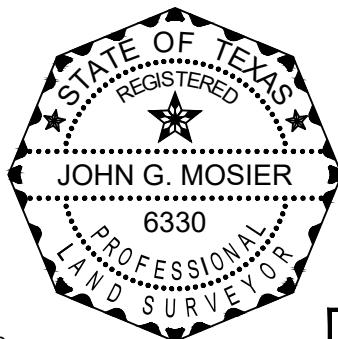
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**ZC-23-01 LEGAL DESCRIPTION
OF 172.936, 104.756, 132.909,
143.451, 0.956 AND 33.813 ACRE
TRACTS OF LAND**

**WILLIAM PETTUS SURVEY,
ABSTRACT NO. 21 AND THOMAS
MAXWELL SURVEY NO. 17,
ABSTRACT NO. 188
CITY OF SAN MARCOS
CORPORATE LIMITS AND ETJ,
CALDWELL COUNTY, TEXAS**

John G. Mosier

12/1/2022



John G. Mosier
Registered Professional Land Surveyor No. 6330
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SEE PAGE 7 OF 11 FOR EXHIBIT

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	TIA	JGM	12/1/2022	064421519	1 OF 11

**A METES AND BOUNDS
DESCRIPTION OF TRACT 2
A 104.756 ACRE TRACT OF LAND**

BEING a 104.756 acre tract of land situated in the William Pettus Survey, Abstract No.21, City of San Marcos Extra Territorial Jurisdiction (ETJ), Caldwell County, Texas; and being a portion of that certain 765.723 acre tract described as Tract 2 in instrument to Franklin Mountain San Marcos I, LP, recorded in Document No. 2021-007604 recorded in the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a point marking the northeast corner of the remaining portion of that certain 237.06 acre tract described in instrument to Ohnseier Properties LP, recorded in Volume 560, Page 840 of the Deed Records of Caldwell County, and marking an interior corner of the said 765.723 acre tract;

THENCE, North 72°12'16" West, 347.17 feet along the said interior boundary of the 765.723 acre tract to a point for corner on the aforesaid ETJ line;

THENCE, continuing along said ETJ line the following three (3) courses and distances:

1. North 20°31'11" East, 12.16 feet to a point for corner;
2. North 69°28'49" West, 562.64 feet to a point for corner;
3. South 25°54'48" West, 1492.79 feet to a point for corner on the northerly right-of-way of State Highway 80;

THENCE, North 78°16'20" West, 127.86 feet along the northerly right-of-way line of said State Highway 80 North to a point for corner on the easterly boundary of that certain 13.833 acre tract described as Parcel 22N in instrument to Hays County, recorded in Document No. 2018-005991 of the Official Public Records of Caldwell County;

THENCE, continuing along the easterly boundary of said 13.833 acre tract the following five (5) courses and distances:

1. North 33°16'13" West, 177.68 feet to a point for corner;
2. North 11°43'39" West, 219.48 feet to a point of curvature;
3. in a northerly direction along a tangent curve to the left, having a radius of 3561.40 feet, a chord of North 08°36'05" East, 388.45 feet, a central angle of 06°15'09", and an arc length of 388.64 feet to a point of compound curvature;
4. in a northerly direction along a compound tangent curve to the left, having a radius of 1544.00 feet, a chord of North 04°44'12" West, 547.47 feet, a central angle of 20°25'26", and an arc length of 550.38 feet to a point for corner;
5. in a northerly direction along a reverse non-tangent curve to the right, having a radius of 7956.00 feet, a chord North 13°14'10" West, 491.75 feet, a central angle of 03°32'31", and an arc length of 491.83 feet to a point for corner on the southeast corner of that certain 15.658 acre tract described as part 1 in instrument to Hays County, recorded in Document No. 2018-005995 of the Official Public Records of Caldwell County;

THENCE, along the easterly boundary line of said 15.658 acre tract, in a northerly direction along a non-tangent curve to the right, having a radius of 7956.00 feet, a chord North 10°33'29" West, 215.48 feet, a central angle of 01°33'07", and an arc length of 215.49 feet to a point to a point for corner on the City Limits and Extra Territorial Jurisdiction (ETJ) line of the City of San Marcos (City Limits line is based on shape files from City of San Marcos GIS page - 11/03/2022);

THENCE, with the said City Limits and ETJ line, and over and across the said 70.046 acre tract, the aforesaid 15.658, and the aforesaid 765.723 acre tract the following sixteen (16) courses and distances:

1. North 47°35'24" East, 175.90 feet to a point for corner;
2. North 43°50'24" East, 325.16 feet to a point for corner;
3. North 62°35'24" East, 95.29 feet to a point for corner;
4. North 58°50'24" East, 345.46 feet to a point for corner;
5. North 55°05'24" East, 345.46 feet to a point for corner;
6. North 52°12'34" East, 185.32 feet to a point for corner;
7. North 51°12'13" East, 260.05 feet to a point for corner;
8. North 81°20'25" East, 18.65 feet to a point for corner;
9. North 77°35'24" East, 312.03 feet to a point marking the north corner of the herein described tract;
10. South 27°24'35" East, 33.71 feet to a point for corner;
11. South 31°09'35" East, 345.46 feet to a point for corner;
12. South 34°54'36" East, 345.46 feet to a point for corner;
13. South 38°36'29" East, 256.97 feet to a point for corner;
14. South 39°22'30" East, 154.39 feet to a point for corner;
15. South 43°07'30" East, 345.51 feet to a point for corner;
16. South 46°52'30" East, 199.76 feet to a point for corner;

THENCE, South 34°18'54" West, 2491.92 feet departing the said ETJ line, and along the southeasterly boundary of the aforesaid 765.723 acre tract, to a point for corner on the aforesaid northerly right-of-way line of said State Highway 80;

THENCE, North 77°53'52" West, 316.81 feet along the northerly right-of-way line of said State Highway 80 to a point for corner;

THENCE, North 34°00'11" East, 1456.98 feet along the aforesaid interior boundary of the 765.723 acre tract, to the **POINT OF BEGINNING**, and containing 104.756 acres of land in Caldwell County Texas.

The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc., dated 10-14-2021. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 11/30/2022 at 3:27 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

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LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L12	N72°12'16"W	347.71'	L21	N62°35'24"E	95.29'	L30	S34°54'36"E	345.46'
L13	N20°31'11"E	12.16'	L22	N58°50'24"E	345.46'	L31	S38°36'29"E	256.97'
L14	N69°28'49"W	562.64'	L23	N55°05'24"E	345.46'	L32	S39°22'30"E	154.39'
L15	S25°54'48"W	1492.79'	L24	N52°12'34"E	185.32'	L33	S43°07'30"E	345.51'
L16	N78°16'20"W	127.86'	L25	N51°12'13"E	260.05'	L34	S46°52'30"E	199.76'
L17	N33°16'13"W	177.68'	L26	N81°20'25"E	18.65'	L35	S34°18'54"W	2491.92'
L18	N11°43'39"E	219.48'	L27	N77°35'24"E	312.03'	L36	N77°53'52"W	316.81'
L19	N47°35'24"E	175.90'	L28	S27°24'35"E	33.71'	L37	N34°00'11"E	1456.98'
L20	N43°50'24"E	325.16'	L29	S31°09'35"E	345.46'			

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	6°15'09"	3561.40'	388.64'	N08°36'05"E	388.45'
C2	20°25'26"	1544.00'	550.38'	N04°44'12"W	547.47'
C3	3°32'31"	7956.00'	491.83'	N13°14'10"W	491.75'
C4	1°33'07"	7956.00'	215.49'	N10°33'29"W	215.48'

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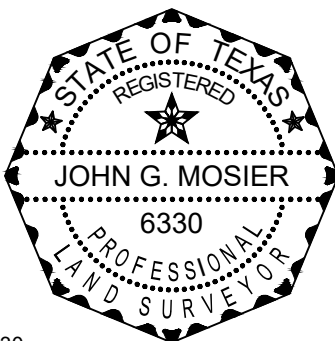
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N/A	TIA	JGM	12/1/2022	064421519	2 OF 11

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SEE PAGE 8 OF 11 FOR EXHIBIT



**A METES AND BOUNDS
DESCRIPTION OF TRACT 3
A 132.909 ACRE TRACT OF LAND**

BEING a 132.909 acre tract of land situated in the William Pettus Survey, Abstract No. 21, City of San Marcos Extra Territorial Jurisdiction (ETJ) Caldwell County, Texas; and being the remaining portion of that certain 250 acre tract described in instrument to James A. Neumann, recorded in Volume 350, Page 279 of the Probate Records of Caldwell County; further described in Volume 200, Page 335 of the Deed Records of Caldwell County, Texas; said 132.909 acres also containing all of that certain 132.794 acre tract shown on the Land Title Survey by Cross Texas Land Services, Inc., dated 4-12-2022, and being more particularly described as follows:

BEGINNING at a point marking the north corner of the said 132.909 acre tract, and an exterior corner on the westerly boundary of that certain 660.503 acre tract of land described in instrument to Franklin Mountain San Marcos I, LP, recorded in Documnet No. 2021-008756 of the Official Public Records of Caldwell County;

THENCE, along the common boundary of the said 132.909 acre tract and the said 660.503 acre tract the following ten (10) courses and distances:

1. South 26°21'25" East, 668.49 feet to a point for corner;
2. South 39°32'46" East, 241.14 feet to a point for corner;
3. South 43°45'54" West, 190.62 feet to a point for corner;
4. South 22°49'51" East, 255.49 feet to a point for corner;
5. South 27°15'25" East, 102.46 feet to a point for corner;
6. South 50°20'25" East, 99.62 feet to a point for corner;
7. South 56°28'34" East, 234.92 feet to a point for corner;
8. South 36°29'58" East, 285.03 feet to a point for corner;
9. South 00°34'47" West, 227.61 feet to a point for corner;
10. South 12°19'27" East, 272.75 feet to a point for corner;

THENCE, South 48°58'13" West, 2171.71 feet along the northwesterly boundary of Quail Run Road (No Dedication Found) to a point marking the south corner of the herein described tract;

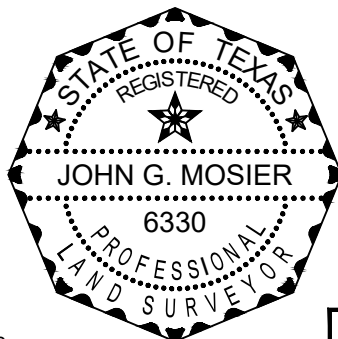
THENCE, departing said Quail Run Road, and along the boundary of the herein described tract the following four (4) courses and distances:

11. North 41°14'58" West, 2256.65 feet to a point marking the west corner of the herein described tract;
12. North 48°05'54" East, 108.46 feet to a point for corner;
13. North 47°16'26" East, 769.78 feet to a point for corner;
14. North 49°24'55" East, 1998.10 feet to the **POINT OF BEGINNING**, and containing 132.909 acres of land in Caldwell County, Texas.

The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc., dated 4-12-2022. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 11/30/2022 at 4:54 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg in the office of Kimley-Horn and Associates in San Antonio, Texas.

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John G. Mosier
12/1/2022



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143.451, 0.956 AND 33.813 ACRE
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ABSTRACT NO. 21 AND THOMAS
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N/A	TIA	JGM	12/1/2022	064421519	3 OF 11

**A METES AND BOUNDS
DESCRIPTION OF TRACT 4
A 143.451 ACRE TRACT OF LAND**

BEING a 143.451 acre tract of land situated in the Thomas Maxwell Survey No. 17, Abstract No. 188, and the William Pettus Survey, Abstract No. 21, City of San Marcos Extra Territorial Jurisdiction (ETJ) Caldwell County, Texas; and being all of that certain 139.76 acre tract of land described in instrument to David Matthew Best, recorded in Volume 269, Page 127 of the Deed Records of Caldwell County, Texas; also having been recorded under Cause No. 307478 in Probate Court, No. 2 of Harris County, Texas; said 143.451 acres also containing all of that certain 139.76 acre tract shown on the Land Title Survey by Cross Texas Land Services, Inc., and being more particularly described as follows:

BEGINNING at a point for the east corner of that certain 4.56 acre tract of land described in instrument to RUC Holdings ULC, recorded in Document No. 2018003681 of the Official Public Records of Caldwell County, for a southwesterly interior corner of the herein described tract;

THENCE, along the boundary of the herein described tract the following four (4) courses and distances:

1. North 40°59'28" West, 322.43 feet to a point marking a northwest corner of the herein described tract;
2. North 48°39'23" East, 1363.19 feet to a point for corner;
3. North 48°21'20" East, 1386.24 feet to a point marking the north corner of the herein described;
4. South 41°21'24" East, 2410.70 feet to a point on the northerly boundary line of State Highway No. 142 (140' right-of-way) marking the east corner of the herein described tract;

THENCE, South 52°13'01" West, 2548.90 feet along said boundary line of State Highway No. 142, to a point marking the south corner of the herein described tract;

THENCE, continuing along the boundary of said 139.76 acre tract the following four (4) courses and distances:

1. North 41°21'24" West, 1602.96 feet to a point marking an interior southwesterly corner of the herein described tract;
2. South 48°38'36" West, 827.63 feet to a point for corner;
3. North 40°43'35" West, 320.43 feet to a point marking the west exterior corner of the herein described tract;
4. North 48°42'03" East, 616.58 feet to the **POINT OF BEGINNING**, and containing 143.451 acres of land in Caldwell County, Texas.

The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 11/30/2022 at 5:26 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

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SEE PAGE 10 OF 11 FOR EXHIBIT

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	TIA	JGM	12/1/2022	064421519	4 OF 11

**A METES AND BOUNDS
DESCRIPTION OF TRACT 5
A 0.956 ACRE TRACT OF LAND**

BEING a 0.956 acre tract of land situated in the William Pettus Survey, Abstract No.21, City of San Marcos, Caldwell County, Texas; and containing all of that certain 0.956 acre described in instrument to Franklin Mountain San Marcos I, LP, recorded in Document No. 2021-002523 of the Official Public Records of Caldwell County, and being more particularly described as follows:

BEGINNING at a point marking the west corner of the said 0.956 acre tract, and an interior corner that certain 765.723 acre tract described in instrument to Franklin Mountain San Marcos I, LP, recorded in Document No. 2021-007604 of the Official Public Records of Caldwell County;

THENCE, along the boundary of the said 0.956 acre tract the following two (2) courses and distances:

1. North 48°59'16" East, 210.00 feet to a point marking the north corner of the herein described tract;
2. South 41°49'51" East, 198.40 feet to a point for corner on the northwesterly right-of-way line of F.M. Highway No. 1984 (80' right-of-way);

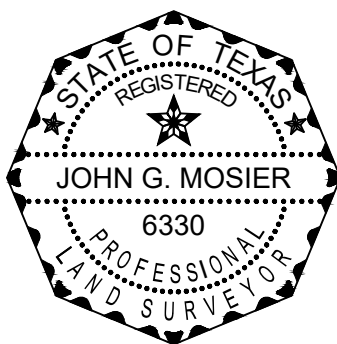
THENCE, South 48°59'16" West, 210.00 feet along said right-of-way line to a point for corner;

THENCE, North 41°49'51" West, 198.40 feet along the southwesterly boundary of said 0.956 acre tract to the **POINT OF BEGINNING**, and containing 0.956 acres of land in Caldwell County, Texas.

The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 11/30/2022 at 5:42 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

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John G. Mosier
12/1/2022



**ZC-23-01 LEGAL DESCRIPTION
OF 172.936, 104.756, 132.909,
143.451, 0.956 AND 33.813 ACRE
TRACTS OF LAND
WILLIAM PETTUS SURVEY,
ABSTRACT NO. 21 AND THOMAS
MAXWELL SURVEY NO. 17,
ABSTRACT NO. 188
CITY OF SAN MARCOS
CORPORATE LIMITS AND ETJ,
CALDWELL COUNTY, TEXAS**

John G. Mosier
Registered Professional Land Surveyor No. 6330
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SEE PAGE 11 OF 11 FOR EXHIBIT

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	TIA	JGM	12/1/2022	064421519	5 OF 11

**A METES AND BOUNDS
DESCRIPTION OF TRACT 6
A 33.813 ACRE TRACT OF LAND**

BEING a 33.813 acre tract of land situated in the William Pettus Survey, Abstract No.21, City of San Marcos Extra Territorial Jurisdiction (ETJ), Caldwell County, Texas; and being a portion of that certain 70.046 acre tract of land described in instrument to Franklin Mountain San Marcos I LP, recorded in Document No. 2021-007604 of the Official Public Records of Caldwell County; and being more particularly described as follows:

BEGINNING at a point on the northeasterly line State Highway No. 80 (variable width public right-of-way) marking the southeast corner of that certain 57.976 acre tract described in instrument to the City of San Marcos, recorded in Volume 175, Page 866 of the Deed Records of Caldwell County, and the southwest corner of the herein described tract;

THENCE, North 17°44'12" East, 706.74 feet along the westerly boundary of the said 710.046 acre tract to a point for corner on the on the City Limits and ETJ line of the City of San Marcos;

THENCE, along the said City Limits and ETJ line the following five (5) courses and distances:

1. North 66°19'54" East, 202.76 feet to a point for corner;
2. North 62°35'24" East, 345.46 feet to a point for corner;
3. North 58°50'24" East, 345.46 feet to a point for corner;
4. North 55°05'24" East, 345.46 feet to a point for corner;
5. North 51°20'24" East, 216.83 feet to a point for corner;
6. South 06°17'44" East, 248.12 feet to a point for corner on the westerly boundary of future F.M. Highway 110 (15.658 acre Parcel 21N - Part 1, Document No. 2018-005995, and 13.833 acre Parcel No. 22N, Document No. 2018-005991);

THENCE, along the westerly boundary of said future F.M. Highway 110 the following six (6) courses and distances:

1. in a southerly direction along a non-tangent curve to the right, having a radius of 3456.00 feet, a chord South 00°55'30" West, 540.84 feet, a central angle of 08°58'32", and an arc length of 541.39 feet to a point for corner;
2. in a southerly direction along a non-tangent curve to the right, having a radius of 34566.00 feet, a chord South 08°27'01" West, 368.73 feet, a central angle of 00°36'40", and an arc length of 368.74 feet to a point for corner;
3. in a southerly direction along a non-tangent curve to the right, having a radius of 956.00 feet, a chord South 14°47'31" West, 107.57 feet, a central angle of 06°27'01", and an arc length of 107.63 feet to a point for of reverse tangency;
4. in a southerly direction along a reverse tangent curve to the left, having a radius of 1038.00 feet, a chord South 14°52'15" West, 113.83 feet, a central angle of 06°17'11", and an arc length of 113.89 feet to a point of tangency;
5. South 11°43'39" West, 156.73 feet to a point for corner;
6. South 56°42'57" West, 216.90 feet to a point for corner on the aforesaid northeasterly line State Highway No. 80;

THENCE, along the said northeasterly line State Highway No. 80 the following three (3) courses and distances:

1. North 78°18'54" West, 588.15 feet to a point for corner;
2. South 12°02'10" West, 24.28 feet to a point for corner;
3. North 78°18'38" West, 581.38 feet to the **POINT OF BEGINNING**, and containing 33.813 acres of land in Caldwell County, Texas. The basis of bearing of this description is from the Land Title Survey by Cross Texas Land Services, Inc. According to said survey the basis of bearing is the Texas State Plane Coordinate System, South Central Zone (NAD'83). This description was generated on 12/1/2022 at 3:15 PM, based on geometry in the drawing file K:\SNA_Survey\SAN MARCOS INDUSTRIAL\064421519-FRANKLIN MOUNTAIN\DWG\Exhibits\Zoning and Annexation\ZC-23-01 Legal Description.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

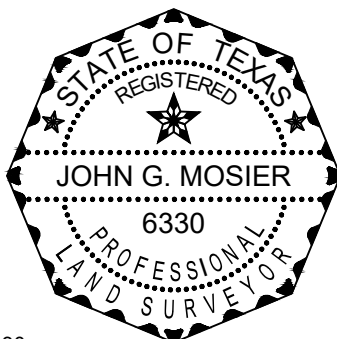
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LINE TABLE		
NO.	BEARING	LENGTH
L57	N17°44'12"E	706.74'
L58	N66°19'54"E	202.76'
L59	N62°35'24"E	345.46'
L60	N58°50'24"E	345.46'
L61	N55°05'24"E	345.46'
L62	N51°20'24"E	216.83'

LINE TABLE		
NO.	BEARING	LENGTH
L63	S06°17'44"E	248.12'
L64	S11°43'39"W	156.73'
L65	S56°42'57"W	216.90'
L66	N78°18'54"W	588.15'
L67	S12°02'10"W	24.28'
L68	N78°18'38"W	581.38'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C5	8°58'32"	3456.00'	541.39'	S00°55'30"W	540.84'
C6	0°36'40"	34566.00'	368.74'	S08°27'01"W	368.73'
C7	6°27'01"	956.00'	107.63'	S14°47'31"W	107.57'
C8	6°17'11"	1038.00'	113.89'	S14°52'15"W	113.83'

John G. Mosier
12/1/2022



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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	TIA	JGM	12/1/2022	064421519	6 OF 11

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SEE PAGE 8 OF 11 FOR EXHIBIT

LEGEND:

POC = POINT OF COMMENCEMENT
 POB = POINT OF BEGINNING
 OPRCC = OFFICIAL PUBLIC RECORDS CALDWELL COUNTY
 DRCC = DEED RECORDS CALDWELL COUNTY
 PRCC = PLAT RECORDS CALDWELL COUNTY

ES
SAN

TRACT 2
 CALLED 765.723 ACRES
 FRANKLIN MOUNTAIN SAN
 MARCOS I LP
 DOC #2021-007604 OPRCC

L28

SAN MARCOS
 ETJ LINE

POB
 TRACT 2

AMENDED MEMORY LAWN
 MEMORIAL PARK
 (49.372 ACRES)
 VOL. 227, PG. 705 OPRCC
 CABINET A, PG. 152A, B & C
 PRCC

TRACT 2
 CALLED 765.723 ACRES
 FRANKLIN MOUNTAIN SAN
 MARCOS I LP
 DOC #2021-007604 OPRCC

**TRACT 1
 172.936 ACRES**

ETJ LINE BASED ON
 RESOLUTION NO.
 2020-17R
 2020 ETJ AGREEMENT

ETJ LINE

TRACT 4
 71.644 ACRES
 (70 ACRES)
 CURBY D. OHNHEISER
 VOL. 595, PG. 549 DRCC



0 400 800
 GRAPHIC SCALE IN FEET

POB
 TRACT 5

CALLED 0.956 ACRES
 FRANKLIN MOUNTAIN
 SAN MARCOS I, LP
 DOC #2021-002523
 OPRCC

CALLED 75 ACRES
 MAXWELL ACRES CO & BK
 HANSE
 DOC #2018-002943
 OPRCC

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N34°18'54"E	449.83'	L7	N61°52'30"W	345.51'
L2	N34°18'54"E	2857.09'	L8	N58°07'30"W	345.51'
L3	N48°28'23"E	838.99'	L9	N54°22'30"W	345.51'
L4	S41°49'51"E	2448.11'	L10	N50°37'30"W	345.51'
L5	S48°59'16"W	3164.95'	L11	N42°18'22"W	152.82'
L6	N65°37'30"W	257.33'			

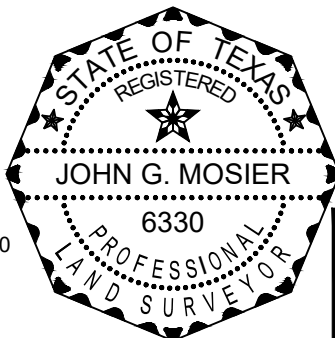
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12/1/2022

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 143.451, 0.956 AND 33.813 ACRE**

TRACTS OF LAND

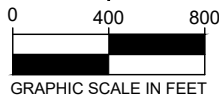
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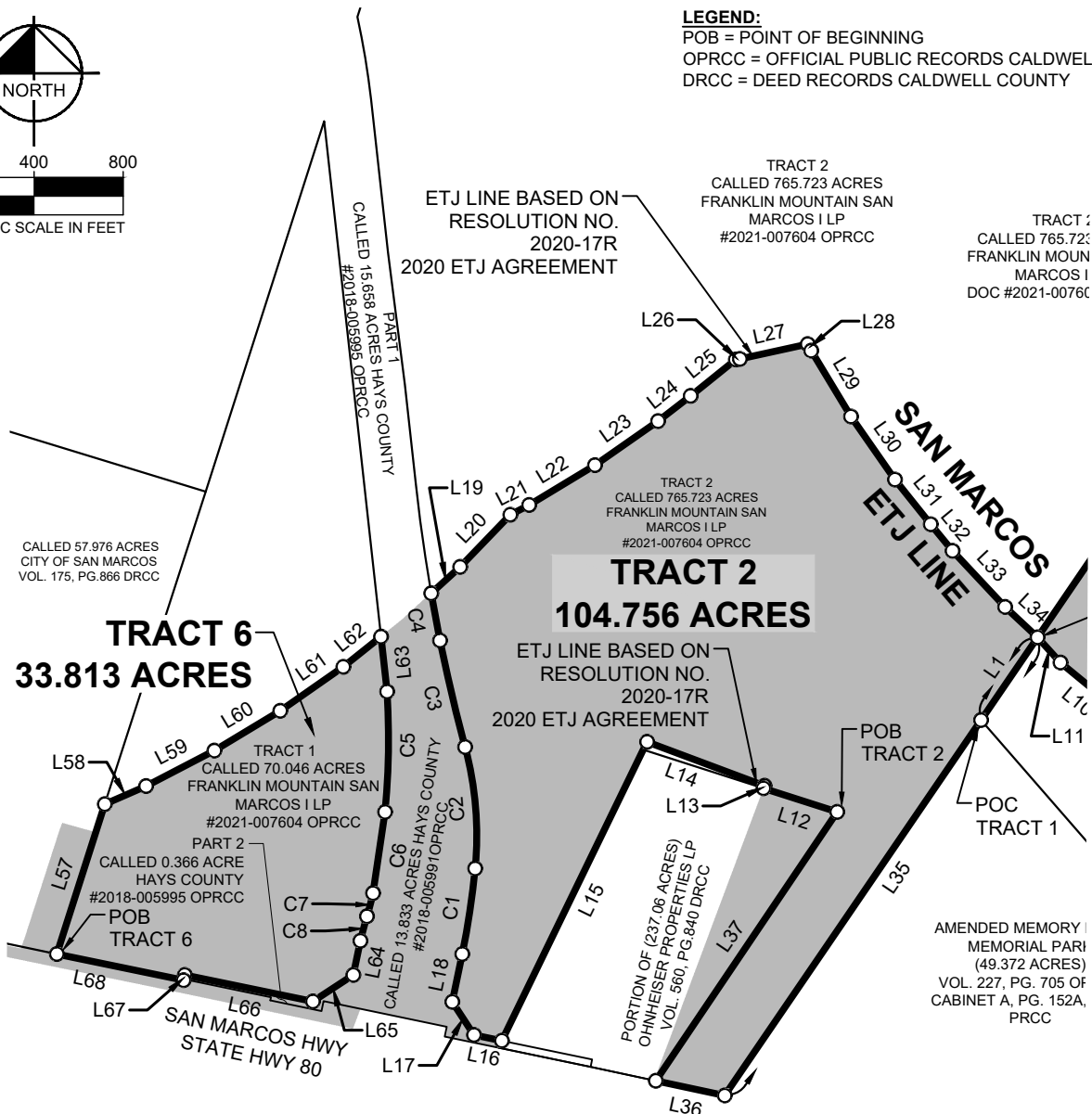
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 800'	TIA	JGM	12/1/2022	064421519	7 OF 11

**LEGEND:**

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OPRCC = OFFICIAL PUBLIC RECORDS CALDWELL COUNTY

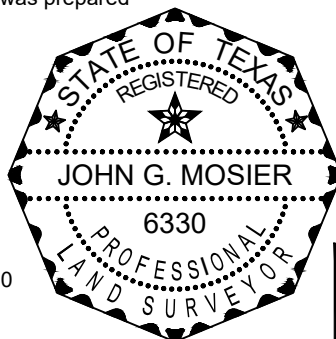
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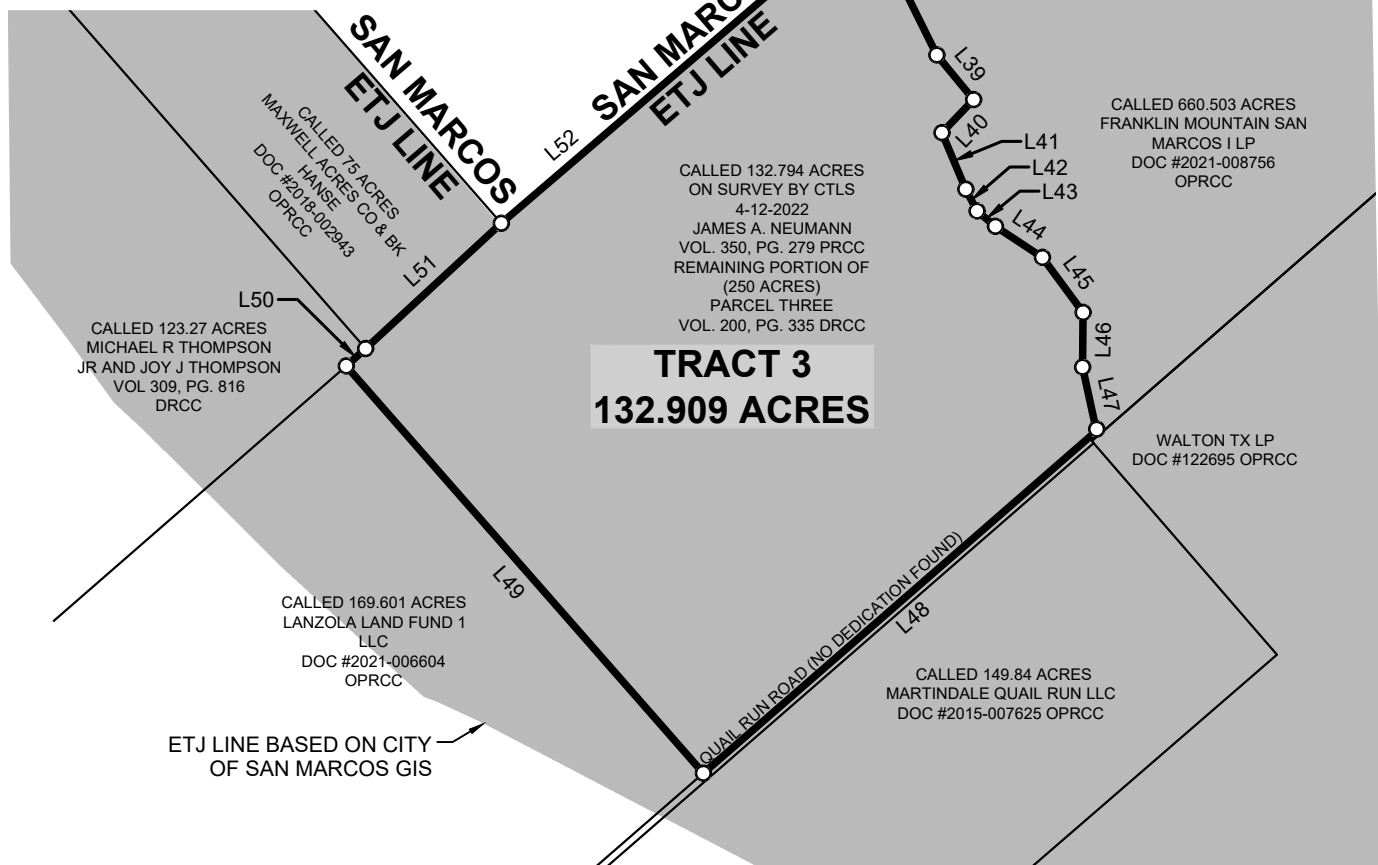
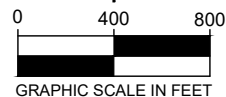
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 800'	TIA	JGM	12/1/2022	064421519	8 OF 11

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L38	S26°21'25"E	668.49'	L46	S00°34'47"W	227.61'
L39	S39°32'46"E	241.14'	L47	S12°19'27"E	272.75'
L40	S43°45'54"W	190.62'	L48	S48°58'13"W	2171.71'
L41	S22°49'51"E	255.49'	L49	N41°14'58"W	2256.65'
L42	S27°15'25"E	102.46'	L50	N48°05'54"E	108.46'
L43	S50°20'25"E	99.62'	L51	N47°16'26"E	769.78'
L44	S56°28'34"E	234.92'	L52	N49°24'55"E	1998.10'
L45	S36°29'58"E	285.03'			

LEGEND:

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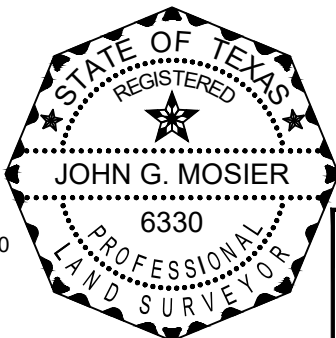
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 TRACTS OF LAND
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 ABSTRACT NO. 21 AND THOMAS
 MAXWELL SURVEY NO. 17,
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 CITY OF SAN MARCOS
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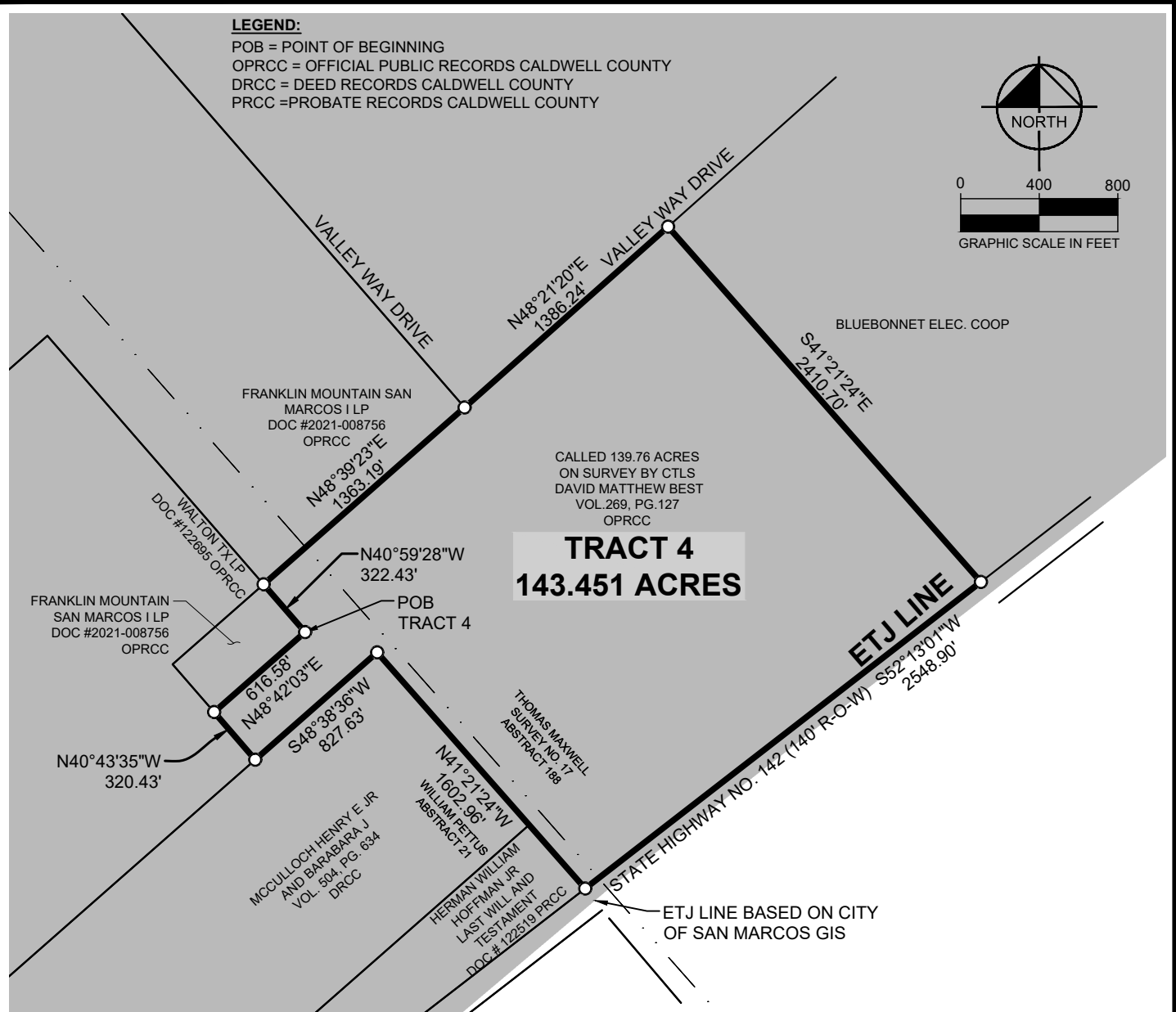
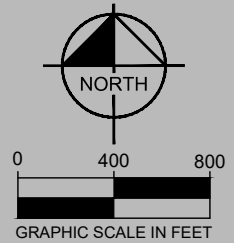
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TRACT 4
143.451 ACRES

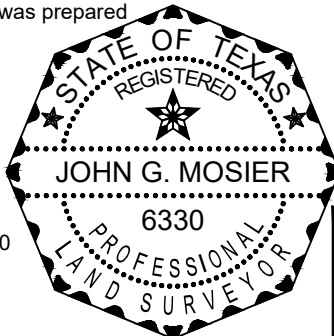
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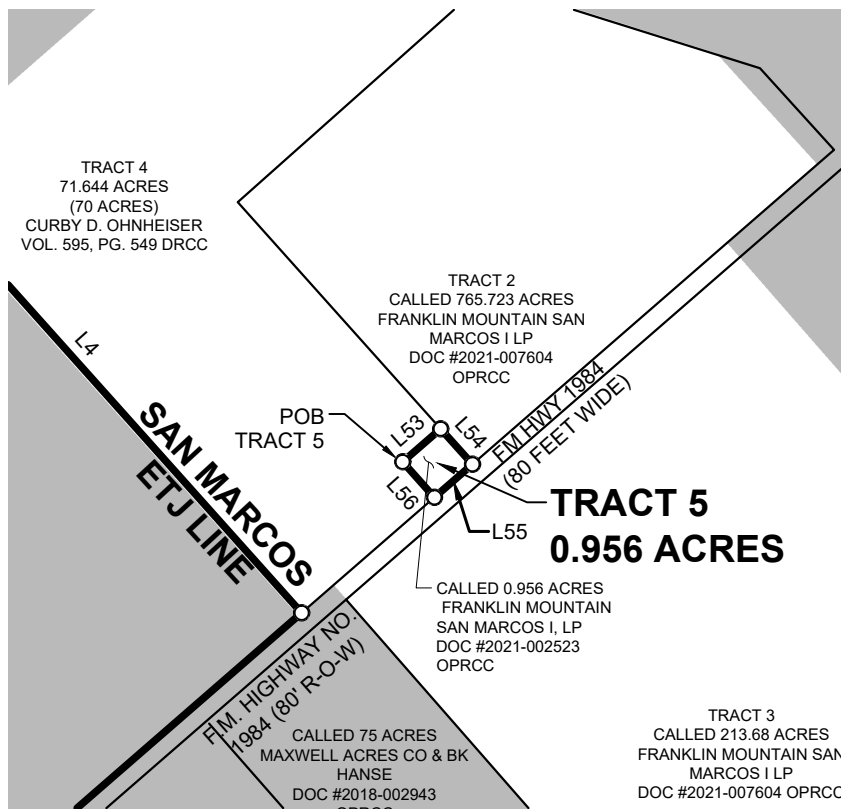
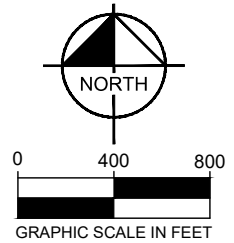
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**LINE TABLE**

NO.	BEARING	LENGTH
L53	N48°59'16"E	210.00'
L54	S41°49'51"E	198.40'
L55	S48°59'16"W	210.00'
L56	N41°49'51"W	198.40'

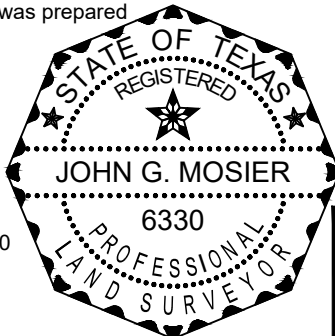
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**ZC-23-01 LEGAL DESCRIPTION
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TRACTS OF LAND**

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March 14, 2023

Julia Cleary, Senior Planner
City of San Marcos
630 East Hopkins
San Marcos, Texas 78666

Re: AN-22-20; ZC-23-01 - Community Outreach Update

Dear City Staff:

Following the February 14th planning and zoning meeting, ownership walked away with a clear understanding to bridge the gap with the community and provide accurate details about the project. The direction to provide neighbors with an accurate understanding of the project has been taken seriously and addressed through a “robust” community outreach plan. The tasks outlined below have been implemented in an effort to reach this objective. In addition to these tasks, members of the community have posted meeting details on private Martindale community Facebook pages.

<u>Outreach Task</u>	<u>Detail</u>
Public Meeting 1	Wednesday, March 15 2023 at the Martindale School House from 3:00pm - 7:00pm [Open House]
Public Meeting 2	Wednesday, March 22 2023 at the Martindale School House from 3:00pm - 7:00pm [Open House]
Mail Campaign	Personal letters mailed directly to in-person speakers at the 2/14 Planning & Zoning Meeting
Martindale School House	Hosting the public meetings. Requested a meeting flyer to post online to raise awareness
River Foundation	Providing on-going zoning updates and public meeting details to members via newsletter
Martindale City Counsel	Direct contact with City Counsel communicating updates on meeting details and raising awareness
Local Citizens	Direct contact with local citizens in an effort to raise awareness of the meetings by sharing flyer
Online Question Portal	24/7 online link providing a portal to contact developer for questions
Direct Emails	Responding directly to emails received from local citizens to answer any questions about the project
City FAQ Updates	Provided additional exhibits to City to update FAQ's on City website
San Marcos Daily Record	Running 3 [1/4 page] ad's notifying the public of the meetings
Community Impact	Running Banner ad's notifying the public of the 3/22 meeting
Caldwell County Guardian	Running a 1/4 page ad notifying the public of the meetings

Upon annexation and zoning approval, San Marcos, Texas will join the shortlist of nationally strategic locations that offer competitive land pricing, potential rail access, and regionally connected infrastructure for industrial/commercial tenants. We are grateful to have the opportunity to partner with the City of San Marcos and work towards regional job creation that will have an economic impact for decades.

Sincerely,

A handwritten signature in cursive script that reads 'Clayton Kendall'.

Clayton Kendall
Vice President – Industrial Division
Scarborough Lane Development