

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



Updated: October, 2019

CONTACT INFORMATION

Character District 4 Multifamily

Applicant's Name	Todd Burek	Property Owner	Todd Burek
Company	Mayans at San Marcos River	Company	Mayans at San Marcos River
Applicant's Mailing Address	22711 Fossil Peak San Marcos, TX 78216	Owner's Mailing Address	22711 Fossil Peak San Marcos, TX 78216
Applicant's Phone #	210-313-3453	Owner's Phone #	210-313-3453
Applicant's Email	todd.burek@gmail.com	Owner's Email	todd.burek@gmail.com

PROPERTY INFORMATION

Subject Property Address(es): FM 621 San Marcos, TX 78666

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 73.42 Tax ID #: R^{25912, R92442, R16386, R151618, R151617, R55712}

Preferred Scenario Designation: _____ Existing Zoning: Future development

Existing Land Use(s): Agriculture

DESCRIPTION OF REQUEST

Proposed Zoning District(s): Character District 4 CD-4

Proposed Land Uses / Reason for Change: multi use to include residential, commercial and Multifamily

Rezone from FD to Character District 4 (CD-4) to allow multi-use residential, multifamily and commercial use.

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* \$1,057 plus \$100 per acre Technology Fee \$13 **MAXIMUM COST \$3,013**

*Existing Neighborhood Regulating Plan Included.

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, Todd Burek (owner name) on behalf of
Mayan at San Marcos River, LLC. (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
22711 Fossil Peak San Marcos, TX 78216 (address).

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

Signature of Owner: _____ Date: _____

Printed Name, Title: _____

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

**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 \$91 plus a \$13 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 \$91 plus a \$13 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: Todd Burek

Date: 06/29/2020

Print Name: Todd Burek

LEGEND:

- PROPERTY BOUNDARY
- APPROXIMATE SURVEY LINE
- ROAD BOUNDARY
- FLY-TIE
- CHARACTER DISTRICT 3 - RESIDENTIAL (CD3)
- CHARACTER DISTRICT 4 - MULTIFAMILY (CD4)
- CHARACTER DISTRICT 5 - COMMERCIAL (CD5)
- LIGHT INDUSTRIAL (LI)
- OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS
- OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS
- POINT OF COMMENCEMENT
- P.O.C.
- P.O.B.
- FOUND 1/2" IRON ROD (AS NOTED)
- FOUND IRON ROD (AS NOTED) WITH WOODEN DISK IN CONCRETE
- FOUND FENCE CORNER POST



NOTES:

1. DIMENSIONS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS ZONE 14N D.
2. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND MAY BE CONSIDERED AS APPROXIMATE UNLESS OTHERWISE NOTED.
3. THIS IS NOT A BOUNDARY SURVEY. THE BOUNDARY IS SHOWN FOR INFORMATION PURPOSES ONLY.
4. THE BOUNDARY IS SHOWN FOR INFORMATION PURPOSES ONLY.
5. CHARACTER DISTRICT 3 - RESIDENTIAL (CD3), CHARACTER DISTRICT 4 - MULTIFAMILY (CD4), CHARACTER DISTRICT 5 - COMMERCIAL (CD5), LIGHT INDUSTRIAL (LI).
6. OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.
7. OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS.
8. OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS.
9. POINT OF COMMENCEMENT.
10. POINT OF BEGINNING.
11. FOUND 1/2" IRON ROD (AS NOTED).
12. FOUND IRON ROD (AS NOTED) WITH WOODEN DISK IN CONCRETE.
13. FOUND FENCE CORNER POST.

THE MAYAN REZONE
 BENJAMIN AND GRAVES FILCHER SURVEY ABSTRACT NO. 815
 BENJAMIN AND GRAVES FILCHER SURVEY ABSTRACT NO. 815
 WILLIAM A. HATHINGS SURVEY ABSTRACT NO. 329
 HAYS COUNTY, TEXAS
 GUADALUPE COUNTY, TEXAS

LJA Surveying, Inc.
 Phone 512.439.4700
 5315 Walnut Highway 290
 Suite 400
 Austin, TX 78735
 T.B.P.L.S. Firm No. 0194533

DATE	BY	SCALE	DATE	PROJ. NO.	SHEET
11/20/20	CDL	1"=400'	08/30/20	JAS1085.2001	2 OF 2

MILLER INTERESTS, LTD.
 DOCUMENT NO. 2018018156
 O.P.A.C.T.A.

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CD3 - PART 1 LINE AND CURVE TABLES

Line #	Bearing	Length
L1	S17°35'49"E	51.89'
L2	N41°21'04"W	843.29'
L3	S30°40'08"E	458.24'
L4	S81°14'11"E	97.53'
L5	S48°55'04"E	185.91'
L6	N48°33'39"E	285.39'
L7	N60°57'46"W	260.95'
L8	N70°06'45"W	143.14'
L9	S45°32'31"E	1334.51'
L10	S49°14'18"W	53.37'
L11	N40°45'42"E	300.02'
L12	N49°14'18"E	78.46'
L13	S45°32'31"E	28.55'
L14	S49°07'28"W	485.78'
L15	S88°50'30"W	244.60'
L16	S62°03'42"W	225.46'
L17	N67°53'58"W	130.53'
L18	S50°17'42"W	128.27'
L19	S43°21'28"E	80.86'
L20	S33°11'43"E	149.74'
L21	S27°01'01"E	87.04'
L22	S28°42'09"W	82.91'
L23	S49°07'28"W	865.00'
L24	N40°45'42"W	562.59'
L25	N65°57'47"W	32.38'
L26	N47°59'08"W	77.76'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	1144.874	4632.000	14°09'42"	N50°50'00"E	1141.96
C2	918.636	10990.000	4°47'21"	N63°37'19"E	918.37
C3	1407.056	5110.000	15°46'36"	N58°07'39"E	1402.62

CD3 - PART 2 LINE AND CURVE TABLES

Line #	Bearing	Length
L1	S71°35'49"E	51.89'
L2	N41°21'04"W	843.29'
L3	S30°40'08"E	458.24'
L4	S81°14'11"E	97.53'
L5	S48°55'04"E	185.91'
L6	N48°33'39"E	285.39'
L7	N60°57'46"W	260.95'
L8	N70°06'45"W	143.14'
L9	S45°32'31"E	1334.51'
L10	S49°14'18"W	53.37'
L11	N40°45'42"E	300.02'
L12	N49°14'18"E	78.46'
L13	S45°32'31"E	28.55'
L14	S49°07'28"W	485.78'
L15	S88°50'30"W	244.60'
L16	S62°03'42"W	225.46'
L17	N67°53'58"W	130.53'
L18	S50°17'42"W	128.27'
L19	S43°21'28"E	80.86'
L20	S33°11'43"E	149.74'
L21	S27°01'01"E	87.04'
L22	S28°42'09"W	82.91'
L23	S49°07'28"W	865.00'
L24	N40°45'42"W	562.59'
L25	N65°57'47"W	32.38'
L26	N47°59'08"W	77.76'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	706.698	5110.000	7°55'26"	N37°53'25"E	706.13
C2	131.124	10990.000	0°41'01"	N34°16'13"E	131.12
C3	1315.483	10990.000	6°51'30"	N39°10'58"E	1314.70
C4	205.987	224.234	52°26'58"	N78°40'09"W	198.17
C5	55.538	49.900	63°46'10"	S10°1'38"W	52.72
C6	278.659	373.627	42°43'57"	N40°13'28"W	272.24
C7	281.618	770.725	20°58'08"	N68°50'07"W	280.05

CD4 - PART 1 LINE TABLE

Line #	Bearing	Length
L28	N41°21'04"W	843.29'
L29	N49°07'28"E	893.28'
L30	S40°45'42"E	843.26'
L31	S49°07'28"W	864.61'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C18	278.659	373.627	42°43'57"	S40°13'28"E	272.24
C19	288.652	707.273	21°45'48"	N41°34'38"E	287.04
C20	581.181	9855.553	3°22'43"	N41°03'17"E	581.10

CD4 - PART 2 LINE AND CURVE TABLES

Line #	Bearing	Length
L42	S40°45'42"E	562.59'
L43	S49°07'28"W	1016.53'
L44	N39°20'19"W	496.08'
L45	N23°12'13"W	231.61'
L46	N48°11'21"E	97.07'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C18	278.659	373.627	42°43'57"	S40°13'28"E	272.24
C19	288.652	707.273	21°45'48"	N41°34'38"E	287.04
C20	581.181	9855.553	3°22'43"	N41°03'17"E	581.10

CD4 - PART 3 LINE AND CURVE TABLES

Line #	Bearing	Length
L71	S19°45'40"E	547.44'
L72	N46°32'19"E	400.03'
L73	S21°47'22"E	163.88'
L74	N64°44'14"E	94.32'
L75	S47°01'56"E	161.97'
L76	S20°30'11"E	351.37'
L77	S11°34'07"W	523.34'
L78	S20°06'04"E	106.23'
L79	S12°14'11"W	286.70'
L80	S49°07'28"W	399.55'
L81	N46°32'19"W	28.55'
L82	N49°14'18"E	221.56'
L83	N40°45'42"W	300.02'
L84	S49°14'18"W	246.65'
L85	N46°32'19"W	1334.51'
L86	N48°24'19"E	350.98'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C28	727.641	10990.000	3°47'37"	N44°30'31"E	727.51

PROPOSED LIFT STATION LINE TABLE

Line #	Bearing	Length
L87	S0°45'42"E	300.02'
L88	S49°14'18"W	221.56'
L89	N40°45'42"W	300.02'
L90	N49°14'18"E	246.65'

CD5 - PART 1 LINE AND CURVE TABLES

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C21	706.698	5110.000	7°55'26"	N37°53'25"E	706.13
C22	131.124	10990.000	0°41'01"	N34°16'13"E	131.12
C23	1315.483	10990.000	6°51'30"	N39°10'58"E	1314.70
C24	205.987	224.234	52°26'58"	N78°40'09"W	198.17
C25	55.538	49.900	63°46'10"	S10°1'38"W	52.72
C26	278.659	373.627	42°43'57"	N40°13'28"W	272.24
C27	281.618	770.725	20°58'08"	N68°50'07"W	280.05

CD5 - PART 2 LINE AND CURVE TABLES

Line #	Bearing	Length
L96	S49°07'28"W	1101.24'
L97	N65°57'58"W	152.79'
L98	N55°05'54"W	63.62'
L99	N18°27'18"W	282.80'
L100	N10°10'40"E	558.74'
L101	N83°26'00"E	146.21'
L102	N72°54'07"E	276.22'
L103	N89°16'20"E	248.87'
L104	N83°43'18"E	191.63'
L105	S85°51'24"E	87.86'
L106	S43°58'56"E	166.36'

CD5 - PART 3 LINE TABLE

Line #	Bearing	Length
L91	S10°39'10"E	165.19'
L92	S23°27'29"E	386.34'
L93	S46°52'15"W	400.03'
L94	N19°40'40"W	547.44'
L95	N48°24'19"E	400.02'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C14	281.618	770.725	20°58'08"	S68°50'07"E	280.05
C15	581.181	9855.553	3°22'43"	S41°03'17"W	581.10
C16	288.652	707.273	21°45'48"	S41°34'38"W	287.04
C17	747.962	5110.000	8°23'11"	N48°02'44"E	747.29

U - PART 1 LINE AND CURVE TABLES

Line #	Bearing	Length
L1	N49°10'24"E	1925.25'
L2	N72°05'03"E	299.59'
L3	N74°46'40"E	108.12'
L4	N89°52'45"E	39.44'
L5	N64°09'35"E	90.85'
L6	N46°49'14"E	235.44'
L7	N35°19'08"E	331.75'
L8	N36°08'22"E	90.92'
L9	N43°29'42"E	73.77'
L10	N52°00'06"E	114.50'
L11	N51°18'05"E	158.56'
L12	N38°41'51"E	94.30'
L13	N29°54'36"E	162.85'
L14	N58°37'53"E	158.19'
L15	N78°28'41"E	71.84'
L16	S83°25'51"E	119.32'
L17	S73°02'48"E	223.87'
L18	S85°17'04"W	42.56'
L19	S04°27'07"W	42.56'

CD5 - PART 4 LINE TABLE

Line #	Bearing	Length
L96	S49°07'28"W	1101.24'
L97	N65°57'58"W	152.79'
L98	N55°05'54"W	63.62'
L99	N18°27'18"W	282.80'
L100	N10°10'40"E	558.74'
L101	N83°26'00"E	146.21'
L102	N72°54'07"E	276.22'
L103	N89°16'20"E	248.87'
L104	N83°43'18"E	191.63'
L105	S85°51'24"E	87.86'
L106	S43°58'56"E	166.36'

U - PART 2 LINE AND CURVE TABLES

Line #	Bearing	Length
L20	N85°54'48"W	263.84'
L21	N49°10'24"E	2834.23'

CD5 - PART 1 LINE AND CURVE TABLES

Line #	Bearing	Length
L22	N00°07'28"E	169.59'
L23	N45°11'07"E	222.18'
L24	S40°45'42"E	940.79'
L25	S49°07'28"W	893.28'
L26	N41°21'04"W	300.48'
L27	N44°51'11"W	52.82'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C9	589.764	4632.000	7°17'42"	N40°06'18"E	589.37
C10	352.303	5767.278	3°30'00"	N43°06'04"W	352.25

U - PART 1 LINE AND CURVE TABLES

Line #	Bearing	Length
L1	N49°10'24"E	1925.25'
L2	N72°05'03"E	299.59'
L3	N74°46'40"E	108.12'
L4	N89°52'45"E	39.44'
L5	N64°09'35"E	90.85'
L6	N46°49'14"E	235.44'
L7	N35°19'08"E	331.75'
L8	N36°08'22"E	90.92'
L9	N43°29'42"E	73.77'
L10	N52°00'06"E	114.50'
L11	N51°18'05"E	158.56'
L12	N38°41'51"E	94.30'
L13	N29°54'36"E	162.85'
L14	N58°37'53"E	158.19'
L15	N78°28'41"E	71.84'
L16	S83°25'51"E	119.32'
L17	S73°02'48"E	223.87'
L18	S85°17'04"W	42.56'
L19	S04°27'07"W	42.56'

CD5 - PART 2 LINE AND CURVE TABLES

Line #	Bearing	Length
L96	S49°07'28"W	1101.24'
L97	N65°57'58"W	152.79'
L98	N55°05'54"W	63.62'
L99	N18°27'18"W	282.80'
L100	N10°10'40"E	558.74'
L101	N83°26'00"E	146.21'
L102	N72°54'07"E	276.22'
L103	N89°16'20"E	248.87'
L104	N83°43'18"E	191.63'
L105	S85°51'24"E	87.86'
L106	S43°58'56"E	166.36'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C14	281.618	770.725	20°58'08"	S68°50'07"E	280.05
C15	581.181	9855.553	3°22'43"	S41°03'17"W	581.10</

CD4: PART 1 – 17.209 ACRES (749,624 SQUARE FEET)

BEING A 17.209 ACRE TRACT OF LAND OUT OF THE **BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 21, SITUATED IN GUADALUPE COUNTY, TEXAS,** AND BEING OUT OF A CALLED 563.797 ACRE TRACT OF LAND CONVEYED IN DEED TO THE MAYAN AT SAN MARCOS RIVER, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 4892, PAGE 329, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.TX.); SAID 17.209 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST FOUND ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STAPLES ROAD (80' WIDE RIGHT-OF-WAY), FOR THE SOUTH CORNER OF SAID 563.797 ACRE TRACT AND THE WEST CORNER OF A CALLED 50.0620 ACRE TRACT CONVEYED IN A DEED TO JAIME M. CADENA AND WIFE, SAN JUANA CADENA, RECORDED IN VOLUME 3141, PAGE 280, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, WITH GRID COORDINATES OF N:13852313.95, E: 2316273.57;

THENCE NORTH 41 DEGREES 21 MINUTES 04 SECONDS WEST, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD AND THE SOUTHWESTERLY LINE OF SAID 563.797 ACRE TRACT, A DISTANCE OF 843.29 FEET TO A POINT, FROM WHICH A TXDOT TYPE I CONCRETE MONUMENT FOUND ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD BEARS NORTH 41 DEGREES 21 MINUTES 04 SECONDS WEST, A DISTANCE OF 137.78 FEET;

THENCE DEPARTING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD, OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) NORTH 49 DEGREES 07 MINUTES 28 SECONDS EAST, A DISTANCE OF 893.28 FEET TO A POINT, AND
- 2) S 40 DEGREES 45 MINUTES 42 SECONDS EAST, A DISTANCE OF 843.26 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID 563.797 ACRE TRACT AND THE NORTHWESTERLY LINE OF SAID 50.0620 ACRE TRACT;

THENCE SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, WITH THE SOUTHEASTERLY LINE OF SAID 563.797 ACRE TRACT AND THE NORTHWESTERLY LINE OF SAID 50.0620 ACRE TRACT, A DISTANCE OF 884.61 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 17.209 ACRES OF LAND, MORE OR LESS.

CD4: PART 2 - 17.648 ACRES (768,747 SQUARE FEET)

BEING A 17.648 ACRE TRACT OF LAND OUT OF THE **BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 21, SITUATED IN GUADALUPE COUNTY, TEXAS,** AND BEING OUT OF A CALLED 563.797 ACRE TRACT OF LAND CONVEYED IN DEED TO THE MAYAN AT SAN MARCOS RIVER, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 4892, PAGE 329, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.TX.); SAID 17.648 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A TXDOT RIGHT-OF-WAY MONUMENT WITH BRASS DISK IN CONCRETE FOUND ON THE NORTH RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 110 (F.M. 110) (PUBLIC RIGHT-OF-WAY) (UNIMPROVED) BEING A CALLED 53.897 ACRE TRACT CONVEYED IN DEED TO HAYS COUNTY, RECORDED IN DOCUMENT NO. 2016-16001654, WITH GRID COORDINATES OF N:13857342.34, E: 2319876.13;

THENCE SOUTH 41 DEGREES 21 MINUTES 30 SECONDS EAST, A DISTANCE OF 609.92 FEET TO THE **POINT OF BEGINNING** AT THE BEGINNING OF A CURVE TO THE RIGHT, WITH GRID COORDINATES OF N: 13856884.57, E: 2320279.12

THENCE OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) WITH SAID CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 278.66 FEET, A RADIUS OF 373.63 FEET, A DELTA ANGLE OF 42 DEGREES 43 MINUTES 57 SECONDS, AND A CHORD THAT BEARS SOUTH 40 DEGREES 13 MINUTES 28 SECONDS EAST, A DISTANCE OF 272.24 FEET TO A POINT, AND
- 2) SOUTH 40 DEGREES 45 MINUTES 42 SECONDS EAST, A DISTANCE OF 562.59 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT;

THENCE SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, WITH THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT, A DISTANCE OF 1,016.53 FEET TO A POINT, FROM WHICH A FENCE CORNER POST FOUND FOR THE SOUTH CORNER OF SAID 563.797 ACRE TRACT BEARS SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, A DISTANCE OF 4,999.60 FEET;

THENCE OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) NORTH 39 DEGREES 20 MINUTES 19 SECONDS WEST, A DISTANCE OF 496.08 FEET TO A POINT,
- 2) NORTH 23 DEGREES 12 MINUTES 13 SECONDS WEST, A DISTANCE OF 231.61 FEET TO A POINT,
- 3) NORTH 48 DEGREES 11 MINUTES 21 SECONDS EAST, A DISTANCE OF 97.07 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT,

- 4) WITH SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 268.65 FEET, A RADIUS OF 707.27 FEET, A DELTA ANGLE OF 21 DEGREES 45 MINUTES 48 SECONDS, AND A CHORD THAT BEARS NORTH 41 DEGREES 34 MINUTES 38 SECONDS EAST, A DISTANCE 267.04 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE RIGHT, AND
- 5) WITH SAID CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 581.18 FEET, A RADIUS OF 9,855.55 FEET, A DELTA ANGLE OF 03 DEGREES 22 MINUTES 43 SECONDS, AND A CHORD THAT BEARS NORTH 41 DEGREES 03 MINUTES 17 SECONDS EAST, A DISTANCE OF 581.10 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 17.648 ACRES OF LAND, MORE OR LESS.

CD4-PART 3 - 36.930 ACRES (1,608,671 SQUARE FEET)

BEING A 36.930 ACRE TRACT OF LAND OUT OF THE **BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 21, SITUATED IN GUADALUPE COUNTY, TEXAS, THE BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 813, AND THE WILLIAM A. MATTHEWS SURVEY, ABSTRACT NO. 305, SITUATED IN HAYS COUNTY, TEXAS,** AND BEING OUT OF A CALLED 563.797 ACRE TRACT OF LAND CONVEYED IN DEED TO THE MAYAN AT SAN MARCOS RIVER, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 4892, PAGE 329, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.TX.); SAID 36.930 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A TXDOT RIGHT-OF-WAY MONUMENT WITH BRASS DISK IN CONCRETE FOUND ON THE NORTH RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 110 (F.M. 110) (PUBLIC RIGHT-OF-WAY) (UNIMPROVED) BEING A CALLED 53.897 ACRE TRACT CONVEYED IN DEED TO HAYS COUNTY, RECORDED IN DOCUMENT NO. 2016-16001654, WITH GRID COORDINATES OF N:13861029.34, E: 2323366.79;

THENCE SOUTH 42 DEGREES 09 MINUTES 30 SECONDS EAST, A DISTANCE OF 1,767.63 FEET TO THE **POINT OF BEGINNING** ON THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 110, WITH GRID COORDINATES OF N: 13859719.01, E: 2322180.51;

THENCE OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING NINE (9) COURSES AND DISTANCES:

- 1) SOUTH 19 DEGREES 40 MINUTES 40 SECONDS EAST, A DISTANCE OF 547.44 FEET TO A POINT,
- 2) NORTH 46 DEGREES 32 MINUTES 15 SECONDS EAST, A DISTANCE OF 400.03 FEET TO A POINT,
- 3) SOUTH 21 DEGREES 47 MINUTES 22 SECONDS EAST, A DISTANCE OF 163.38 FEET TO A POINT,
- 4) NORTH 64 DEGREES 44 MINUTES 14 SECONDS EAST, A DISTANCE OF 94.32 FEET TO A POINT,
- 5) SOUTH 47 DEGREES 01 MINUTES 56 SECONDS EAST, A DISTANCE OF 161.57 FEET TO A POINT,
- 6) SOUTH 20 DEGREES 30 MINUTES 11 SECONDS EAST, A DISTANCE OF 331.37 FEET TO A POINT,

- 7) SOUTH 11 DEGREES 34 MINUTES 07 SECONDS WEST, A DISTANCE OF 523.34 FEET TO A POINT,
- 8) SOUTH 20 DEGREES 06 MINUTES 04 SECONDS EAST, A DISTANCE OF 106.23 FEET TO A POINT, AND
- 9) SOUTH 12 DEGREES 14 MINUTES 11 SECONDS WEST, A DISTANCE OF 286.70 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT, FROM WHICH A FENCE CORNER POST FOUND FOR THE SOUTH CORNER OF SAID 563.797 ACRE TRACT BEARS SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, A DISTANCE OF 8,772.36 FEET;

THENCE SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, WITH THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT, A DISTANCE OF 399.55 FEET TO A POINT;

THENCE OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) NORTH 45 DEGREES 32 MINUTES 31 SECONDS WEST, A DISTANCE OF 28.55 FEET TO A POINT,
- 2) NORTH 49 DEGREES 14 MINUTES 18 SECONDS EAST, A DISTANCE OF 221.56 FEET TO A POINT,
- 3) NORTH 40 DEGREES 45 MINUTES 42 SECONDS WEST, A DISTANCE OF 300.02 FEET TO A POINT,
- 4) SOUTH 49 DEGREES 14 MINUTES 18 SECONDS WEST, A DISTANCE OF 246.65 FEET TO A POINT, AND
- 5) NORTH 45 DEGREES 32 MINUTES 31 SECONDS WEST, A DISTANCE OF 1334.51 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110, AT THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

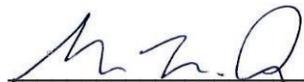
- 1) WITH SAID CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 727.64 FEET, A RADIUS OF 10,990.00 FEET, A DELTA ANGLE OF 03 DEGREES 47 MINUTES 37 SECONDS, AND A CHORD THAT BEARS NORTH 44 DEGREES 30 MINUTES 31 SECONDS EAST, A DISTANCE OF 727.51 FEET, AND

- 2) NORTH 46 DEGREES 24 MINUTES 19 SECONDS EAST, A DISTANCE OF 350.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 36.930 ACRES OF LAND, MORE OR LESS.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, South Central Zone, NAD83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.0000741. Units: U.S. Survey Feet.

I hereby certify that this legal description and the accompanying plat of even date represents the facts found during the course of an actual survey made on the ground under my supervision.



06/30/2020

Gordon Anderson, RPLS No. 6617
LJA Surveying, Inc.
5316 Highway 290 West, Suite 460
Austin, Texas 78735
Texas Firm No. 10194533



LIFT STATION – 2.066 ACRES (90,012 SQUARE FEET)

BEING A 2.066 ACRE TRACT OF LAND OUT OF THE **BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 21, SITUATED IN GUADALUPE COUNTY, TEXAS** AND BEING OUT OF A CALLED 563.797 ACRE TRACT OF LAND CONVEYED IN DEED TO THE MAYAN AT SAN MARCOS RIVER, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 4892, PAGE 329, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.TX.); SAID 2.066 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A TXDOT RIGHT-OF-WAY MONUMENT WITH BRASS DISK IN CONCRETE FOUND ON THE NORTHWEST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 110 (F.M. 110) (PUBLIC RIGHT-OF-WAY) (UNIMPROVED) BEING A CALLED 53.897 ACRE TRACT CONVEYED IN DEED TO HAYS COUNTY, RECORDED IN DOCUMENT NO. 201616001654, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), ON THE NORTH LINE OF SAID 563.797 ACRE TRACT, SAME BEING THE SOUTH LINE OF A CALLED 532.212 ACRE TRACT DESCRIBED AS TRACT 1, CONVEYED IN DEED TO B & B FAMILY PARTNERSHIP, LTD., RECORDED IN DOCUMENT NO. 9915746, O.P.R.H.C.TX. WITH GRID COORDINATES OF N:13861029.34, E: 2323366.79, FROM WHICH A 1/2-INCH IRON ROD WITH CAP STAMPED "BROWN ENG" FOUND BEARS NORTH 49 DEGREES 10 MINUTES 04 SECONDS EAST A DISTANCE OF 1,310.37 FEET,

THENCE SOUTH 15 DEGREES 55 MINUTES 06 SECONDS WEST, A DISTANCE OF 2,958.15 FEET TO THE **POINT OF BEGINNING**, WITH GRID COORDINATES OF N: 13858184.74, E: 2322555.60;

THENCE OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1) SOUTH 40 DEGREES 45 MINUTES 42 SECONDS EAST, A DISTANCE OF 300.02 FEET TO A POINT,
- 2) SOUTH 49 DEGREES 14 MINUTES 18 SECONDS WEST, A DISTANCE OF 300.02 FEET TO A POINT, FROM WHICH A TXDOT RIGHT-OF-WAY MONUMENT WITH BRASS DISK IN CONCRETE FOUND ON THE NORTHWEST RIGHT-OF-WAY LINE OF SAID F.M. 110 BEARS SOUTH 81 DEGREES 00 MINUTES 29 SECONDS WEST, A DISTANCE OF 2,680.85 FEET,
- 3) NORTH 40 DEGREES 45 MINUTES 42 SECONDS WEST, A DISTANCE OF 300.02 FEET TO A POINT, AND

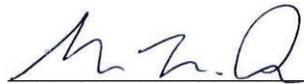
(INTENTIONALLY LEFT BLANK)

- 4) NORTH 49 DEGREES 14 MINUTES 18 SECONDS EAST, A DISTANCE OF 300.02 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 2.066 ACRES OF LAND, MORE OR LESS.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, South Central Zone, NAD83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.0000741. Units: U.S. Survey Feet.

I hereby certify that this legal description and the accompanying plat of even date represents the facts found during the course of an actual survey made on the ground under my supervision.



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