

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

Updated: October, 2019



## CONTACT INFORMATION

Character District 5 Commercial

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: 42.96 Tax ID #: R<sup>25912, R92442, R16386, R151618, R151617, R55712</sup>

Preferred Scenario Designation: \_\_\_\_\_ Existing Zoning: Future development

Existing Land Use(s): Agriculture

## DESCRIPTION OF REQUEST

Proposed Zoning District(s): Character District 5 (CD-5)

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

Rezone from FD to Character District 5 (CD-5) 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.

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, 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: \_\_\_\_\_

Form Updated October, 2019

**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

Form Updated October, 2019







**NOTES:**

- BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM (GENERAL, TEXAS ZONE, 14N 83).
- ALL DISTANCES AND ANGLES SHOWN ARE SURFACE AND MAY BE CONVERTED TO HORIZONTAL DISTANCES BY MULTIPLYING FACTOR OF 0.9999141 UNITS PER FOOT.
- THIS IS A PRELIMINARY SURVEY.
- THIS MAP IS INTENDED FOR DISTRICT RECORD PURPOSES ONLY.
- CHARACTER DISTRICT 3 - RESIDENTIAL, 100' METES AND BOUNDS DESCRIPTION DATED 06-30-2020.
- CHARACTER DISTRICT 4 - MULTIFAMILY, 100' METES AND BOUNDS DESCRIPTION DATED 06-30-2020.
- CHARACTER DISTRICT 5 - COMMERCIAL, 100' METES AND BOUNDS DESCRIPTION DATED 06-30-2020.
- LIGHT INDUSTRIAL METES AND BOUNDS DESCRIPTION DATED 06-30-2020.
- LIGHT INDUSTRIAL METES AND BOUNDS DESCRIPTION DATED 06-30-2020.

C03 - PART 1 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L22	N5754.51°E	870.57'	
L33	S30°40'06"E	458.24'	
L34	S23°12'13"E	231.61'	
L49	S48°55'04"E	185.91'	
L50	N48°33'59"E	285.39'	
L51	N60°57'46"W	260.95'	
L52	N70°06'45"W	143.14'	
L53	S45°32'31"E	1334.51'	
L54	S49°14'18"W	53.37'	
L55	S40°45'42"E	300.02'	
L56	N49°14'18"E	78.46'	
L57	S45°32'31"E	28.55'	
L58	S49°07'28"W	485.78'	
L59	S58°50'30"W	244.60'	
L60	S62°03'42"W	225.46'	
L61	N67°43'58"W	130.53'	
L62	S50°17'45"W	128.27'	
L63	S43°21'28"E	80.86'	
L64	S33°11'43"E	149.74'	
L65	S27°01'01"E	87.04'	
L66	S28°42'09"W	82.91'	
L67	S49°07'28"W	865.00'	
L68	N40°45'42"W	562.59'	
L69	N65°57'47"W	32.38'	
L70	N47°59'08"W	77.76'	

Curve Table			
Curve #	Length	Radius	Chord Bearing Chord Length
C11	1144.874	4632.000	140°9'42" N50°50'00"E 1141.96
C12	918.636	10990.000	4°47'21" N63°37'19"E 918.37
C13	1407.056	5110.000	15°46'36" N58°07'37"E 1402.62

C03 - PART 2 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L47	S71°35'49"E	51.89'	
L48	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	884.61'	

C04 - PART 1 LINE TABLE

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	884.61'	

C04 - PART 2 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L42	S40°45'42"E	562.59'	
L43	S49°07'28"W	1016.53'	
L44	S39°20'19"W	496.08'	
L45	N32°12'13"W	231.61'	
L46	N48°11'21"E	97.07'	

Curve Table			
Curve #	Length	Radius	Delta Chord Bearing Chord Length
C18	278.659	373.627	42°43'57" S40°13'28"E 272.24
C19	268.652	707.273	21°45'48" N41°34'38"E 267.04
C20	581.181	8955.553	3°22'43" N41°03'17"E 581.10

C04 - PART 3 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L71	S19°45'40"E	547.44'	
L72	N46°32'19"E	400.03'	
L73	S21°47'22"E	163.38'	
L74	N64°44'14"E	94.32'	
L75	S47°01'56"E	161.97'	
L76	S20°30'11"E	331.37'	
L77	S11°34'07"W	523.34'	
L78	S20°08'04"E	106.23'	
L79	S12°14'11"W	286.70'	
L80	S49°07'28"W	399.55'	
L81	N45°32'31"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	N45°32'31"W	1334.51'	
L86	N48°24'19"E	350.98'	

Curve Table			
Curve #	Length	Radius	Delta Chord Bearing Chord Length
C28	727.641	10590.000	3°47'37" N44°30'31"E 727.51

PROPOSED LIFT STATION LINE TABLE

Line Table			
Line #	Bearing	Length	
L87	S40°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'	

Curve Table			
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	205.267	224.234	52°26'58" N78°40'09"W 198.17
C25	55.538	49.900	63°46'10" S10°01'58"W 52.72
C26	278.659	373.627	42°43'57" N40°13'28"W 272.24
C27	281.618	770.725	20°56'08" N68°50'07"W 280.05

C05 - PART 1 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L22	N00°07'28"E	169.59'	
L23	N45°11'07"E	222.18'	
L24	S40°45'42"E	840.79'	
L25	S49°07'28"W	893.28'	
L26	N41°21'04"W	300.48'	
L27	N44°51'11"W	52.82'	

Curve Table			
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

C05 - PART 2 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L38	S47°59'08"E	77.76'	
L39	S65°57'47"E	32.38'	
L40	S48°11'21"W	97.07'	
L41	N30°40'06"W	458.24'	

Curve Table			
Curve #	Length	Radius	Delta Chord Bearing Chord Length
C14	281.618	770.725	20°56'08" S08°50'07"E 280.05
C15	581.181	8955.553	3°22'43" S41°03'17"W 581.10
C16	268.652	707.273	21°45'48" S41°34'38"W 267.04
C17	747.962	5110.000	8°23'11" N46°02'44"E 747.29

C05 - PART 3 LINE TABLE

Line Table			
Line #	Bearing	Length	
L91	S10°39'10"E	165.19'	
L92	S23°27'29"E	386.34'	
L93	S46°32'15"W	400.03'	
L94	N19°40'40"W	547.44'	
L95	N48°24'19"E	400.92'	

C05 - PART 4 LINE TABLE

Line Table			
Line #	Bearing	Length	
L96	S49°07'28"W	1101.24'	
L97	N65°57'58"W	152.79'	
L98	N55°05'14"W	63.62'	
L99	N18°22'15"W	282.80'	
L100	N10°10'40"E	358.74'	
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	S89°51'24"E	87.86'	
L106	S43°58'55"E	166.76'	

U - PART 1 LINE AND CURVE TABLES

Line Table			
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	N30°08'22"E	90.92'	
L9	N43°39'42"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°54'58"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'	

Curve Table			
Curve #	Length	Radius	Delta Chord Bearing Chord Length
C7	2697.865	11210.009	13°47'21" S42°16'43"W 2691.36
C8	178.014	79.177	128°49'08" N29°37'51"W 142.82

U - PART 2 LINE AND CURVE TABLES

Line Table			
Line #	Bearing	Length	
L20	N86°54'48"W	263.84'	
L21	N49°10'24"E	2834.23'	

NOTES:  
 1. ALL DIMENSIONS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, GENERAL, TEXAS ZONE 14N (83).  
 2. ALL CURVE RADII AND CHORD BEARINGS ARE GIVEN IN FEET AND DECIMALS THEREOF.  
 3. THIS IS NOT A SURVEY OF THE SURFACE, BUT A SURVEY OF THE SUBSURFACE.  
 4. THE MAP IS NOT A SURVEY OF THE SURFACE, BUT A SURVEY OF THE SUBSURFACE.  
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**THE MAYAN REZONE**

REMAN AND GRAVES PLANNING, INC.  
 2115 W. 10TH STREET, SUITE 201  
 ARLING, TEXAS 76010-3001  
 PHONE: (817) 341-1111  
 FAX: (817) 341-1112  
 WWW.MAYANREZONE.COM

5315 W. 14th Highway 250  
 Suite 400  
 Austin, Texas 78735

Phone 512.439.4700  
 T.B.P.L.S. Firm No. 0194553

**LJA Surveying, Inc.**

DRAWN BY:	CHECKED BY:	SCALE:	DATE:	PROJ. NO.	SHEET
		1"=400'	06/29/2021	LA51085.2001	2 OF 2

DATE OF LAST REVISION:	DESCRIPTION OF LAST REVISION:

GORDON N. ANDERSON  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6617

**CD5-PART 1 – 18.031 ACRES (785,430 SQUARE FEET)**

**BEING** A 18.031 ACRE TRACT OF LAND OUT OF THE BENJAMIN & GRAVES FULCHER SURVEY NO. 19, ABSTRACT NO. 813 AND THE WILLIAM BURNETT JR. SURVEY, ABSTRACT NO. 56, SITUATED IN HAYS COUNTY, TEXAS, AND THE BENJAMIN & GRAVES FULCHER SURVEY NO. 19, ABSTRACT NO. 21, SITUATED IN GUADALUPE COUNTY, TEXAS AND BEING OUT OF A CALLED 563.797 ACRE TRACT OF LAND CONVEYED IN DEED TO 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 18.031 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST CORNER OF A CALLED 53.897 ACRE TRACT CONVEYED IN DEED TO HAYS COUNTY, RECORDED IN DOCUMENT NO. 2016-16001654, O.P.R.H.C.TX., ON THE NORTHEASTERLY RIGHT-OF-WAY OF STAPLES ROAD (80-FOOT RIGHT-OF-WAY) AND 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.), SAME BEING THE SOUTH CORNER 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:13853757.83, E: 2314950.70, FROM WHICH POINT A 1/2-INCH IRON ROD FOUND BEARS SOUTH 49 DEGREES 10 MINUTES 24 SECONDS WEST A DISTANCE OF 0.79 FEET,

**THENCE** SOUTH 44 DEGREES 51 MINUTES 11 SECONDS EAST, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD, A DISTANCE OF 410.27 FEET TO A TXDOT TYPE II DISK MONUMENT FOUND AT THE SOUTH CORNER OF SAID 53.897 ACRE TRACT, FOR THE **POINT OF BEGINNING**, WITH GRID COORDINATES OF N: 13853467.70, E: 2315240.04;

**THENCE** WITH THE SOUTHEAST LINE OF SAID 53.897 ACRE TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) NORTH 00 DEGREES 07 MINUTES 28 SECONDS EAST, A DISTANCE OF 169.59 FEET TO A POINT,
- 2) NORTH 45 DEGREES 11 MINUTES 07 SECONDS EAST, A DISTANCE OF 222.18 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT, AND
- 3) WITH SAID CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 589.76 FEET, A RADIUS OF 4,632.00 FEET, A DELTA ANGLE 07 DEGREES 17 MINUTES 42 SECONDS, AND A CHORD THAT BEARS NORTH 40 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 589.37 FEET TO A POINT;

**THENCE** SOUTH 40 DEGREES 45 MINUTES 42 SECONDS EAST, DEPARTING THE SOUTHEAST LINE OF SAID 53.897 ACRE TRACT, A DISTANCE OF 940.79 FEET TO A POINT;

**THENCE** SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, OVER AND ACROSS SAID 563.797 ACRE TRACT, A DISTANCE OF 893.28 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD, FROM WHICH A FENCE CORNER POST FOUND ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD, FOR THE SOUTH CORNER OF SAID 563.797 ACRE TRACT, SAME BEING THE WEST CORNER OF A CALLED 50.0620 ACRE TRACT CONVEYED IN DEED TO JAIME M. CADENA AND WIFE, SAN JUANA CADENA, RECORDED IN VOLUME 3141, PAGE 280, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, BEARS SOUTH 41 DEGREES 21 MINUTES 04 SECONDS EAST, A DISTANCE OF 843.29 FEET;

**THENCE** WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STAPLES ROAD, SAME BEING THE SOUTHWEST LINE OF SAID 563.797 ACRE TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) NORTH 41 DEGREES 21 MINUTES 04 SECONDS WEST, A DISTANCE OF 300.48 FEET TO A TXDOT TYPE I CONCRETE MONUMENT AT THE BEGINNING OF A CURVE TO THE LEFT,
- 2) WITH SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 352.30 FEET, A RADIUS OF 5,767.28 FEET, A DELTA ANGLE OF 03 DEGREES 30 MINUTES 00 SECONDS, AND CHORD THAT BEARS NORTH 43 DEGREES 06 MINUTES 04 SECONDS WEST, A DISTANCE 352.25 FEET TO A TXDOT TYPE I CONCRETE MONUMENT, AND
- 3) NORTH 44 DEGREES 51 MINUTES 11 SECONDS WEST, A DISTANCE OF 52.82 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 18.031 ACRES OF LAND, MORE OR LESS.

**CD5-PART 2 – 7.850 ACRES (341,948 SQUARE FEET)**

**BEING** A 7.850 ACRE TRACT OF LAND OUT OF THE BENJAMIN & GRAVES FULCHER SURVEY, ABSTRACT NO. 813, SITUATED IN HAYS COUNTY, TEXAS AND 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 7.850 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** FROM 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. 2016-16001654, WITH GRID COORDINATES OF N:13861029.40 E: 2323366.95;



**THENCE** SOUTH 17 DEGREES 04 MINUTES 02 SECONDS EAST, A DISTANCE OF 259.02 FEET TO THE **POINT OF BEGINNING** ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110, WITH GRID COORDINATES OF N: 13857094.72, E: 2319952.15;

**THENCE** OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

- 1) SOUTH 47 DEGREES 59 MINUTES 08 SECONDS EAST, A DISTANCE OF 77.76 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT,
- 2) WITH SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 281.62 FEET, A RADIUS OF 770.72 FEET, A DELTA ANGLE OF 20 DEGREES 56 MINUTES 08 SECONDS, AND A CHORD THAT BEARS SOUTH 58 DEGREES 50 MINUTES 07 SECONDS EAST, A DISTANCE OF 280.05 FEET TO A POINT,
- 3) SOUTH 65 DEGREES 57 MINUTES 47 SECONDS EAST, A DISTANCE OF 32.38 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE RIGHT,
- 4) 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 SOUTH 41 DEGREES 03 MINUTES 17 SECONDS WEST, A DISTANCE OF 581.10 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE RIGHT,
- 5) WITH SAID CURVE TO THE RIGHT, 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 SOUTH 41 DEGREES 34 MINUTES 38 SECONDS WEST, A DISTANCE OF 267.04 FEET TO A POINT,
- 6) SOUTH 48 DEGREES 11 MINUTES 21 SECONDS WEST, A DISTANCE OF 97.07 FEET TO A POINT, FROM WHICH A FENCE CORNER POST FOUND FOR THE SOUTH CORNER OF SAID 563.797 ACRE TRACT BEARS SOUTH 41 DEGREES 06 MINUTES 01 SECONDS WEST, A DISTANCE OF 5,133.48 FEET, AND
- 7) NORTH 30 DEGREES 40 MINUTES 06 SECONDS WEST, A DISTANCE OF 458.24 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID F.M. 110, AT THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE** WITH SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 747.96 FEET, A RADIUS OF 5,110.00 FEET, A DELTA ANGLE OF 08 DEGREES 23 MINUTES 11 SECONDS, AND A CHORD THAT BEARS NORTH 46 DEGREES 02 MINUTES 44 SECONDS EAST, A DISTANCE OF 747.29 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 7.850 ACRES OF LAND, MORE OR LESS.

**CD5-PART 3 - 4.445 ACRES (193,624 SQUARE FEET)**

**BEING** A 4.445 ACRE TRACT OF LAND OUT OF 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 4.445 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** FROM 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. 2016-16001654, WITH GRID COORDINATES OF N:13861029.40, E: 2323366.95;

**THENCE** SOUTH 40 DEGREES 54 MINUTES 57 SECONDS WEST, A DISTANCE OF 1,368.19 FEET TO THE **POINT OF BEGINNING** ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110, WITH GRID COORDINATES OF N: 13859995.44, E: 2322470.80;

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

- 1) SOUTH 10 DEGREES 39 MINUTES 10 SECONDS EAST, A DISTANCE OF 165.19 FEET TO A POINT,
- 2) SOUTH 23 DEGREES 27 MINUTES 29 SECONDS EAST, A DISTANCE OF 386.34 FEET TO A POINT, FROM WHICH A 1/2-INCH IRON ROD WITH CAP STAMPED "BROWN ENG" FOUND ON THE NORTHWEST LINE OF SAID 563.797 ACRE TRACT BEARS NORTH 35 DEGREES 16 MINUTES 50 SECONDS EAST, A DISTANCE OF 2,948.93 FEET,
- 3) SOUTH 46 DEGREES 32 MINUTES 15 SECONDS WEST, A DISTANCE OF 400.03 FEET TO A POINT, AND
- 4) NORTH 19 DEGREES 40 MINUTES 40 SECONDS WEST, A DISTANCE OF 547.44 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110;

**THENCE** NORTH 46 DEGREES 24 MINUTES 19 SECONDS EAST, WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 110, A DISTANCE OF 400.92 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 4.445 ACRES OF LAND, MORE OR LESS.

**CD5-PART 4 - 12.546 ACRES (546,495 SQUARE FEET)**

**BEING** A 12.546 ACRE TRACT OF LAND OUT OF THE BENJAMIN & GRAVES FULCHER SURVEY NO. 19, 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 12.546 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** FROM 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. 2016-16001654, WITH GRID COORDINATES OF N:13861029.40, E: 2323366.95;

**THENCE** SOUTH 47 DEGREES 02 MINUTES 36 SECONDS EAST, A DISTANCE OF 1,959.54 FEET TO THE **POINT OF BEGINNING** ON THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT, WITH GRID COORDINATES OF N: 13859694.02, E: 2324800.79;

**THENCE** SOUTH 49 DEGREES 07 MINUTES 28 SECONDS WEST, WITH THE SOUTHEAST LINE OF SAID 563.797 ACRE TRACT, A DISTANCE OF 1,101.24 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 10,176.29 FEET;

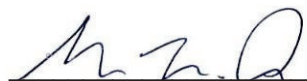
**THENCE** OVER AND ACROSS SAID 563.797 ACRE TRACT THE FOLLOWING TEN (10) COURES AND DISTANCES:

- 1) NORTH 65 DEGREES 57 MINUTES 58 SECONDS WEST, A DISTANCE OF 152.79 FEET TO A POINT,
- 2) NORTH 55 DEGREES 05 MINUTES 34 SECONDS WEST, A DISTANCE OF 63.62 FEET TO A POINT,
- 3) NORTH 18 DEGREES 22 MINUTES 18 SECONDS WEST, A DISTANCE OF 287.89 FEET TO A POINT,
- 4) NORTH 10 DEGREES 10 MINUTES 40 SECONDS EAST, A DISTANCE OF 358.74 FEET TO A POINT,
- 5) NORTH 83 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 146.21 FEET TO A POINT,
- 6) NORTH 72 DEGREES 54 MINUTES 07 SECONDS EAST, A DISTANCE OF 276.22 FEET TO A POINT,
- 7) NORTH 89 DEGREES 16 MINUTES 20 SECONDS EAST, A DISTANCE OF 248.87 FEET TO A POINT,
- 8) NORTH 83 DEGREES 43 MINUTES 18 SECONDS EAST, A DISTANCE OF 191.63 FEET TO A POINT,
- 9) SOUTH 85 DEGREES 51 MINUTES 24 SECONDS EAST, A DISTANCE OF 87.58 FEET TO A POINT, AND
- 10) SOUTH 43 DEGREES 58 MINUTES 55 SECONDS EAST, A DISTANCE OF 166.76 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 12.546 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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Gordon Anderson, RPLS No. 6617  
LJA Surveying, Inc.  
5316 Highway 290 West, Suite 460  
Austin, Texas 78735  
Texas Firm No. 10194533

06/30/2020

