

AN ORDINANCE 2016-05-19-0359

FOR THE WESTOVER VALLEY PHASE II PROJECT, AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION, OF APPROXIMATELY 4.704 ACRES FOR INTERESTS IN LAND SUFFICIENT FOR PROJECT PURPOSES IN A PORTION OF TWO PARCELS OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN NCB 17639 AND DECLARING THE PROJECT TO BE A PUBLIC-USE PROJECT FOR THE ACQUISITION AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$240,000.00, PAYABLE TO THE SELECTED TITLE COMPANY, FOR LAND, LITIGATION EXPENSES AND ASSOCIATED TITLE FEES, A 2016 STORMWATER REGIONAL PROGRAM-FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 6.

* * * * *

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) notified the City that the emergency relief channel had been constructed through an undocumented landfill; and

WHEREAS, the City and TCEQ reached an agreement for which the City is ready to move forward with the second phase of the improvements at Westover Valley and will meet the requirements of the agreement with TCEQ; and

WHEREAS, permanent drainage and temporary construction easement interests are required for the Westover Valley Phase II Project and multiple property acquisitions in New City Block 17639; and

WHEREAS, this Project is in the best interest of the health, safety and welfare of the public; and

WHEREAS, the Project will provide drainage improvements to alleviate flooding concerns in the Westover Valley subdivision and such acquisitions are required to complete the Westover Valley Phase II Project; and

WHEREAS, the Project will provide for the re-grading and concrete-lining of the existing channel to Culebra Creek and will capture runoff from upstream properties and convey it through a dedicated drainage easement out-falling at Culebra Creek; and

WHEREAS, it is necessary to obtain and acquire the privately owned real property as part of the Project as further described in SECTION 1 below; and

WHEREAS, funds for the property acquisitions in an amount not to exceed \$240,000.00 are available within the Westover Valley Phase II Project from previously authorized 2016 Stormwater Regional Program funds and included in the 2016-2021 Capital Improvements

Program Budget, for the acquisition of permanent and temporary construction easement interests to multiple properties located in District 6, **NOW THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Westover Valley Phase II Project is hereby declared to be a public use project.

SECTION 2. A public use and necessity is hereby declared for the City of San Antonio to acquire permanent drainage and temporary construction easement interests of approximately 4.704 acres of privately owned real property in Council District 6, by negotiation or condemnation, as part of the Westover Valley Phase II Project of the following:

PARCEL	DESCRIPTION
19446	2.191 acres (95,439 sq. ft) permanent drainage easement over and part of a 11.899 acre tract and a 5.857 acre tract, out of the G.W. Lewis Survey No. 189, Abstract 441, County Block 4416, NCB 17639, San Antonio, Bexar County, Texas
19446TE	2.386 acre tract (103,953 sq. ft) temporary construction easement over and part of a 11.899 acre tract and a 5.857 acre tract, out of the G.W. Lewis Survey No. 189, Abstract 441, County Block 4416, NCB 17639, San Antonio, Bexar County, Texas
19447	0.127 acre tract (5,518 sq. ft) permanent drainage easement out of a 118.970 tract, G.W. Lewis Survey No. 189, Abstract 441, County Block 4416, and partially in NCB 17639, San Antonio, Bexar County, Texas

The properties are more specifically shown on the Site Map attached hereto as **Exhibit A** and more particularly described by survey and field notes as **Exhibits B through D** and incorporated herein for all purposes. Collectively, the properties may be referred to as the "Property."

SECTION 3. The City Manager, or her designee, is hereby authorized to direct the City Attorney to institute and prosecute to conclusion all necessary proceedings to condemn such properties if the City of San Antonio is unable to acquire through negotiation by reason of its inability to agree with the owners thereof as to the value of such property, or for any other reason, and to take any other legal action deemed necessary by the City Attorney to accomplish these purposes.

SECTION 4. A payment not to exceed \$240,000.00 is authorized for payment through negotiation or condemnation in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01390, Westover Valley Relief Channel (Design), and should be encumbered and made payable to the selected title company for land, litigation expenses and associated title fees of approximately 4.704 acres; two parcels of privately owned real property located in NCB 17639 in Council District 6 in Bexar County, Texas.

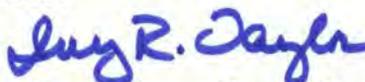
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. The City staff is hereby directed to negotiate with the owner(s) of the respective parcels for the acquisition of the Property at fair market value, to execute sales agreements purchasing the property from the owners as the owners are identified by a Commitment for Issuance of Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by Order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio. The City Council finds that it is in the best interest to obtain the Property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

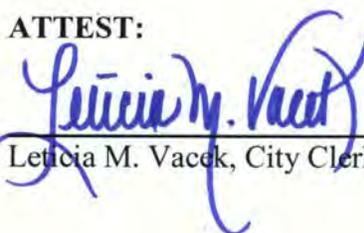
SECTION 7. In the event that the City negotiations fail and staff is unable to acquire one or more parcels from the property owner by negotiation or for any other reason, the City Manager, through the City Attorney and/or designated special counsel under the direction of the City Attorney, are hereby authorized and directed to institute and prosecute to conclusion all necessary proceedings to condemn the property. The City Attorney is hereby authorized to retain the services of any law firm selected by the City Attorney as special counsel, as may be needed from time to time, and to pay for the services rendered from the appropriations set aside herein or such other appropriations as may be made for the purpose.

SECTION 8. This Ordinance shall be effective immediately if it receives eight affirmative votes, otherwise, it shall be effective on the tenth day after passage.

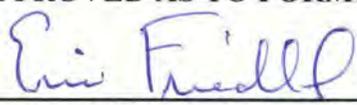
PASSED and APPROVED this 19th day of May, 2016.


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

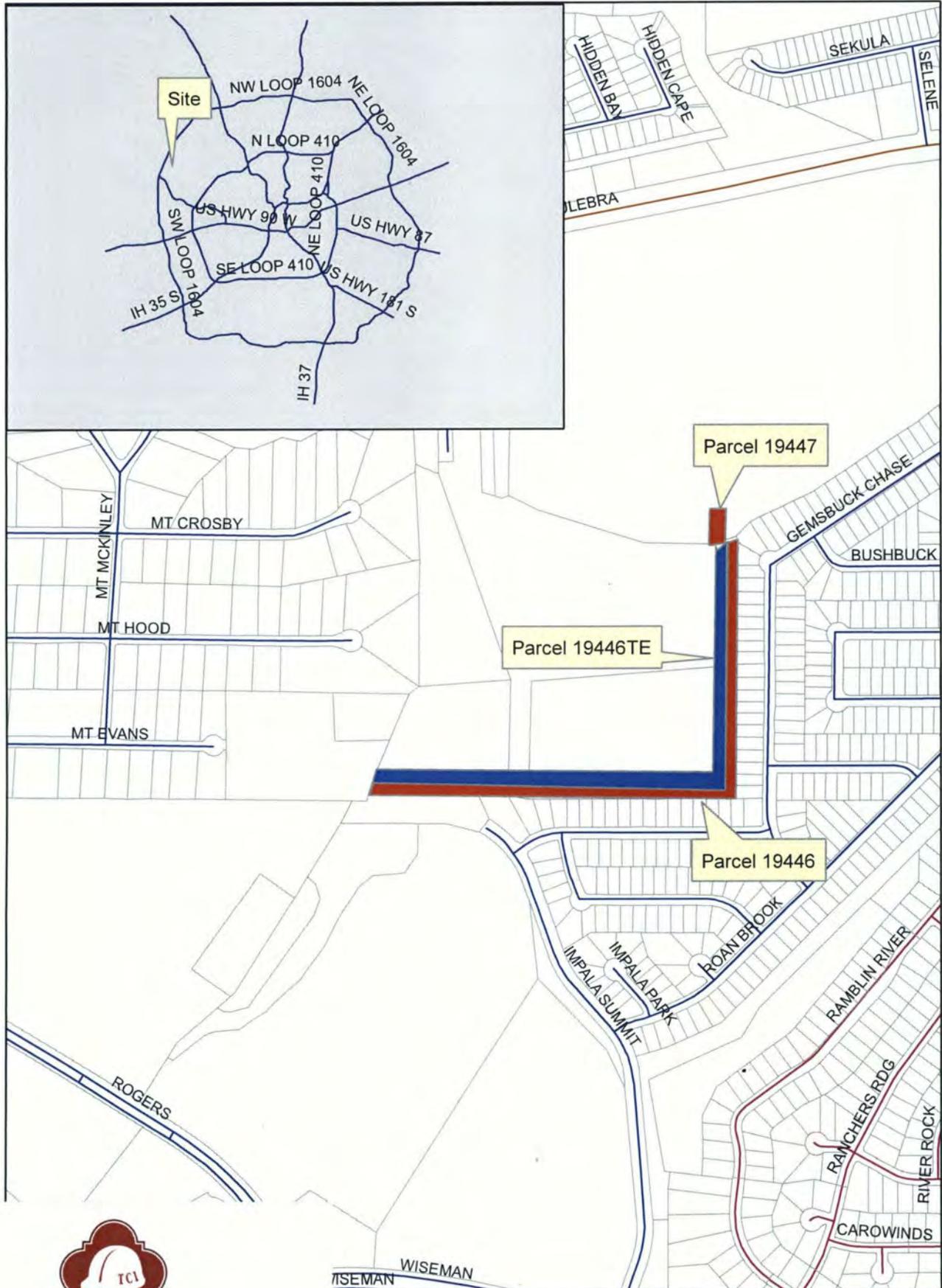
APPROVED AS TO FORM:


for 
Martha G. Sepeda, Acting City Attorney

Agenda Item:	14						
Date:	05/19/2016						
Time:	09:59:13 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance for the Westover Valley Phase II Project, authorizing the acquisition, through negotiation or condemnation, of approximately 4.704 acres for interests in land sufficient for Project purposes in a portion of two parcels of privately-owned real property located in NCB 17639 and declaring the Project to be a public-use project for the acquisition and authorizing expenditures not to exceed \$240,000.00, payable to the selected title company, for land, litigation expenses and associated title fees, a 2016 Stormwater Regional Program-funded project located in Council District 6. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8	x					
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Westover Valley Phase II Project

Council District 6



H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services

Parcel No.: 19446

FIELD NOTES
PERMANENT DRAINAGE EASEMENT

Field notes of a 2.191 acre (95,439 square feet) tract of land situated in the City of San Antonio, Bexar County, Texas and being out of New City Block 17639, and being over part of that 11.899 acre tract and that 5.857 acre tract, both conveyed to KSM Properties, LLC, and described in deed recorded in Volume 16545, Page 1175, and Volume 16088, Page 705, respectively, Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin found in the north line of Lot 18, Block 13, N.C.B. 17642, Westover Valley Subdivision, Unit 1, according to plat recorded in Volume 9562, Page 166-169, Plat Records, being the southeast corner of this easement, and being the southwest corner of Lot 20, Block 13, N.C.B. 17642, Westover Valley Subdivision, Unit 2A, according to plat recorded in Volume 9566, Page 218, Plat Records, being the southeast corner of said 11.899 acre tract.

Thence along the north line of Westover Valley Subdivision, Unit 1, and a 1.596 acre tract described in deed recorded in Volume 12808, Page 1157, being the south line of said 11.899 acre tract and said 5.857 acre tract, as follows:

N 89° 59' 17" W. 625.50 feet to a 1/2" iron pin found at an angle point.

N 89° 53' 06" W. 488.60 feet to a 1/2" iron pin found at the northwest corner of Lot 1, Block 13, being the northeast corner of said 1.596 acre tract.

N 89° 57' 08" W. 411.11 feet to a 1/2" iron pin set at the southwest corner of this easement, being the southeast corner of a Variable Width Drainage Easement described in Volume 16089, Page 2370.

Thence N 21° 27' 44" E. 48.34 feet along the east line of said Variable Width Drainage Easement to a 1/2" iron pin set at a northwest corner of this easement.

Thence along a line 45.00 feet north of and parallel to the south line of said 5.857 acre tract and said 11.899 acre tract, as follows:

S 89° 57' 08" E. 393.49 feet to a 1/2" iron pin set at an angle point.

S 89° 53' 06" E. 488.58 feet to a 1/2" iron pin set at an angle point.

S 89° 59' 17" E. 501.44 feet to a 1/2" iron pin set at an angle point.

Thence N 45° 00' 19" E. 113.32 feet to a 1/2" iron pin set at an angle point.

Thence N 00° 31' 04" E. 451.67 feet along a line 45.00 feet west of and parallel to the west line of Westover Valley Subdivision, Unit 2A, to a 1/2" iron pin set in the south line of an existing Drainage and Sanitary Sewer Easement described in Volume 14193, Page 1081, being a northwest corner of this easement.

Thence N 85° 31' 50" E. 45.17 feet along the south line of said existing Drainage and Sanitary Sewer Easement to a 1/2" iron pin set in the west line of Westover Valley Subdivision, Unit 2A, being the northeast corner of this easement.

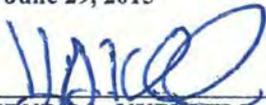
Thence S 00° 31' 04" W. 580.35 feet along the west line of Westover Valley Subdivision, Unit 2A, being the east line of said 11.899 acre tract, to the place of Beginning and covering 2.191 acres (95,439 square feet) of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 028-15

RE: Plat - Bearing Source: Texas State Plane NAD 83
South Central Zone

Surveyed June 29, 2015


HENRY A. KUEHLEM

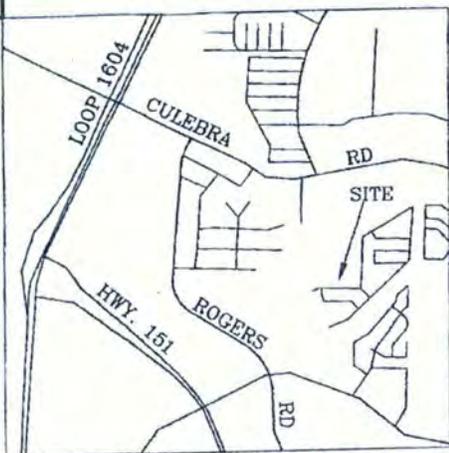
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020



14350 Northbrook Drive Suite 130 San Antonio, Texas 78232 Phone: (210) 490-7847 Fax: (210) 490-7857

SAD_WESTOVER.doc

EXHIBIT "B"



LOCATION MAP N.T.S. NEW CITY BLOCK 17639
 KSM PROPERTIES, LLC
 11.899 ACRE TRACT
 V. 16545, P. 1175 O.P.R.

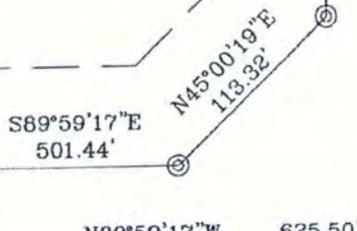
EXHIBIT OF

A 2.191 ACRE
 (95,439 SQ. FT.)
 PERMANENT DRAINAGE EASEMENT
 THOSE TRACTS CONVEYED TO
 KSM PROPERTIES, LLC., OUT OF
 NEW CITY BLOCK 17639,
 CITY OF SAN ANTONIO,
 BEXAR COUNTY, TEXAS.
 PREPARED JUNE 24, 2015

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⊕ FIRE HYDRANT
- △ PROPOSED TOWER

MATCH LINE "A"



LOT 14 LOT 15 LOT 16 LOT 17 LOT 18

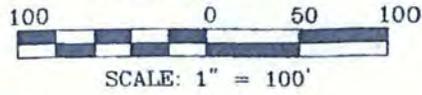
BLOCK 13
 N.C.B. 17642
 WESTOVER VALLEY SUBDIVISION
 UNIT 1
 V. 9562, PGS 166-169

EXISTING
 DRAINAGE AND SANITARY
 SEWER ESMT.
 1.499 ACRES
 V. 14193, P. 1091 O.P.R.

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

45' PERMANENT DRAINAGE EASEMENT
 2.191 ACRES (95,439 SQ. FT.)

PARCEL NO: 19446



LOT 30
 LOT 29
 LOT 28
 LOT 27
 LOT 26
 LOT 25
 LOT 24
 LOT 23
 LOT 22
 LOT 21
 LOT 20

BLOCK 13
 N.C.B. 17642

WESTOVER VALLEY SUBDIVISION
 UNIT 2A
 V. 9566, PG. 218

P.O.B.

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE
 NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE
 PLASTIC CAP STAMPED "RPLS 4020"

SURVEYED: JUNE 29, 2015

SHEET 1 OF 3

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
 SAN ANTONIO, TEXAS 78232
 PHONE: (210) 490-7847
 FAX (210) 490-7857



[Signature]
 HENRY A. KUEHLEM

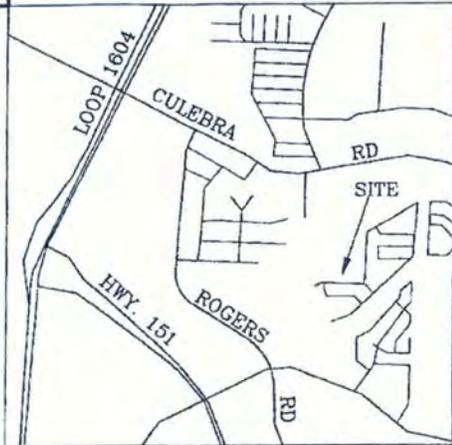
REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 4020

JOB NO. 028-15

PARCEL NO: 19446



SCALE: 1" = 100'



LOCATION MAP
N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P 1175 O.P.R.

MATCH LINE "B"

MATCH LINE "A"

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

S89°53'06"E 488.58' S89°59'17"E 501.44'

45' PERMANENT DRAINAGE EASEMENT
2.191 ACRES (95,439 SQ. FT.)

N89°53'06"W 488.60' N89°59'17"W 625.50'

FND. 1/2" I.P.											
LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10	LOT 11	LOT 12	LOT 13	

BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 1
V. 9562, PGS 166-169

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- ☐ WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⚡ FIRE HYDRANT

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

EXHIBIT OF

A 2.191 ACRE
(95,439 SQ. FT.)
PERMANENT DRAINAGE EASEMENT
THOSE TRACTS CONVEYED TO
KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.
SURVEYED: JUNE 29, 2015

SHEET 2 OF 3

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857

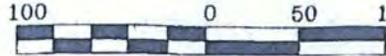


HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

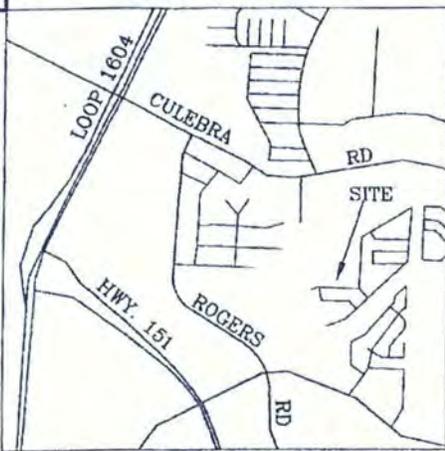
JOB NO. 028-15

PARCEL NO: 19446

100 0 50 100



SCALE: 1" = 100'



LOCATION MAP
N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
5.857 ACRE TRACT
V. 16088, P. 705 O.P.R.

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P. 1175

VARIABLE WIDTH EXISTING DRAINAGE ESM'T.
V. 16089, P. 2370 O.P.R.

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

S89°57'08"E 393.49'

S89°53'06"E 488.58'

N21°27'44"E
48.34'

45' PERMANENT DRAINAGE EASEMENT
411.11' 2.191 ACRES (95,439 SQ. FT.)

N89°53'06"W 488.60'

FND. 1/2" I.P.

N89°57'08"W 455.02'

FND. 1/2" I.P.

LOT 1

LOT 2

WESTOVER HILLS-PHASE VI OWNERS ASSOCIATION, INC.
1.596 ACRES
V. 12808, PGS. 1157 O.P.R.

BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 1
V. 9562, PGS 166-169

MATCH LINE "B"

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⚡ FIRE HYDRANT

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

SHEET 3 OF 3

EXHIBIT OF

A 2.191 ACRE
(95,439 SQ. FT.)
PERMANENT DRAINAGE EASEMENT
THOSE TRACTS CONVEYED TO
KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.

SURVEYED: JUNE 29, 2015

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



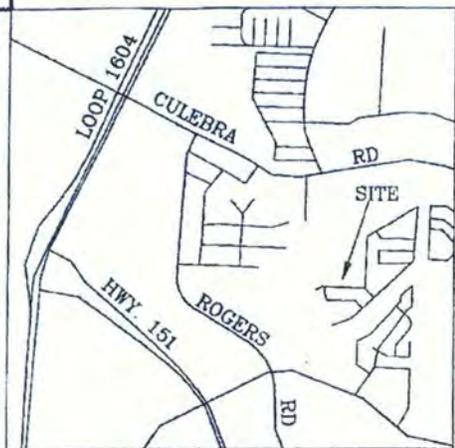
HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

JOB NO. 028-15

PARCEL NO: 19446

100 0 50 100

SCALE: 1" = 100'



LOCATION MAP N.T.S. NEW CITY BLOCK 17639 KSM PROPERTIES, LLC 11.899 ACRE TRACT V. 16545, P 1175 O.P.R.

EXHIBIT OF

A 2.191 ACRE (95,439 SQ. FT.) PERMANENT DRAINAGE EASEMENT THOSE TRACTS CONVEYED TO KSM PROPERTIES, LLC., OUT OF NEW CITY BLOCK 17639, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS. PREPARED JUNE 24, 2015

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⚡ FIRE HYDRANT
- △ PROPOSED TOWER

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

EXISTING DRAINAGE AND SANITARY SEWER ESM'T. 1.499 ACRES V. 14193, P. 1081 O.P.R.

45' PERMANENT DRAINAGE EASEMENT 2.191 ACRES (95,439 SQ. FT.)

BLOCK 13 N.C.B. 17642 WESTOVER VALLEY SUBDIVISION UNIT 2A V. 9566, PG. 218

N85°31'50"E 45.17'

N00°31'04"E 451.67'

S00°31'04"W 580.35'

MATCH LINE "A"

S89°59'17"E 501.44'

N45°00'19"E 113.32'

N89°59'17"W 625.50'

LOT 14 LOT 15 LOT 16 LOT 17 LOT 18

FND. 1/2" I.P.

P.O.B.

BLOCK 13 N.C.B. 17642 WESTOVER VALLEY SUBDIVISION UNIT 1 V. 9562, PGS 166-169

- NOTES**
1. FIELD NOTE DESCRIPTION PROVIDED
 2. BEARING SOURCE TEXAS STATE PLANE NAD 83 SOUTH CENTRAL ZONE
 3. SET 1/2" IRON PINS HAVE ORANGE PLASTIC CAP STAMPED "RPLS 4020"

SHEET 1 OF 3

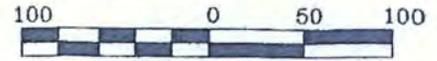
SURVEYED: JUNE 29, 2015

H.A. KUEHLEM SURVEY COMPANY 14350 NORTHBROOK DRIVE SUITE 130 SAN ANTONIO, TEXAS 78232 PHONE: (210) 490-7847 FAX (210) 490-7857

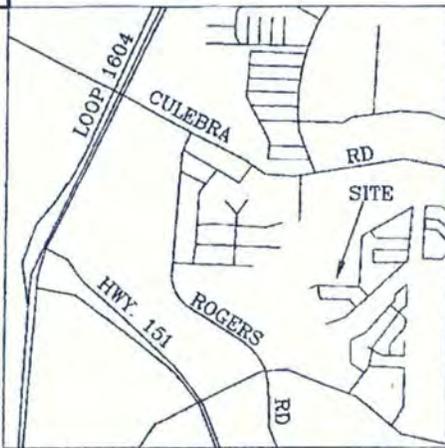


[Signature] HENRY A. KUEHLEM REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4020 JOB NO. 028-15

PARCEL NO: 19446



SCALE: 1" = 100'



LOCATION MAP
N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P 1175 O.P.R.

MATCH LINE "B"

MATCH LINE "A"

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

S89°53'06"E 488.58' S89°59'17"E 501.44'

45' PERMANENT DRAINAGE EASEMENT
2.191 ACRES (95,439 SQ. FT.)

N89°53'06"W 488.60' N89°59'17"W 625.50'

FND. 1/2" I.P.												
LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10	LOT 11	LOT 12	LOT 13		

BLOCK 13

N.C.B. 17642

WESTOVER VALLEY SUBDIVISION

UNIT 1

V. 9562, PGS 166-169

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊠ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⚡ FIRE HYDRANT

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

SHEET 2 OF 3

EXHIBIT OF

A 2.191 ACRE
(95,439 SQ. FT.)

PERMANENT DRAINAGE EASEMENT
THOSE TRACTS CONVEYED TO
KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.

SURVEYED: JUNE 29, 2015

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



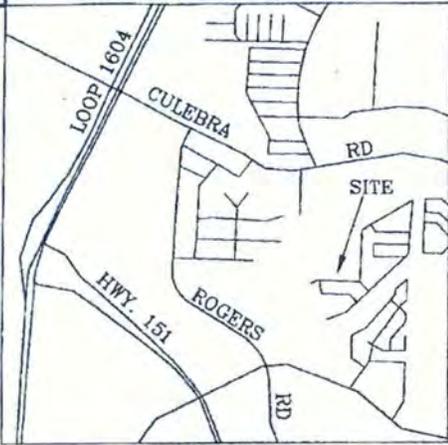
HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

JOB NO. 028-15

PARCEL NO: 19446

100 0 50 100

SCALE: 1" = 100'

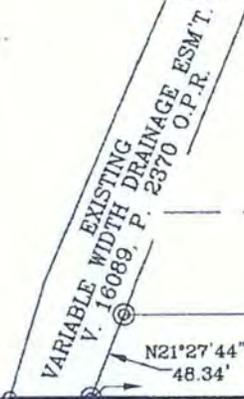


LOCATION MAP
N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
5.857 ACRE TRACT
V. 16088, P. 705 O.P.R.

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P. 1175



55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT

S89°57'08"E 393.49'

S89°53'06"E 488.58'

45' PERMANENT DRAINAGE EASEMENT

411.11' 2.191 ACRES (95,439 SQ. FT.)

N89°53'06"W 488.60'

WESTOVER HILLS--PHASE VI OWNERS ASSOCIATION, INC.
1.596 ACRES
V. 12808, PGS. 1157 O.P.R.

LOT 1 LOT 2
BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 1
V. 9562, PGS 166-169

MATCH LINE "B"

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⚡ FIRE HYDRANT

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

EXHIBIT OF

A 2.191 ACRE
(95,439 SQ. FT.)
PERMANENT DRAINAGE EASEMENT
THOSE TRACTS CONVEYED TO
KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.

SURVEYED: JUNE 29, 2015

SHEET 3 OF 3

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

JOB NO. 028-15

H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services

Parcel No.: 19446 TE

FIELD NOTES
GRADING AND TEMPORARY CONSTRUCTION EASEMENT

Field notes of a 2.386 acre (103,953 square feet) tract of land situated in the City of San Antonio, Bexar County, Texas and being out of New City Block 17639, and being over part of that 11.899 acre tract and that 5.857 acre tract, both conveyed to KSM Properties, LLC, and described in deed recorded in Volume 16545, Page 1175, and Volume 16088, Page 705, respectively, Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin set at the northeast corner of this easement, said point being N 00° 31' 04" E. 580.35 feet and S 85° 31' 50" W. 45.17 feet from a 1/2" iron pin found in the north line of Lot 18, Block 13, N.C.B. 17642, Westover Valley Subdivision, Unit 1, according to plat recorded in Volume 9562, Page 166-169, Plat Records, and being the southwest corner of Lot 20, Block 13, N.C.B. 17642, Westover Valley Subdivision, Unit 2A, according to plat recorded in Volume 9566, Page 218, Plat Records, and also being the southeast corner of said 11.899 acre tract.

Thence S 00° 31' 04" W. 451.67 feet along a line 45' west of and parallel to the east line of said 11.899 acre tract, to a 1/2" iron pin set the southeast corner of this easement.

Thence along the south line of this easement, as follows:

S 45° 00' 19" W. 113.32 feet to a 1/2" iron pin set at an angle point.

N 89° 59' 17" W. 501.44 feet to a 1/2" iron pin set at an angle point.

N 89° 53' 06" W. 488.58 feet to a 1/2" iron pin set at an angle point.

N 89° 57' 08" W. 393.49 feet to a 1/2" iron pin set in the east line of a Variable Width Drainage Easement described in Volume 16089, Page 2370, being the southwest corner of this easement.

Thence N 21° 27' 44" E. 59.06 feet along the east line of said Variable Width Drainage Easement to a point at a northwest corner of this easement.

Thence along a line 100.00 feet north of and parallel to the south line of said 5.857 acre tract and said 11.899 acre tract, as follows:

S 89° 57' 08" E. 371.95 feet to an angle point.

S 89° 53' 06" E. 488.57 feet to an angle point.

S 89° 59' 17" E. 478.60 feet to an angle point.

N 45° 00' 19" E. 68.05 feet to a point at an interior corner of this easement.

Thence N 00° 31' 04" E. 424.38 feet along a line 100.00 feet west of and parallel to the west line of Westover Valley Subdivision, Unit 2A, to a point in the south line of an existing Drainage and Sanitary Sewer Easement described in Volume 14193, Page 1081, being a northwest corner of this easement.

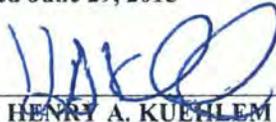
Thence N 85° 31' 50" E. 55.21 feet along the south line of said existing Drainage and Sanitary Sewer Easement to the place of Beginning and covering 2.386 acres (103,953 square feet) of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 028-15

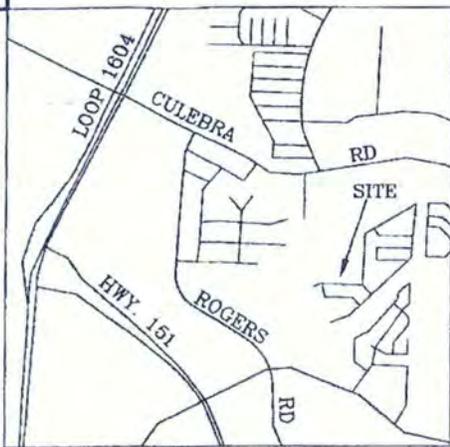
RE: Plat - Bearing Source: Texas State Plane NAD 83
South Central Zone

Surveyed June 29, 2015



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020





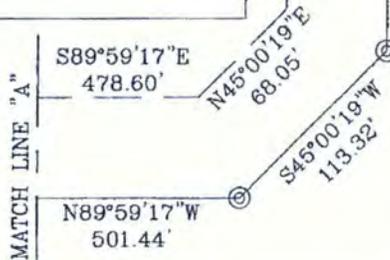
LOCATION MAP N.T.S. NEW CITY BLOCK 1 7 6 3 9
 KSM PROPERTIES, LLC
 11.899 ACRE TRACT
 V. 16545, P. 1175 O.P.R.

EXHIBIT OF
 A 2.386 ACRE
 (103,953 SQ. FT.)

GRADING AND TEMPORARY CONSTRUCTION
 EASEMENT OVER A PORTION OF THOSE TRACTS
 CONVEYED TO KSM PROPERTIES, LLC., OUT OF
 NEW CITY BLOCK 17639,
 CITY OF SAN ANTONIO,
 BEXAR COUNTY, TEXAS.
 PREPARED JUNE 24, 2015

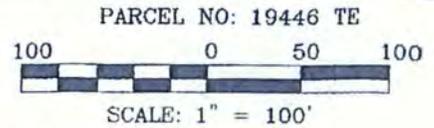
LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⊕ FIRE HYDRANT
- △ PROPOSED TOWER



55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT
 2.386 ACRES (103,953 SQ. FT.)
 45' PERMANENT DRAINAGE EASEMENT
 580.35'

EXISTING
 DRAINAGE AND SANITARY
 SEWER ESM'T.
 1.489 ACRES
 V. 14193, P. 1081 O.P.R.



P.O.B.

- LOT 30
- LOT 29
- LOT 28
- LOT 27
- LOT 26
- LOT 25
- LOT 24
- LOT 23
- LOT 22
- LOT 21
- LOT 20

BLOCK 1 3
 N.C.B. 17642
 WESTOVER VALLEY SUBDIVISION
 UNIT 2A
 V. 9566, PG. 218

- LOT 14
- LOT 15
- LOT 16
- LOT 17
- LOT 18

BLOCK 1 3
 N.C.B. 17642
 WESTOVER VALLEY SUBDIVISION
 UNIT 1
 V. 9562, PGS 166-169

- NOTES**
1. FIELD NOTE DESCRIPTION PROVIDED
 2. BEARING SOURCE TEXAS STATE PLANE NAD 83 SOUTH CENTRAL ZONE
 3. SET 1/2" IRON PINS HAVE ORANGE PLASTIC CAP STAMPED "RPLS 4020"

SHEET 1 OF 3

SURVEYED: JUNE 29, 2015

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
 SAN ANTONIO, TEXAS 78232
 PHONE: (210) 490-7847
 FAX (210) 490-7857



[Signature]
 HENRY A. KUEHLEM
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 4020

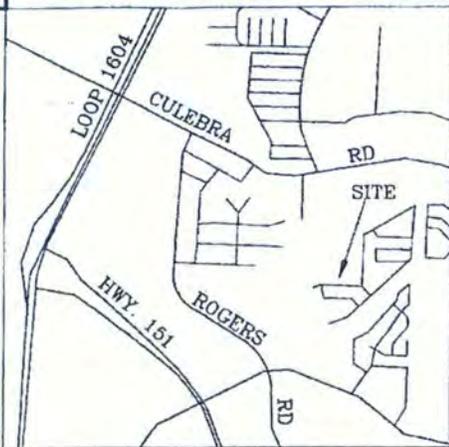
JOB NO. 028-15

PARCEL NO: 19446 TE

100 0 50 100



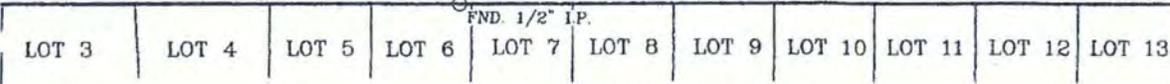
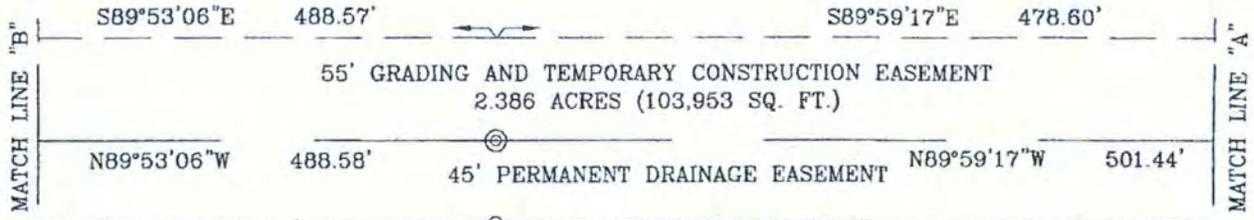
SCALE: 1" = 100'



LOCATION MAP
N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P 1175 O.P.R.



BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 1
V. 9562, PGS 166-169

- LEGEND**
- FND. 1/2" I.P.
 - R.P.R. REAL PROPERTY RECORDS
 - O.P.R. OFFICIAL PUBLIC RECORDS
 - ☐ WATER METER
 - ⊗ WATER VALVE
 - ⊙ SET 1/2" IRON PIN WITH CAP (4020)
 - ⋄ FIRE HYDRANT

- NOTES**
1. FIELD NOTE DESCRIPTION PROVIDED
 2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
 3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

EXHIBIT OF
A 2.386 ACRE
(103,953 SQ. FT.)
GRADING AND TEMPORARY CONSTRUCTION
EASEMENT OVER A PORTION OF THOSE TRACTS
CONVEYED TO KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.
PREPARED JUNE 24, 2015

SHEET 2 OF 3

H.A. KUEHLEM SURVEY COMPANY
14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



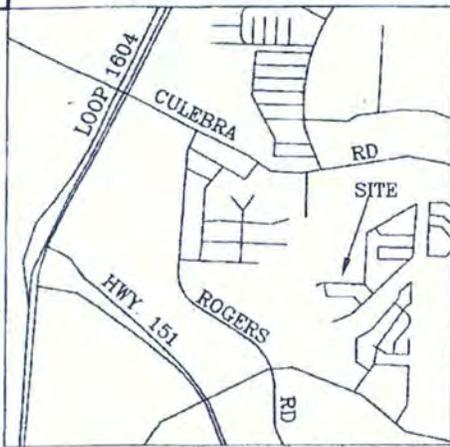

HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020
JOB NO. 028-15

PARCEL NO: 19446 TE

100 0 50 100



SCALE: 1" = 100'



LOCATION MAP

N.T.S.

NEW CITY BLOCK 17639

KSM PROPERTIES, LLC
5.857 ACRE TRACT
V. 16088, P. 705 O.P.R.

KSM PROPERTIES, LLC
11.899 ACRE TRACT
V. 16545, P. 1175

VARIABLE WIDTH EXISTING DRAINAGE ESM T.
V. 16089, P. 2370 O.P.R.

S89°57'08"E 371.95'

S89°53'06"E 488.57'

N21°27'44"E 59.06'

55' GRADING AND TEMPORARY CONSTRUCTION EASEMENT
2.386 ACRES (103,953 SQ. FT.)

N89°57'08"W 393.49'

N89°53'06"W 488.58'

45' PERMANENT DRAINAGE EASEMENT

FND. 1/2" I.P.

FND. 1/2" I.P.

WESTOVER HILLS-PHASE VI OWNERS ASSOCIATION, INC.
1.596 ACRES
V. 12808, PGS. 1157 O.P.R.

LOT 1

LOT 2

BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 1
V. 9562, PGS 166-169

LEGEND

- FND. 1/2" I.P.
- R.P.R. REAL PROPERTY RECORDS
- O.P.R. OFFICIAL PUBLIC RECORDS
- WATER METER
- ⊗ WATER VALVE
- ⊙ SET 1/2" IRON PIN WITH CAP (4020)
- ⊛ FIRE HYDRANT

NOTES

1. FIELD NOTE DESCRIPTION PROVIDED
2. BEARING SOURCE TEXAS STATE PLANE NAD 83 SOUTH CENTRAL ZONE
3. SET 1/2" IRON PINS HAVE ORANGE PLASTIC CAP STAMPED "RPLS 4020"

EXHIBIT OF

A 2.386 ACRE
(103,953 SQ. FT.)
GRADING AND TEMPORARY CONSTRUCTION
EASEMENT OVER A PORTION OF THOSE TRACTS
CONVEYED TO KSM PROPERTIES, LLC., OUT OF
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.
PREPARED JUNE 24, 2015

SHEET 3 OF 3

H.A. KUEHLEM SURVEY COMPANY

14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

JOB NO 028-15

H.A. KUEHLEM SURVEY COMPANY
Boundary * Subdivisions * Oil Wells * Construction
GPS Services

Parcel No.: 19447

FIELD NOTES
PERMANENT DRAINAGE EASEMENT

Field notes of a 0.127 of an acre (5,518 square feet) tract of land situated in the City of San Antonio, Bexar County, Texas and being out of New City Block 17639, and being over part of that 118.970 acre tract, Tract I, conveyed to Jay Khadem and described in deed recorded in Volume 5990, Page 309, Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin set in the south line of said 118.970 acre tract, being the north line of a 42.105 acre tract described in deed recorded in Volume 16556, Page 924, being the southwest corner of this easement, said point being S 73° 40' 49" W. 74.50 feet from a 1/2" iron pin found at the northwest corner of Lot 40, Block 13, N.C.B. 17642, Westover Valley Subdivision, Unit 2A, according to plat recorded in Volume 9566, Page 218, Plat Records of Bexar County, Texas, said point also being an interior corner of said 118.970 acre tract.

Thence N 00° 15' 00" W. 110.82 feet to a 1/2" iron pin set at the northwest corner of this easement.

Thence N 74° 39' 46" E. 51.79 feet to a 1/2" iron pin set at the northeast corner of this easement.

Thence S 00° 15' 00" E. 109.90 feet to a 1/2" iron pin set in the south line of said 118.970 acre tract, being the north line of said 42.105 acre tract, being the southeast corner of this easement.

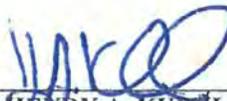
Thence S 73° 40' 49" W. 52.03 feet along the south line of said 118.970 acre tract, being the north line of said 42.105 acre tract, to the place of Beginning and covering 0.127 of an acre (5,518 square feet) of land according to a survey made on the ground.

All 1/2" iron pins set with orange plastic cap "RPLS 4020".

Job No. 028-15

RE: Plat – Bearing Source: Texas State Plane NAD 83
South Central Zone

Surveyed June 29, 2015

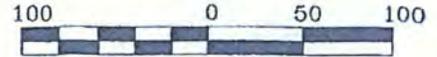


HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020

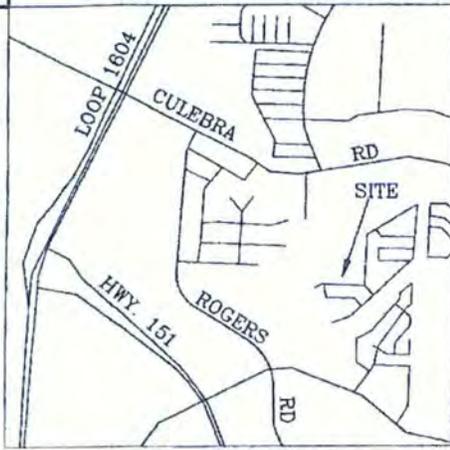


EXHIBIT "D"

PARCEL NO: 19447

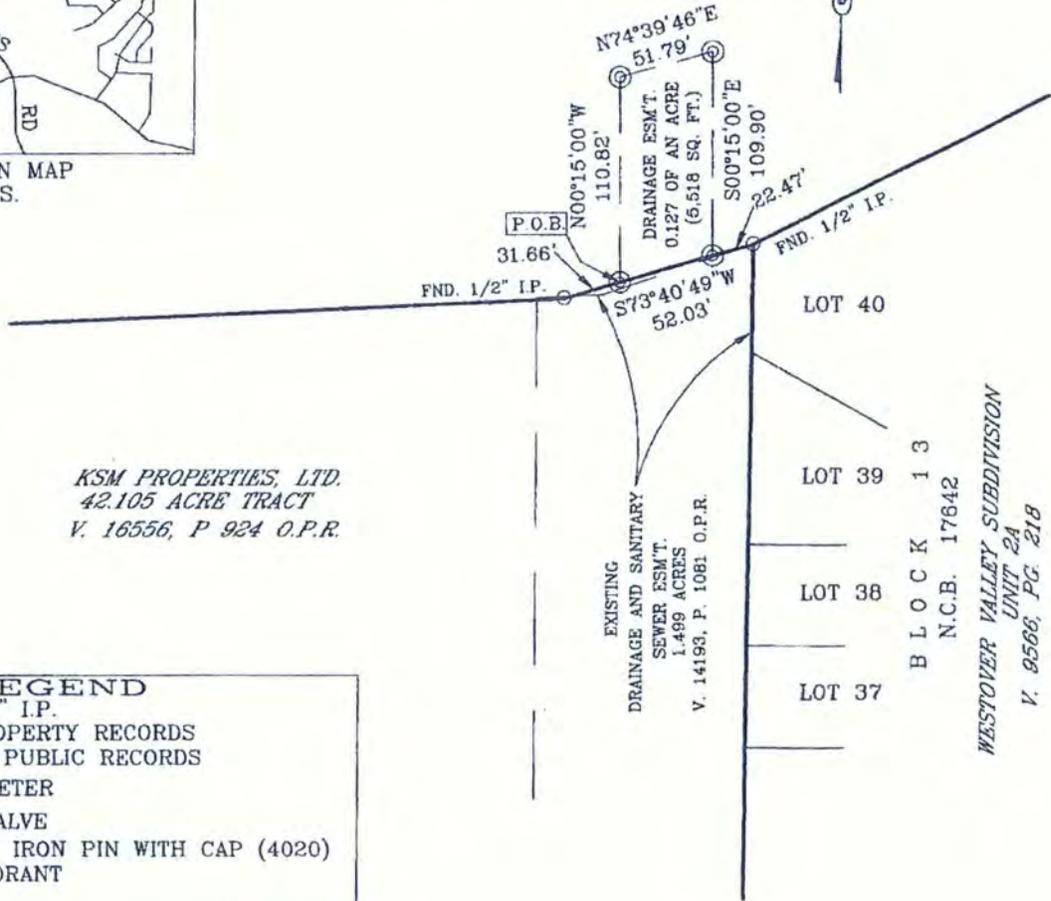


SCALE: 1" = 100'



LOCATION MAP
N.T.S.

JAY KHADEM
118.970 ACRES, TRACT I
V. 5990, P. 309 R.P.R.



KSM PROPERTIES, LTD.
42.105 ACRE TRACT
V. 16556, P 924 O.P.R.

LOT 40
LOT 39
LOT 38
LOT 37
BLOCK 13
N.C.B. 17642
WESTOVER VALLEY SUBDIVISION
UNIT 2A
V. 8566, PG. 218

- LEGEND**
- FND. 1/2" I.P.
 - R.P.R. REAL PROPERTY RECORDS
 - O.P.R. OFFICIAL PUBLIC RECORDS
 - WATER METER
 - ⊗ WATER VALVE
 - ⊙ SET 1/2" IRON PIN WITH CAP (4020)
 - ⊕ FIRE HYDRANT

EXHIBIT OF
A 0.127 OF AN ACRE
(5,518 SQ. FT.)
PERMANENT DRAINAGE EASEMENT
OUT OF A 118.970 ACRE TRACT CONVEYED TO
JAY KHADEM, BY DEED RECORDED
IN VOLUME 5990, PAGE 309, R.P.R.,
NEW CITY BLOCK 17639,
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS.
SURVEYED: JUNE 29, 2015

- NOTES**
1. FIELD NOTE DESCRIPTION PROVIDED
 2. BEARING SOURCE TEXAS STATE PLANE
NAD 83 SOUTH CENTRAL ZONE
 3. SET 1/2" IRON PINS HAVE ORANGE
PLASTIC CAP STAMPED "RPLS 4020"

H.A. KUEHLEM SURVEY COMPANY
14350 NORTHBROOK DRIVE SUITE 130
SAN ANTONIO, TEXAS 78232
PHONE: (210) 490-7847
FAX (210) 490-7857



[Signature]
HENRY A. KUEHLEM
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4020
JOB NO. 028-15