



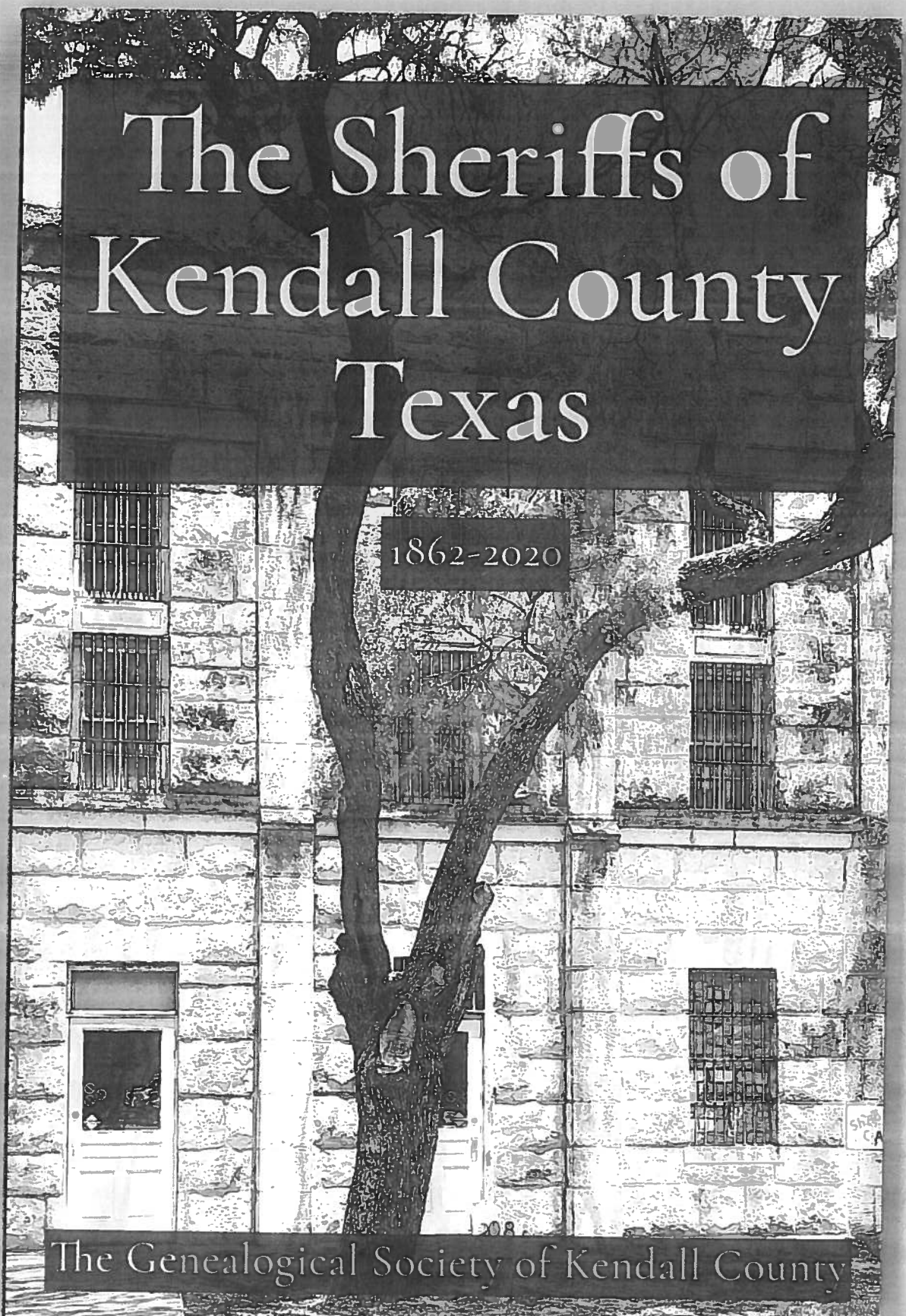
## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Commissioners Court Meeting Minutes
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Clerk's Office Sally Peters, Deputy Clerk/Administrative Assistant
<b>PHONE # OR EXTENSION #</b>	830-249-9343
<b>TIME NEEDED FOR PRESENTATION</b>	1 minute
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on approval of the Minutes for November 22, 2021.
<b>REASON FOR AGENDA ITEM</b>	To approve the Minutes from the previous Commissioners Court meetings.
<b>WHO WILL THIS AFFECT?</b>	The public
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Genealogical Society of Kendall County
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Dick Tomlinson, GSKC President
<b>PHONE # OR EXTENSION #</b>	830-249-9343, ext 213
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Recognition of the Genealogical Society of Kendall County being honored for its book, <u>The Sheriffs of Kendall County Texas, 1862-2020.</u>
<b>REASON FOR AGENDA ITEM</b>	The Genealogical Society of Kendall County was named first-place winner in the category of "Books Published by Partner Societies" by The Texas State Genealogical Society.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None

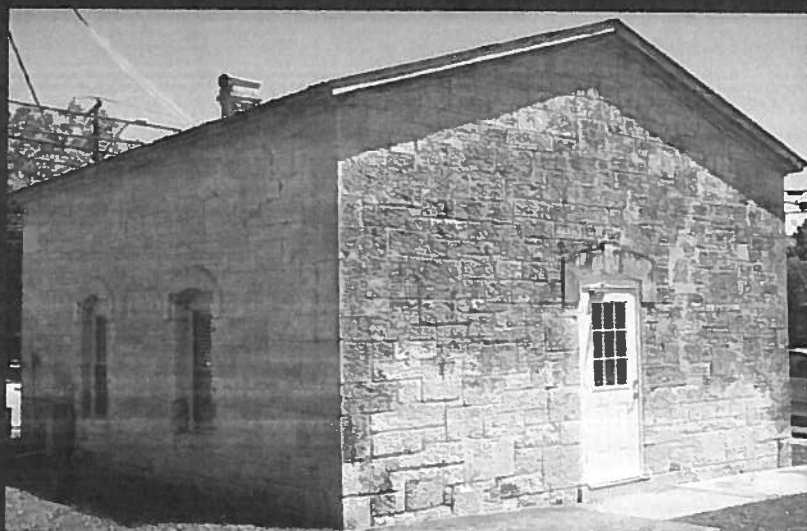


# The Sheriffs of Kendall County Texas

1862-2020

The Genealogical Society of Kendall County

Twenty-two men and one woman have served as Sheriff of Kendall County from 1862 to the present. Using primary source documents, family records, personal interviews and newspapers, we get a glimpse of what these sheriffs did during their lives and time in office. Some men had previous law enforcement experience as Texas Rangers, Texas Highway Patrol officers, Dallas, Houston, and Fair Oaks police officers, and some learned on the job. Some came from families who had been in the United States since colonial times and others who were foreign-born, or first-generation born Texans. One was a sailor from Maine who came to Texas with his wife and young children in the late 1850s. Their time in office ranged from three months to twenty-five years. Some were brothers-in-law, grandfathers, sons, or cousins. One died in the line of duty, and his wife was appointed sheriff. These lives have enriched the history of our county.



The Genealogical Society of Kendall County was organized in 1981 to promote the study of family research, to collect and preserve biographical and historical records of the people of the community and their ancestors, to build and maintain a genealogical library, to offer programs of genealogical and historical interest to its members and to the general public, and to conduct education programs related to genealogical research.





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Historic Jail Museum
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Dean Sprowl, President, Friends of the Kendall County Historic Jail
<b>PHONE # OR EXTENSION #</b>	830-249-9343
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Year-end review of activities at the Kendall County Historic Jail Museum and plans for the upcoming year.
<b>REASON FOR AGENDA ITEM</b>	Historic Jail Museum activities
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Accounts Payable Claims
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Auditor's Office Corinna Speer, County Auditor
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 240
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the approval of accounts payable claims for purchases, services and vendors.
<b>REASON FOR AGENDA ITEM</b>	To pay current accounts payable claims.
<b>IS THERE DOCUMENTATION</b>	Yes Financial Transparency Link / County Auditor Web Page
<b>WHO WILL THIS AFFECT?</b>	Departments that have AP claims
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Award Surface Pavement Bid # 2022-05
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Auditor's Office Corinna Speer, County Auditor
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 240
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action to award the Pavement Surface Bid # 2022-05 for Fiscal Year 2022.
<b>REASON FOR AGENDA ITEM</b>	To award bid
<b>WHO WILL THIS AFFECT?</b>	Road and Bridge
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Award Various Concrete Work Bid # 2022-03
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Auditor's Office Corinna Speer, County Auditor
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 240
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action to award the Various Concrete Work Bid # 2022-03 for Fiscal Year 2022.
<b>REASON FOR AGENDA ITEM</b>	To award bid
<b>WHO WILL THIS AFFECT?</b>	Road and Bridge
<b>ADDITIONAL INFORMATION</b>	None





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Accept Donations
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Auditor's Office Corinna Speer, County Auditor
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 240
<b>TIME NEEDED FOR PRESENTATION</b>	2 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on accepting the list of donations on behalf of Kendall County as per Local Government Code 81.032.
<b>REASON FOR AGENDA ITEM</b>	Accept donations received in November 2021.
<b>WHO WILL THIS AFFECT?</b>	County Wide
<b>ADDITIONAL INFORMATION</b>	None

Kendall County, Texas  
Donation List for Commissioners Court December 13, 2021

*Pursuant to LGC 81.032, the commissioners court may accept a gift, grant, donation, bequest, or devise of money or other property on behalf of the county, including a donation under Chapter 26, Government Code, for the purpose of performing a function conferred by law on the county or a county officer.*

The following donations were received from November 1, 2021 to November 30, 2021.

**Monetary Donations:**

<u>Date</u>	<u>Amount</u>	<u>Received From</u>	<u>Description of Donation</u>	<u>Specific Department or Purpose</u>
11/06/21	\$ 20.00	Faith & Funky Junk Adoption Event	Cash	Animal Control
11/22/21	\$ 50.00	Jerry Coward	In Memory of Ronald D. Coward	EMS

**Other Donations:**

<u>Date</u>	<u>Received From</u>	<u>Description of Donation</u>	<u>Specific Department or Purpose</u>
11/05/21	Shanna Ciano	Art Kits, Nail Kits, Magic Kits	Sheriff's Office - Blue Santa
11/05/21	Sharon Bell	Doll House, Model Horses Roping Set	Sheriff's Office - Blue Santa
11/08/21	Shellie McCoy	Barbie Doll, Lego Set, Bulls-Eye Ball	Sheriff's Office - Blue Santa
11/09/21	Frank & Fran Graves	Soccer Ball, Toy Robot	Sheriff's Office - Blue Santa
11/10/21	James Westermeier	Basketballs, Soccer Balls	Sheriff's Office - Blue Santa
11/15/21	Mary Himlin	Board Books, Sticker Books, Card Game, Coloring Books	Sheriff's Office - Blue Santa
11/15/21	John Roache	Doll, Game, Car	Sheriff's Office - Blue Santa
11/16/21	Dale & Sheila Monday	Dolls, Trucks, Elephant, LOL Doll Playset	Sheriff's Office - Blue Santa
11/16/21	Karen Walters	Soccer Ball, Foot Ball, Nerf Guns, Light Sabor, boat	Sheriff's Office - Blue Santa
11/17/21	Anita Hitt	Toys - Cars	Sheriff's Office - Blue Santa
11/17/21	James Lawrence	Christmas Tree	Sheriff's Office - Blue Santa
11/18/21	Sandra Alvarez	WalMart Gift Cards (3)	Sheriff's Office - Blue Santa
11/22/21	Kathryn Giardinelli	Coloring Book, Cat, Unicorn, Stuffed Animal, Drum Set	Sheriff's Office - Blue Santa
11/22/21	Doris Patriarca	Board Games, Stuffed Animals, Legos, Playdough	Sheriff's Office - Blue Santa
11/22/21	Gene Serene	Minnie Mouse, Matchbox	Sheriff's Office - Blue Santa
11/24/21	Matthew & Nathaniel Murray	Truck, Board Games, Puzzle, Bubbles	Sheriff's Office - Blue Santa



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Burn Ban
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Jeffery Fincke, Fire Marshal
<b>PHONE # OR EXTENSION #</b>	830-249-9343
<b>TIME NEEDED FOR PRESENTATION</b>	3 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the burn ban (Authority Section 352.081, Local Government Code)
<b>REASON FOR AGENDA ITEM</b>	To determine whether or not there is a need for a ban on burning
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	BURN BAN was lifted by Commissioners Court March 8, 2021.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	New Year's Fireworks Sales
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Jeffrey Fincke, Fire Marshal
<b>PHONE # OR EXTENSION #</b>	830-249-9343
<b>TIME NEEDED FOR PRESENTATION</b>	3 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on an order prohibiting or restricting certain fireworks in the unincorporated areas of Kendall County, Texas.
<b>REASON FOR AGENDA ITEM</b>	To determine whether to prohibit the sales of certain fireworks.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## DECEMBER FIREWORKS PERIOD

(DECEMBER 20-MIDNIGHT, JANUARY 1)

**DEADLINE TO ADOPT ORDER: DECEMBER 14, 2021**

Local Government Code, §352.051 authorizes the commissioners court to adopt an order regulating certain fireworks in the unincorporated areas of the county under drought conditions. **The statute provides that the order must be adopted before December 15 of each year for the December fireworks period.**

If your county is designated a drought area, and your court wishes to adopt such an order, action must be taken before the deadline. To determine whether your county is designated a drought area, please visit the Texas Interagency Coordination Center website at [tamu.edu/ticc/](http://tamu.edu/ticc/) or call the Texas Forest Service at (979) 458-7331. The Texas Forest Service has developed drought [weblinks](#) to assist your county in monitoring drought conditions more closely.

If the court decides to adopt an order, the order may prohibit or restrict the sale or use of "restricted fireworks", which are defined as "skyrockets with sticks" as classified in 49 Code of Federal Regulations, § 173.100(r)(2) in effect on October 1, 1986 and as missiles with fins. A violation of the order is a Class C misdemeanor. Also, a citizen can file suit for an injunction to prevent a violation or threatened violation of the order. An order issued by your court based on a Texas Forest Service determination will expire when the Texas Forest Service finds that your county is no longer in a drought condition.

In addition, during the December fireworks season, the commissioners court may make a determination under Local Government Code §352.051(c) that conditions on rural acreage not under cultivation for at least 12 months are extremely hazardous for the danger of fire because of high grass or dry vegetation and adopt an order to prohibit or restrict the sale or use of restricted fireworks in specified areas of the county. An order issued by the commissioners court based on its determination of extreme hazard for the danger of fire will expire on the date established in the order.

Under Local Government Code § 352.051(f), the county may also designate one or more "safe" areas where the use of restricted fireworks is not prohibited. In determining if an area may be considered "safe" the court should take into account whether adequate public safety and fire protection services are provided to the area.

A sample order is provided on the following page. If your court decides to designate "safe" areas, the order will need to be modified to include appropriate language. A copy of Local Government Code §352.051, the portions of the Occupation Code that define and explain permitted and prohibited fireworks, and copies of the Federal regulations referenced in the state law are available online at [county.org/fireworks](http://county.org/fireworks). If you have any questions, please contact the Legal Department toll-free at (888) 275-8224.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	COVID-19 Coronavirus Update
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Jeffery Fincke, EMC
<b>PHONE # OR EXTENSION #</b>	830-249-9343
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Update on Coronavirus COVID-19 for Kendall County.
<b>REASON FOR AGENDA ITEM</b>	To give any new information to the public concerning the Coronavirus COVID-19.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

**COMMISSIONER COURT DATE: 12/13/2021**  
**OPEN SESSION**

<b>SUBJECT</b>	Radio Committee
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Jeffery Fincke, EMC
<b>PHONE # OR EXTENSION #</b>	830 249-3721
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Discussion and action on forming a radio committee for new handheld radios to replace current out of life Harris XG-75s.
<b>REASON FOR AGENDA ITEM</b>	Current Harris XG-75s are at the end of life cycle and parts and labor on these will soon not be available for service.
<b>WHO WILL THIS AFFECT?</b>	Law Enforcement, EMS, Fire Departments and Emergency Management.
<b>ADDITIONAL INFORMATION</b>	Would recommend Brian Webb, EMS; Joe Paolilli, Fire; Al Auxier, Law Enforcement.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Request for Relief - Lily Ranch
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Development Engineer - Mary Ellen Schulle
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 252
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on a request for relief for various items of the Kendall County Development Rules and Regulations for approximately 80 acres of the Lily Ranch Subdivision.
<b>REASON FOR AGENDA ITEM</b>	Request for Relief - Lily Ranch
<b>WHO WILL THIS AFFECT?</b>	Pct # 2
<b>ADDITIONAL INFORMATION</b>	The request for relief is for approximately 80 acres of the Lily Ranch Subdivision, previously known as the Adams Tract.



## **REQUEST FOR RELIEF (Variance)**

### From the Kendall County (KC) Development Rules and Regulations (Section 106)

1. Date November 04, 2021
2. Location of Property: 22 Old Fredericksburg Road, Kendall County, Texas 78015
3. Name of Development (If Applicable): Lily Ranch Subdivision
4. Property Owner/Developer Name: \_\_\_\_\_  
Developer: Ashton San Antonio Residential, LLC, 17319 San Pedro, Ste. 140 San Antonio, Texas 78232;  
Owner: JEN Texas 27 LLC, 8023 Vantage Drive, Suite 220 San Antonio, TX 78230

5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations):

The Developer requests relief from certain portions of the Kendall County Development Rules and Regulations requiring minimum lot size, density, road frontage, building setbacks and dead end streets. Relief is requested as follows:

SECTION	SUB SECTION	CURRENT STANDARDS	RELIEF REQUESTS
300	1100.5 1100.6 1100.9	Minimum Road Frontage - 100 feet Minimum Front Setback - 50 feet Minimum Rear Setback - 50 feet Minimum Side Setback - 10 feet  Minimum Road Frontage on Cul-de-sac - 50' Chord length	Minimum Road Frontage - 50' (with the exception of lots in curves, knuckles or cul-de-sacs to have a chord length of 30' min.) Minimum Front Setback - 25 feet Minimum Rear Setback - 20 feet Minimum Side Setback - 5 feet  Minimum Road Frontage on Cul-de-sac - 30' Chord length
400	1400	No lot shall front on a dead-end expansion street.	Lots front on dead end streets to be expanded in future phases of the project.
400	1600	Minimum Cul-de-Sac Length - 250 feet	Minimum Cul-de-Sac Length - 100 feet

6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)

- a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

The Developer has a substantial property right to develop the property in accordance with Chapter 232 of the Local Government Code. The proposed subdivision design is critical to the success of the project and the County requirements would restrict the layout of the site needed for the project to be feasible.

- Kendall County lacks statutory authority to regulate density, lot size, rear setbacks and side setbacks.
- Kendall County has only the authority to establish setback lines equal to or less than "...25 feet from the edge of the right-of-way on all public roads other than major highways..." (TX Loc. Gov. Code 233.032). No public roads exist or are proposed within Lily Ranch.
- Kendall County's statutory authority to regulate road frontage is limited to "existing county roads" (TX Loc. Gov. Code 232.103). There are no existing county roads within Lily Ranch.

- b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

The Developer has a substantial property right to develop the property in accordance with Chapter 232 of the Local Government Code. The proposed subdivision design is critical to the success of the project and the County requirements would restrict the layout of the site needed for the project to be feasible.

- Kendall County lacks statutory authority to regulate density, lot size, rear setbacks and side setbacks.
- Kendall County has only the authority to establish setback lines equal to or less than "...25 feet from the edge of the right-of-way on all public roads other than major highways..." (TX Loc. Gov. Code 233.032). No public roads exist or are proposed within Lily Ranch.
- Kendall County's statutory authority to regulate road frontage is limited to "existing county roads" (TX Loc. Gov. Code 232.103). There are no existing county roads within Lily Ranch.

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

The Developer will follow all Kendall County Rules and Regulations - except the relief requested above - Texas Local Government Code, TCEQ, City of San Antonio's Water Quality Control and Pollution and Prevention Ordinance, Chapter 34, Article VI, Texas Manual on Uniform Traffic Control Devices and any other code requirement authorized by law not in conflict with the Texas Local Government Code – all of which prioritize the public's health, safety and welfare. The lot density, lot size, road frontage and building setbacks proposed will not jeopardize traffic or pedestrian safety or cause stormwater or water quality run-off impacts that are unmitigated by detention or water quality ponds or similar elements. The Developer will collaborate with County staff so that the proposed development will be neither detrimental to the public's health, safety and welfare, nor deleterious to the Developer's substantial property rights.

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

It will not. The Developer seeks only to enjoy the substantial property rights afforded to it under Texas law.



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Signature

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Blake Harrington  
Printed Name



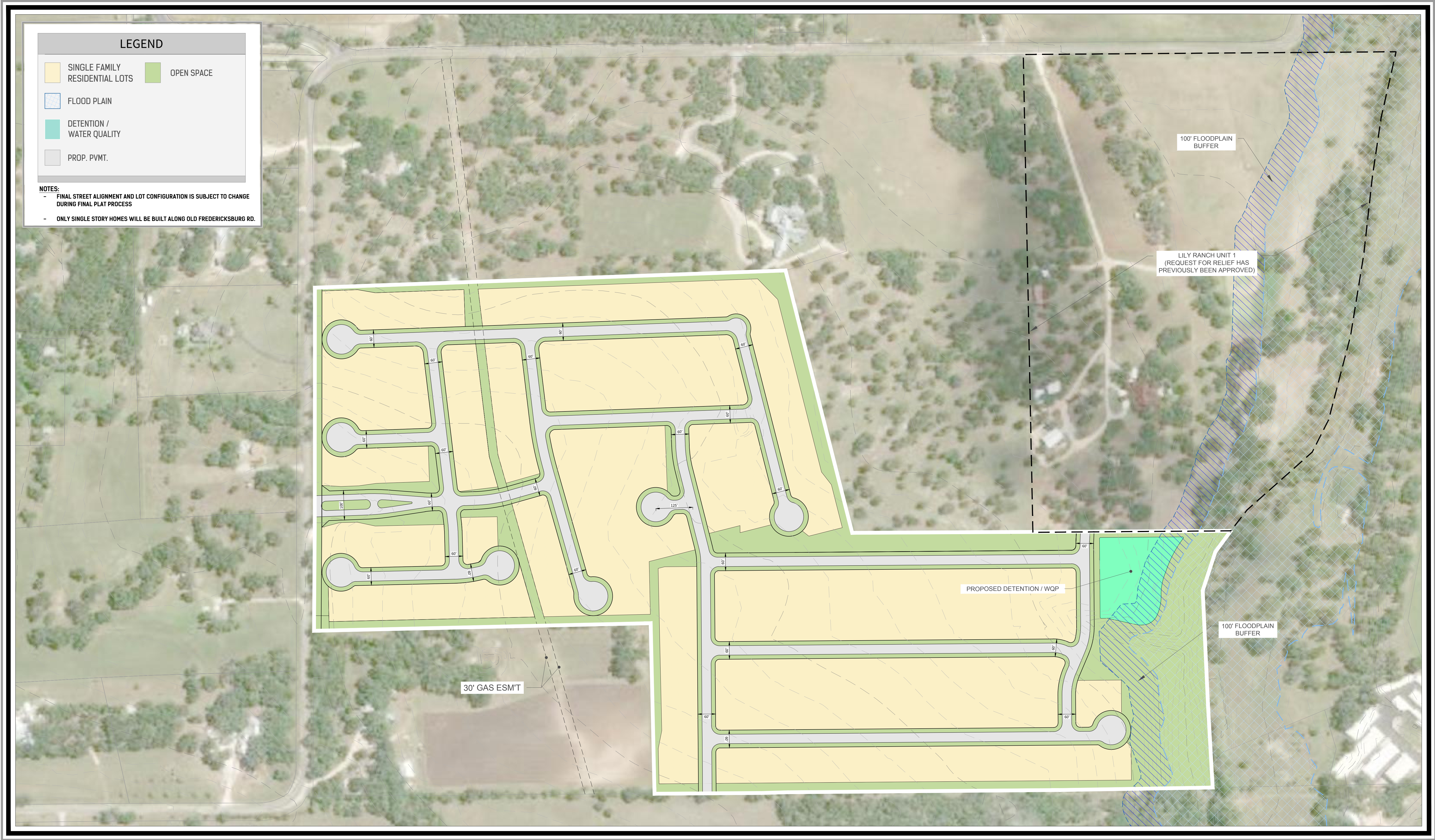
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Phone Number

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November 04, 2021  
Date

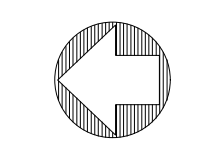




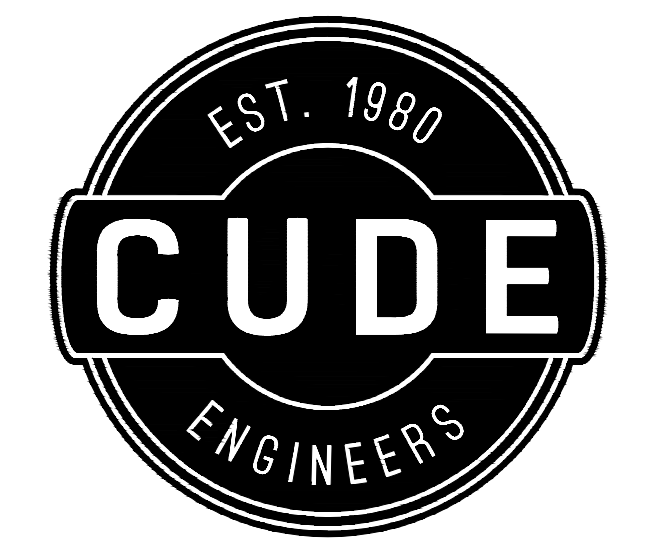
DEVELOPER:  
ASHTON WOODS  
17319 San Pedro, Suite 140  
San Antonio, Texas 78231  
P:(210) 549.2565

## LILY RANCH / REQUEST FOR RELIEF EXHIBIT

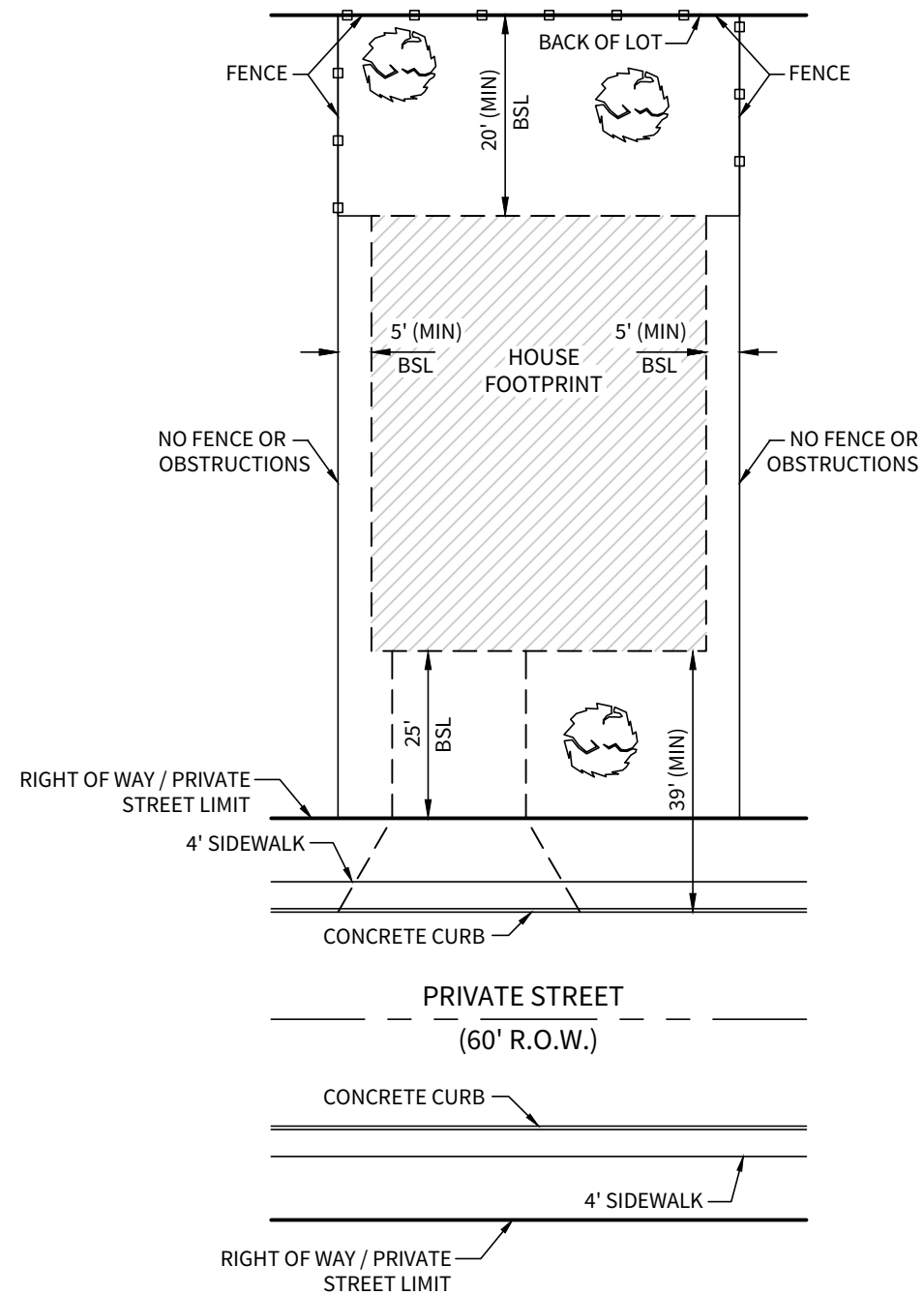
San Antonio ETJ, Kendall County, Texas NOVEMBER 2021



CUDE ENGINEERS  
4122 Pond Hill Road, Suite 101  
San Antonio, Texas 78231  
P:(210) 681.2951 F: (210) 523.7112







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**DEVELOPER:**  
**ASHTON WOODS**  
 17319 San Pedro, Suite 140  
 San Antonio, Texas 78231  
 P:(210) 549.2565

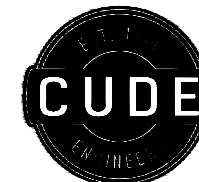
## LOT SETBACK EXHBIT

Kendall County, TX

November 2021

N.T.S.

**CUDE ENGINEERS**  
 4122 Pond Hill Road, Suite 101  
 San Antonio, Texas 78231  
 P:(210) 681.2951 F: (210) 523.7112





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	46 FM 1621 Request For Relief
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Development Engineer - Mary Ellen Schulle
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 252
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on a request for relief from minimum road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for 46 FM 1621. The proposed division would create up to 7 tracts out of a parent tract of approximately 156 acres. Each tract would be a minimum of 10 acres. Access to the tracts would be over a proposed 40' wide easement for roadway purposes.
<b>REASON FOR AGENDA ITEM</b>	46 FM 1621 Request for Relief
<b>WHO WILL THIS AFFECT?</b>	Pct # 4
<b>ADDITIONAL INFORMATION</b>	Property is subject to restrictions.

## REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations  
(Section 106)

1. Date 11-29-2021
2. Location of Property: 46 FM 1621, Comfort Texas 78013
3. Name of Subdivision (If Applicable):
4. Property Owner/Developer Name: Guadalupe Bend, LLC.
5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:  
Minimum Road Frontage (Section 102.1000.3)
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
  - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.  
  
**This property has provided access for five households for many years. Our plan is to subdivide for five households. This property has also provided access for a major farming operation for many years. With the elimination of the major farming operation, our plan will reduce the overall traffic.**  

---
  - b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?  
  
**Relief is necessary for the reconfiguring of the overall tract. Please see attached Conditions For Granting Request For Relief For 46 FM 1621 Comfort Texas (~156 acres).**  

---
  - c. Will the granting of relief not be detrimental to the public health, safety, and welfare? Explain:  
  
**Granting relief will not be detrimental to the public health, safety, or welfare of the surrounding tracts or the nearby communities. Our plan provides for the same overall density and traffic that has existed for over 15 years.**  

---
  - d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain:  
  
**Granting relief does not deter or place any undue restrictions or encumbrances on any adjoining property.**  

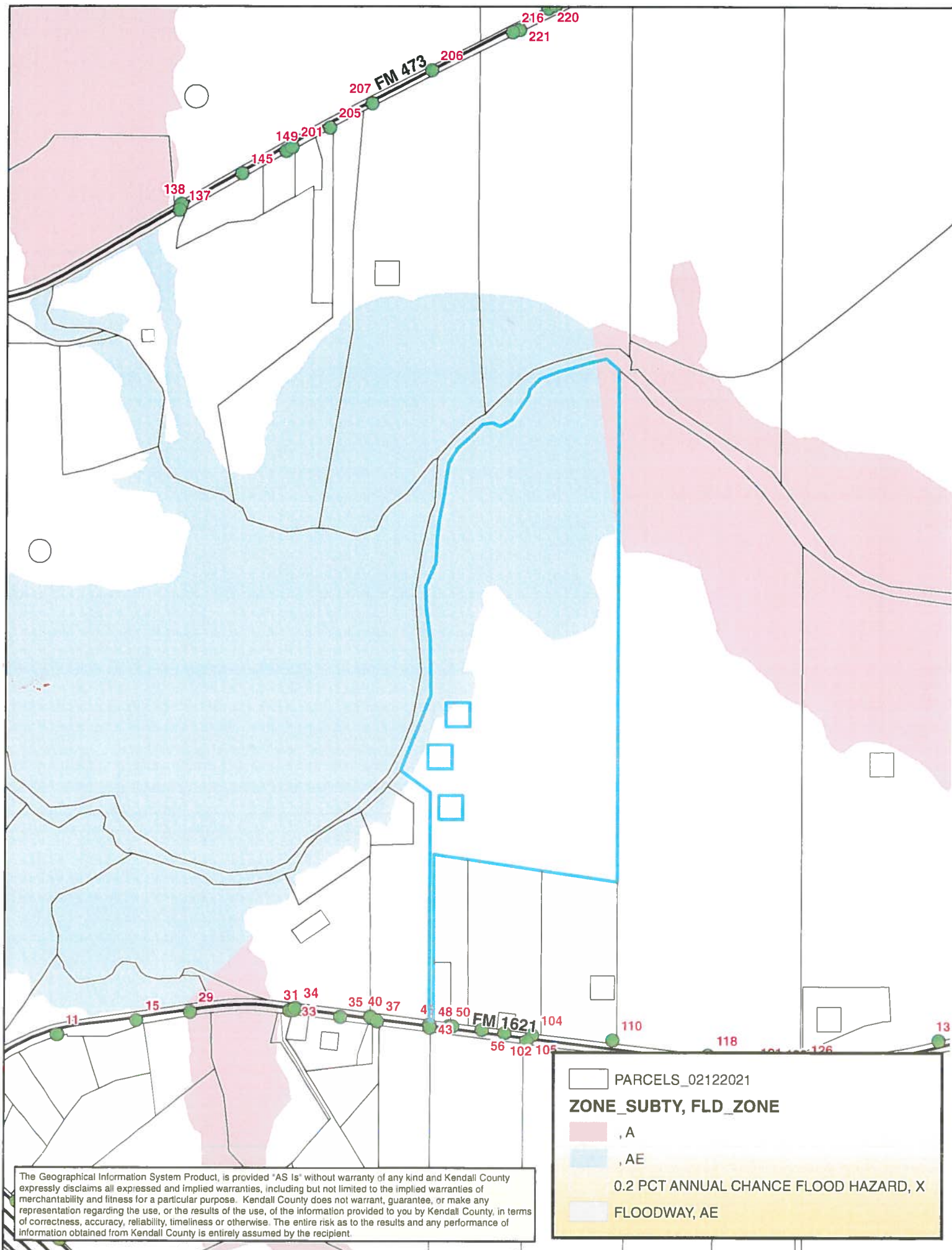
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\_\_\_\_\_  
Property Owner Signature

BLAKE W. STEGEMAN  
\_\_\_\_\_  
Print Owner Name

Phone Number ~~XXXXXXXXXXXX~~

Date 11/29/2021





**LOT 5**  
**45 ACRES +/-**  
**(TOTAL)**

**LOT 4**  
**37 ACRES +/-**  
**(TOTAL)**

**LOT 3**  
**24 ACRES +/-**  
**(TOTAL)**

$$BFE = 1391'$$

5 ACRES +/-  
(DRY)

6 ACRES +/-  
(DRY)

12 ACRES +/-  
(DRY)

**LOT 2**  
**24 ACRES +/-**

**LOT 1**  
**25 ACRES +/-**

PRELIMINARY  
NOT TO BE RECORDED

**PRELIMINARY PLAT  
OF  
GUADALUPE BEND RANCHES  
BEING A COMBINED  
155.923 ACRES  
OUT OF THE  
J.P. SMITH SURVEY NO. 21  
ABSTRACT NO. 470  
J. HOLIDAY SURVEY NO. 23  
ABSTRACT NO. 224  
KENDALL COUNTY, TEXAS  
JULY 2021**

**MDS** | **LAND SURVEYING  
COMPANY, INC.**  
ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION NO. 10019600  
874 HARPER ROAD, SUITE 104 • KERRVILLE, TX 78028 • 830-816-1818  
JOB NO. 21-263-01 SURVEYORS: JR/K SHEET 1 OF 1

F.M. 1621-  
(120' RIGHT-OF-WAY)



**AGREED UPON CONDITIONS FOR APPROVAL OF REQUEST FOR RELIEF  
(VARIANCE) for 46 FM 1621 Comfort Texas (~156 acres)**

**Recitals**

1. Guadalupe Bend LLC ("Owner") owns all that certain real property located in Kendall County, Texas, being several tracts of land containing approximately 156 acres, more or less, being described as follows (the "Property"):

155.923 acre tract of land out of the J.P. Smith Survey No. 21, Abstract No. 470 and the J. Holiday Survey No. 23, Abstract No. 224, Kendall County, Texas and being the remainder of a called 160 acre tract and all of a called 1 acre tract conveyed to Brenda Joy Klier, Vivian Cherrylene Woods and Albert Leslie Sprowls by Executor's Distribution Deed recorded in Volume 1771, Page 735, Official Records of Kendall County, Texas, said 155.923 acre tract being more particularly described by metes and bounds as follows with all bearings based on the Texas State Plane Coordinate System of 1983, South Central Zone (4204)

2. Owner has devised a general plan for the entire Property as a whole, to include restrictions ("DCCR") in order to protect and conserve wildlife, impose standards regarding the care, stewardship and husbandry of the land and to preserve the Property in as much of a natural state as is reasonably possible, which general plan will benefit the Property, the Tracts and each successive Owner of any portion of the Property.

3. Owner or its successors intend to subdivide the Property into no more than seven (7) tracts of land larger than 10 acres; however Owner is unable to provide for a sixty (60) foot wide fee simple road frontage as required under Section 1021000.3(3) of the Kendall County, Texas Development Rules and Regulations (the "Regulation"). Accordingly, Owner has requested relief from the Regulation and will agree to restrict the Property and subsequent tracts with the following restrictions that will be incorporated into permanent restrictive covenants that will burden the Property, in exchange for the approval of the relief requested.

**AGREEMENT**

In exchange for the relief requested in its Request for Relief, Owner will incorporate the following terms in its Declaration of Covenants Restrictions:

201 Restrictions on Subdividing: Without the consent and approval of the local governmental entities having jurisdiction over the subdivision of the Property, no Tract shall contain less than 15 acres and the Property shall not be divided into more than seven (7) Tracts. Notwithstanding the foregoing, under no circumstances shall any Tract be less than 10 acres (even with the approval and consent of the local governmental entity having jurisdiction over the same) without the consent of all of the Owners. Each Tract shall provide a building site of at least three (3) acres outside of the 100-year flood plain.

20 3 Noxious or Offensive Activity; Noise Pollution: No noxious, nuisance, illegal or offensive activity shall be carried on, conducted or allowed upon the Property nor shall any activity or condition be conducted or allowed to remain which may become an annoyance or nuisance to the Owners of adjoining land. No exterior speakers, horns, whistles, bells or other sound devices shall be located or used on any part of the Tract such that it would be clearly audible at the property line of adjoining Tracts.

20 4 No Commercial Activities or Business; Signage; No Towers: No business or other commercial activity shall be operated or allowed to exist on any portion of the Property except: (i) commercial ranching operations and raising and grazing of livestock (except for domestic sheep and goats the raising and grazing of which is prohibited) and (ii) the operation of a home business that does not involve the sale of merchandise, is not open for business to the general public, does not require customers to visit the business and there are no signs advertising the activity conducted in such home office. Any person occupying the Property, including short-term renters, shall comply with the terms and provisions of this Declaration. There shall be no signage allowed on any part of the Property advertising goods or services or any other business or commercial activity. No pole or tower of any kind, including without limitation, radio, microwave, cellular, telephone and television towers, shall be erected, maintained or permitted on any portion of the Property, excluding windmills or flag poles no taller than thirty (30) feet. Signs advertising a Tract for sale, the name of the ranch or Owner and/or directional signs may be allowed on a Tract. There shall be no wind turbines or solar farms allowed on any portion of the Property.

20 6 Mobile Homes; Motorized Homes:

- a) Mobile Homes. As used herein the term "Mobile Homes" shall mean a nonmotorized vehicle or trailer that is designed for human habitation and must be towed or trailered by a motor vehicle, including, but not limited to, nonmotorized manufactured housing, mobile homes, house trailers, campers and "fifth wheels". No Mobile Homes shall be used on any portion of the Property or a Tract any time as a residence, either temporarily or permanently, except as expressly permitted herein. Mobile Homes are allowed to be "stored" on any Tract, provided they are screened from view from any public road and surrounding property. Notwithstanding anything contained herein to the contrary, a Mobile Home may be temporarily used for residential purposes on a Tract: (i) for a period not to exceed one (1) year if and only if such Mobile Home is used in connection with the construction of an improvement [the primary residence] on a Tract and (ii) not to exceed thirty (30) days provided such Mobile Home is used by a guest or visitor of the Owner of the Tract and is concealed from view of all surrounding property.
- b) Motorized Homes. As used herein the term "Motorized Home" shall mean a vehicle designed for temporary human habitation that is self-propelled, including, but not limited to, recreational vehicles or motor homes. Motorized Homes may be used for residential purposes not to exceed thirty (30) days as long as such Motorized Homes are not visible from a public road and surrounding property.

2.17 Commercial Surface or Water Mining: No portion of the Property shall be used to commercially mine, quarry, dig or otherwise remove rocks, stones, sand, gravel, aggregate or dirt. The withdrawal of water from any portion of the Property for commercial purposes is prohibited and the transfer of water off each Tract is prohibited. None of the foregoing shall prevent the use of water to fill any tanks or ponds or used in connection with any residential or irrigation purposes. Further, the foregoing shall not prevent the insubstantial use of sand, gravel, rocks or stones for building roads or other improvements on each Tract.

### CERTIFICATION

I, Blake Steward, certify as the manager of Guadalupe Bend LLC that Guadalupe Bend LLC is the owner of the Property and that I have the authority to impose the foregoing conditions and restriction on the Property. I further certify that, upon the granting of this request for relief, the foregoing permanent restrictions will be made a part of the development plan and the "DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF 46 FM 1621 Comfort Texas (~156 acres)" and thereby imposed on any subsequent owners of the Property.

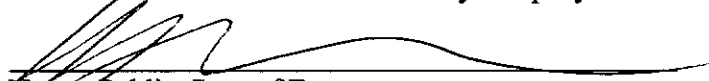
GUADALUPE BEND, LLC,  
a Texas limited liability company

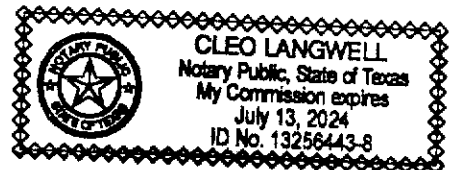
By:   
Blake Steward, Manager

### ACKNOWLEDGEMENT

THE STATE OF TEXAS           §  
  §  
COUNTY OF Kendall       §

This instrument was acknowledged before me on the 3rd day of December, 2021, by Blake Steward, as Manager of Land Partners, LLC, authorizing member of GUADALUPE BEND, LLC, for and on behalf of said limited liability company.

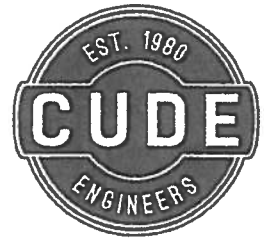
  
Notary Public, State of Texas





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Release of Financial Guarantee Cordillera Ranch Unit 302A
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Engineer - Richard Tobolka
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 250
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action to release of Letters of Credit for Cordillera Ranch, Final Plat Unit 302A in the amount of \$274,385.00 for construction of roads and drainage (CR/KWW Partnership, LTD).
<b>REASON FOR AGENDA ITEM</b>	Release of Financial Guarantee Cordillera Ranch Unit 302A
<b>WHO WILL THIS AFFECT?</b>	Pct # 3
<b>ADDITIONAL INFORMATION</b>	None



November 30, 2021

Rick Tobolka, P.E.  
Development Manager  
Kendall County, Texas  
201 E. San Antonio St., Suite 100  
Boerne, Texas 78006

Re: Cordillera Ranch, Unit 302A  
Concurrence Letter

Dear Mr. Tobolka:

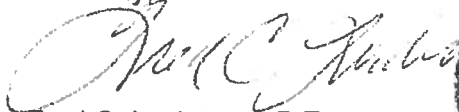
This letter is to confirm that all road and drainage improvements in Cordillera Ranch, Unit 302A have been completed in conformance to the Kendall County "Regulations, Rules, and Specifications for Plats, Roads, Subdivisions and Manufactured Home Parks" (effective January 1, 1997), and items granted relief from the regulations by the Kendall County Commissioner's Court on July 08, 2019.

A copy of the "Record Drawings" for both road and drainage improvements, and water improvements will be sent under separate cover for your use.

I request that the acceptance of construction of the road and drainage improvements and the release of the fiscal for roadway and drainage improvements be placed on the agenda for the next available Commissioner's Court meeting for consideration.

Thank you for your assistance.

Sincerely,

  
Fred C. Lockwood, P.E.



Copy: Charlie Hill  
Richard Chapman, Commissioner, P.E.



November 18, 2020

Irrevocable Letter of Credit No.: 1126

Amount: \$274,385.00

Issue Date: 11/18/2020

Expiration Date: 11/18/2021

**Beneficiary:**

Name: Kendall County Judge

Beneficiary Address: 201 E. San Antonio, Boerne, TX 78006

RE: CR/KWW Partnership, Ltd.  
Unit 302A, Cordillera Ranch, Kendall County, Texas  
Streets & Drainage Improvements

Southside Bank does hereby issue this Irrevocable Letter of Credit No. 1126 in Beneficiary's favor for account of CR/KWW Partnership, Ltd. (the "Developer"), up to the aggregate sum of Two Hundred Seventy Four Thousand Three Hundred Eighty-Five Dollars and Zero Cents (\$274,385.00) expiring 11/18/2021 at our counters available by payment against Beneficiary's draft at sight on Southside Bank (the "Bank") accompanied by:

Written certification signed by the County Judge, any County Commissioner or the County Treasurer that CR/KWW Partnership, Ltd., has failed to complete certain subdivision improvements consisting of the construction of streets and drainage structures (the "Improvements") for Unit 302A within two (2) years from the date of approval of the final plat by the Kendall County Commissioners Court or, alternatively, that the Improvements have not been completed and that CR/KWW Partnership, Ltd., has failed to timely extend this Letter of Credit."

**SPECIAL CONDITIONS:**

1. This Letter of Credit may not be canceled by the Developer prior to the expiration date without the written consent of the Beneficiary.
2. Any draft drawn under this letter of credit must be marked "Drawn under Irrevocable Letter of Credit No. 1126 issued by Southside Bank".
3. Unless otherwise expressly stated herein, this letter of credit shall be governed by the Uniform Commercial Code as enacted in the State of Texas on the date of issuance and shall also, to the extent not inconsistent with such code be governed by the International Standby Practices ISP98 of the International Chamber of Commerce.
4. Any funds drawn under this Letter of Credit shall be used to complete the Improvements in accordance with the plans and specifications and the applicable Kendall County, Texas Regulations, Rules and Specifications for Roads and Subdivisions (the "Subdivision Regulations").

PO Box 1079  
Tyler, Texas 75710  
903.531.7111  
Member FDIC

5. Upon completion of the Improvements in accordance with the plans and specifications and the Subdivision Regulations, Kendall County shall release this Letter of Credit and return it to Developer.
6. If this Letter of Credit is not extended or renewed by Southside Bank at least forty-five (45) days before the expiration date, then Beneficiary may give written notice at least fourteen (14) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that "this Letter of Credit is about to expire (in forty-five (45) days or less) and that construction of the Improvements has not been completed, and that Kendall County intends to draw upon this Letter of Credit unless a substitute Letter of Credit in an approved form, and in an amount equal to the Stated Amount stated hereinabove or such reduced amount approved by the County Commissioner's Court, is substituted prior to the expiration date of this Letter of Credit."
7. Prior to collecting on this Letter of Credit because of Developer's failure to timely complete the Improvements in accordance with the plans and specifications and County Subdivision Regulations, Kendall County will give written notice at least seven (7) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that the Improvements have not been completed in accordance with the plans and specifications and County Subdivision Regulations and that Kendall County intends to draw upon this Letter of Credit.

Southside Bank agrees that drafts drawn and presented in conformity with the terms of this credit will be duly honored on presentation to Southside Bank, 1201 S Beckham Ave, Tyler, TX 75701 on or before the expiration date indicated. Drafts must be drawn and presented to Southside Bank by 5:00 p.m. on 11/18/2021. Drafts will be honored within seven (7) banking days of presentment. We agree that drafts drawn and presented in accordance with this letter of credit shall be duly honored. Partial draws will be permitted and the letter of credit shall be reduced by the amount of such partial draws as well as by any reduction letters authorized by the County. The sum of such partial draws shall on no account exceed the Stated Amount of this credit, and upon any draw or reduction letter which exhausts this credit, the original of this credit shall be surrendered to us.

Address of Issuer:

1201 S Beckham Ave, Tyler, TX 75701



SOUTHSIDE BANK

Name: Leigh Anne Rozell  
Title: Senior Vice President

Address of Developer:  
CR/KWW Partnership, Ltd.  
28 Cordillera Trace, Suite 4  
Boerne, TX 78006



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Final Plat Cordillera Ranch Unit 304
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Engineer - Richard Tobolka
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 250
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the Final Plat for Cordillera Ranch, Unit 304, in accordance to Sections 202 and 203 of the 1997 Kendall County Development Guidelines and Regulations Rule Book. The proposed subdivision consists of 186.605 acres, 57 single-family residential lots, 1 non-residential lot, 8,688 linear feet of roadway with a density of 3.27 acres per lot. The proposed subdivision will be served by central water and a combination of central sewer and On-Site Sewage Facilities. (CR/KWW Partnership, LTD).
<b>REASON FOR AGENDA ITEM</b>	Final Plat Cordillera Ranch Unit 304
<b>WHO WILL THIS AFFECT?</b>	Pct # 3
<b>ADDITIONAL INFORMATION</b>	None



STATE OF TEXAS  
COUNTY OF KENDALL

KNOWN ALL MEN BY THESE PRESENTS:

THAT I, CHARLES P. HILL, PRESIDENT OF CR/KWW DEVELOPMENT CORP., A TEXAS CORPORATION, WHICH IS GENERAL PARTNER OF CR/KWW PARTNERSHIP, LTD., A TEXAS LIMITED PARTNERSHIP, OWNER OF 186.605 ACRES, BEING A PORTION OF AN 500.00 ACRE TRACT OF LAND RECORDED IN VOLUME 1055, PAGES 603-614 OF THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 186.605 ACRES OF LAND IN ACCORDANCE WITH THIS PLAT, TO BE KNOWN AS "CORDILLERA RANCH UNIT 304" SUBJECT TO THE COVENANTS AND RESTRICTIONS SHOWN HEREON, AND I DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR UTILITY PURPOSES, SUBJECT TO ANY EASEMENT AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. AN EXPRESS EASEMENT IS HEREBY GRANTED ACROSS LOT 3000, BLOCK 'Z', FOR THE USE OF THE SURFACE FOR ALL GOVERNMENTAL FUNCTIONS, VEHICULAR AND NON-VEHICULAR, INCLUDING FIRE AND POLICE PROTECTION, SOLID AND OTHER WASTE MATERIAL PICK UP AND ANY OTHER REASONABLE PURPOSE ANY GOVERNMENTAL AUTHORITY DEEMS NECESSARY.

OWNER:  
CR/KWW PARTNERSHIP, LTD.  
28 CORDILLERA TRACE, SUITE 4  
BOERNE, TX 78006

BY:  
CHARLES P. HILL  
PRESIDENT OF CR/KWW DEVELOPMENT CORP.  
GENERAL PARTNERSHIP OF CR/KWW PARTNERSHIP, LTD.

STATE OF TEXAS  
COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_  
KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC  
STATE OF TEXAS

THE FINAL PLAT OF CORDILLERA RANCH UNIT 304, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONER'S COURT OF KENDALL COUNTY, TEXAS AND IS HEREBY APPROVED BY SUCH COURT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

BY: \_\_\_\_\_  
COUNTY JUDGE

COMMISSIONER, PRECINCT #1 COMMISSIONER, PRECINCT #2

COMMISSIONER, PRECINCT #3 COMMISSIONER, PRECINCT #4

THE ENGINEERING CONSULTANT, COUNTY ENGINEER OR PROJECT ENGINEER OF KENDALL COUNTY, TEXAS HAS REVIEWED THIS SUBDIVISION PLAT FOR CONFORMANCE TO ALL REQUIREMENTS OF THE KENDALL COUNTY DEVELOPMENT RULES AND REGULATIONS.

ENGINEER

STATE OF TEXAS  
COUNTY OF KENDALL

I, DARLENE HERRIN, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021, AT \_\_\_\_\_ M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NO. \_\_\_\_\_.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT NO. \_\_\_\_\_, KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2021.

COUNTY CLERK  
KENDALL COUNTY, TEXAS

BY: \_\_\_\_\_, DEPUTY

## CORDILLERA RANCH UNIT 304

### FINAL PLAT

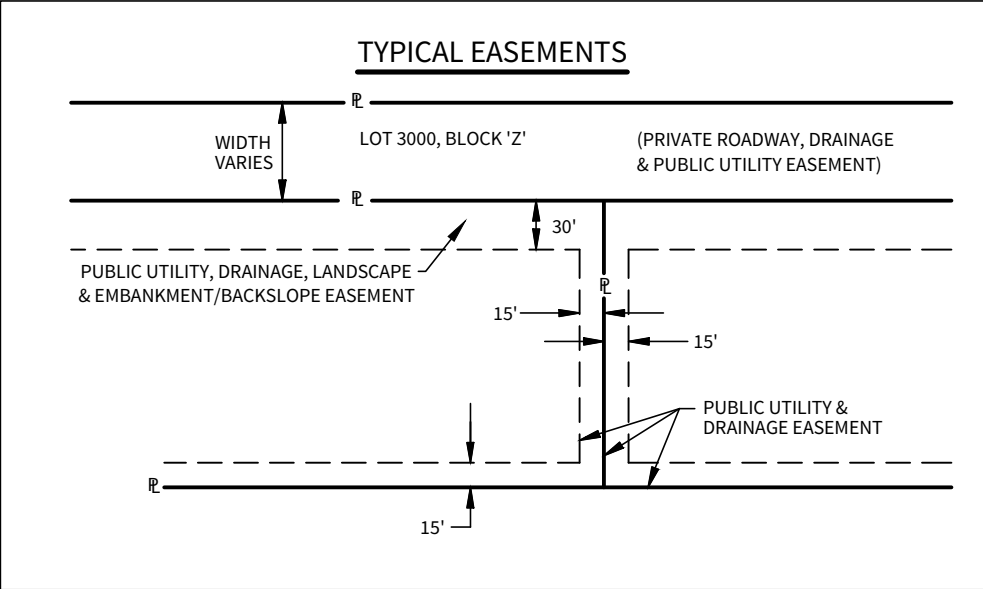
A SUBDIVISION OF 186.605 ACRES OF LAND BEING OUT OF THE JOHN REINHARD SURVEY NO. 507,  
ABSTRACT NO. 422 AND BEING OUT OF THE C.F. BERGMANN SURVEY NO. 822, ABSTRACT 1047, KENDALL  
COUNTY, TEXAS, ALSO BEING A PORTION OF A 500.00 ACRE TRACT OF LAND RECORDED IN VOLUME  
1055, PAGES 603-614, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.

NUMBER OF LOTS:  
ROAD SUMMARY:

PROPOSED ROADWAY:  
SEWAGE DISPOSAL METHOD:

POTABLE WATER SUPPLY:

57 SINGLE FAMILY  
1 PRIVATE ROADWAY, DRAINAGE AND P.U.E.  
(CONTAINING 4 ROADWAYS)  
8,688 L.F.  
PUBLIC SEWER SYSTEM AND INDIVIDUAL ON-SITE  
SEWAGE FACILITY  
PUBLIC WATER SYSTEM



STATE OF TEXAS  
COUNTY OF KENDALL

I HEREBY CERTIFY THAT RECOGNIZED ENGINEERING PRACTICES AND STANDARDS WERE USED IN THE PREPARATION OF THIS FINAL PLAT AND IN THE DESIGN OF SITE IMPROVEMENT STRUCTURES AND WAS ACCOMPLISHED UNDER MY DIRECT SUPERVISION.

W. PATRICK MURPHY, P.E.  
REGISTERED PROFESSIONAL ENGINEER NO. 111597

SWORN TO AND SUBSCRIBED BEFORE ME THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.

NOTARY PUBLIC  
STATE OF TEXAS

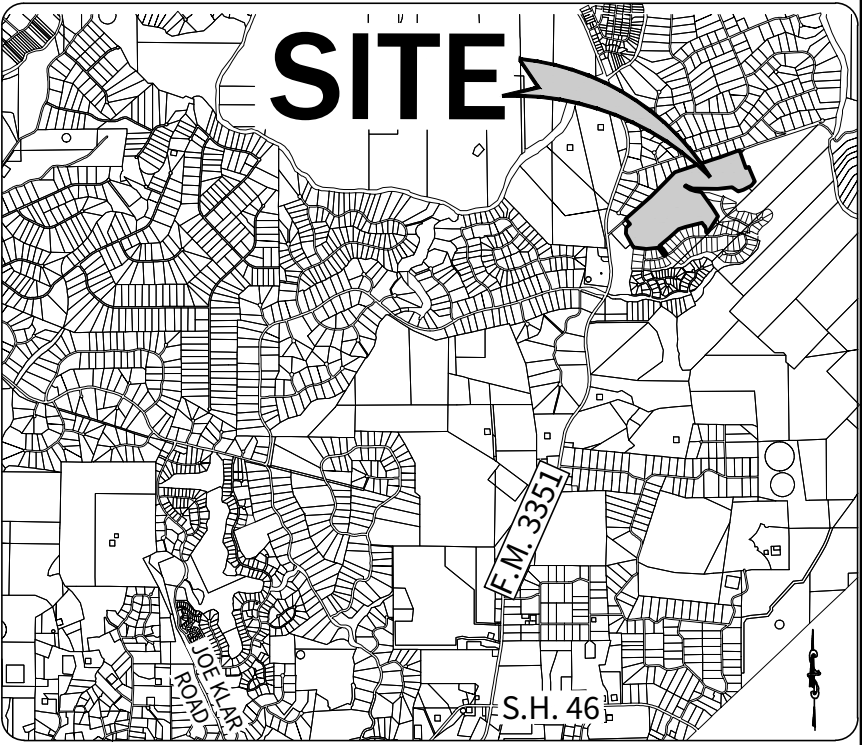
STATE OF TEXAS  
COUNTY OF KENDALL

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

YURI V. BALMACEDA WHEELLOCK, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6815

SWORN TO AND SUBSCRIBED BEFORE ME THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.

NOTARY PUBLIC  
STATE OF TEXAS



LOCATION MAP  
N.T.S.

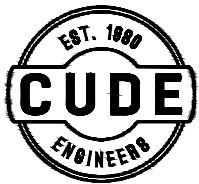
### NOTES:

- MINIMUM BUILDING SETBACKS ARE LABELED ON THE PLAT MAP. THE ARCHITECTURAL REVIEW COMMITTEE OF THE PROPERTY OWNERS' ASSOCIATION MAY FURTHER RESTRICT BUILDING SETBACKS OR BUILDING LOCATIONS AS PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN THE KENDALL COUNTY OFFICIAL RECORDS.
- LOT 3000, BLOCK 'Z' IS HEREBY DEDICATED AS A PRIVATE ROADWAY, DRAINAGE EASEMENT AND PUBLIC UTILITY EASEMENT. THIS LOT WILL BE DEEDED TO A PROPERTY OWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE. LOT 3000, BLOCK 'Z' INCLUDES THE RIGHT-OF-WAY FOR THE FOLLOWING ROADWAY.  
- MEZCAYA PASS  
- MEZCAYA TRAIL  
- SOTOL LANE  
- CIERVA DRIVE
- WATER SERVICE SHALL BE PROVIDED BY A PUBLIC WATER SYSTEM MEETING THE REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("T.C.E.Q.") AND ANY OTHER GOVERNMENTAL OR QUASI-GOVERNMENTAL AGENCY HAVING JURISDICTION OVER PUBLIC WATER SYSTEMS. THE PUBLIC WATER SYSTEM SHALL BE OPERATED PURSUANT TO A CERTIFICATE OF CONVENIENCE AND NECESSITY #12977 (CCN) BY ITS HOLDER, GUADALUPE-BLANCO RIVER AUTHORITY ("GBRA"). OWNER, FOR ITSELF, SUCCESSORS, AND ASSIGNS RESERVES THE RIGHT TO DRILL, OPERATE AND MAINTAIN PRIVATE OR PUBLIC WATER WELLS INCLUDING REDRILLING, REPLACEMENT, REWORKING AND ENLARGEMENT OF EXISTING WELLS. OTHER THAN THE RESERVATION OF RIGHTS PREVIOUSLY RESERVED UNTO THE OWNER, ITS SUCCESSORS AND ASSIGNS, PRIVATE WATER WELLS ARE NOT PERMITTED ON ANY LOTS WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF THE OWNER.
- SEWAGE FACILITIES SERVING THE LOTS LISTED BELOW SHALL BE PROVIDED BY EITHER: a) CONNECTION TO A WASTEWATER COLLECTION AND TREATMENT SYSTEM ("SEWAGE SYSTEM") BEING OPERATED BY GBRA PURSUANT TO A CERTIFICATE OF CONVEYANCE AND NECESSITY #20892 (CCN) APPROVED BY THE T.C.E.Q. OR b) CONSTRUCTION BY THE LOT OWNER OF A PRIVATE INDIVIDUAL ON-SITE SEWAGE FACILITY ("OSSF") IN ACCORDANCE WITH CONDITIONS LISTED BELOW.  
- LOTS 1-10, BLOCK 'A'  
- LOTS 29-37, BLOCK 'B'  
- LOTS 38-57, BLOCK 'C'  
WHEN THE OWNER OF A LOT SUBMITS A REQUEST FOR SEWER SERVICE TO GBRA, IF CAPACITY FOR ADDITIONAL SEWER SERVICE IN THE CORDILLERA RANCH SEWER TREATMENT FACILITY EXISTS OR WILL EXIST PRIOR TO COMPLETION OF THE RESIDENCE ON THE LOT, THEN THE LOT OWNER SHALL CONNECT TO THE CENTRAL SEWER COLLECTION SYSTEM AND DESIGN, INSTALL AND CONSTRUCT THE SEWER CONNECTION ON EACH LOT IN CONFORMITY WITH THE DESIGN GUIDELINES AND SPECIFICATIONS REQUIRED BY OWNER, DECLARANT AND/OR GBRA. HOWEVER, WHEN THE OWNER OF A LOT SUBMITS A REQUEST FOR SEWER SERVICE TO GBRA, IF CAPACITY DOES NOT EXIST OR WILL NOT EXIST IN THE CORDILLERA RANCH SEWER TREATMENT FACILITY PRIOR TO COMPLETION OF THE RESIDENCE ON THE LOT, THEN THE LOT OWNER SHALL CONSTRUCT AN OSSF ON THE LOT, IN ACCORDANCE WITH THE RULES, REGULATIONS AND STATUTES OF KENDALL COUNTY, THE T.C.E.Q., AND ANY OTHER GOVERNMENTAL OR QUASI-GOVERNMENTAL AGENCY OR ENTITY HAVING JURISDICTION OVER THE INSTALLATION AND USE OF A PRIVATE SEWAGE, SEPTIC AND WASTEWATER FACILITIES.
- SEWAGE FACILITIES SERVING THE LOTS LISTED BELOW SHALL BE PROVIDED BY: CONSTRUCTION OF A PRIVATE INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM CONSTRUCTED BY THE OWNER THEREOF APPROVED UNDER THE RULES OF KENDALL COUNTY FOR PRIVATE SEWAGE FACILITIES AND ANY OTHER GOVERNMENTAL OR QUASI-GOVERNMENTAL AGENCY OR BODY HAVING JURISDICTION OVER THE INSTALLATION SEWAGE FACILITY. THE LOT OWNER IS RESPONSIBLE FOR OBTAINING THE NECESSARY GOVERNMENTAL PERMITS AND FOR THE MAINTENANCE OF THE PRIVATE AND USE OF PRIVATE SEWAGE FACILITIES.  
- LOTS 11-15, BLOCK 'A'  
- LOTS 16-28, BLOCK 'B'
- TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PROVIDED BY GEODETIX, INC.
- THIS SUBDIVISION LIES TOTALLY WITHIN THE BOERNE INDEPENDENT SCHOOL DISTRICT AS DETERMINED BY THE KENDALL COUNTY CENTRAL APPRAISAL DISTRICT.
- BOUNDARIES OF ORIGINAL PATENT SURVEYS AND ACREAGES SHOWN HEREON FOR SOME ARE APPROXIMATE AND WERE NOT RELOCATED BY THIS SURVEY.
- THERE IS HEREBY DEDICATED A THIRTY (30) FOOT WIDE DRAINAGE AND LANDSCAPE EASEMENT CENTERED ON ALL SIGNIFICANT NATURAL RUNOFF DRAINAGE WAYS UNLESS NOTED OTHERWISE ON THIS PLAT. THE ARCHITECTURAL REVIEW COMMITTEE OF THE PROPERTY OWNERS' ASSOCIATION WILL DEFINE WHICH DRAINAGEWAYS WILL REQUIRE DRAINAGE EASEMENTS AND MAY RESTRICT THE LOCATION OF BUILDINGS AND/OR OTHER IMPROVEMENTS AS PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN THE KENDALL COUNTY DEED RECORDS. PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DRAINAGE EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E., NO SOLID FENCES, DENSE SHRUBBERY, STRUCTURES, OR SEPTIC TANK DRAIN FIELDS).
- THERE IS HEREBY DEDICATED A THIRTY (30) FOOT WIDE PUBLIC UTILITY, DRAINAGE, LANDSCAPE AND EMBANKMENT/BACKSLOPE EASEMENT OUTSIDE OF AND ADJACENT TO BOTH SIDES OF LOT 3000, BLOCK 'Z', AND A FIFTEEN (15) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ADJACENT TO ALL NON-ROADWAY LOT LINES UNLESS OTHERWISE NOTED ON THE PLAT OR LISTED BELOW. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THROUGH THE KENDALL COUNTY, TEXAS PLAT REVISION PROCESS THIS EASEMENT SHALL BE RELINQUISHED ALONG THE COMMON LINE OR LINES OF THE COMBINED LOTS SO LONG AS NO UTILITY LINES OR DRAINAGE IMPROVEMENTS ARE LOCATED THEREIN.
- ALL PUBLIC UTILITY EASEMENTS SHALL ONLY BE USED BY PUBLIC OR PRIVATE UTILITY ENTITIES (UNLESS OTHERWISE EXPRESSLY AUTHORIZED IN WRITING BY OWNER) FOR UTILITY IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO ELECTRIC, TELEPHONE, GAS, STORM DRAINAGE, POTABLE OR NON-POTABLE WATER, TREATED OR UNTREATED WASTEWATER AND/OR CATV LINES AND APPURTENANCES, WHICH PROVIDE SERVICE SOLELY AND EXCLUSIVELY TO THE PROPERTY INCLUDED IN THIS PLAT OR ANY ADJOINING PROPERTY DEVELOPED OR TO BE DEVELOPED AS PART OF THE CORDILLERA RANCH SUBDIVISION OR PROPERTY WHICH IS BEING DEVELOPED BY AN ENTITY OWNED IN WHOLE OR IN PART BY THE PRINCIPALS, PARTNERS OR OWNERS OF THE ENTITY WHICH OWNS THE PROPERTY DESCRIBED HEREIN.

### NOTES CONTINUED:

- IT IS UNDERSTOOD AND AGREED THAT NON-EXCLUSIVE PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERE TO, WHETHER INSTALLED UPON THE SURFACE OR UNDERGROUND WITHIN THE EASEMENTS SHOWN HEREON. NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT, EXCEPT FOR THOSE FACILITIES FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY OR CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT OF INGRESS TO AND EGRESS FROM THE PRIVATE ROADWAYS AND EASEMENT, AND THE RIGHT FROM \_\_\_\_\_ TIME TO TIME TO CUT ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY INJURE, ENDANGER OR INTERFERE WITH THE OPERATION OF SAID UTILITY FACILITIES.
- OWNER, FOR ITSELF, SUCCESSORS, AND ASSIGNS, RESERVES THE RIGHT TO USE AND TO GRANT TO THIRD PARTIES THE RIGHT TO USE THE PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE PURPOSES OF INSTALLING, REPAIRING, MAINTAINING, AND OPERATING A WATER DISTRIBUTION SYSTEM AND A SEWAGE TREATMENT AND DISPOSAL SYSTEM, INCLUDING THE RIGHT TO CONSTRUCT, MAINTAIN, AND OPERATE WATER OR SEWER MAINS OR LINES FOR THE TRANSMISSION OF TREATED, UNTREATED, POTABLE OR NON-POTABLE WATER, WASTEWATER, EFFLUENT AND SEWAGE OR FOR ANY OTHER UTILITY OR AMENITY WHETHER SERVING THE PROPERTY DESCRIBED HEREIN OR OTHERWISE.
- ALL UTILITIES INSTALLED WITHIN ANY PUBLIC UTILITY EASEMENT DEDICATED BY THIS PLAT SHALL BE UNDERGROUND EXCEPT SUCH PORTIONS THAT ARE NECESSARY OR REQUIRED BY LAW TO BE MAINTAINED ABOVEGROUND WHICH ARE TYPICAL COMPONENTS OF AN UNDERGROUND UTILITY SYSTEM THAT ARE NONETHELESS CONSTRUCTED ABOVEGROUND AND WHICH HAVE BEEN APPROVED BY THE OWNER OR THE DECLARANT OF ANY RESTRICTIVE COVENANTS IMPOSED UPON THE PROPERTY DESCRIBED HEREIN IN WRITING PRIOR TO THEIR CONSTRUCTION.
- ANY REPAIRS, MAINTENANCE OR INSTALLATION OF UTILITY LINES WITHIN THE PUBLIC UTILITY EASEMENT ON LOT 3000, BLOCK 'Z' SHALL BE PERFORMED IN A MANNER WHICH WILL NOT RESULT IN THE EXCAVATION OF THE SURFACE OF ANY EXISTING PAVED ROADWAY, ROADWAY SHOULDER, DRAINAGE DITCH OR ANY PERMANENT ROADWAY, RETAINING, OR DRAINAGE STRUCTURE WITHOUT THE APPROVAL OF AN OFFICER OF THE PROPERTY OWNERS ASSOCIATION, UNLESS SUCH REPAIRS ARE REQUIRED IN AN EMERGENCY SITUATION. IT IS THE INTENTION THAT ANY REPAIRS, MAINTENANCE OR INSTALLATION OF NEW UTILITY LINES WHICH OCCUR AFTER THE INITIAL ROADWAY CONSTRUCTION IS COMPLETED BE PERFORMED BY BORING UNDER ANY EXISTING ROADWAY.
- 1/2" INCH IRON RODS WITH CAP STAMPED "CUD" SET AT ALL PROPERTY CORNERS EXCEPT WHERE NOTED OTHERWISE.
- NO PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP PANEL: 48259C0450F, DATED DECEMBER 17, 2010.
- BEARINGS USED ON THIS ARE REFERENCED TO THE DEED OF THE 500.00 ACRE TRACT RECORDED IN VOLUME 1055, PAGES 603-614, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.
- AS USED HEREIN, THE TERM "PROPERTY OWNERS' ASSOCIATION" SHALL MEAN ANY PROPERTY OWNERS OR HOMEOWNERS ASSOCIATION HAVING JURISDICTION OVER THE PROPERTY DESCRIBED HEREIN AND THEIR SUCCESSORS AND ASSIGNS WHENEVER CREATED.
- POSTAL SERVICE WILL BE AT A CENTRALIZED DELIVERY STATION LOCATED ON CORDILLERA SPRINGS.
- THE CURRENT ELECTRIC SERVICE PROVIDER IS PEDERNALES ELECTRIC COOPERATIVE, PROVIDED HOWEVER, DECLARANT RESERVES THE RIGHT TO ALLOW OTHER ELECTRIC SERVICE PROVIDERS TO SERVE THIS PLATTED AREA OR OTHER PORTIONS OF CORDILLERA RANCH.
- THE CURRENT TELECOMMUNICATION SERVICE PROVIDER IS GUADALUPE VALLEY TELEPHONE COMPANY, PROVIDED HOWEVER, DECLARANT RESERVES THE RIGHT TO ALLOW OTHER TELECOMMUNICATIONS SERVICE PROVIDERS TO SERVE THIS PLATTED AREA OR OTHER PORTIONS OF CORDILLERA RANCH.
- THIS PLAT IS NOT WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF ANY CITY.
- THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF KENDALL COUNTY MUNICIPAL UTILITY DISTRICT NO. 1.
- VEHICULAR ACCESS FROM LOTS 4-15, BLOCK 'A' TO EDGE FALLS ROAD IS PROHIBITED.
- LOT 3008, BLOCK 'Z' AND LOT 3009 BLOCK 'Z' ARE NON-RESIDENTIAL LOTS.
- RELIEF FROM VARIOUS SECTIONS OF THE KENDALL COUNTY, TEXAS "REGULATIONS, RULES AND SPECIFICATIONS FOR PLATS, ROADS, SUBDIVISIONS AND MANUFACTURED HOME PARKS" (EFFECTIVE JANUARY 1, 1997) WAS APPROVED BY THE KENDALL COUNTY COMMISSIONER'S COURT ON JULY 08, 2019.
- PLAT PREPARED OCTOBER 29, 2021

CORDILLERA RANCH  
UNIT 304  
SHEET 1 OF 3



CUDE ENGINEERS  
4122 POND HILL RD. • SUITE 101  
SAN ANTONIO, TEXAS 78231  
TEL 210.681.2951 • FAX 210.523.7112  
WWW.CUDEENGINEERS.COM  
TBPE REGISTERED ENGINEERING  
FIRM #19070  
TBPELS NO. 10048500

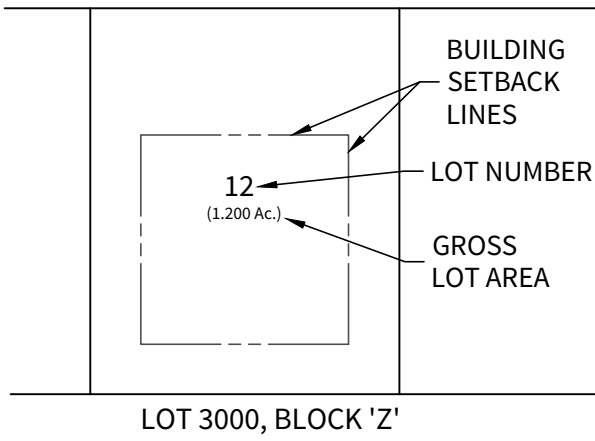
LEGEND

- Ac. = ACRES  
B.S.L. = BUILDING SETBACK LINE  
C1 = CURVE NUMBER  
DRN. = DRAINAGE  
ESM'T. = EASEMENT  
L1 = LINE NUMBER  
NAD = NORTH AMERICAN DATUM  
NO. = NUMBER  
N.T.S. = NOT TO SCALE  
O.R.K.C. = OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS  
PG. = PAGE  
PGS. = PAGES  
P.R.K.C. = PLAT RECORDS OF KENDALL COUNTY, TEXAS  
R.O.W. = RIGHT-OF-WAY  
UTIL. = UTILITY  
VAR. = VARIABLE  
VOL. = VOLUME  
WID. = WIDTH  
— ELEV. — = EXISTING GROUND MAJOR CONTOUR  
— ELEV. — = EXISTING GROUND MINOR CONTOUR  
— — — = EXISTING PROPERTY LINE

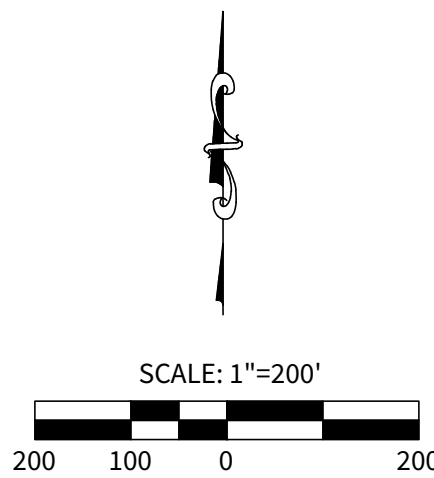
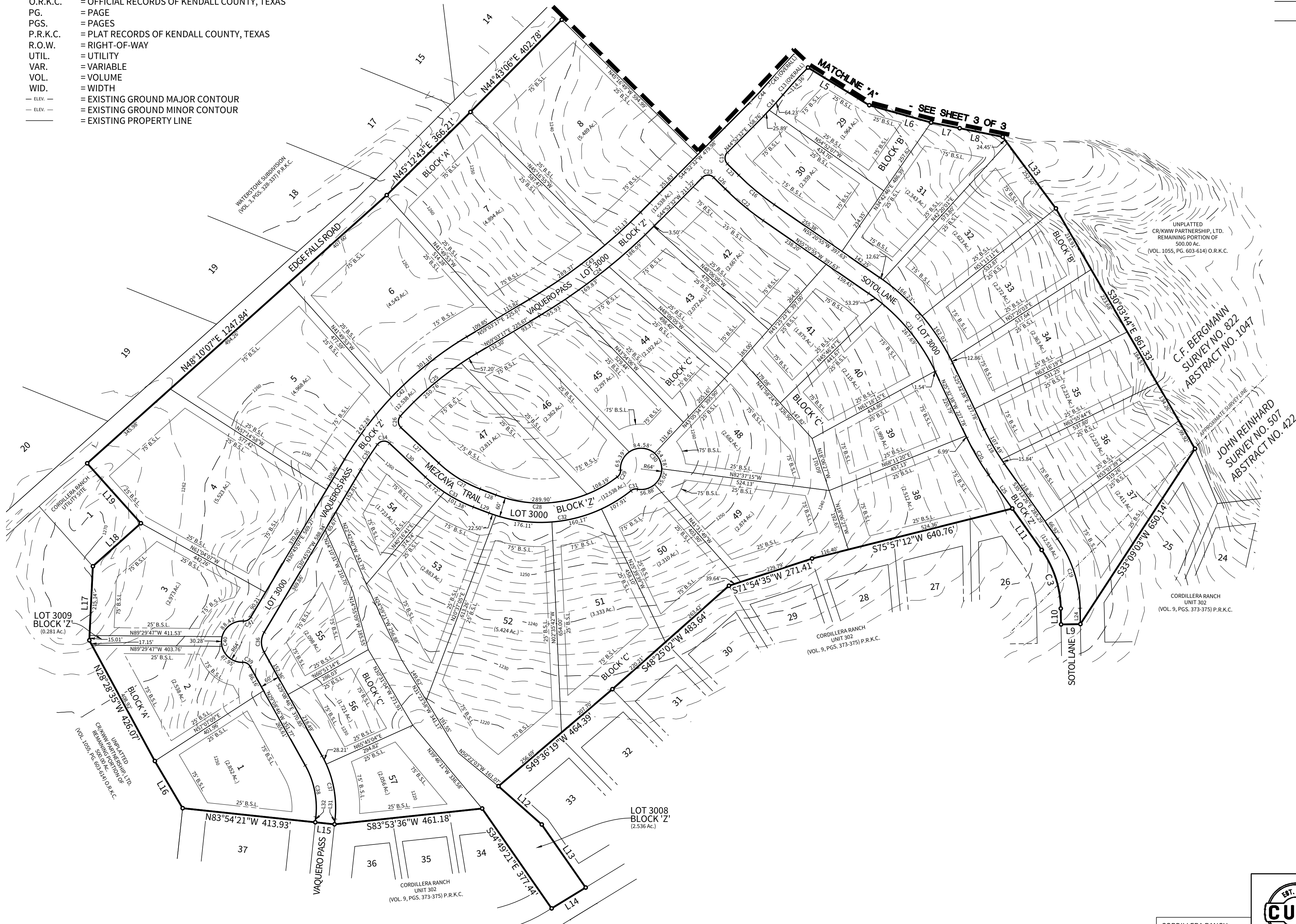
CORDILLERA RANCH UNIT 304

FINAL PLAT

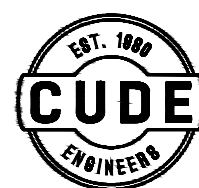
A SUBDIVISION OF 186.605 ACRES OF LAND BEING OUT OF THE JOHN REINHARD SURVEY NO. 507, ABSTRACT NO. 422 AND BEING OUT OF THE C.F. BERGMANN SURVEY NO. 822, ABSTRACT 1047, KENDALL COUNTY, TEXAS, ALSO BEING A PORTION OF A 500.00 ACRE TRACT OF LAND RECORDED IN VOLUME 1055, PAGES 603-614, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.



LOT 3000, BLOCK 'Z'



CORDILLERA RANCH  
UNIT 304  
SHEET 2 OF 3



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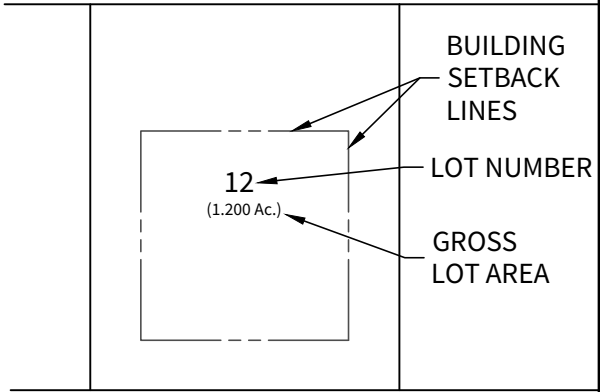
LEGEND

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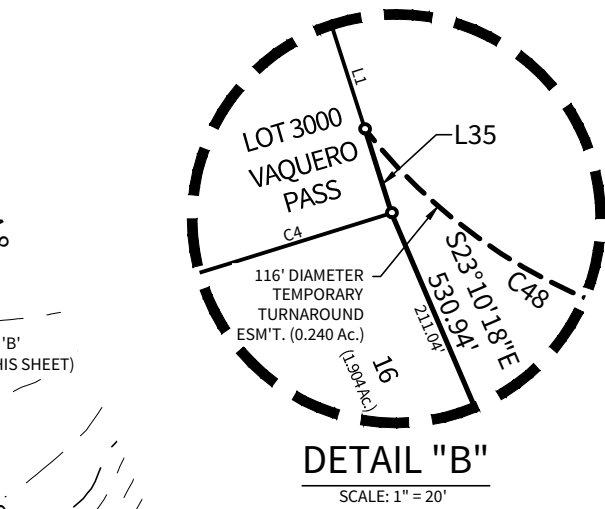
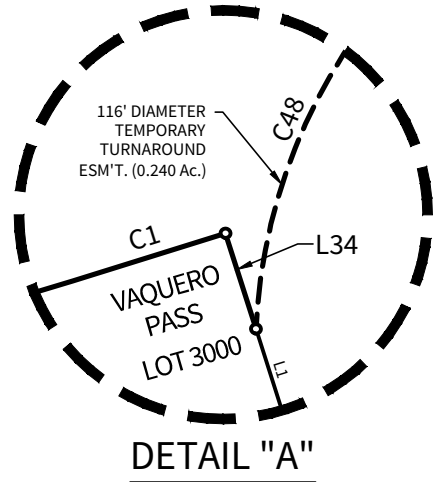
CORDILLERA RANCH UNIT 304

FINAL PLAT

A SUBDIVISION OF 186.605 ACRES OF LAND BEING OUT OF THE JOHN REINHARD SURVEY NO. 507, ABSTRACT NO. 422 AND BEING OUT OF THE C.F. BERGMANN SURVEY NO. 822, ABSTRACT 1047, KENDALL COUNTY, TEXAS, ALSO BEING A PORTION OF A 500.00 ACRE TRACT OF LAND RECORDED IN VOLUME 1055, PAGES 603-614, OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.



LOT 3000, BLOCK 'Z'



LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	40.36'	N17°42'47"W	L15	60.00'	S84°00'44"E
L2	205.76'	N41°48'37"E	L16	169.78'	S30°33'11"E
L3	204.02'	N72°32'47"E	L17	230.15'	S02°43'28"W
L4	275.60'	S65°17'37"E	L18	200.00'	S48°10'07"W
L5	223.24'	S58°28'53"E	L19	250.00'	S41°52'09"E
L6	199.39'	S74°18'44"E	L20	85.33'	S73°38'31"W
L7	90.43'	S78°47'14"E	L21	107.89'	N11°33'37"W
L8	136.12'	N78°44'01"W	L22	107.69'	N11°33'37"W
L9	60.00'	N88°57'49"E	L23	50.15'	N45°07'28"W
L10	49.46'	S01°02'11"E	L24	49.46'	S01°02'11"E
L11	157.49'	S35°13'26"E	L25	127.80'	N35°13'26"W
L12	179.37'	N48°30'27"W	L26	50.15'	S36°37'01"E
L13	238.37'	N34°52'20"W	L27	161.33'	S17°42'47"E
L14	123.90'	N58°32'14"E	L28	52.44'	N69°11'00"W

LINE TABLE		
LINE	LENGTH	BEARING
L29	52.44'	N69°11'00"W
L30	153.13'	N46°45'44"W
L31	16.82'	S05°59'16"W
L32	16.82'	S05°59'16"W
L33	276.95'	S36°37'01"E
L34	10.46'	S17°42'47"E
L35	9.18'	S17°42'47"E

CURVE TABLE					
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD BEARING
C1	1410.00'	1°21'18"	16.67'	33.35'	N72°57'52"E
C2	1230.00'	2°10'22"	23.33'	46.65'	S46°16'35"W
C3	325.00'	34°11'16"	99.94'	193.92'	N18°07'48"W
C4	1470.00'	1°21'18"	17.38'	34.77'	N72°57'52"E
C5	1650.00'	2°48'43"	40.50'	80.98'	N75°02'53"E
C6	25.00'	88°00'51"	24.15'	38.40'	S32°26'49"W
C7	25.00'	51°49'53"	12.15'	22.62'	S37°28'33"E
C8	64.00'	283°39'46"	50.31'	316.85'	N78°26'23"E
C9	25.00'	51°49'53"	12.15'	22.62'	N14°21'20"E
C10	25.00'	88°13'21"	24.24'	38.49'	N55°40'17"W
C11	1650.00'	5°00'20"	72.12'	144.15'	N82°43'12"E
C12	1050.00'	6°33'22"	60.14'	120.15'	S81°56'41"W
C13	1230.00'	38°48'14"	433.20'	833.03'	S59°15'53"W
C14	1030.00'	5°00'46"	45.09'	90.11'	N42°22'09"E
C15	25.00'	90°00'00"	25.00'	39.27'	S00°07'28"E
C16	800.00'	10°13'27"	71.57'	142.76'	S50°14'12"E

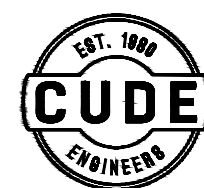
CURVE TABLE					
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD BEARING
C17	680.00'	29°48'18"	180.96'	353.73'	N40°26'47"W
C18	730.00'	9°40'48"	61.81'	123.33'	S30°23'02"E
C19	385.00'	34°11'16"	118.40'	229.73'	N18°07'48"W
C20	790.00'	9°40'48"	66.89'	133.47'	S30°23'02"E
C21	620.00'	29°48'18"	165.00'	322.52'	N40°26'47"W
C22	860.00'	10°13'27"	76.94'	153.46'	S50°14'12"E
C23	25.00'	90°00'00"	25.00'	39.27'	S89°52'32"W
C24	1840.00'	14°10'45"	228.85'	455.35'	N51°57'55"E
C25	1040.00'	16°57'58"	155.11'	307.96'	S50°34'18"W
C26	25.00'	88°51'06"	24.50'	38.77'	S02°20'14"E
C27	390.00'	22°25'16"	77.30'	152.62'	S57°58'22"E
C28	390.00'	58°29'04"	218.34'	398.09'	N81°34'28"E
C29	25.00'	55°47'14"	13.23'	24.34'	N24°26'20"E
C30	64.00'	283°29'25"	50.46'	316.66'	N41°42'35"W
C31	25.00'	48°38'25"	11.30'	21.22'	S75°42'55"W
C32	450.00'	59°25'17"	256.79'	466.69'	N81°06'21"E

CURVE TABLE					
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD BEARING
C33	450.00'	22°25'16"	89.19'	176.10'	S57°58'22"E
C34	25.00'	97°22'44"	28.45'	42.49'	S84°32'55"W
C35	1040.00'	5°06'25"	46.38'	92.70'	S33°18'20"W
C36	60.00'	59°53'53"	34.57'	62.73'	S00°48'11"W
C37	330.00'	35°08'02"	104.47'	202.36'	N11°34'45"W
C38	270.00'	35°08'02"	85.48'	165.56'	N11°34'45"W
C39	25.00'	62°33'08"	15.19'	27.29'	N60°25'20"W
C40	64.00'	185°00'09"	1465.09'	206.65'	S00°48'11"W
C41	25.00'	62°33'09"	15.19'	27.29'	N62°01'41"E
C42	1100.00'	28°18'10"	277.35'	543.37'	S44°54'12"W
C43	1780.00'	14°10'45"	221.38'	440.51'	N51°57'55"E
C44	970.00'	5°00'46"	42.46'	84.87'	N42°22'09"E
C45	1290.00'	38°48'14"	454.33'	873.66'	S59°15'53"W
C46	1110.00'	6°33'22"	63.58'	127.01'	S81°56'41"W
C47	1590.00'	11°34'51"	161.24'	321.38'	N79°25'57"E
C48	58.00'	319°16'53"	21.52'	323.21'	S17°42'47"E



SCALE: 1"=200'  
200 100 0 200

CORDILLERA RANCH  
UNIT 304  
SHEET 3 OF 3



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TBPE REGISTERED ENGINEERING  
FIRM #19070  
TBPELS NO. 10048500



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Financial Guarantee Cordillera Ranch Unit 304
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	County Engineer - Richard Tobolka
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 250
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on approval of Letters of Credit for Cordillera Ranch, Unit 304 in the amounts of \$1,927,148.96 for construction of roads and drainage and \$711,636.25 for construction of water and waste water improvements (CRHN, LLC).
<b>REASON FOR AGENDA ITEM</b>	Financial Guarantee Cordillera Ranch Unit 304
<b>WHO WILL THIS AFFECT?</b>	Pct # 3
<b>ADDITIONAL INFORMATION</b>	None





December 3, 2021

Irrevocable Letter of Credit No.: 1145

Amount: \$1,927,148.96

Issue Date: December 3, 2021

Expiration Date: December 3, 2023

Beneficiary:

Name: Kendall County Judge

Beneficiary Address: 201 E. San Antonio, Boerne, Tx 78006

RE: CR/KWW Partnership, Ltd.  
Unit 304, Cordillera Ranch, Kendall County, Texas  
Streets & Drainage Improvements

Southside Bank does hereby issue this Irrevocable Letter of Credit No. 1145 in Beneficiary's favor for account of CR/KWW Partnership, Ltd. (the "Developer"), up to the aggregate sum of One Million Nine Hundred Twenty Seven Thousand One Hundred Forty-Eight Dollars and Ninety-Six Cents (\$1,927,148.96) expiring December 3, 2023 at our counters available by payment against Beneficiary's draft at sight on Southside Bank (the "Bank") accompanied by:

Written certification signed by the County Judge, any County Commissioner or the County Treasurer that CR/KWW Partnership, Ltd., has failed to complete certain subdivision improvements consisting of the construction of streets and drainage structures (the "Improvements") for Unit 304 within two (2) years from the date of approval of the final plat by the Kendall County Commissioners Court or, alternatively, that the Improvements have not been completed and that CR/KWW Partnership, Ltd., has failed to timely extend this Letter of Credit."

SPECIAL CONDITIONS:

1. This Letter of Credit may not be canceled by the Developer prior to the expiration date without the written consent of the Beneficiary.
2. Any draft drawn under this letter of credit must be marked "Drawn under Irrevocable Letter of Credit No. 1145 issued by Southside Bank".
3. Unless otherwise expressly stated herein, this letter of credit shall be governed by the Uniform Commercial Code as enacted in the State of Texas on the date of issuance and shall also, to the extent not inconsistent with such code be governed by the International Standby Practices ISP98 of the International Chamber of Commerce.
4. Any funds drawn under this Letter of Credit shall be used to complete the Improvements in accordance with the plans and specifications and the applicable Kendall County, Texas Regulations, Rules and Specifications for Roads and Subdivisions (the "Subdivision Regulations").

Peter M. Boyd  
Senior Executive Vice President  
2211 Three Lakes Parkway  
Tyler, Texas 75703  
903.581.9713  
Member FDIC

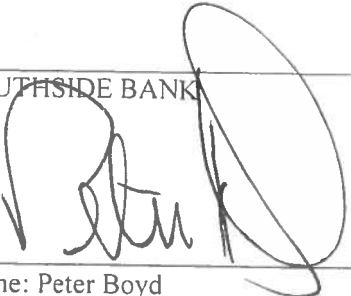


5. Upon completion of the Improvements in accordance with the plans and specifications and the Subdivision Regulations, Kendall County shall release this Letter of Credit and return it to Developer.
6. If this Letter of Credit is not extended or renewed by Southside Bank at least forty-five (45) days before the expiration date, then Beneficiary may give written notice at least fourteen (14) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that "this Letter of Credit is about to expire (in forty-five (45) days or less) and that construction of the Improvements has not been completed, and that Kendall County intends to draw upon this Letter of Credit unless a substitute Letter of Credit in an approved form, and in an amount equal to the Stated Amount stated hereinabove or such reduced amount approved by the County Commissioner's Court, is substituted prior to the expiration date of this Letter of Credit."
7. Prior to collecting on this Letter of Credit because of Developer's failure to timely complete the Improvements in accordance with the plans and specifications and County Subdivision Regulations, Kendall County will give written notice at least seven (7) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that the Improvements have not been completed in accordance with the plans and specifications and County Subdivision Regulations and that Kendall County intends to draw upon this Letter of Credit.

Southside Bank agrees that drafts drawn and presented in conformity with the terms of this credit will be duly honored on presentation to Southside Bank, 2510 W. Frank, Lufkin, Texas 75904 on or before the expiration date indicated. Drafts must be drawn and presented to Southside Bank by 5:00 p.m. on December 3, 2023. Drafts will be honored within seven (7) banking days of presentment. We agree that drafts drawn and presented in accordance with this letter of credit shall be duly honored. Partial draws will be permitted and the letter of credit shall be reduced by the amount of such partial draws as well as by any reduction letters authorized by the County. The sum of such partial draws shall on no account exceed the Stated Amount of this credit, and upon any draw or reduction letter which exhausts this credit, the original of this credit shall be surrendered to us.

Address of Issuer: 2510 W. Frank, Lufkin, TX 75904

SOUTHSIDE BANK



By: \_\_\_\_\_  
Name: Peter Boyd  
Title: Senior Executive Vice President

Address of Developer:  
CR/KWW Partnership, Ltd.  
28 Cordillera Trace, Suite 4  
Boerne, TX 78006

Peter M. Boyd  
Senior Executive Vice President  
2211 Three Lakes Parkway  
Tyler, Texas 75703  
903.581.9713  
Member FDIC



December 3, 2021

Irrevocable Letter of Credit No.: 1146

Amount: \$711,636.25

Issue Date: December 3, 2021

Expiration Date: December 3, 2023

Beneficiary:

Name: Kendall County Judge

Beneficiary Address: 201 E. San Antonio, Boerne, Tx 78006

RE: CR/KWW Partnership, Ltd.  
Unit 304, Cordillera Ranch, Kendall County, Texas  
Water & Sewer Improvements

Southside Bank does hereby issue this Irrevocable Letter of Credit No. 1146 in Beneficiary's favor for account of CR/KWW Partnership, Ltd. (the "Developer"), up to the aggregate sum of Seven Hundred Eleven Thousand Six Hundred Thirty-Six Dollars and Twenty-Five Cents (\$711,636.25) expiring December 3, 2023 at our counters available by payment against Beneficiary's draft at sight on Southside Bank (the "Bank") accompanied by:

Written certification signed by the County Judge, any County Commissioner or the County Treasurer that CR/KWW Partnership, Ltd., has failed to complete certain subdivision improvements consisting of water and wastewater improvements (the "Improvements") for Unit 304 within two (2) years from the date of approval of the final plat by the Kendall County Commissioners Court or, alternatively, that the Improvements have not been completed and that CR/KWW Partnership, Ltd., has failed to timely extend this Letter of Credit."

SPECIAL CONDITIONS:

1. This Letter of Credit may not be canceled by the Developer prior to the expiration date without the written consent of the Beneficiary.
2. Any draft drawn under this letter of credit must be marked "Drawn under Irrevocable Letter of Credit No. 1146 issued by Southside Bank".
3. Unless otherwise expressly stated herein, this letter of credit shall be governed by the Uniform Commercial Code as enacted in the State of Texas on the date of issuance and shall also, to the extent not inconsistent with such code be governed by the International Standby Practices ISP98 of the International Chamber of Commerce.
4. Any funds drawn under this Letter of Credit shall be used to complete the Improvements in accordance with the plans and specifications and the applicable Kendall County, Texas Regulations, Rules and Specifications for Roads and Subdivisions (the "Subdivision Regulations").
5. Upon completion of the Improvements in accordance with the plans and specifications and the

PO Box 1079  
Tyler, Texas 75710  
903.531.7111  
Member FDIC



Subdivision Regulations, Kendall County shall release this Letter of Credit and return it to Developer.

6. If this Letter of Credit is not extended or renewed by Southside Bank at least forty-five (45) days before the expiration date, then Beneficiary may give written notice at least fourteen (14) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that "this Letter of Credit is about to expire (in forty-five (45) days or less) and that construction of the Improvements has not been completed, and that Kendall County intends to draw upon this Letter of Credit unless a substitute Letter of Credit in an approved form, and in an amount equal to the Stated Amount stated hereinabove or such reduced amount approved by the County Commissioner's Court, is substituted prior to the expiration date of this Letter of Credit."
7. Prior to collecting on this Letter of Credit because of Developer's failure to timely complete the Improvements in accordance with the plans and specifications and County Subdivision Regulations, Kendall County will give written notice at least seven (7) days prior to calling for funds on this Letter of Credit, to Bank and Developer at their respective stated addresses sent by courier/certified mail, return receipt requested, that the Improvements have not been completed in accordance with the plans and specifications and County Subdivision Regulations and that Kendall County intends to draw upon this Letter of Credit.

Southside Bank agrees that drafts drawn and presented in conformity with the terms of this credit will be duly honored on presentation to Southside Bank, 2510 W. Frank, Lufkin, Texas 75904 on or before the expiration date indicated. Drafts must be drawn and presented to Southside Bank by 5:00 p.m. on December 3, 2023. Drafts will be honored within seven (7) banking days of presentment. We agree that drafts drawn and presented in accordance with this letter of credit shall be duly honored. Partial draws will be permitted and the letter of credit shall be reduced by the amount of such partial draws as well as by any reduction letters authorized by the County. The sum of such partial draws shall on no account exceed the Stated Amount of this credit, and upon any draw or reduction letter which exhausts this credit, the original of this credit shall be surrendered to us.

Address of Issuer: 2510 W. Frank, Lufkin, TX 75904

SOUTHSIDE BANK

A handwritten signature in black ink, appearing to read 'Peter Boyd', is written over a horizontal line.

By:  
Name: Peter Boyd  
Title: Senior Executive Vice President

Address of Developer:  
CR/KWW Partnership, Ltd.  
28 Cordillera Trace, Suite 4  
Boerne, TX 78006

Peter M. Boyd  
Senior Executive Vice President  
2211 Three Lakes Parkway  
Tyler, Texas 75703  
903.581.9713  
Member FDIC



Approval  
*Richard Johnson*  
 12/2/2021

OPINION OF PROBABLE CONSTRUCTION COSTS  
 CORDILLERA RANCH - UNIT 304

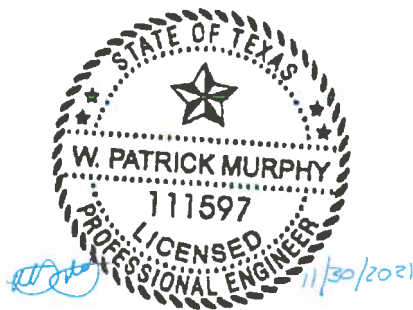
STREET, DRAINAGE, E/S CONTROLS, SALES TAX,  
 CONSTRUCTION STAKING & MISCELLANEOUS  
 11/30/2021  
 03349.005.0



ITEM NO.	ESTIMATED QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
<b>STREET IMPROVEMENTS</b>					
1	1	LS	Mobilization	\$ 35,000.00	\$ 35,000.00
2	12.54	AC	Preparing Right of Way	\$ 3,000.00	\$ 37,620.00
3	16.70	AC	Right of Way Excavation and Embankment	\$ 15,000.00	\$ 250,500.00
4	29,834	SY	Subgrade Preparation	\$ 1.00	\$ 29,834.00
5	9,865	SY	Flexible Base, 8" Thick	\$ 18.74	\$ 184,870.10
6	18,982	SY	Flexible Base, 10" Thick	\$ 21.29	\$ 404,126.78
7	27,856	SY	Hot Mix Asphaltic Concrete, 1.5" Thick	\$ 12.50	\$ 348,200.00
8	1	EA	Pavement Markings	\$ 11,700.00	\$ 11,700.00
9	1	EA	End-of-Road Barricade	\$ 2,400.00	\$ 2,400.00
10	3	EA	Roadway Signs	\$ 850.00	\$ 2,550.00
11	1	LS	Spoils Disposal	\$ 20,000.00	\$ 20,000.00
<b>SUBTOTAL FOR STREET IMPROVEMENTS</b>					<b>\$ 1,326,800.88</b>
<b>TEMPORARY ALL-WEATHER ACCESS ROADWAY IMPROVEMENTS</b>					
12	0.80	AC	Preparing Right of Way	\$ 3,000.00	\$ 2,400.00
13	0.46	AC	Right of Way Excavation and Embankment	\$ 10,000.00	\$ 4,600.00
14	2,211	SY	Subgrade Preparation	\$ 1.00	\$ 2,211.00
15	2,013	SY	Flexible Base, 8" Thick	\$ 18.74	\$ 37,723.62
16	1,996	SY	Hot Mix Asphaltic Concrete, 1.5" Thick	\$ 12.50	\$ 24,950.00
<b>SUBTOTAL FOR TEMPORARY ALL-WEATHER ACCESS ROADWAY IMPROVEMENTS</b>					<b>\$ 71,884.62</b>
<b>DRAINAGE IMPROVEMENTS</b>					
17	347.85	LF	HP Storm Pipe, 24" Diameter	\$ 72.00	\$ 25,045.20
18	256.44	LF	HP Storm Pipe, 30" Diameter	\$ 90.00	\$ 23,079.60
19	480.60	LF	HP Storm Pipe, 36" Diameter	\$ 100.00	\$ 48,060.00

ITEM NO.	ESTIMATED QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
20	85.97	LF	HP Storm Pipe, 42" Diameter	\$ 120.00	\$ 10,316.40
21	62.41	LF	24" x 35" Arch S.R.C.M.P.	\$ 125.00	\$ 7,801.25
22	94.23	LF	3' x 3' Single Box Culvert (S.B.C.)	\$ 240.00	\$ 22,615.20
23	4	EA	4-Way Inlet	\$ 7,250.00	\$ 29,000.00
24	8	EA	Concrete Rip Rap for 24" HP Storm Pipe	\$ 3,500.00	\$ 28,000.00
25	7	EA	Concrete Rip Rap for 30" HP Storm Pipe	\$ 4,000.00	\$ 28,000.00
26	2	EA	Concrete Rip Rap for 36" HP Storm Pipe	\$ 4,500.00	\$ 9,000.00
27	2	EA	Concrete Rip Rap for 42" HP Storm Pipe	\$ 5,000.00	\$ 10,000.00
28	2	EA	Concrete Rip Rap for 24"x35" Arch S.R.C.M.P.	\$ 4,500.00	\$ 9,000.00
29	2	EA	Concrete Rip Rap for 3'x3' S.B.C	\$ 4,500.00	\$ 9,000.00
30	85.67	SY	8"x12" Rock Rubble	\$ 65.00	\$ 5,568.55
31	1,327.50	LF	Trench Safety	\$ 2.25	\$ 2,986.88
<b>SUBTOTAL FOR DRAINAGE IMPROVEMENTS</b>					<b>\$ 267,473.08</b>

ITEM NO.	ESTIMATED QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
<b>EROSION/SEDIMENTATION CONTROLS</b>					
32	9730	LF	Silt Fence	\$ 4.00	\$ 38,920.00
33	117	LF	Rock Berm	\$ 35.00	\$ 4,095.00
34	6,295	CY	Top Soil Hauling and Placement (4")	\$ 20.00	\$ 125,900.00
35	1	EA	Stabilized Construction Entrance/Exit	\$ 1,500.00	\$ 1,500.00
36	240	LF	Tree Protection	\$ 1.80	\$ 432.00
37	64	LF	Bagged Gravel Inlet Filter	\$ 2.00	\$ 128.00
38	8,300	LF	Geotextile in Ditches	\$ 3.00	\$ 24,900.00
<b>SUBTOTAL FOR EROSION/SEDIMENTATION CONTROLS</b>					<b>\$ 195,875.00</b>
<b>SALES TAX</b>					
39	1	LS	Texas State Sales Tax	\$ 86,000.00	\$ 86,000.00
<b>SUBTOTAL FOR SALES TAX</b>					<b>\$ 86,000.00</b>
<b>CONSTRUCTION STAKING</b>					
40	1	LS	Construction Staking	\$ 19,000.00	\$ 19,000.00
<b>SUBTOTAL FOR CONSTRUCTION STAKING</b>					<b>\$ 19,000.00</b>
<b>MISCELLANEOUS</b>					
41	1	LS	Construction Materials Testing	\$ 32,000.00	\$ 32,000.00
<b>SUBTOTAL FOR MISCELLANEOUS</b>					<b>\$ 32,000.00</b>
<b>TOTAL BID PRICE FOR STREET, DRAINAGE, EROSION/SEDIMENTATION CONTROLS, SALES TAX, CONSTRUCTION STAKING &amp; MISC. IMPRVMTS.</b>					<b>\$ 1,927,148.96</b>



TBPE FIRM #0455

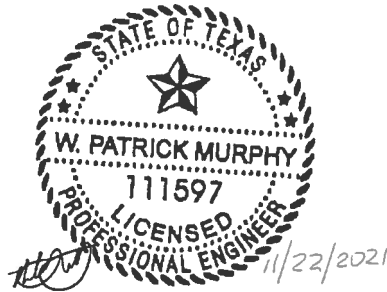
*Approved*  
*Kurtel Schulte*  
 12/2/2021

**OPINION OF PROBABLE CONSTRUCTION COSTS**  
**CORDILLERA RANCH, UNIT 304**  
**WATER & SEWER IMPROVEMENTS**  
 11/15/2021  
 03349.005.0

ITEM NO.	ESTIMATED QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
<b>WATER IMPROVEMENTS</b>					
1	2,725	LF	Pipe (PVC DR 14, C-900), 8" Diameter	\$ 50.00	\$ 136,250.00
2	3,010	EA	Pipe (PVC DR 14, C-900), 6" Diameter	\$ 42.00	\$ 126,420.00
3	2,875	EA	Pipe (PVC SCH. 40), 3" Diameter	\$ 30.00	\$ 86,250.00
4	310	EA	Pipe (PVC SCH. 40), 2.5" Diameter	\$ 29.00	\$ 8,990.00
5	5	EA	Double Water Service, Short	\$ 2,300.00	\$ 11,500.00
6	9	EA	Double Water Service, Long	\$ 3,300.00	\$ 29,700.00
7	14	EA	Single Water Service, Short	\$ 1,800.00	\$ 25,200.00
8	15	EA	Single Water Service, Long	\$ 2,800.00	\$ 42,000.00
9	2	EA	2" Automatic Air Release/Vacuum Valve	\$ 3,900.00	\$ 7,800.00
10	2	EA	8" x 6" Pressure Reducing Valve	\$ 11,250.00	\$ 22,500.00
11	2	EA	8" x 3" Pressure Reducing Valve	\$ 8,700.00	\$ 17,400.00
12	1	EA	6" x 2.5" Pressure Reducing Valve	\$ 7,500.00	\$ 7,500.00
13	1	EA	8" Gate Valve	\$ 1,100.00	\$ 1,100.00
14	2	EA	6" Gate Valve	\$ 900.00	\$ 1,800.00
15	2	EA	3" Gate Valve	\$ 1,500.00	\$ 3,000.00
16	1	EA	2.5" Gate Valve	\$ 1,200.00	\$ 1,200.00
17	4	EA	Blow-Off Hydrant Assembly	\$ 5,000.00	\$ 20,000.00
18	2	EA	Water Tie-In	\$ 800.00	\$ 1,600.00
19	40	LF	Sleeves	\$ 30.00	\$ 1,200.00
20	1	LS	Ductile Iron Fittings	\$ 10,000.00	\$ 10,000.00

21	8,920	LF	Trench Safety	\$	2.25	\$	20,070.00
<b>SUBTOTAL FOR WATER IMPROVEMENTS</b>						<b>\$</b>	<b>581,480.00</b>
<b>LOW PRESSURE SEWER IMPROVEMENTS</b>							
22	3,090	LF	Sewer Pipe (PVC SCH. 40), 2.5" Diameter	\$	42.00	\$	3,090.00
23	2,530	LF	Sewer Pipe (PVC SCH. 40), 2" Diameter	\$	42.00	\$	2,530.00
24	45	LF	Sewer Pipe (PVC SCH. 40), 1.5" Diameter	\$	40.00	\$	45.00
25	2	EA	Existing System Connection	\$	600.00	\$	1,200.00
26	7	EA	Double Sewer Service, Long	\$	2,600.00	\$	18,200.00
27	2	EA	Single Sewer Service, Long	\$	2,300.00	\$	4,600.00
28	23	EA	Single Sewer Service, Short	\$	1,800.00	\$	41,400.00
29	2	EA	Cleanout (in-line), 2"	\$	1,475.00	\$	2,950.00
30	5	EA	Cleanout (in-line), 2.5"	\$	1,600.00	\$	8,000.00
31	1	EA	Cleanout (end-of-line), 1.5"	\$	1,595.00	\$	1,595.00
32	3	EA	Cleanout (end-of-line), 2"	\$	1,800.00	\$	5,400.00
33	2	EA	2" Automatic Air/Vacuum Valve	\$	1,500.00	\$	3,000.00
34	1	EA	2.5" Round Port Plug Valve	\$	1,080.00	\$	1,080.00
35	2	EA	2" Gate Valve	\$	1,110.00	\$	2,220.00
36	5	EA	2.5" Gate Valve	\$	1,200.00	\$	6,000.00
37	30	LF	Sleeves	\$	20.00	\$	600.00
38	1	LS	Fittings	\$	3,500.00	\$	3,500.00
39	5,665	LF	Trench Safety	\$	2.25	\$	12,746.25
<b>SUBTOTAL FOR LOW PRESSURE SEWER IMPROVEMENTS</b>						<b>\$</b>	<b>118,156.25</b>
<b>CONSTRUCTION STAKING</b>							
40	1	LS	Construction Staking	\$	12,000.00	\$	12,000.00

SUBOTAL FOR CONSTRUCTION STAKING	\$ 12,000.00
TOTAL BID PRICE FOR WATER & SEWER IMPROVEMENTS	\$ 711,636.25



TBPE FIRM #0455



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Sales Tax Report
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Treasurer's office Sheryl D'Spain
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext. 220
<b>TIME NEEDED FOR PRESENTATION</b>	2 minutes
<b>WORDING OF AGENDA ITEM</b>	Presentation of Sales Tax report
<b>REASON FOR AGENDA ITEM</b>	To report on the portion of sales tax reimbursed from the State Comptroller's office.
<b>IS THERE DOCUMENTATION</b>	Yes, the report is on the County Website under departments, County Treasurer
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None

# Sales Tax Report 2021

Sales tax collection for month	Month collection received	Sales Tax Collection 2020	Sales Tax Collection 2021	% change from 2020	2020 sales tax collections year to date	2021 sales tax collections year to date	% change from 2020
Nov-20	Jan-21	308,616.36	359,460.68	16.47%	308,616.36	359,460.68	16.47%
Dec-20	Feb-21	379,196.74	436,045.40	14.99%	687,813.10	795,506.08	15.66%
Jan-21	Mar-21	315,057.64	319,337.59	1.36%	1,002,870.74	1,114,843.67	11.17%
Feb-21	Apr-21	283,629.36	275,737.67	-2.78%	1,286,500.10	1,390,581.34	8.09%
Mar-21	May-21	338,947.93	447,808.78	32.12%	1,625,448.03	1,838,390.12	13.10%
Apr-21	Jun-21	334,237.77	392,171.04	17.33%	1,959,685.80	2,230,561.16	13.82%
May-21	Jul-21	321,552.32	413,978.16	28.74%	2,281,238.12	2,644,539.32	15.93%
Jun-21	Aug-21	425,310.33	470,203.56	10.56%	2,706,548.45	3,114,742.88	15.08%
Jul-21	Sep-21	376,451.09	397,956.15	5.71%	3,082,999.54	3,512,699.03	13.94%
Aug-21	Oct-21	331,547.90	386,478.00	16.57%	3,414,547.44	3,899,177.03	14.19%
Sep-21	Nov-21	373,364.80	462,725.68	23.93%	3,787,912.24	4,361,902.71	15.15%
Oct-21	Dec-21	366,839.87	0.00	0.00%	4,154,752.11		0.00%

## Total Sales Tax Revenue in Previous Years

Year	Total Collections	% change from previous year
2020	\$4,154,752.11	8.45%
2019	\$3,831,153.66	10.34%
2018	\$3,472,222.80	2.65%

\*\*covering payments from Nov 2020-Oct 2021





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Cash Summary at Frost Bank September 2021
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Sheryl D'Spain Treasurer
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 220
<b>TIME NEEDED FOR PRESENTATION</b>	2 minutes
<b>WORDING OF AGENDA ITEM</b>	Discuss and approve cash summary at Frost Bank September 2021
<b>REASON FOR AGENDA ITEM</b>	This report is made in compliance with the provisions of Chapter 114.026 of the Local Government Code, which requires regular reporting of financial transactions for the County funds to the Commissioners Court.
<b>IS THERE DOCUMENTATION</b>	Yes, the report is on the County website under departments, County Treasurer once it is approved by Commissioners Court.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None

**KENDALL COUNTY SUMMARY OF CASH BALANCES AT FROST BANK**

**Month ending September 30, 2021**

	<b>Beg Balance</b>	<b>Receipts</b> (includes Journal Entries and Transfers In)	<b>Disbursements</b> (includes Journal Entries and Transfers Out)	<b>Ending Balance</b>
10-General Fund	\$ 2,340,220.89	\$ 2,397,591.18	\$ 3,817,669.97	\$ 920,142.10
11-Road & Bridge	\$ 2,403,614.09	\$ 257,190.35	\$ 205,073.42	\$ 2,455,731.02
13-Courthouse Security	\$ 44,995.36	\$ 7,628.71	\$ 5,576.15	\$ 47,047.92
15-Lateral Road & Bridge	\$ 38,944.37	\$ -	\$ 6.33	\$ 38,938.04
16-Court Reporter Service	\$ 22,349.81	\$ 2,377.35	\$ 1,176.10	\$ 23,551.06
17-Attorney-Hot Check	\$ 37.61	\$ -	\$ -	\$ 37.61
19-Records Mgmt (County Clerk)	\$ 129,089.75	\$ 26,235.00	\$ 20,902.02	\$ 134,422.73
20-Law Library	\$ 74,085.49	\$ 5,215.00	\$ 5,000.24	\$ 74,300.25
21-Justice Court Technology	\$ 49,996.58	\$ 2,873.23	\$ 1,482.34	\$ 51,387.47
22-Justice Court Building Security	\$ 37,922.67	\$ 43.28	\$ 23.17	\$ 37,942.78
23-County & District Technology	\$ 19,917.82	\$ 1,089.98	\$ 339.24	\$ 20,668.56
24-Alternative Dispute Resolution	\$ 1,205.00	\$ 2,550.00	\$ 1,190.00	\$ 2,565.00
25-District Clerk Records Mgmt	\$ 21,371.81	\$ 4,719.93	\$ 2,360.26	\$ 23,731.48
26-County Clerk Rec. Archive Fund	\$ 179,933.10	\$ 26,390.00	\$ 12,658.17	\$ 193,664.93
27-Vital Statistics Records	\$ 1,380.60	\$ 115.00	\$ 63.00	\$ 1,432.60
28-Pre-Trial Intervention	\$ (621.45)	\$ 4,692.78	\$ 3,705.86	\$ 365.47
29-LEOSE Training	\$ 54,832.40	\$ -	\$ 4,181.43	\$ 50,650.97
30-County Jury Fund	\$ 780.01	\$ 145.57	\$ 74.34	\$ 851.24
33-Juv Probation-State Grant	\$ 6,871.27	\$ 8,237.15	\$ 15,108.42	\$ -
34-Juv Probation Title IV E	\$ 10,754.38	\$ -	\$ 6,905.46	\$ 3,848.92
36-Local Truancy Prev & Diversion	\$ 22,677.09	\$ 3,370.10	\$ 1,732.09	\$ 24,315.10
41-MVDIT Interest	\$ 14,070.66	\$ 15,082.40	\$ 2,789.14	\$ 26,363.92
42-Election Services Contract Fund	\$ 24,191.81	\$ -	\$ 1,168.11	\$ 23,023.70
43-Fire Inspection & Permit Fund	\$ 51,745.50	\$ 3,791.44	\$ 7,723.26	\$ 47,813.68
50-Crime Victims Grant	\$ (46,545.02)	\$ 97,417.40	\$ 50,872.38	\$ -
51-VAWA Grant	\$ (40,917.96)	\$ 75,704.27	\$ 34,786.31	\$ 0.00
55-Coronavirus Local Fisc Recvy Fund	\$ -	\$ -	\$ -	\$ -
80-Tobacco Settlement	\$ 52,224.04	\$ -	\$ -	\$ 52,224.04
81-Historical Commission	\$ 8,708.22	\$ -	\$ -	\$ 8,708.22
82-County Donations	\$ 116,865.67	\$ 5,545.00	\$ 7,538.30	\$ 114,872.37
84-Abandoned Vehicles	\$ 4,522.75	\$ -	\$ -	\$ 4,522.75
89-Bond Forfeiture Commission	\$ 24,138.17	\$ 152.30	\$ 152.30	\$ 24,138.17
93-Texas State Fees	\$ 285,964.90	\$ 140,552.63	\$ 68,594.87	\$ 357,922.66
<b>CASH BALANCES</b>	<b>\$ 5,955,327.39</b>	<b>\$ 3,088,710.05</b>	<b>\$ 4,278,852.68</b>	<b>\$ 4,765,184.76</b>

KENDALL COUNTY SUMMARY OF CASH BALANCES AT FROST BANK  
MONTH ENDING September 30, 2021

<b>Funds</b>	<b>Beg Balance</b>	<b>Receipts</b> (includes Journal Entries and Transfers In)	<b>Disbursements</b> (includes Journal Entries and Transfers Out)	<b>Ending Balance</b>
62-Series 2007 Lim. Tax Gen	\$ 44,184.38	\$ 3,713.69	\$ 727.99	\$ 47,170.08
63-Series 2013 UnLimited Tax Road Bond	\$ 16,288.79	\$ 2,697.54	\$ 532.32	\$ 18,454.01
64-Series 2014 Limited Tax Refunding	\$ 8.73	\$ -	\$ -	\$ 8.73
65-Series 2016 Limited Tax Gen.Oblig.Bond	\$ 2,842.55	\$ 778.62	\$ 192.39	\$ 3,428.78
72-Law Enforcement Center Project	\$ 14,159.56	\$ 0.10	\$ -	\$ 14,159.66
85-Local S.O. Forfeiture	\$ 22,594.75	\$ 0.17	\$ -	\$ 22,594.92
87-Federal S.O. Forfeiture	\$ 49,937.27	\$ 0.37	\$ 619.98	\$ 49,317.66
88-CDA Asset Forfeiture	\$ 61,962.76	\$ 0.46	\$ -	\$ 61,963.22
90-Trust Account	\$ 4,038,313.23	\$ 33.19	\$ -	\$ 4,038,346.42
96-Public Grants	\$ (2,944.15)	\$ 16,948.39	\$ 13,923.39	\$ 80.85
<b>CASH BALANCES</b>	<b>\$ 4,247,347.87</b>	<b>\$ 24,172.53</b>	<b>\$ 15,996.07</b>	<b>\$ 4,255,524.33</b>

Examined and Approved by Auditor's office

*Corinna Speer, Auditor*

Date

*12/7/21*



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Credit Card contract for the Animal Shelter
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Sheryl D'Spain Treasurer
<b>PHONE # OR EXTENSION #</b>	830-249-9343 X220
<b>TIME NEEDED FOR PRESENTATION</b>	2 minutes
<b>WORDING OF AGENDA ITEM</b>	Discuss and approve contract with Gov-Pay for the Animal Shelter to accept credit card transactions.
<b>REASON FOR AGENDA ITEM</b>	Allow the Animal Shelter to offer another form of payment for fees and services.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	TechShare SaaS Addendum 2022
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	CDA's Office - Nicole Bishop/Donna Sharp
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 293
<b>TIME NEEDED FOR PRESENTATION</b>	1 minute
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the approval of TechShare SaaS Addendum 2022.
<b>REASON FOR AGENDA ITEM</b>	Requesting approval of TechShare SaaS Addendum 2022 for the continuation of the Case Management software used by the Criminal District Attorney's Office.
<b>WHO WILL THIS AFFECT?</b>	Kendall County Criminal District Attorney's Office
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	UV Air Purifiers for the Courthouse
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Richard Chapman, Commissioner Pct. 3
<b>PHONE # OR EXTENSION #</b>	830-331-8201
<b>TIME NEEDED FOR PRESENTATION</b>	5 Minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action to provide and install Ultravation UV Matrix Air Purifiers in all air-handling units at the Kendall County Courthouse.
<b>REASON FOR AGENDA ITEM</b>	To improve the air quality
<b>IS THERE DOCUMENTATION</b>	Yes
<b>WHO WILL THIS AFFECT?</b>	Any person entering the Courthouse
<b>ADDITIONAL INFORMATION</b>	The estimate is \$18, 473.00 and would be paid from the current budgeted ARPA funds.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Amend Redistricting Order
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge Bill Ballard, General Counsel
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 303
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action to amend the redistricting order approved on October 21, 2021 to provide consistency among the incumbent constables, justices of the peace, and commissioners.
<b>REASON FOR AGENDA ITEM</b>	Allow the incumbent elected officials to continue to serve their same constituents until the end of their term.
<b>WHO WILL THIS AFFECT?</b>	Kendall County
<b>ADDITIONAL INFORMATION</b>	None



STATE OF TEXAS  
KENDALL COUNTY

KENDALL COUNTY ORDER NO. 12-13-2021  
AMENDING ORDER FOR REDISTRICTING OF  
POLITICAL BOUNDARIES IN KENDALL COUNTY, TEXAS

WHEREAS, the Kendall County Commissioners Court APPROVED the Order for Redistricting of Political Boundaries on October 27, 2021, in a meeting noticed and convened in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, that Order made the Redistricting Plan effective immediately for use in the 2022 Primary and for all subsequent elections until changed or modified by later Order of this Court; and

WHEREAS, the Kendall County Commissioners Court, as well as the justices of the peace and constables desire to continue to serve the citizens of their precincts as they existed following the 2010 Redistricting Order; and

WHEREAS, this Amending Order seeks to clarify the Commissioners Court desire to specify in its Order an effective date of the change of Political Boundaries that is not later than January 1 following the next general election.

NOW, THEREFORE, IT IS ORDERED, the Kendall County Commissioners Court Order for Redistricting of Political Boundaries on October 27, 2021 is hereby amended to specify that the effective date of the change, for all purposes other than the primary and general elections to be held in 2022, shall be January 1 (2023) following the next general election. An election for precinct office occurring after October 27, 2021 but before the effective date of the change in boundaries shall be held in the precincts as they were ordered on October 27, 2021. A person who has resided in the area included in a new precinct for the period required for eligibility to hold office is not made ineligible on the ground that the precinct has not existed for that period.

IT IS FURTHER ORDERED that all provisions of the Order for Redistricting of Political Boundaries on October 27, 2021, not in conflict with this amending order remain in force.

ORDERED by the Kendall County Commissioners Court, Boerne, Texas, this the 13th day of December 2021.

\_\_\_\_\_  
Darrel Lux, County Judge

\_\_\_\_\_  
Christina Bergmann, Commissioner Pct. 1

\_\_\_\_\_  
Richard Elkins, Commissioner Pct. 2

\_\_\_\_\_  
Richard Chapman, Commissioner Pct. 3

\_\_\_\_\_  
Don Durden, Commissioner Pct. 4

Attest: \_\_\_\_\_  
Darlene Herrin, County Clerk





## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Joint Primary/Runoff Resolution
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Elections / Staci Decker, Elections Administrator
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 609
<b>TIME NEEDED FOR PRESENTATION</b>	3 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action concerning a resolution to authorize the Elections Administrator to enter into a contract with the Republican and Democratic Party Chairs to conduct a Joint Primary and Joint Runoff Election in 2022.
<b>REASON FOR AGENDA ITEM</b>	Required by law
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	County Election Precincts
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Elections / Staci Decker, Elections Administrator
<b>PHONE # OR EXTENSION #</b>	830-249-9343 Ext. 609
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on adoption of an order conforming election precincts with Commissioner, Justice of the Peace and Constable Precincts.
<b>REASON FOR AGENDA ITEM</b>	Required by law
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	{Sec. 42.001, Texas Election Code states that each commissioners court by order shall divide all the territory of the county into county election precincts.}  A county election precinct must contain at least 100 but not more than 5,000 registered voters. (Section 42.006, Texas Election Code)



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Survivor Virtual Reality Simulator
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Al Auxier, County Sheriff
<b>PHONE # OR EXTENSION #</b>	830-249-9721
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action authorizing the Sheriff's Office to purchase the InVeris Survivor Simulator.
<b>REASON FOR AGENDA ITEM</b>	To allow the Kendall County Sheriff's Office to purchase the Survivor VR Training Simulator used in training deputies in de-escalation tactics when dealing with subjects in a mental crisis.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	This purchase of this training equipment was discussed in the use of federal ARPA funds at no cost to the county. Survivor/InVeris is a sole vendor provider.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Kendall County Law Enforcement Center Jail Expansion
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Don Durden, Commissioner Precinct 4 Rick Tobolka, County Engineer
<b>PHONE # OR EXTENSION #</b>	210-414-9099
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Discussion and possible action on the addition of a stairway between first and second floors in the proposed jail addition.
<b>REASON FOR AGENDA ITEM</b>	The Sherriff's Office and Jail Administrator have requested a stairway between the first and second floor be added to the concept approved by the Court earlier this year. This addition would provide a second connection and facilitate more effective monitoring of the "eye in the sky" and separation cells. The stairway addition will add approximately 370 square feet to the building addition footprint, which at the \$525 per square foot estimate used in the budget, would add \$194,250 to the estimated cost. The project had a contingency of \$131,955. The architect has advised this will not result in an increase to his fee.
<b>WHO WILL THIS AFFECT?</b>	Law Enforcement Center
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

**COMMISSIONER COURT DATE: 12/13/2021**  
**OPEN SESSION**

<b>SUBJECT</b>	Handicap Accessible Van for Kronkosky Place
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Richard Elkins Commissioner Precinct 2
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 315
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the approval of providing funds to Kronkosky Place to purchase a Handicap Accessible Van totaling \$75,000.
<b>REASON FOR AGENDA ITEM</b>	To provide transportation to Seniors with limited mobility that require wheelchair accessibility. Currently there are serious challenges in transporting these seniors to obtain life-altering services.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Christian Job Corp Training Program
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Richard Elkins Commissioner Precinct 2
<b>PHONE # OR EXTENSION #</b>	830-249-9343 ext 315
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action on the approval of providing funds to Christian Job Corp training program totaling \$40,000.
<b>REASON FOR AGENDA ITEM</b>	To provide training to individuals to become productive citizens for themselves, their family and the community.
<b>WHO WILL THIS AFFECT?</b>	Countywide
<b>ADDITIONAL INFORMATION</b>	None



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

**COMMISSIONER COURT DATE: 12/13/2021**  
**OPEN SESSION**

<b>SUBJECT</b>	Adult Sexual Assault Response Team
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Darrel L. Lux, County Judge
<b>PHONE # OR EXTENSION #</b>	830-294-9343
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Consideration and action per Subchapter J, Local Government Code Chapter 351 requiring the establishment of a County Adult Sexual Assault Response Team.
<b>REASON FOR AGENDA ITEM</b>	Response teams are established to strengthen collaborative response and enhance health and judicial outcomes for sexual assault survivors who are adults.
<b>WHO WILL THIS AFFECT?</b>	Adult sexual assault survivors
<b>ADDITIONAL INFORMATION</b>	None



LOCAL GOVERNMENT CODE

TITLE 11. PUBLIC SAFETY

SUBTITLE B. COUNTY PUBLIC SAFETY

CHAPTER 351. COUNTY JAILS AND LAW ENFORCEMENT

SUBCHAPTER J. COUNTY ADULT SEXUAL ASSAULT RESPONSE TEAMS

Sec. 351.251. DEFINITIONS. In this subchapter:

(1) "Adult" means an individual who is not a child as defined by Section 101.003, Family Code.

(2) "Response team" means a multidisciplinary team established under this subchapter to strengthen the collaborative response and enhance health and judicial outcomes for sexual assault survivors who are adults.

(3) "Sexual assault program" means a program that:

(A) operates independently from a law enforcement agency or prosecutor's office;

(B) is operated by a local public or private nonprofit corporation either independently or as part of a municipal, county, or state agency; and

(C) provides the minimum services, as defined by Section 420.003, Government Code, to adult survivors of stranger and non-stranger sexual assault.

(4) "Survivor" means an individual who is a victim of a sexual assault or other sex offense, regardless of whether a police report is filed for the incident.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.252. ESTABLISHMENT. (a) Except as provided by Subsection (b), the commissioners court of each county shall establish an adult sexual assault response team that includes the following members appointed by the commissioners court:

(1) the chief administrator, or the chief administrator's designee, of a sexual assault program that provides services for the county;

(2) a prosecutor with jurisdiction in the county over cases involving sexual assault committed against adults;

(3) the chief, or the chief's designee, of the municipal police department with the largest population in the county, provided a municipality in the county has a municipal police department;

(4) the sheriff or the sheriff's designee;

(5) either:

(A) a sexual assault nurse examiner or forensic examiner from a facility that conducts sexual assault forensic exams for the county; or

(B) a representative from the largest health care provider operating in the county if the county does not have a professional described by Paragraph (A);

(6) a behavioral health services provider operating in the county or, if the county does not have a behavioral health services provider, a representative from the county health department; and

(7) other persons the presiding officer of the response team considers necessary for the operation of the response team or as recommended by the response team.

(b) Two or more counties, each with a population of 250,000 or less, within a contiguous area may partner to form a multicounty response team.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.253. PRESIDING OFFICER. The response team shall elect a presiding officer from among its members.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.254. MEETINGS. (a) A response team shall meet:

(1) at least quarterly at a time determined by the presiding officer;

(2) not later than the 90th day after the last day of a regular legislative session to review and amend as necessary any protocols, forms, or guidelines developed under this subchapter; and

(3) at any other time at the call of the presiding officer.

(b) If a response team member is unable to participate in a response team meeting, the member or entity the member is representing may designate another individual to represent the member or entity at the meeting. Each member or a designee of that member must participate in all response team meetings.

(c) A response team member must attend the quarterly meetings held as required under Subsection (a)(1) to participate in response team functions.

(d) A response team shall meet independently of a children's advocacy center multidisciplinary team described by Section 264.406, Family Code.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.255. VACANCIES. The commissioners court of a county shall fill a vacancy for a response team member not later than the 30th day after the date the vacancy occurs and in the same manner as the original appointment.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.256. ADULT SEXUAL ASSAULT RESPONSE PROTOCOL. (a) A response team shall develop a written protocol addressing the

coordinated response for adult survivors in the county that includes:

- (1) the procedures to be used in investigating and prosecuting cases arising from a report of sexual assault;
- (2) interagency information sharing, in accordance with state and federal law, to ensure the timely exchange of relevant information and enhance the response to survivors;
- (3) the location and accessibility of sexual assault forensic examinations;
- (4) information on the availability of and access to medical care when the care is clinically indicated;
- (5) a requirement to ensure survivors are offered access to sexual assault program advocates, as defined by Section 420.003, Government Code;
- (6) information on the availability of and access to mental and behavioral health services;
- (7) a requirement to ensure that relevant law enforcement agencies notify survivors in a timely manner regarding the status of any criminal case and court proceeding;
- (8) an assessment of relevant community trends, including drug-facilitated sexual assault, the incidence of predatory date rape, and sex trafficking;
- (9) a biennial evaluation through sexual assault case reviews of the effectiveness of individual agency and interagency protocols and systems;
- (10) at least four hours of annual cross-agency training on the dynamics of sexual assault for response team members participating in the quarterly meetings as required by Section 351.254(c); and
- (11) procedures for addressing conflicts within the response team and for maintaining the confidentiality of information shared among response team members as required by law.

(b) In developing a protocol under this section, the response team:

(1) shall consider Chapter 56A, Code of Criminal Procedure;

(2) may provide different procedures for use within a particular municipality or area of the county served by the response team; and

(3) shall prioritize the health and safety of survivors.

(c) The purpose of the protocol developed under this section is to ensure coordination between all agencies involved in sexual assault cases to increase the efficacy of response and to minimize survivor traumatization. The response team shall provide the protocol to each agency in the county that responds to disclosures of sexual assault.

(d) Failure to follow a protocol developed under this section does not:

(1) constitute the basis for a claim or defense to a civil or criminal action; or

(2) preclude the admissibility of evidence.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.257. REPORT. Not later than December 1 of each odd-numbered year, a response team shall provide to the commissioners court of each county the response team serves a report that includes:

(1) a list of response team members able to participate in the quarterly meetings required by Section 351.254(c);

(2) a copy of the written protocol developed under Section 351.256; and

(3) either:

(A) a biennial summary detailing:

(i) the number of sexual assault reports received by local law enforcement agencies;

(ii) the number of investigations conducted as a result of those reports;

(iii) the number of indictments presented in connection with a report and the disposition of those cases; and

(iv) the number of reports of sexual assault for which no indictment was presented; or

(B) an explanation of the reason the response team failed to provide the information described by Paragraph (A).

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.

Sec. 351.258. MEETINGS AND RECORDS; CONFIDENTIALITY. (a) A response team meeting is not subject to Chapter 551, Government Code.

(b) This section does not prohibit a response team from requesting or allowing the attendance of a person who is not a response team member at a response team meeting.

(c) Information and records acquired by a response team in the exercise of its purpose and duties under this subchapter are confidential and not subject to disclosure under Chapter 552, Government Code, and may only be disclosed as necessary to implement the response team's purpose and duties.

(d) A report or a statistical compilation of data reports created by the response team is public information subject to Chapter 552, Government Code, provided the report or compilation does not contain any personally identifiable information.

(e) Information, documents, and records of the response team that are confidential under this section are not subject to subpoena or discovery and may not be introduced into evidence in any civil, criminal, or administrative proceeding, except that information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or introduction into evidence solely because that information or

those documents or records were presented during a response team meeting or maintained by the response team.

(f) A response team may only review a sexual assault case of an adult survivor with the signed, written consent of the survivor. The consent must specify:

- (1) the information or records covered by the release;
- (2) the reason or purpose for the release; and
- (3) the person or agency to which the information is to be released.

Added by Acts 2021, 87th Leg., R.S., Ch. 568 (S.B. 476), Sec. 1, eff. September 1, 2021.



## KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

<b>COMMISSIONER COURT DATE: 12/13/2021</b> <b>OPEN SESSION</b>	
<b>SUBJECT</b>	Boerne Ranch Estates
<b>DEPARTMENT &amp; PERSON MAKING REQUEST</b>	Bill Ballard, General Counsel
<b>PHONE # OR EXTENSION #</b>	830-249-9343, ext 303
<b>TIME NEEDED FOR PRESENTATION</b>	5 minutes
<b>WORDING OF AGENDA ITEM</b>	Discussion of the current litigation with Boerne Ranch Estates and the impact of the recent court ruling.
<b>REASON FOR AGENDA ITEM</b>	Update commissioners court and the public on litigation
<b>WHO WILL THIS AFFECT?</b>	Kendall County
<b>ADDITIONAL INFORMATION</b>	None