

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org**UNIVERSAL APPLICATION (FORM UA)**

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: **BOTANICA FAIR OAKS** Acreage: **19.799**
 Brief Description of Project: **LUXURY BUILD TO RENT COMMUNITY**
 Is property platted? ☒ No ☐ Yes Subdivision name: **TBD (PLATTING)** No. of Lots: **N/A**
 Recordation #: **TBD (PLATTING)** Parcel(s) Tax ID#: **PROP ID - 1049681 (BEXAR CO.)**
 Existing Use: **RANGE NATIVE PASTURE** Proposed Use: **MULTI-UNIT RESIDENTIAL COMMUNITY**
 Current Zoning: **MIXED USE VILLAGE** Proposed Zoning: **NO CHANGE**
 Occupancy Type: **R-2** Sq. Ft: **1,048** Bed #: **1 & 2** Bath #: **1 & 2** Car Garage #: **2**
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: **Mark & Brenda Minahan** Contact Name:
 Address: City/State/ZIP:
 Phone: Email:

APPLICANT INFORMATION

Applicant/Developer: **Urbanist Inc.** Contact Name: **Jonathan Bursey**
 Address: **5851 San Felipe, Suite 230** City/State/ZIP: **Houston, TX 77057**
 Phone: **310.871.9027** Email: **jon@urbanistusa.com**

KEY CONTACT INFORMATION

Name of the Individual: **Sean York, Development Mgr.** Contact Name:
 Address: City/State/ZIP:
 Phone: **832.250.3203** E-mail: **syork@reddcoredevco.com**

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Jonathan Bursey, Urbanist, Inc.

Signature:  Date: 2/1/2023

(Signed letter of authorization required if the application is signed by someone other than the property owner)

ATTACHED

*****OFFICE USE ONLY*****

DATE REC'D: 2/27/2023 BY: KGS
 FEES PAID: \$100 (already paid) APPROVED BY: _____
 DATE APPROVED: _____
 APPLICATION/PERMIT NO: _____ EXP DATE: _____

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SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☐ Rezoning/ FLUM amendment* - Form S2
- ☐ Special Use Permit* - Form S3
- ☐ Planned Unit Development (PUD)* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☒ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit* - Form S14
- ☐ Special Exception* - Form S15
- ☐ Site Development Permit* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit* - Form S17
- ☐ Stormwater Permit* - Form S18
- ☐ Certificate of Design Compliance* - Form S19
- Appeal of an Administrative Decision
- ☐ Zoning ☐ Others
- Variance
- ☐ Policy ☐ Judicial* - Form S20
- ☐ Sign Special Exception/Appeal to an Administrative Decision
- ☐ Administrative Exception
- ☐ Permit for Repair of Non-Conforming Use/Building
- ☐ Letter of Regulatory Compliance
- ☐ On-Site Sewage Facility Permit (OSSF)
- ☐ Certificate of Occupancy (CO)* - Form S21
- ☐ Relief from Signage Regulations
- ☐ Group Living Operation License* - Form S22
- ☐ Grading/Clearance Permit - Form S23

Building Permits Related**Commercial**

- ☐ New/Remodel/Addition* - Form S24
- ☐ Fence* - Form S25
- ☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
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- ☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
- ☐ Swimming Pool* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign* (Permanent) - Form S34 A
- ☐ Sign* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan* - Form S35
- ☐ Water Heater or Water Softener* - Form S36
- ☐ Right-of-Way Construction* - Form S37
- ☐ Flatwork* - Form S38

Inspections

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others _____

Water- Wastewater Service

- ☐ Connect/ Disconnect Form* - Form S39

*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees. **APPLICATION FEE WIRED TO CITY**
- ☒ Letter of intent explaining the request in detail and reason for the request.
- ☒ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☒ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements) **INCLUDED W/TITLE COMMITMENT & TAX RECORD ATTACHED**
- ☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required) **ITEMS PROVIDED VIA E-MAIL**

¹For items that are duplicated in the specific type of application, only one copy is required.



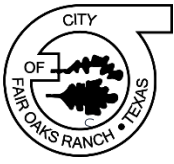
S9

SPECIFIC APPLICATION FORM - CONCEPT PLAN

Section 3.8 (3) of the Unified Development Code

The following steps must be completed and the following items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal.
- ☒ A completed Universal Application and checklist signed by the owner/s of the property.
- ☒ Title report.
- ☒ Payment of all other applicable fees (see Schedule of Fees). **APP. FEE WIRED TO CITY**
- ☒ 8½ x 11 copy of the legal description (metes and bounds) of the area. If the property is platted, a copy of the plat should be provided.
- ☒ Location/vicinity map showing the location, boundaries of the proposed development, adjacent subdivisions, and the streets in the vicinity of the site. Indicate scale or not to scale (NTS) and provide north arrow. **PROVIDED ON ALL CIVIL PLANS**
- ☒ Conceptual plans in conformance with the Unified Development Code (UDC) and Comprehensive Plan showing the following:
 - ☒ General topographic conditions, floodplains, watercourses, recharge zones, geological features, protected areas, and any other significant environmental features that may affect the site.
 - ☒ General layout of proposed buildings, the forms and densities proposed, cultural and recreational facilities, and amenities, if applicable.
 - ☒ Total acreage of the site, areas of residential and non-residential development proposed, the number of acres proposed to be dedicated as community open space, and area of impervious cover.
 - ☒ Total number of residential dwelling units of each type proposed, and the approximate gross square footage of each type of non-residential development proposed.
 - ☒ General layout of pathways, driveways and streets in the subdivision, and any on-site or off-site traffic improvements proposed.
- ☒ Conceptual plan for the provision of water and waste water.
- ☒ Conceptual drainage plan.
- ☒ Conceptual tree protection plan.
- ☐ Phasing plan, if applicable. **NOT APPLICABLE**
- ☒ Evidence or proof that all taxes and obligations have been paid for the subject property.



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- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable in a USB flash drive or via email.

Urbanist, Inc
5851 San Felipe, Suite 230
Houston, TX 77057

urbanist.

February 1, 2023

Katherine Schweitzer, PE
Manager of Engineering Services
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Botanica Fair Oaks – Luxury Build-to-Rent Concept Plan Submission

Dear Ms. Schweitzer,

This submittal is to submit the Concept Site Plan for the proposed Botanica Fair Oaks community, to be developed on one land parcel in its entirety of approximately 19.799 acres of undeveloped land located on Ralph Fair Road (the “**Project**”).

The Project will consist of single-story 1 & 2 bedroom units and two-story duplex and fourplexes with 2 bedroom units. The total unit count is 210 units with a 5,480 SF amenity center and over 135,000 SF of park/commons area.

Sincerely,



Jonathan Bursey

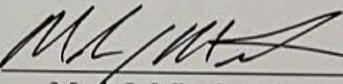
Managing Director and General Partner of
UGro-P6 Botanica Fair Oaks, LLC

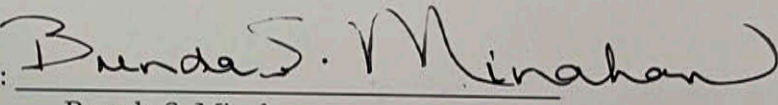
Letter of Authorization

The undersigned, being the owner (the "**Owner**") of approximately 19.799 acres of undeveloped land located on Ralph Fair Road in San Antonio, Texas (the "**Property**"), does hereby authorize Jonathan Bursey to submit a Concept Plan to the City of Fair Oaks for a proposed development provisionally named Botanica Fair Oaks, a multi-unit residential community.

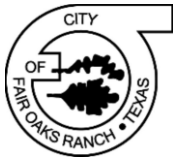
The Owner understands that this Concept Plan is, as the name suggests, for now only a concept. The purpose of the Concept Plan is for the City of Fair Oaks to officially assess the merits and viability of the proposed development and provide feedback and comments. The Owner understands that an approval of a Concept Plan does not cause any change the Property nor provide any rights to change the Property such as a building permit or a replat approval.

Owner

By: 
Mark J. Minahan Sr

By: 
Brenda S. Minahan

Date Signed: 1/30/2023



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 Address: **5851 San Felipe, Suite 230** City/State/ZIP: **Houston, TX 77057**
 Phone: **310.871.9027** Email: **jon@urbanistusa.com**

KEY CONTACT INFORMATION

Name of the Individual: **Sean York, Development Mgr.** Contact Name:
 Address: City/State/ZIP:
 Phone: **832.250.3203** E-mail: **syork@reddcoredevco.com**

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Jonathan Bursey

Signature:  Date: 2/1/2023

(Signed letter of authorization required if the application is signed by someone other than the property owner)

ATTACHED

*****OFFICE USE ONLY*****

DATE REC'D: 2/1/2023 BY: KGSFEES PAID: \$100 APPROVED BY: _____

DATE APPROVED: _____

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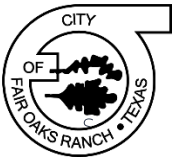


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City of Fair Oaks Ranch

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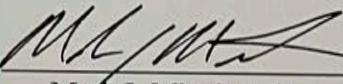
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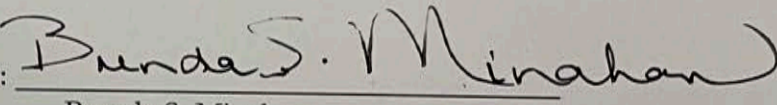
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Owner

By: 
Mark J. Minahan Sr

By: 
Brenda S. Minahan

Date Signed: 1/30/2023

Payment Summary

Status**Bank Received****Entry Method**

Freeform

Entered on

02/01/2023 02:27 PM

Last Approved On

02/01/2023 02:28 PM

Extracted date/Released on

02/01/2023 02:28 PM

BankReceived on

02/01/2023 02:28 PM

First Confirmation Number

230201012096

Originator Information

Account Number UGRO P6 Botanica Fair Oaks LLC - XXXX1801 - CMATX - Comerica Texas**Internal Comment** Botanica Fair Oaks Concept Plan

Beneficiary Information

Name City of Fair Oaks Ranch**Country** UNITED STATES**Account Number**

310101524

Bank Code Type ABA**Bank Entry Method** Bank Code Look-up**Bank** 114000093

FROST BANK

SAN ANTONIO, TX

US

Date & Amount**Value Date**

02/01/2023

Charges Shared**Credit Amount** 100.00 USD

Additional Information

METES AND BOUNDS DESCRIPTION
FOR

A 19.799 acre, or 862,452 square feet more or less, tract of land comprised of all of the 3.5 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 16788, Page 898 in the Official Public Records of Bexar County, Texas, and all of the 16.288 acre tract described in instrument to Mark J. and Brenda Minahan recorded in Volume 14756, Page 2229 in said Official Public Records, in the Maria De La Luz Guerra Survey No. 172, Abstract No. 257, County Block 4741, in the City of Fair Oaks Ranch, Bexar County, Texas. Said 19.799 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

- BEGINNING:** At a found ½" iron rod on the east right-of-way line of Ralph Fair Road (F.M. 3351), a variable width public right-of-way, at the southwest corner of said 3.5 acre tract and the most westerly northwest corner of the 0.321 acre tract described in Volume 9133, Page 1068 in said Official Public Records;
- THENCE:** N 00°11'48" W, along and with the east right-of-way line of said Ralph Fair Road and a west line of said 3.5 acre tract, at a distance of 170.87 feet passing a found iron rod with cap marked "ACES", at the northwest corner of said 3.5 acre tract and the southwest corner of said 16.288 acre tract, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, a total distance of 705.48 feet to a found mag nail;
- THENCE:** Northeasterly, continuing along and with the east right-of-way line of said Ralph Fair Road and the west line of said 16.288 acre tract, along a tangent curve to the right, said curve having a radius of 5679.58 feet, a central angle of 02°54'18", a chord bearing and distance of N 01°15'21" E, 287.93 feet, for an arc length of 287.96 feet to a point, at the northwest corner of said 16.288 acre tract and the southwest corner of the 159.74 acre tract described in Volume 18763, Page 4 in said Official Public Records, from which a found ½" iron rod bears N 89°55'08" W, a distance of 0.62 feet;
- THENCE:** S 89°55'08" E, departing the east right-of-way line of said Ralph Fair Road, along and with the north line of said 16.288 acre tract and a south line of said 159.74 acre tract, a distance of 888.44 feet to a found ½" iron rod, at the northeast corner of said 16.288 acre tract and an angle point of said 159.74 acre tract;

Job No.:9110-21

16.299 Acres

Page 2 of 2

THENCE: S 03°59'17" W, along and with the east line of said 16.288 acre tract and a west line of said 159.74 acre tract, at a distance of 821.38 feet passing a found iron rod with cap marked "Pfeiffer", at the southeast corner of said 16.288 acre tract and the northeast corner of said 3.5 acre tract, continuing along and with an east line of said 3.5 acre tract and a west line of said 159.74 acre tract, a total distance of 1022.60 feet to a found ½" iron rod, at the southeast corner of said 3.5 acre tract, an angle point of said 159.74 acre tract and the northeast corner of the 4.939 acre tract described in Volume 4846, Page 1787 in said Official Public Records;

THENCE: S 89°50'53" W, along and with a south line of said 3.5 acre tract and the north line of said 4.939 acre tract, a distance of 588.07 feet to a found iron rod with cap marked "Reaves", at an angle point of said 3.5 acre tract, the northwest corner of said 4.939 acre tract, the northeast corner of Lot 1, Block 1, RFR Subdivision recorded in Volume 9532, Page 203 in the Deed and Plat Records of Bexar County, Texas, and the southeast corner of said 0.321 acre tract;

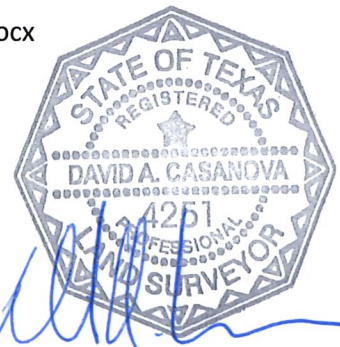
THENCE: N 00°00'27" E, along and with a west line of said 3.5 acre tract and the east line of said 0.321 acre tract, a distance of 100.00 feet to a found iron rod with cap marked "Pfeiffer", at an angle point of said 3.5 acre tract and the northeast corner of said 0.321 acre tract;

THENCE: S 89°48'39" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 100.00 feet to a found ½" iron rod, at an angle point of said 3.5 acre tract and most northerly northwest corner of said 0.321 acre tract;

THENCE: S 00°00'27" W, along and with an east line of said 3.5 acre tract and a west line of said 0.321 acre tract, a distance of 70.00 feet to a found iron rod with cap marked "Pfeiffer";

THENCE: S 89°58'12" W, along and with a south line of said 3.5 acre tract and a north line of said 0.321 acre tract, a distance of 133.14 feet to the POINT OF BEGINNING and containing 19.799 acres in the City of Fair Oaks Ranch, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9110-21 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: August 23, 2021
JOB NO. 9110-21
DOC. ID. N:\Survey21\21-9100\9110-21\Word\9110-21 FN 19.799 AC.docx



NOTES:

- 1) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- 2) THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.

TABLE A ITEMS

- 1) 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- 2) THE SUBJECT PROPERTY'S ADDRESS HAS NOT BEEN ASSIGNED.
- 3) THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 4802900105F, DATED SEPTEMBER 29, 2010 FOR BEXAR COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV ZONE X (UNSHADED), DEFINED AS: "OTHER AREAS; AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN."
- 4) GROSS LAND AREA IS 19.799 ACRES OR 862,452 SQUARE FEET (MORE OR LESS).
- 5) FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.
- 6) SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON THE SURVEY.
- 7) THE SUBJECT TRACT HAS ZERO (0) PARKING SPACES.

LINE LEGEND

- X — X — BARBED WIRE FENCE
 — O — O — CHAIN LINK FENCE
 — O — O — WROUGHT IRON/ORNAMENTAL FENCE

DEED/PLAT REFERENCE

- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
 D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
 D.P.R. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS

SYMBOL LEGEND

- CBX COMMUNICATION JUNCTION BOX
 CMP CORRUGATED METAL PIPE
 ET ELECTRIC TRANSFORMER
 GATE
 RCP REINFORCED CONCRETE PIPE
 SET 1/2" I.R.(PD)
 FOUND MONUMENT

LEGEND

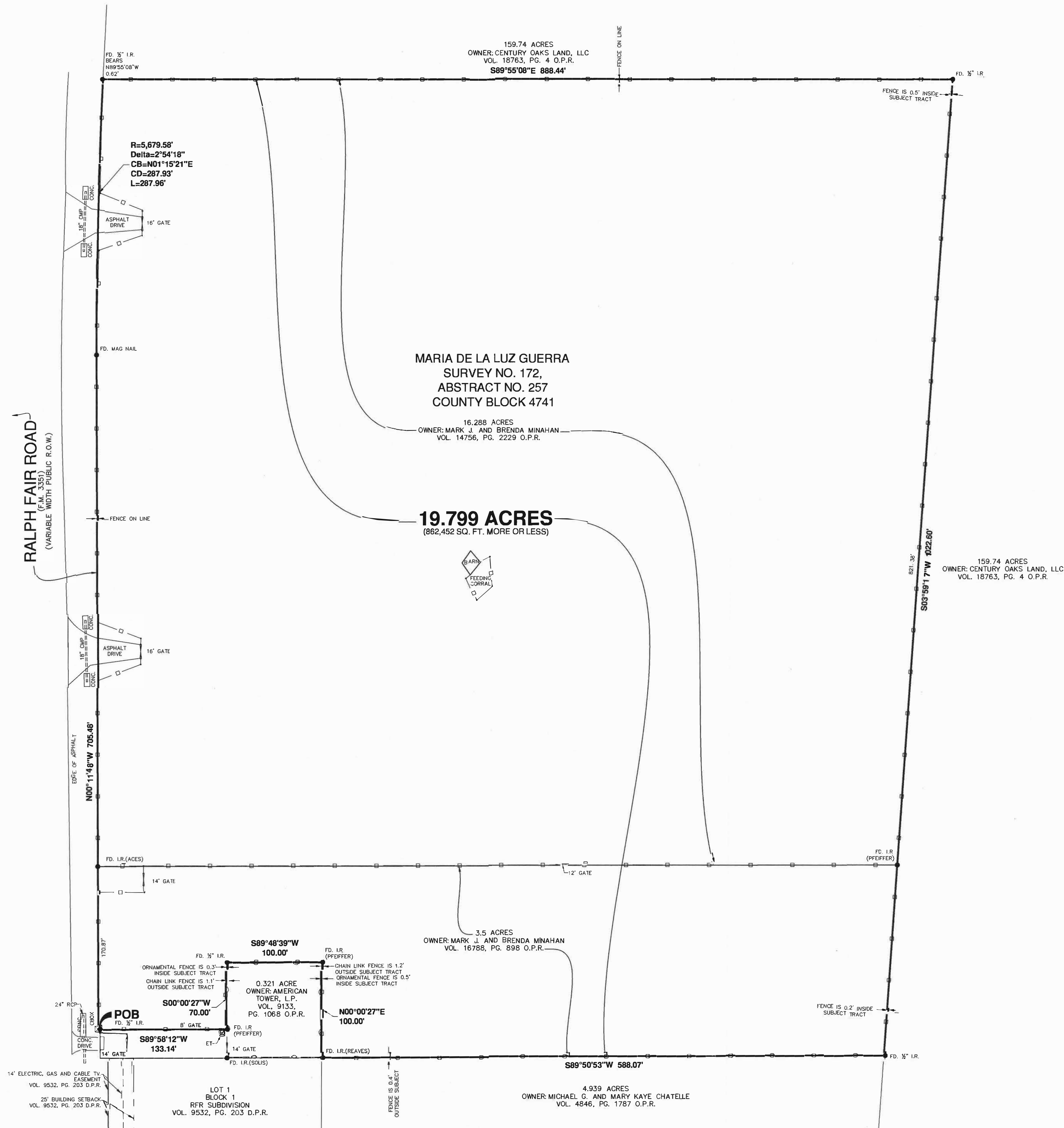
- CONC. CONCRETE
 FD. FOUND
 I.R. IRON ROD

REFERENCES:
 THIS SURVEY WAS PREPARED IN CONJUNCTION WITH, BUT NOT SOLELY RELYING ON, THE TITLE COMMITMENT LISTED BELOW.

TITLE COMMITMENT: G.F. # SOT-48-4300112105188-08
 CHICAGO TITLE INSURANCE COMPANY
 DATE ISSUED: MAY 27, 2021
 EFFECTIVE DATE: MAY 21, 2021

ONLY THOSE MATTERS IDENTIFIED IN THE TITLE COMMITMENT AND THOSE THAT THE SURVEYOR WAS AWARE OF AT THE TIME OF THIS SURVEY ARE SHOWN.

1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD ITEMIZED BELOW:
 VOLUME 9133, PAGE 1073, REAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS (APPLIES)



THE LANGUAGE SET FORTH BELOW *MUST* BE INCORPORATED INTO A COVER LETTER ATTACHED TO ALL TITLE INSURANCE COMMITMENTS.

Required Language for a Title Insurance Commitment Cover Letter

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one (1) of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Our company's right to access and use Title Data's title plants is governed by the Subscription Agreement(s) we have with Title Data, which restricts who can receive and/or use a title insurance commitment, which is based in whole or in part, upon Title Data's records and information. The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.

This Title Insurance Commitment should not be re-distributed without first confirming with the issuing agent what is permissible under the terms of their Subscription Agreement with Title Data.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

COMMITMENT FOR TITLE INSURANCE (T-7)

Issued By:

Commitment Number:

**Chicago Title Insurance Company****CTT21749540**

THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

We (Chicago Title Insurance Company, a Florida corporation) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule B and Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Chicago Title Insurance Company

By:

Issued By:

Chicago Title of Texas, LLC

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

_____
Authorized Signatory**CONDITIONS AND STIPULATIONS**

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment that is not shown in Schedule B you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.
2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements, or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations, and Exclusions.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO.: CTT21749540**

SCHEDULE A

Effective Date: January 22, 2023 at 8:00 AM

Commitment No.: CTT21749540-Commitment for Title Insurance (T-7)

GF No.: CTH-IL-CTT21749540KI

Issued: January 29, 2023 at 8:00 AM

1. The policy or policies to be issued are:

- (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)

Policy Amount:
Proposed Insured:

- (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
-- ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

Policy Amount:
Proposed Insured: Ralph Fair Road Capital LLC a Texas Limited Liability Company

- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

Policy Amount:
Proposed Insured:
Proposed Borrower:

- (f) OTHER

Policy Amount:
Proposed Insured:

2. The interest in the land covered by this Commitment is:

Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

Mark J. Minahan and Brenda Minahan

SCHEDULE A

(continued)

4. Legal description of land:

Tract 1:

BEING 16.288 Acres out of the M. De La Luz Guerra Survey Number 172, Abstract Number 257, C.B. 4741, in Bexar County, Texas, and being part of a 20.139 acre tract of land recorded in Volume 5787, Page 1967 in the Bexar County Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING At a found 1/2" iron rod with "Pfeiffer Cap" for the southwest corner of this tract and the northwest corner of a 3.5 acre tract as recorded in Volume 12843, Page 2112 of the Public Records of Bexar County, Texas, said point being in the east right-of-way of FM 3351 (Ralph Fair Road);

THENCE North 00° 00' 07" West a distance of 534.59 feet with said right-of-way to a found 1/2" iron rod with "ACES" Cap for a point of curvature;

THENCE curving to the right with a central angle of 2° 54' 14", a radius of 5679.58, a curve length of 287.86 and a chord bearing and distance of N 01° 18' 06" East a distance of 287.83 feet at a found 1/2" iron rod with for a point of tangency, the northwest corner of this tract, the southwest corner of a 159.74 acre tract as recorded in Volume 9675, Page 2082 of the Public Records of Bexar County, Texas, and the east line of said FM 3351.

THENCE departing said right-of-way South 89° 42' 11" East a distance of 888.51 feet with the south line of said 159.74 acre tract to a found 1/2" iron rod for the northeast corner of this tract;

THENCE South 04° 07' 46" West a distance of 820.52 feet with the line of said 159.74 acre tract to a found 1/2" iron rod with "Pfeiffer Cap" for the southeast corner of this tract and the northeast corner of the aforementioned 3.5 acre tract;

THENCE North 89° 57' 17" West a distance of 835.92 feet with the North line of said 3.5 acre tract to the POINT OF BEGINNING and containing 16.288 acres, more or less, in Bexar County, Texas.

Tract 2:

FIELD NOTES FOR 3.5 ACRES OF LAND, MORE OR LESS, OUT OF THE M. DE LA LUZ GUERRA SURVEY NUMBER 172, ABSTRACT NUMBER 257, COUNTY BLOCK 4741 IN BEXAR COUNTY, TEXAS, (LOCATIONS AND CONFIGURATIONS OF ANY ORIGINAL PATENTS, ETC. ON OR ADJOINING THIS TRACT ARE APPROXIMATE, SAID PATENTS, ETC. WERE NOT RESEARCHED OR LOCATED ON THE GROUND. PATENT PROBLEMS AND/OR CONFLICTS MAY EXIST.) AND BEING PART OF A 20.139 ACRE TRACT OF LAND CONVEYED TO MARIA E. GARZA RECORDED IN VOLUME 5787, PAGE 1967 IN THE BEXAR COUNTY OFFICIAL PUBLIC RECORDS; SAID 3.5 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL IRON PINS CITED ARE 1/2" DIAMETER.

REFERENCE IS MADE TO A 12" X 18" PLAT OF 3.5 ACRES DATED DECEMBER 27, 2004 AND APRIL 20, 2005 ACCOMPANYING THESE FIELD NOTES.

BEARING BASE USED: GEODETIC NORTH DERIVED FROM G.P.S. OBSERVATIONS.

BEGINNING AT A FOUND IRON PIN BY FENCE CORNER ON THE WEST LINE OF A 159.74 ACRE TRACT OF LAND CONVEYED TO THE CORLEY FAMILY, L.L.C. DESCRIBED IN EXHIBIT "A" IN DEED RECORDED IN VOLUME 9675, PAGE 2082 - BEXAR COUNTY OFFICIAL PUBLIC RECORDS FOR THE NORTHEAST CORNER OF THE ADJOINING 4.939 ACRE TRACT OF LAND CONVEYED TO MICHAEL G. CHATELLE, ET UX RECORDED IN VOLUME 4846, PAGE 1787 - BEXAR COUNTY

SCHEDULE A

(continued)

OFFICIAL PUBLIC RECORDS, THE SOUTHEAST CORNER OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE SOUTHERLY LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, NORTH 89° 57' 17" WEST, 587.81 FEET TO A FOUND IRON PIN BY FENCE CORNER FOR THE SOUTHEAST CORNER OF THE ADJOINING 0.321 ACRE TRACT OF LAND CONVEYED TO AMERICAN TOWER, LP. RECORDED IN VOLUME 9133, PAGE 1068 BEXAR COUNTY OFFICIAL PUBLIC RECORDS.

THENCE ALONG THE EAST, NORTH AND WEST LINES OF THE ABOVE REFERENCED AMERICAN TOWER 0.321 ACRE TRACT, NORTH 00° 81' 45" EAST, 100.00 FEET TO A FOUND IRON PIN FOR THE NORTHEAST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, NORTH 89° 57' 17" WEST, 100.00 FEET TO A SET IRON PIN WITH CAP FOR THE NORTH NORTHWEST CORNER OF SAID AMERICAN TOWER 0.321 ACRE TRACT, SOUTH 00° 08' 45" WEST, 70.00 FEET TO A SET IRON PIN WITH CAP, AND NORTH 89° 57' 17" WEST, 133.24 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF RALPH FAIR ROAD FOR THE WEST NORTHWEST CORNER OF SAID AMERICAN TOWER, 0.321 ACRE TRACT AND SOUTHWEST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF RALPH FAIR ROAD, NORTH 00° 01' 35" WEST, 171.01 FEET TO A SET IRON PIN WITH CAP FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE CROSSING THROUGH THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT, SOUTH 89° 57' 17" EAST, 835.78 FEET TO A SET IRON PIN WITH CAP ON THE EAST LINE OF SAID GARZA 20.139 ACRE TRACT AND THE WEST LINE OF THE ABOVE REFERENCED ADJOINING CORLEY FAMILY 159.74 ACRE TRACT FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE ALONG THE EAST LINE OF THE ABOVE REFERENCED GARZA 20.139 ACRE TRACT AND THE WEST LINE OF SAID CORLEY FAMILY 159.74 ACRE TRACT, SOUTH 04° 11' 24" WEST, 201.54 FEET TO THE PLACE OF BEGINNING.

Note: The Company is prohibited from insuring the area or quantity of the Land. Any statement in the legal description contained in Schedule A as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes and does not override Item 2 of Schedule B hereof.

END OF SCHEDULE A

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

[Volume 9133, Page 1073](#), Real Property Records, Bexar County, Texas.

Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any of any spouse of any insured.

(Applies to the Owner Policy only.)

4. Any title or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.

(Applies to the Owner Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year 2021 and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax years. (If Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2021 and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)

SCHEDULE B EXCEPTIONS FROM COVERAGE

(continued)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage.

(Applies to Mortgagee Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) only. Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
 - a. Rights of parties in possession.
 - b. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements after reviewing said survey.
 - c. Those liens created at closing, if any, pursuant to lender instructions.
 - d. Visible or apparent easement(s) and/or rights of way on, over, under or across the Land.
 - e. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated March 15, 1929, recorded March 28, 1929 at [Volume 1097, Page 281](#), Deed Records, Bexar County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
 - f. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to \$ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

SCHEDULE B
EXCEPTIONS FROM COVERAGE

(continued)

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

SCHEDULE C

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

Your Policy will not cover loss, costs, attorney's fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
 - a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
 - b. all standby fees, taxes, assessments and charges against the property have been paid,
 - c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
 - d. there is legal right of access to and from the land,
 - e. (on a Mortgagee Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:
 - Confirmation prior to closing that the County Clerk of Bexar County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
 - Electronic recordation of the instruments to be insured in the Official Public Records of Bexar County, Texas.
 - Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
 - Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter 87.
6. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
7. The Company must be furnished with a marital affidavit from each record owner from the date of his/her acquisition of subject property to the present time. The spouse of each record owner must join in any conveyance of subject property.
8. The following note is for informational purposes only:

SCHEDULE C

(continued)

The following deed(s) affecting said land were recorded within twenty-four (24) months of the date of this report:

None found of record.

9. The last Deed found of record affecting the Land was recorded July 28, 2014, at Volume 16788, Page 898, Real Property Records, Bexar County, Texas, wherein Mark J. Minahan and Brenda Minahan acquired 3.5 acres of the subject property.

Other Deed found of record affecting the Land was recorded December 3, 2010, at Volume 14756, Page 2229, Real Property Records, Bexar County, Texas, wherein Mark J. Minahan and Brenda Minahan acquired 16.288 acres of the subject property.

10. Note –Important Notice

You have the right to have your funds deposited in an interest-bearing account.

If you choose to establish an interest-bearing account for your deposit, notify your escrow officer immediately. Thereafter you will be provided with a Notice of Election form which you should complete in writing by completing and returning the form, along with your taxpayer identification information, not later than five (5) days before the scheduled closing. If you choose to establish an interest-bearing account for your deposit, an additional charge of \$50.00 will be required. This charge may exceed the amount of interest to be earned on the deposit, depending on the amount, applicable interest rate, and the duration of the deposit.

As an example, the amount of interest you can earn on a deposit of \$1000.00 for a thirty-day period at an interest rate of 4% is \$3.33. Interest earned is dependent on the amount of deposit, time of deposit and the applicable interest rate.

If you do not choose to establish an interest-bearing account for your deposit, your funds will be deposited with other escrow funds in your escrow agent's general escrow account with an authorized financial institution and may be transferred to another general escrow account or accounts. By reason of the banking relationship between our Company and the financial institution, the Company may receive an array of bank services, accommodations or other benefits. The escrow funds will not be affected by such services, accommodations or other benefits.

Failure to notify your escrow officer and complete the additional required investment authorization form shall constitute waiver of any intention of establishing an interest-bearing account for your deposit(s).

11. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:

- Confirmation prior to closing that the County Clerk of Bexar County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
- Electronic recordation of the instruments to be insured in the Official Public Records of Bexar County, Texas.
- Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
- Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter

SCHEDULE C
(continued)

87.

SCHEDULE D

Commitment No.: CTT21749540

GF No.: CTH-IL-CTT21749540KI

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The following individuals are officers and/or directors of **Chicago Title Insurance Company, a Florida corporation**:

Shareholders: Fidelity National Title Group, Inc. which is owned 100% by FNTG Holdings, LLC which is owned 100% by Fidelity National Financial, Inc.

Directors: Raymond Randall Quirk, Anthony John Park, Marjorie Nemzura, Michael J. Nolan, Edson N. Burton, Jr.

Officers: Raymond Randall Quirk (President), Anthony John Park (Executive Vice President), Marjorie Nemzura (Secretary), Daniel Kennedy Murphy (Treasurer)

2. The following disclosures are made by the Title Insurance Agent issuing this Commitment:

Chicago Title of Texas, LLC

(a) A listing of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.

Owners: FNTS Holdings, LLC owns 100% of Alamo Title Holding Company, which owns 100% of **Chicago Title of Texas, LLC**

(b) A listing of each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.

Owners: FNTG Holdings, LLC owns 100% of FNTS Holdings, LLC

(c) If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent.

Officers: Raymond Randall Quirk (President), Brian K. Baize (President), Gayle Brand (President), Jennifer Clarke (President), Michael J. DeBault (President), John Tannous (President), Anthony John Park (Executive Vice President and Chief Financial Officer), Joseph William Grealish (Executive Vice President), John Ernst (Executive Vice President), Todd Rasco (Executive Vice President), Jeffrey Colby (Senior Vice President), Winford Dubose (Vice President), Brewer Gregory (Vice President), Marjorie Nemzura (Vice President and Secretary)

(d) The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive. NONE.

(e) For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owner's Policy	\$
Endorsement Charges	\$
Total	\$

SCHEDULE D

(continued)

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

Percent/Amount

To Whom

For Services

*The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance.

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title.

The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.

El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.

Your Commitment for Title insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

--MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, insure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

---EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

---EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

---CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

TEXAS TITLE INSURANCE INFORMATION

(Continued)

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-442-7067 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

—Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

—Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

DELETION OF ARBITRATION PROVISION

(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

"Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

Signature

Date

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective August 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.



Effective Date: 5/1/2018

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.



Effective Date: 5/1/2018

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888)714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 714-2710 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer



Bexar CAD

Property Search > 1049681 MINAHAN MARK J &
BRENDA for Year 2022

Tax Year: 2022

Property

Account

Property ID:	1049681	Legal Description:	CB 4741 P-4B & P-4E ABS 257
Geographic ID:	04741-000-0046	Zoning:	OCL
Type:	Real	Agent Code:	60075
Property Use Code:	002		
Property Use Description:	Rural		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	RALPH FAIR RD BOERNE, TX 78015	Mapsc0:	414A8
Neighborhood:	IH10/RALPH FAIR (BO)	Map ID:	21022
Neighborhood CD:	21022		

Owner

Name:	MINAHAN MARK J & BRENDA	Owner ID:	2743210
Mailing Address:	PO BOX 417 BOERNE, TX 78006-0417	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$1,250,000	\$1,310
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$1,250,000	
(-) Ag or Timber Use Value Reduction:	-	\$1,248,690	

(=) Appraised Value:	=	\$1,310	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$1,310	

Taxing Jurisdiction

Owner: MINAHAN MARK J & BRENDA

% Ownership: 100.000000000000%

Total Value: \$1,250,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$1,310	\$1,310	\$0.31		
08	SA RIVER AUTH	0.018360	\$1,310	\$1,310	\$0.24		
09	ALAMO COM COLLEGE	0.149150	\$1,310	\$1,310	\$1.95		
10	UNIV HEALTH SYSTEM	0.276235	\$1,310	\$1,310	\$3.62		
11	BEXAR COUNTY	0.276331	\$1,310	\$1,310	\$3.62		
45	FAIR OAKS RANCH	0.329100	\$1,310	\$1,310	\$4.31		
61	BOERNE ISD	1.178600	\$1,310	\$1,310	\$15.44		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,310	\$1,310	\$0.00		
Total Tax Rate:		2.251444					
Taxes w/Current Exemptions:					\$29.49		
Taxes w/o Exemptions:					\$29.49		

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RNP	Range Native Pasture	16.2880	709505.28	0.00	0.00	\$1,028,910	\$1,080
2	RNP	Range Native Pasture	3.5000	152460.00	0.00	0.00	\$221,090	\$230

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$1,250,000	1,310	1,310	\$0	\$1,310
2021	\$0	\$1,034,360	1,310	1,310	\$0	\$1,310
2020	\$0	\$1,095,000	1,310	1,310	\$0	\$1,310
2019	\$0	\$1,051,500	1,310	1,310	\$0	\$1,310

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/24/2010	WD	Warranty Deed	GARZA MARIA E	MINAHAN MARK J & BRENDA	14756	2229	20100217039

2023 data current as of Jan 31 2023 1:08AM.**2022 and prior year data current as of Jan 6 2023 6:47AM****For property information, contact (210) 242-2432 or (210) 224-8511 or email.**

**ALBERT URESTI, MPA, PCAC**

Bexar County Tax Assessor-Collector

2022 REAL PROPERTY**04741-000-0046**

(ACCOUNT NUMBER)

01/31/2023

OWNER:

MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417

LEGAL DESCRIPTION:

CB 4741 P-4B & P-4E ABS 257

LOCATION: RALPH FAIR RD**ACREAGE: 19.7880**

APPAISED VALUE		CAP VALUE	HOMESTEAD VALUE	NON-QUAL VALUE
LAND	IMPROVEMENT			
1,310	0	0	0	0
AGRI. MKT VALUE		PROD VALUE	ASSESSED VALUE	
1,250,000		1,310	1,250,000	

TAXING UNIT	EXEMPTIONS				TAXABLE VALUE	TAX RATE	TAX AMOUNT
ROAD AND FLOOD	0	0	0	0	1,310	0.023668	0.31
ALAMO COMM COLLEGE	0	0	0	0	1,310	0.149150	1.95
HOSPITAL DISTRICT	0	0	0	0	1,310	0.276235	3.62
BEXAR COUNTY	0	0	0	0	1,310	0.276331	3.62
SA RIVER AUTHORITY	0	0	0	0	1,310	0.018360	0.24
FAIR OAKS RANCH	0	0	0	0	1,310	0.329100	4.31
TAXES FOR 2022:							\$14.05

IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.

TAXES MAY BE PAID BY E-CHECK OR CREDIT CARD VIA THE INTERNET AT WWW.BEXAR.ORG/TAX OR BY PHONE AT 1-888-852-3572.

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.

01/31/2023

2022 Payment Amount Due:

If paid in JAN 2023 **14.05**
If paid in FEB 2023 **15.03**
If paid in MAR 2023 **15.33**

**DELINQUENT AFTER
FEBRUARY 1, 2023
AMOUNT PAID:**

04741-000-0046

MINAHAN MARK J & BRENDA
PO BOX 417
BOERNE, TX 78006-0417

MAKE CHECK PAYABLE TO:

ALBERT URESTI, MPA, PCAC
BEXAR COUNTY TAX ASSESSOR-COLLECTOR
P O BOX 2903
SAN ANTONIO, TX 78299-2903

047410000046900 000001405 000001503 000001533 000001559 000000000 000000000

5:27

◀ Messages



Thank You for Your Payment

Approved

1/31/2023 6:26 PM Central Standard Time



Customer Name Mark J Minahan

Effective Date

1/31/2023

Approved 21279404

Item	Amount
Property Tax ACT	\$14.05
Subtotal:	\$14.05
Transaction Fee:	\$0.30

AA collectorsolutions.com 

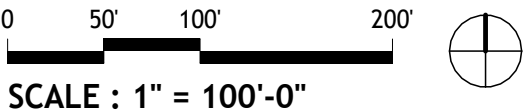
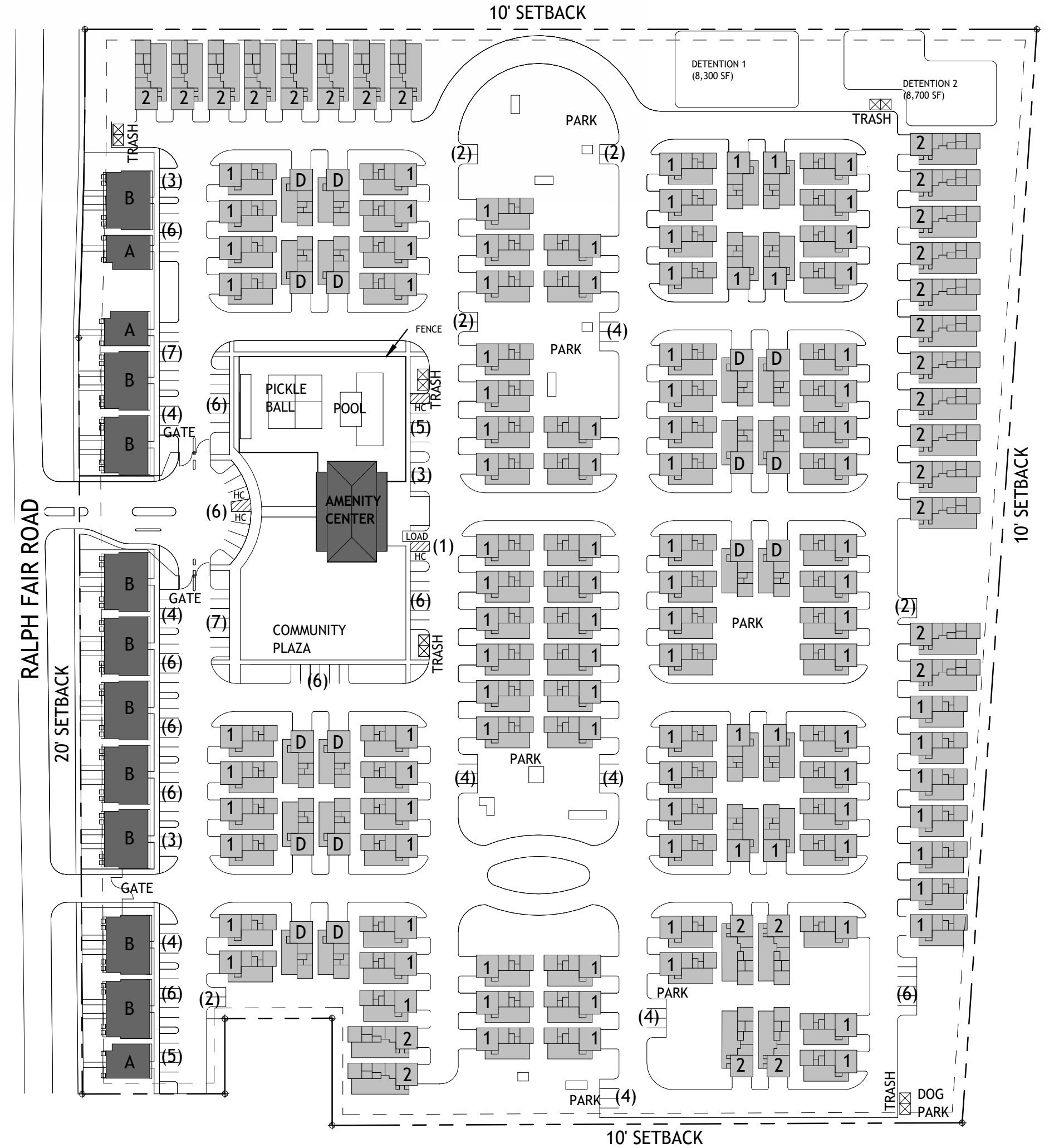
RESIDENTIAL UNIT TABULATIONS

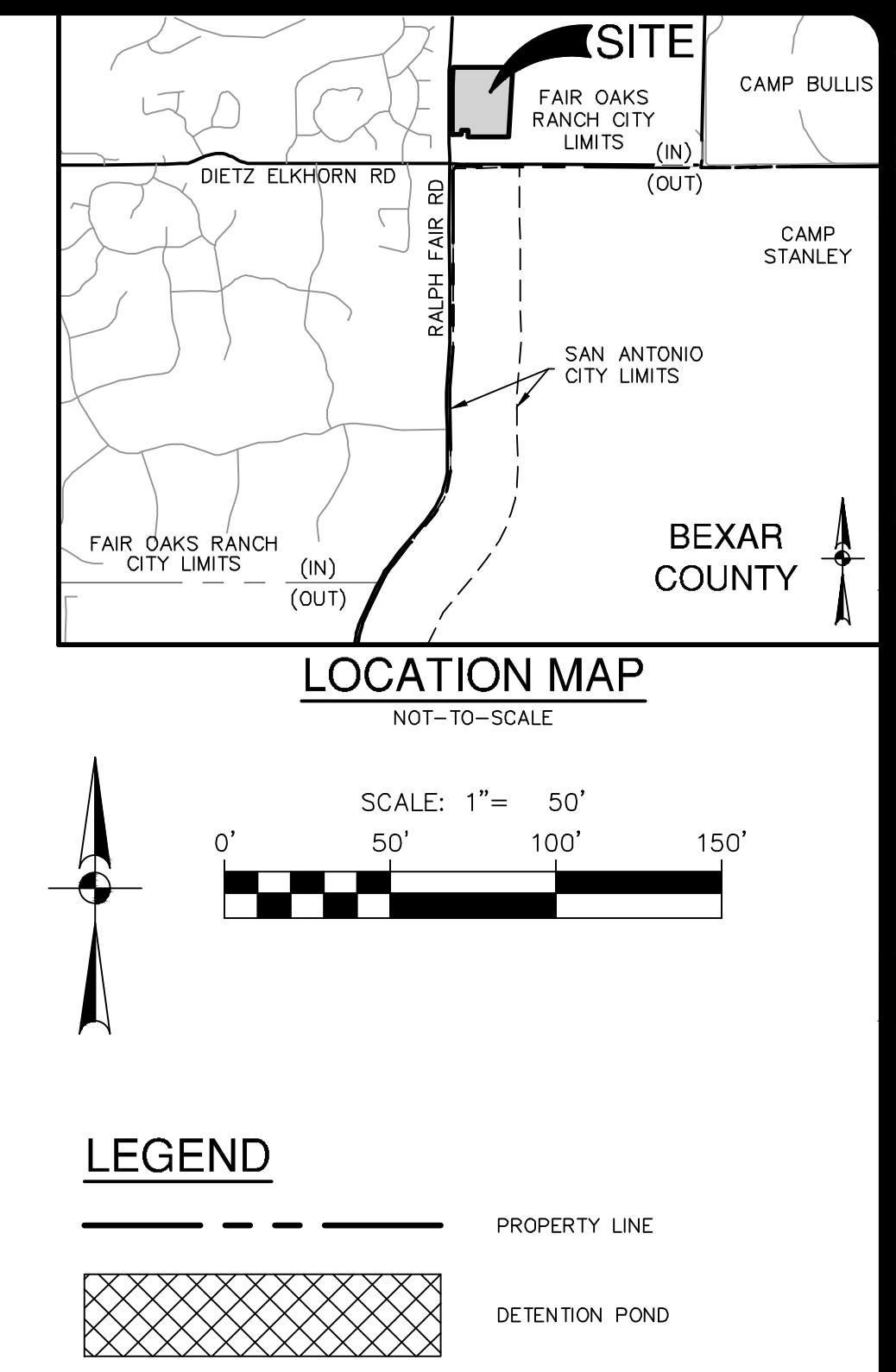
UNIT TYPES	NO. OF BLDGS	UNITS PER BLDG	TOTAL UNITS	NET UNIT AREA	GROSS UNIT AREA	TOTAL GROSS AREA
ONE-STORY, ONE BEDROOM UNITS	102	1	102	963 SF	1,360 SF	138,720 SF
ONE-STORY, TWO BEDROOM UNITS	27	1	27	1,312 SF	1,709 SF	46,143 SF
TWO STORY, DUPLEX (D) ONE BEDROOM UNITS	16	2	32	946 SF	1,249 SF	39,968 SF
TWO-STORY, TWO BEDROOM QUADPLEX (B) UNITS	10	4	40	1,009 SF	1,114 SF	44,560 SF
TWO-STORY, TWO BEDROOM DUPLEX (A) UNITS	3	2	6	1,009 SF	1,167 SF	7,002 SF
TOTALS			207	1,048 SF	1,320 SF	273,240 SF
AMENITY CENTER					5,480 SF	

PARKING TABULATIONS

UNIT TYPE	DESCRIPTION	NO. OF BLDGS	UNITS	TOTAL UNITS	# BRs	REQ'D PARKING
A	Two Story 2-BR Duplex	3	2	6	12	9
B	Two-Story 2-BR Quadplex	10	4	40	80	60
D	Two Story 1-BR Duplex	16	2	32	32	48
1	One-Story 1-BR	102	1	102	102	153
2	One-Story 2-BR	27	1	27	54	41
		158		207	280	310

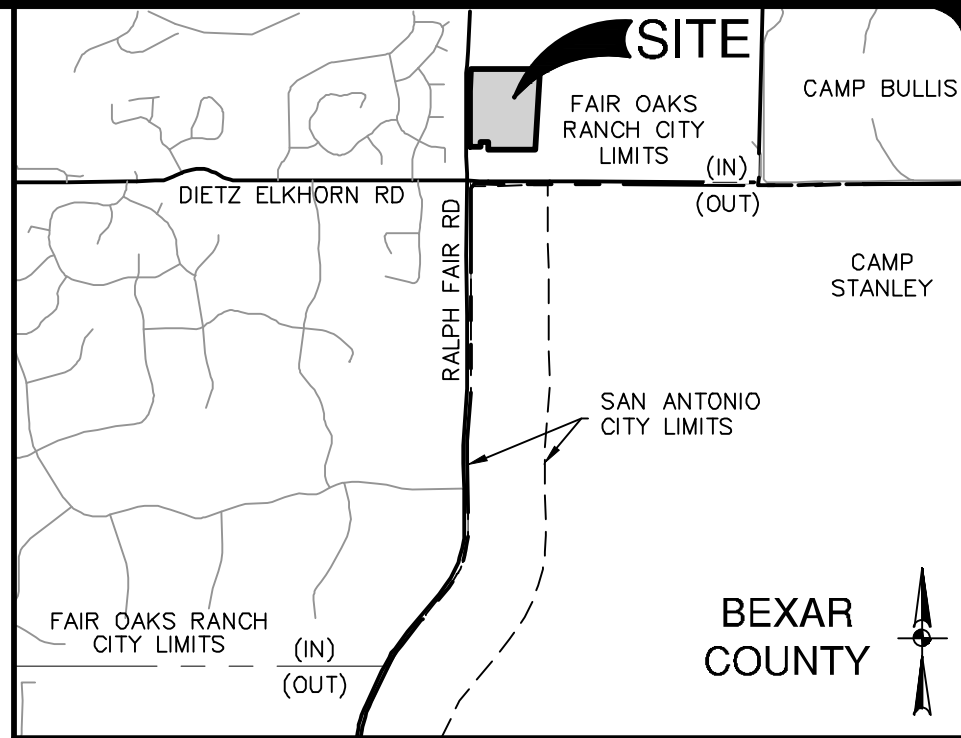
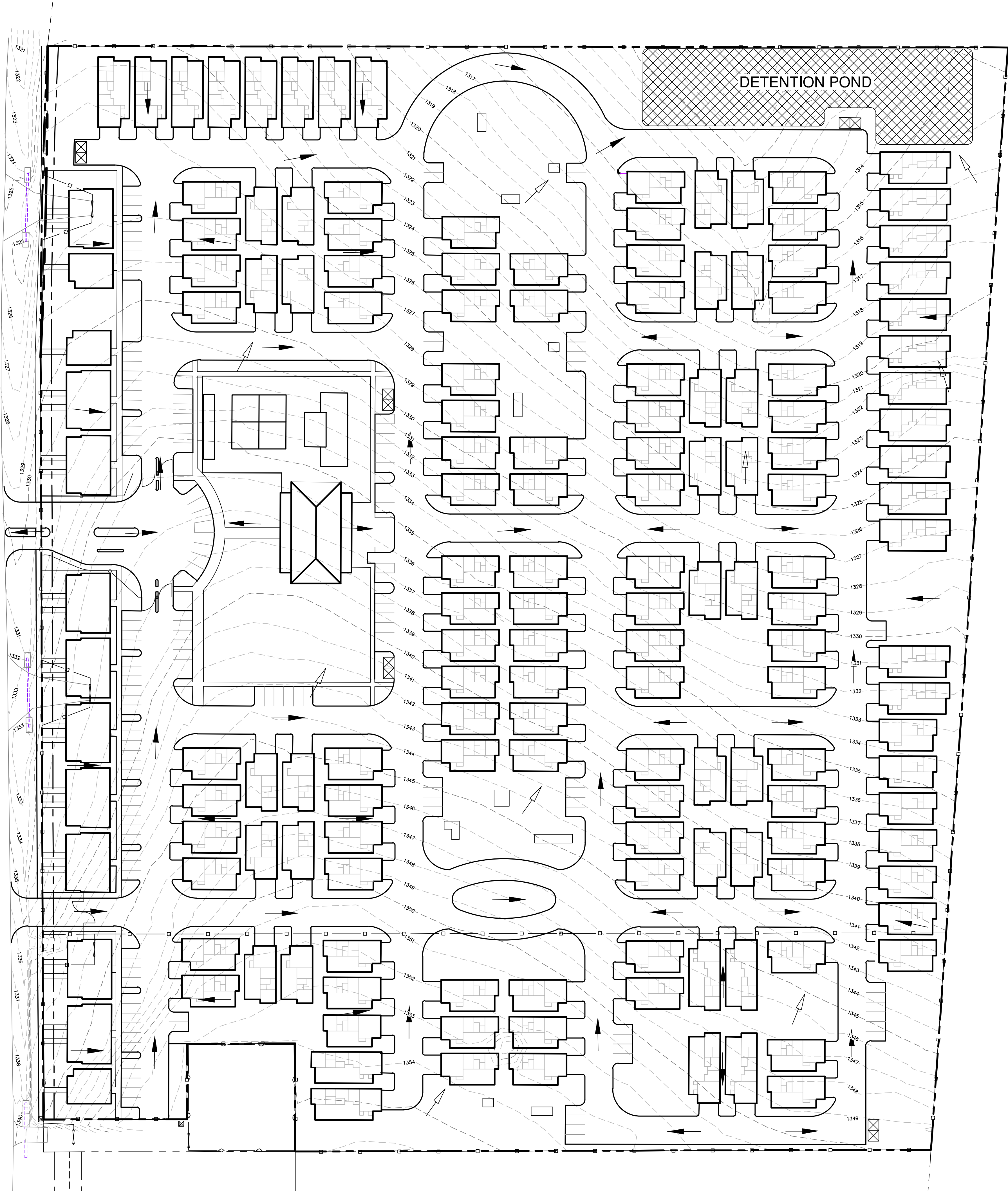
PARKING	PROVIDED
GARAGE SPACES	296
SURFACE (RESIDENT)	85
SURFACE (VISITOR)	52
	433





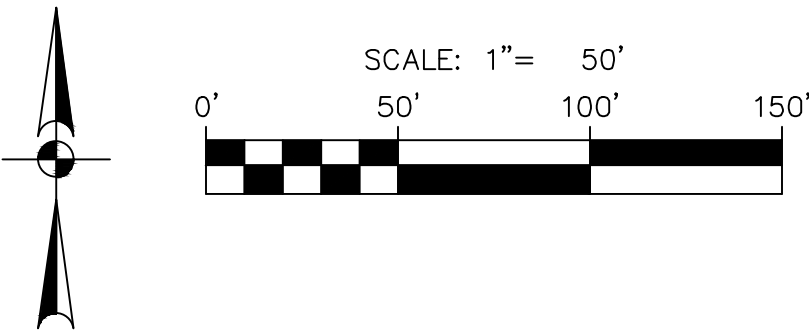
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RALPH FAIR RD (FM 3351)

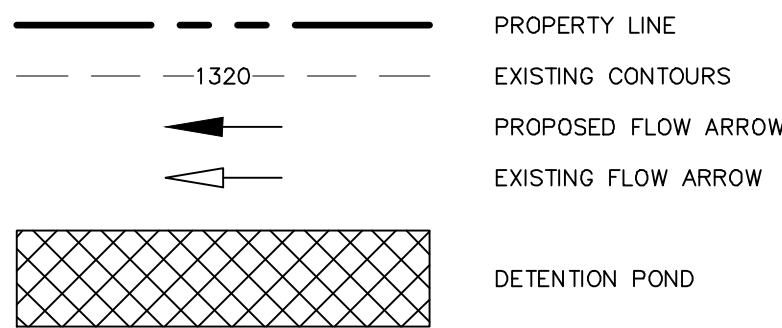


LOCATION MAP

NOT-TO-SCALE



LEGEND



Precipitation		Area		PA1		Peak Flow (cfs)		
Watershed	Area (ac)	CN (unitless)	Tc (min)	5	25	100	5	25
Existing Conditions								
Existing Overall Watershed	21.944	77.00	24	64.88	130.12	206.06		
Proposed Conditions								
Proposed Overall Watershed	21.944	85.00	25	80.99	147.03	222.01		

- 1 Watershed from watershed tab
2 Area from watershed tab
3 CN from coefficient tab
4 Tc from time of concentration tab
6 Peak Flow determined utilizing the unit hydrograph method

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS

GRADING AND DRAINAGE EXHIBIT

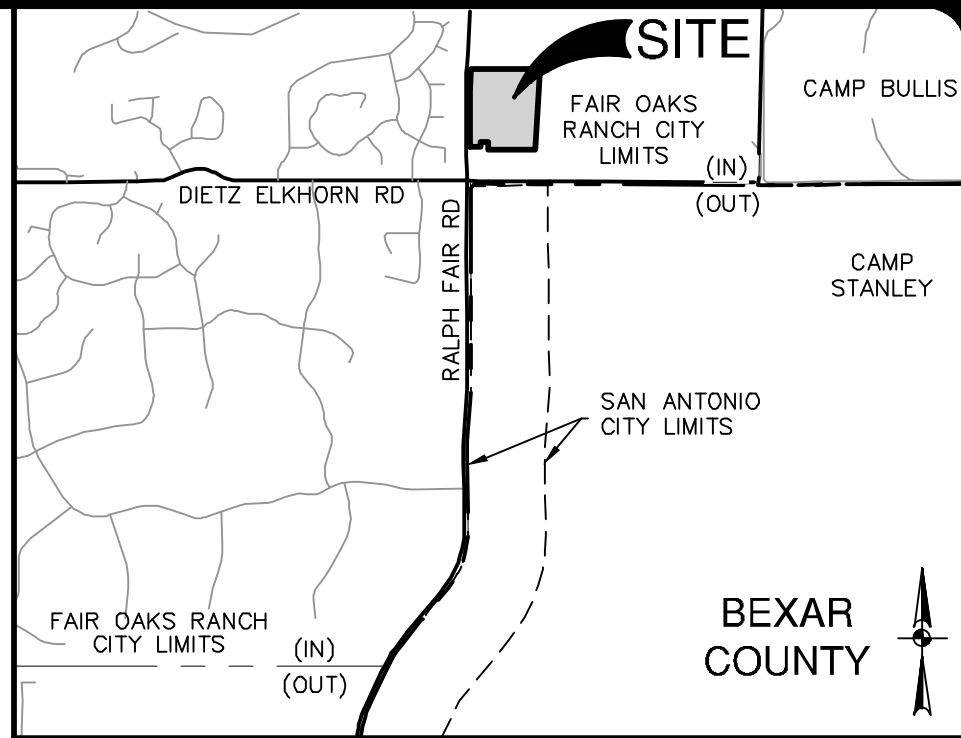
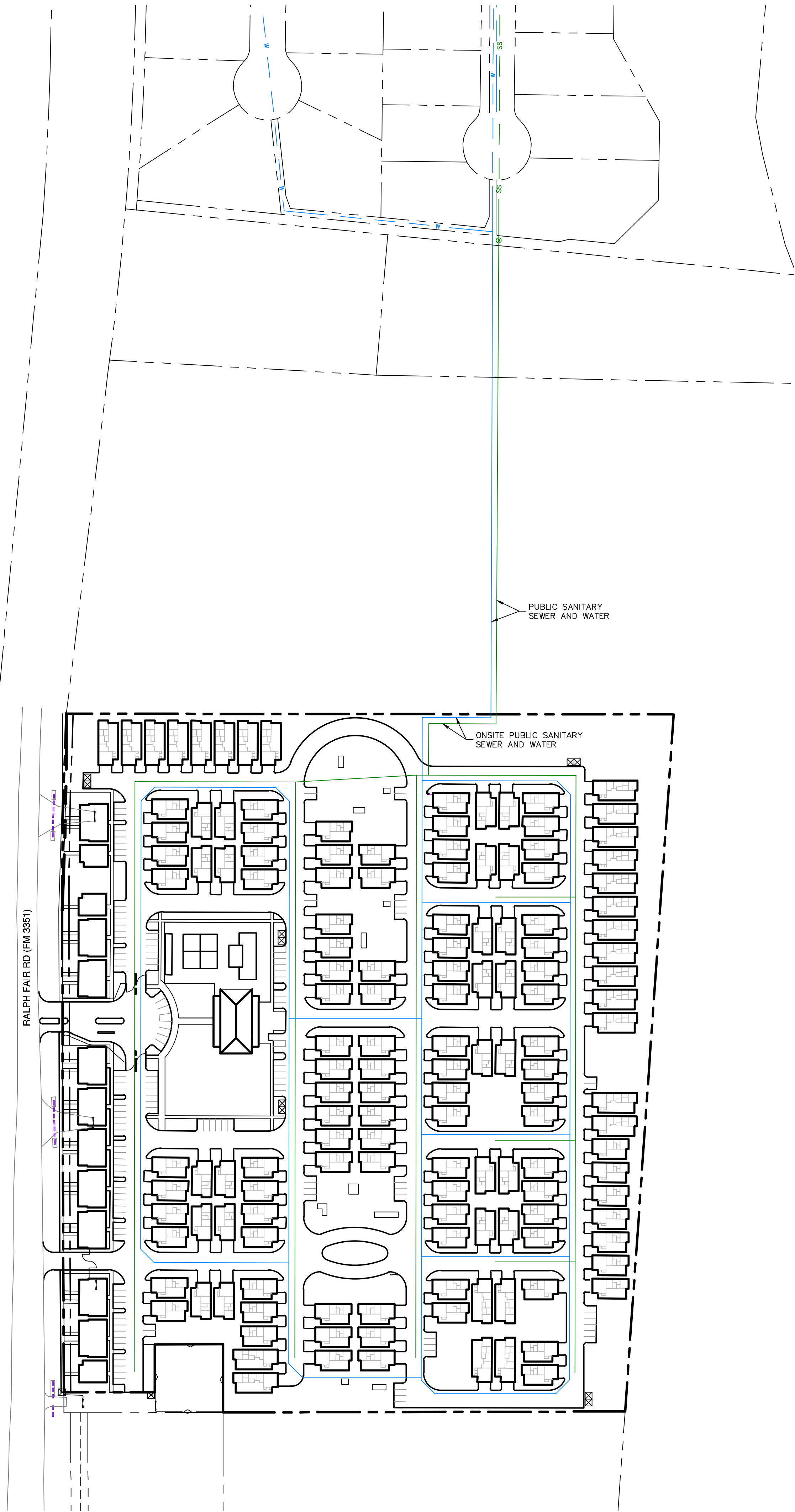
PLAT NO. N/A
JOB NO. 12973-00
DATE JANUARY 2023
DESIGNER AA
CHECKED EK DRAWN AA
SHEET 3 OF 3

PAPE-DAWSON
ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #170 | TEXAS SURVEYING FIRM #10028800

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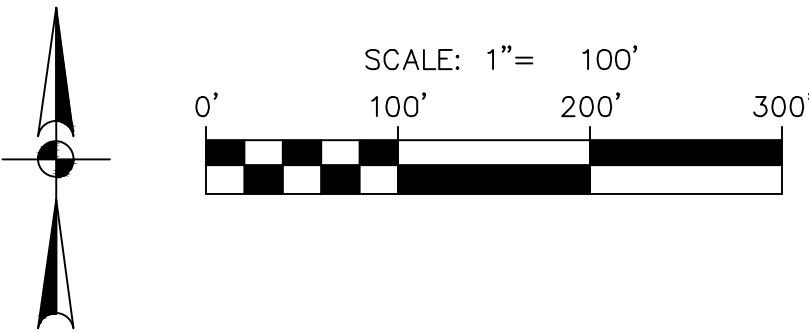
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LOCATION MAP

NOT-TO-SCALE



LEGEND

- PROPERTY LINE
- PROPOSED 8" FIRE/WATER LINE
- EXISTING 8" WATER LINE
- PROPOSED 8" SEWER LINE
- EXISTING 8" SEWER LINE





*ON-SITE UTILITIES TO BE PRIVATE

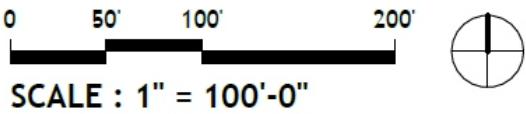
PAPE-DAWSON
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SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #170 | TEXAS SURVEYING FIRM #10028800

FAIR OAKS MULTIFAMILY
FAIR OAKS RANCH, TEXAS
OVERALL UTILITY EXHIBIT

PLAT NO.	N/A
JOB NO.	12973-00
DATE	JANUARY 2023
DESIGNER	AA
CHECKED	EK DRAWN AA
SHEET	2 OF 3

LEGEND

- **COMMUNITY ENTRY/EXIT**
- **COMMUNITY ENTRY/EXIT**
- **RESIDENT EXIT ONLY**
- **SHARED ACCESS DRIVE**
- **CROSS STREET CONNECTOR**
- **INTERNAL SIDEWALK CONNECTOR**
- **PUBLIC SIDEWALK (RALPH FAIR RD)**
- **PUBLIC SIDEWALK CONNECTOR**





Public Works ■ 7286 Dietz Elkhorn ■ Fair Oaks Ranch TX, 78015 ■ (210) 698-0900

February 8, 2023 / [February 15, 2023](#)

RE: Concept Plan Review - Botanica Fair Oaks Multi-unit Residential Community
North-east of the intersection of Dietz Elkhorn and Ralph Fair Rd. Road

Mr. Bursey,

The Concept Plan submittal for the proposed Fair Oaks Botanica Residential Community was received by the City on February 1, 2023 and deemed to be a complete submittal.

As per UDC. Sec 3.8 (3), a Concept Plan is required for this development since it will require off-site road, drainage, or utility connections or improvements that will have a substantial impact or effect on other properties or developments. The Concept Plan will be reviewed by the Planning and Zoning Commission and the Commission will forward its recommendation to the City Council, which is responsible for final action on Concept Plans.

Based on the review, the following items are outstanding or need to be addressed. Please note that these comments cannot be considered as Site Plan approval. A detailed Site Plan review will be conducted at the time of building permit submittal.

CLARIFICATIONS:

- Utility conflicts: Clarify the location of easements in setbacks. It appears that landscaping that is shown in the setbacks may be over proposed easements and utilities. Adding a table showing the required and proposed setbacks will be beneficial. Ralph Fair Secondary Frontage 10' min. setback – 20' max. setback. Side- 5' (min.), Rear -10'(min.).

[Easements/Setbacks are shown on revised site plan.](#)

North	East	West (Ralph Fair Rd)	South
10 feet*	10 feet*	20 feet	10 feet*

[*Assuming a stricter Residential to Commercial interface.](#)

- Provide more details about the restrictive covenants indicated on the survey.
[A copy of the one Restrictive Covenant is included.](#)

MAINTENANCE:

- Clarify who will be maintaining the landscaped area in the yards and other common open space and amenities.
[The Community will be managed by an institutional-grade property management company, e.g. Asset Living.](#)

CALCULATIONS:

1. Landscaping:

- a. Clarify if the parking lot landscaping is included in the 34.4% landscaped area.
The total site Landscaped area is 296,315 gsf, or 34.4% of the total site area. Of that total landscaped area, approx. 11,700 gsf (18.1%) is within the “front parking zone”.
- b. Show calculations to confirm that the following parking lot landscaping meets the UDC requirements:
 - i. Front: The landscaped area within the parking lot will be at least ten percent (10%) of that portion of the parking lot and circulation area that is located between the front facade building line and the primary right-of-way property line. The landscaped areas within these parking lots will contain at least one shade tree per twelve (12) parking spaces
We do not have parking “between the front façade building line and primary right-of-way” (Ralph Fair Road). Parking is internal and out of sight from public right-of-way.

However, the current front parking arrangement shows one new tree well for every 6 parking spaces which is double the requirement above.

- ii. Side: At least three percent (3%) of the parking lot and circulation area located between the side facade building line and the side property line where there is no right-of-way will be landscaped. The landscaped areas within parking lots will contain one shade tree per thirty (30) parking spaces.

Plans submitted will comply.

There is only one parking area on the south side of the parcel which has approx. 7,500 gsf of parking and circulation area. The current plan also shows landscaped areas of approx. 2,400 gsf on the east, south and west of the parking area adjacent to the south property line.

DEVELOPMENT DETAILS

4. UDC Section 7.5 (6) requires the community green or plaza to be developed to create a neighborhood focus.

UDC Section 7.5 refers to Water Conservation Education – We assume you mean Section 6.9 (10) which refers to community green or plaza.

Explain how this intent is met. Show the amenities proposed in the community plaza. Is this just an open space? How will this be the community focus as envisioned by the UDC?

The **central** “neighborhood focus” surpasses the vision of the UDC as it includes:
green open space

1. Amenity Club House w/leasing office, lounge & kitchen, community room & fitness center.
2. Community Pool
3. Pickle Ball Courts

4. Green open space plaza/park area with benches for gathering

In addition, there is a dog park and several other pocket parks with heritage and new trees evenly distributed throughout the community.

(A concept plan of the Amenity Center has been included in our submission.)

(The community green/plaza will be more fully developed by a landscape architect as part of the permit submittal.)

The Community Plaza will be adjacent to the Amenity Center, a hub of activity within the development. Here residents can have meetings, conferences, art classes, family gatherings, etc. It is important that all of these elements are central and adjacent coming together to provide the “neighborhood focus”.

It is important to have this indoor/outdoor space adjacent to the front entry to facilitate visitors and family members access to the group events. Additional parking is available adjacent to the Center if needed.

2. Currently the UDC requires information on building form to be submitted with the Concept Plan. We could not find this specific requirement within the UDC or Concept Plan Submittal Checklist, however we have included our previously submitted Concept Package to remind of our intent for a modern hill country design aesthetic. Information of building form, elevation, etc. is helpful to ensure conformance with the character envisioned for a The Mixed-Use Village District (MU). The Mixed Use District has specific requirements on the features listed below and as indicated in prior meetings. Please refer to the UDC for additional details.

- First floor to floor height: 11'-0" to 11'-9".
- Facade Composition, including rhythm, material, color, and/or texture: The façade materials include Hill Country limestone and stucco with accents, downspouts, and trim of painted metal to match. See further description below.
- Building design - building entrances, bay windows, display windows, storefronts, arcades, facade relief, panels, balconies, cornices, bases, pilasters, or columns, articulation, transparency. Typical one-story residences have gabled roofs and facades with generous sized windows, front and back to bring light into the interior spaces. This is also true of the A and B two-story buildings along Ralph Fair Road.
- The central Amenity Center mimics the residences with a symmetrical façade with a high bay, deep roof atrium space that has expanses of glass front and back. We meet the requirements of UDC Table 7.1 on Transparency (see below). Low roofed porches on the front and back temper and scale down the large atrium space with low slope roofs, columns and materials that conform to the Hill Country standards. Typical facades will have a distinct base middle and top configuration, with stucco above stone, mostly. The building types that we indicate on the current site plan have a fenestration of varying types of materials. The unit buildings that face Ralph Fair (Types A and B) are two story with changes in façade fenestration at 20 feet and 8 feet across the façade. This includes stone, stucco, wood-look tile, and dark gray slate. We also have corners and facades of “green wall” next to these materials. On the internal units we have a module of 28 feet on each unit lot which fits in the 20' to 30' module required. There will be façade and material selections within those parameters.

Vertically, interest is maintained by frames around window areas, stairs that

are delineated differently and the tripartite banding of materials. Horizontally the building massing of the residences (one and two story) and Amenity Center create a sense of scale and proportion similar to the Hill Country aesthetic examples found in Chapter 7 of the UDC. This type of character has been translated from the town center retail facades shown there into tasteful residential designs of all structures. Building entrances are articulated, trim is expressed and columns used where appropriate.

Table 7.1

Multifamily Buildings: Façade Frontage Type	Primary or Secondary Frontage	General Frontage/All other sides
Ground Floor	25% (min. req.) 29.9% Provided	None
Upper Floors	20% (min. req.) 20.2% Provided	None

- Roof design:** Roof design will be gabled roofs that have deep slopes (9/12) with adjacent porches or garage blocks of lesser slopes (3/13), typical of the Hill Country aesthetic. Residential roofs will have luxury composite shingles, the Amenity Building will be coated standing seam metal roofs. The A and B residential buildings will have metal canopies at both the parking lot and street elevations, and entrances from the public sidewalk. Shaded sidewalks shall be provided alongside at least a quarter of the A and B buildings frontage along the off-street surface parking lot to the east of the buildings. This includes a shaded sidewalk shall consist of a 5-foot clear zone and 5-foot planting zone, planted with trees no more than 30 feet on center. Building entrances along Ralph Fair shall have canopies. The facades along Ralph Fair are a balance of solid and glass with a 27% glass to solid ratio. Roof slopes vary between a 2 ½ to 12 slope and 4/12. No parapets are used-all roofs are sloped (gable or shed).
- Street Cross-sections and Standards, Planting Zone for the placement of street trees and placement of street furniture, etc.** See attached diagram for a typical street section showing dimension of the street edge conditions.



PARKING

5. Address the following regarding parking:

- i. Will the garages be accessed through driveways?

Yes, all driveways for single story residential garages will be accessed from the internal 26-foot-wide drive aisles.

- ii. Where will the visitor parking be located for the units at the rear? Will they have to walk from the visitors parking spaces located behind the quadruplexes located along Ralph Fair Road.

Visitor parking is distributed throughout the project. In general, parking for the A and B unit buildings occur along the rear (east) frontage parking areas and near the Amenity Center. Residential parking averaging just under at 2 per residence occur at the residential garages throughout. All other surface parking around the Amenity/Community Plaza (for visitors there) and near parks are designed for visitors or residents to be close to those adjacent residences or amenities within the parks or Community Plaza. The total number of visitor spaces is 52.

Parking/Loading: In addition, we indicate one small loading space as per UDC Table 6.4 and four handicap spaces (one van accessible) per UDC Table 6.3.

CONFORMANCE TO ADOPTED DOCUMENTS

1. Conformance with the Comprehensive Plan:

- a. The development does not propose a mix of uses. The site is proposed to be developed for all residential uses – duplex, fourplex, and single-family units. A landscaping plan has not been submitted. A landscaping plan will be submitted as required with the permit submittal.

It is not clear how the proposed development will meet the intent of the Comprehensive Plan in terms of mixed uses and hill-country character for this area:

Mixed-Use Village – The Mixed-Use Village District (MU) indicates areas within the City of Fair Oaks Ranch where the City encourages a mixture of uses that create pedestrian scaled development at major transportation nodes. The City encourages development in this area to generally conform to a Hill Country design aesthetic, similar to the materials and massing that can be found in downtown commercial districts in communities such as Boerne, Fredericksburg and Comfort. Sites in the MU district are appropriate for direct access to primarily Arterial, Collector streets and Local Connector Streets.

This has already been established in prior meetings with City staff and Gunda Corp who confirmed that a mixture of different uses is not required. Our previous pre-development submissions and meetings have all contained the same uses as within our Concept Plan and was confirmed to be acceptable.

In addition to the apartment homes and apartment flats, the community will be staffed full time and operated as a commercial (multifamily) business.

In addition, we are providing a “neighborhood focus” specifically for the residents of the community and their visitors which may include:

- A 5,000 sf Amenity Center containing:
 - Leasing Offices
 - Clubroom and Multipurpose Areas
 - Great Room and Kitchen
 - Full-service Fitness Center
 - Mail room
- Pool, landscaped Pool Deck, and lounge and outdoor dining seating
- Outdoor Kitchen
- Pickleball Courts
- Pocket Parks throughout the community
- Dog Park
- Community Plaza with benches under the existing (saved) Heritage trees, grassy play areas, landscaped edges and showcases, trellises, and a central plaza area for events like group resident activities and family gatherings.

2. Conformance with the Unified Development Code:

- a. The UDC requires that the development include a mixture of uses to create pedestrian scaled development that generally conforms to a Hill Country Design aesthetic. It is not clear from the Concept Plan, what features, pedestrian connectivity, design elements, building elevations will be proposed to achieve this.

The intent of this community has always been to create a vibrant, pedestrian-friendly community that conforms to a Hill Country aesthetic as recommended by the UDC. Please refer to the Concept Imagery provided with our response.

The design of the buildings and open areas of the development will comply with UDC Section 7.4 General Standards and Guidelines. As such, the development will follow the Design Principles of the section including: a.) Create a pedestrian oriented public and private realm, b.) Design compatibility through the use of variations in building elements, c.) strengthens Fair Oak Ranch's desire for the Hill Country aesthetic, d.) Use of architectural details to create interest, e.) Incorporation open spaces (Community Plaza, Amenity decks, Dog Park, and Heritage tree parks) into the fabric of the development, and f.) Create designs that increase the quality, adaptability and sustainability of Fair Oak Ranch's building stock.

As requested in a prior pre-development meeting, the current site plan includes a series of street facing 2-story buildings (labeled A & B) which have pedestrian entrances facing Ralph Fair Rd. Direct pedestrian access to the public sidewalk on Ralph Fair Rd can occur at each of these buildings if required.

The central pedestrian access is adjacent to the Amenity Center and the Community Plaza.

- b. The UDC requires that all Protected (TC 28 inches or larger) and Heritage (TC 75 inches or larger) trees meet mitigation and replacement conditions outlined in UDC 8.8(7)b other than qualified preservation exemptions. Mitigation shall be at a 1:1 ratio for TC inches to be removed, no trees smaller than TC 8 inches is allowed for mitigation, total tree coverage on the lot (as measured in TC inches) is approximately the same as pre-development conditions, the Tree Plan shall show a planting diagram where new trees will be planted, a warranty is required for all trees TC 28 inches or larger. The Project will comply with mitigation requirements. We are showing multiple areas where we are saving heritage and smaller trees within resident park areas.

3. Conformance with the character of the area and residential transition:

It is not clear from the Concept Plan how the placement, buffers, and other considerations have been incorporated to make the development compatible to adjacent property on the north and east that is zoned for one-acre single family uses. Buildings along north, east & south property lines will be single story residential which comply with the Residential Transition Standards of UDC Section 6.8 Mixed-Use Village (MU) residential buffer requirements (e). A 6-foot-high fence and landscaping will be part of the landscape design. Also, many of the parks, detention, and tree-save areas that are part of the overall plan are at these edge conditions. No Transition Area is required as the buildings are single story and do not exceed 30 feet in height.

The setbacks shown on the north and east are minimum setbacks required. The Project will comply w/all setback requirements. Additionally, it is not clear if residential transition standards in the UDC are met, as details have not been provided. See description above. Reference Diagram [e] below from the UDC.

Residential Transition Standards

The following transition standards shall apply to all new building construction adjacent to a Residential Zoning District. This requirement shall NOT apply if a street, alley or other similar R-O-W separates the subject lot and adjoining Residential Zoning District

i. Transition Area	25' min.	U
ii. Max. Building Height within Transition Area	2 stories or 30'	V
iii. Required setback	10' min.	W
iv. A maximum 6' high solid screening fence and landscaping screen shall also be required. The required fence shall NOT be chain link or vinyl. Wood fencing must be double-sided		

The diagram illustrates the Residential Transition Standards. It shows a cross-section of a property line with a building on the left and a single-family residential use on the right. A 'Transition Area' is indicated by a dashed line. A '6' High Fence' is shown with a 'Max Height permitted' label. A 'Req'd setback' is indicated by a double-headed arrow. A 'Property Line' is shown at the bottom. The diagram also includes a 'Single-Family Residential Use' building on the right.

Conformance with the availability of utilities:

The City's infrastructure availability and capacity, including roadway adequacy and storm drainage facilities, need to be evaluated to ascertain improvements that may be needed. Water and sewer utilities have already been evaluated. An analysis of off-site utility connections has been performed and the results of those studies are included with this submission response.

4. Conformance with the Transportation Map:

The Concept plan does not address measures proposed to address the impact of the traffic generated by the proposed development on City roads. The site is accessed by Ralph Fair Road. Additionally, Fair Oaks Parkway and Dietz Elkhorn Road will also be impacted.

- Ralph Fair Road is an Arterial Road (proposed) as per the Transportation Map. Currently it is a two-lane road with no bike lane or sidewalks. Improvements will be needed to adequately support a mixed-use development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.
- Fair Oaks Parkway is a Collector Road. Currently it is a two-lane road. The typical right of way width required is 83'. No significant expansion is contemplated for this road. Improvements will be needed to adequately support a mixed-use

development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.

- Dietz Elkhorn Road is a Collector Road. Currently it is a two-lane road. The typical right of way width is 83'. No expansion is recommended for this road; however, improvements will be needed to adequately support a mixed-use development. Traffic Impact Analysis (TIA) will be required to determine the extent of improvements. A TIA will be completed by Pape Dawson Engineers.
- There might need to be additional deceleration lanes and acceleration lanes as well as turning lanes on Ralph Fair Rd. Per the scoping meeting w/COFOR, we are proposing a right-hand deceleration lane for northbound traffic on Ralph Fair Road. Secondary Access will be resident exit and emergency access only.

5. Other Concerns:

- a. Driveway separation, width, and turning radius to meet Fire Code. The development will meet all requirements for driveway separation, width and turn radius to meet Fire Code. The plans show a 26-foot width standards and 25 foot turning radius at all corners to meet fire code.
- b. Width of internal streets that area designed as driveways with 24' width. Will it be sufficient to support the density and vehicular traffic? Typically, local streets are 50' ROW. As confirmed in the pre-development courtesy review dated 12/09/22, the Project will not include any "internal streets". These will be maintained as shared access drive aisles similar to other multifamily projects with internal private drive aisles which are certainly sufficient to support the density of vehicular traffic within this gated community. As per the site section on page 4, internal drive aisles will be 26 feet in width and the building to building dimension will be 50 feet, allowing for 12 feet each side for green strips, paths/sidewalks, and a front yard planting area for trees and landscaping. In this respect, the profile view of building to building will look very similar (but a smaller scale) to the nearby prestigious community, The Dominion.

Staff may have additional comments after reviewing the information provided to address these comments.

Please address the comments listed above by February 15, 2023. If you have any questions, please feel free to contact us.

Sincerely,



Katie Schweitzer, P.E., Manager of
Engineering Services

cc: (via email)
Tobin Maples, AICP, City Manager
Carole Vanzant (Assistant City Manager)
Sandy Gorski, Public Works Admin. Assistant

Attached: Redlined Concept Plan
Botanica Fair Oaks

Botanica | Concept Presentation



Botanica Fair Oaks, A New Standard for Healthy Community Living

Set in the beautiful City of Fair Oaks Ranch, Botanica heralds a new design approach to modern development, cultural and community building.

Botanica residents will live in an exclusive, affordable-luxury, single-story apartment 55+ active adult Build-to-Rent community, with luxury amenities including a fitness center & pickleball courts, a community center & business lounge, outdoor 'secret garden' lounge spaces & outdoor summer kitchen, designer pool & relaxation cabanas, recessed fire pit, EV charging, and high-speed Internet connectivity throughout.

Botanica's ground-breaking health and wellness focused botanical village will combine Fair Oaks Ranch's aspirational rural residential lifestyle, with beautifully crafted, single story luxury apartments, which include the highest standard of design and finishes as standard.

We partnered with AgroSci, an industry leader in exterior and interior vertical wall manufacture and installation. Their line of Vertical Gardens, Green Walls and Boxwood designs add striking beauty and nature to our property, for the benefit of all residents.

Green open spaces and biophilic green walls and landscaping ensures that residents' health and wellbeing are at the center of Botanica's design. Designed to embody sustainability, longevity and greatly improve one's quality of life. Botanica has been carefully planned. The International WELL Building Institute's 'WELL Building Standard' will be met.

At Botanica, residents will benefit from construction and design philosophies that address standards in air, water, nourishment, light, fitness, and comfort. Our residents will enjoy a built environment that enhances quality of life. Botanica signals the arrival of a new standard in health & wellness living and community building.

Developed by Urbanist, Botanica blends sophisticated urban dynamics, with unique heritage and traditional neighborhood values. The result is a unique living environment, where people and the community at large will thrive.



Inspiration



Inspiration



Architectural Inspiration



Architectural Inspiration



Architectural Inspiration



Architectural Inspiration

It All Starts With A Plant

AgroSci Designs Soil Based Green Wall and Growing Systems that provides a consistently “managed root zone environment” = Simplicity and Sustainability.

Resulting In:

- Long Term Plant Sustainability
- Low Water and Resource Usage
- Low Maintenance



Versatile ~ Affordable ~ Sustainable



Outdoor

- Stainless steel grid panel structure
- Drip emitter system
- Individually planted pots

Indoor:

- Fully integrated panel system
- Self contained re-circulating watering
- Individually planted pots
- Phytoremediation system
- “Cleans and recycles indoor air”

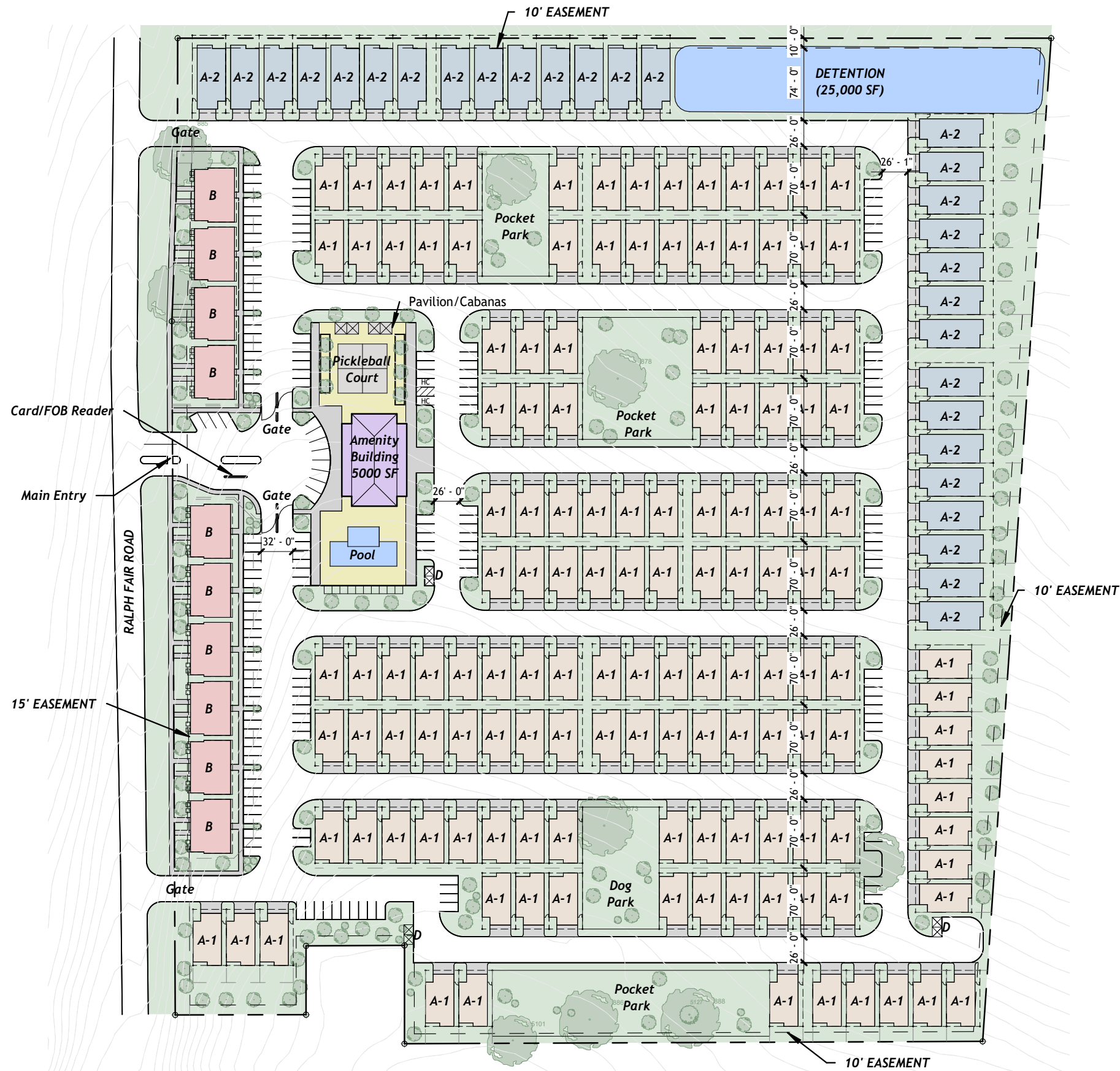
Custom:

- Interior and Exterior Options
- Design Patterns with Base Planters



Green Wall Systems





LEGEND

- A-1
- A-2
- B

UNIT COUNT

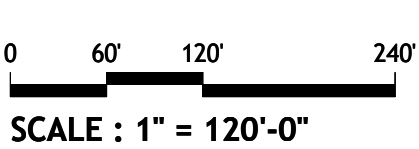
QUAD PLEXES: 10 BLOCKS x 4 =	40
ZERO-LOT- LINE: ORIGINAL COUNT =	184
- 21 UNITS =	163
+ 7 UNITS =	170
<hr/>	
TOTAL UNITS	210
UPA =	10.60

AMENITY

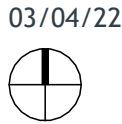
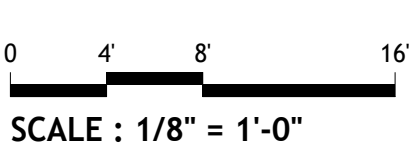
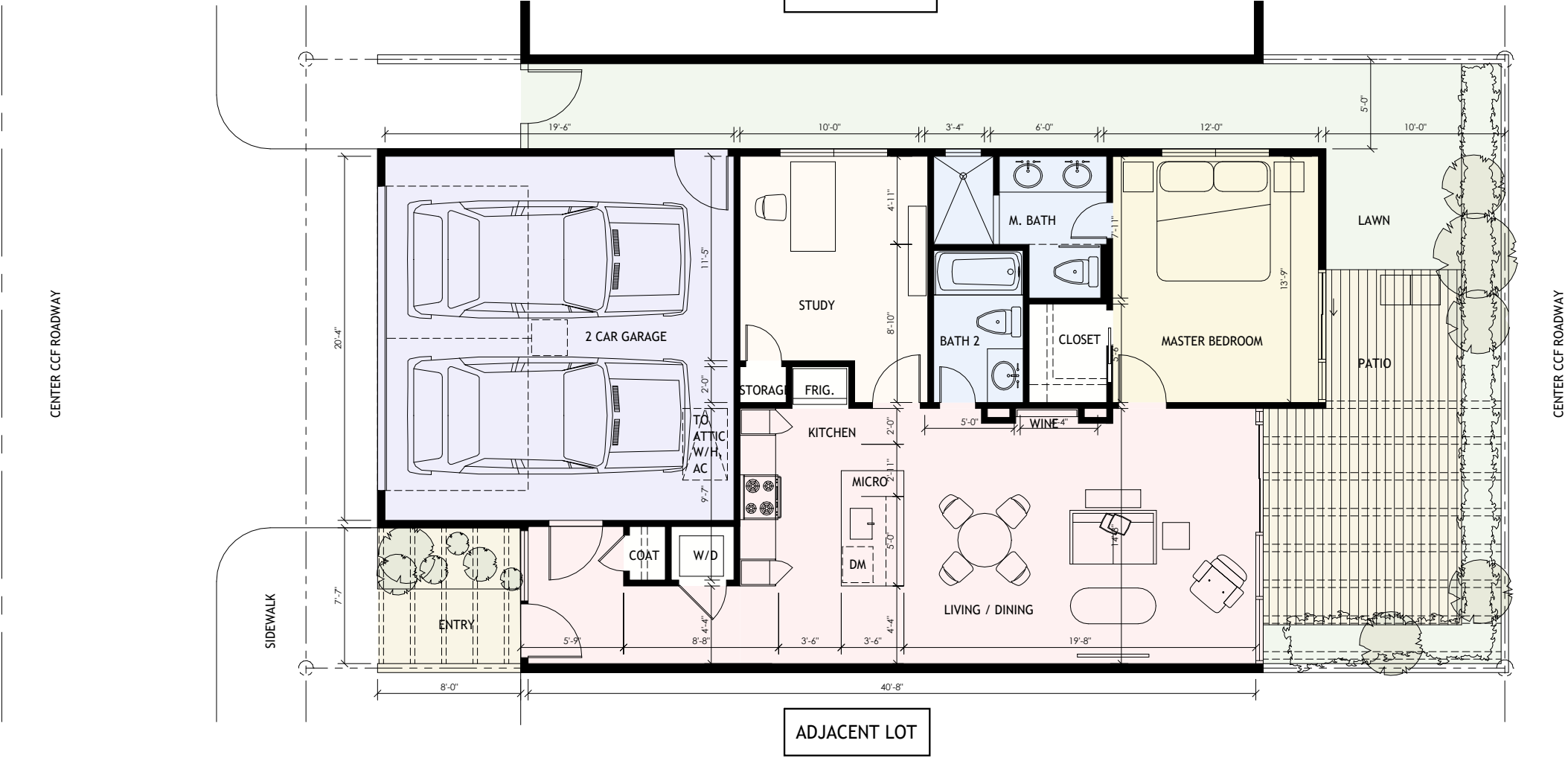
AMENITY BUILDING 5,000 SF

PARKING

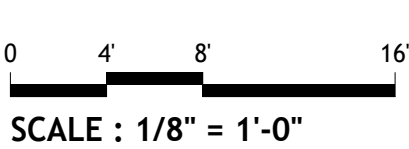
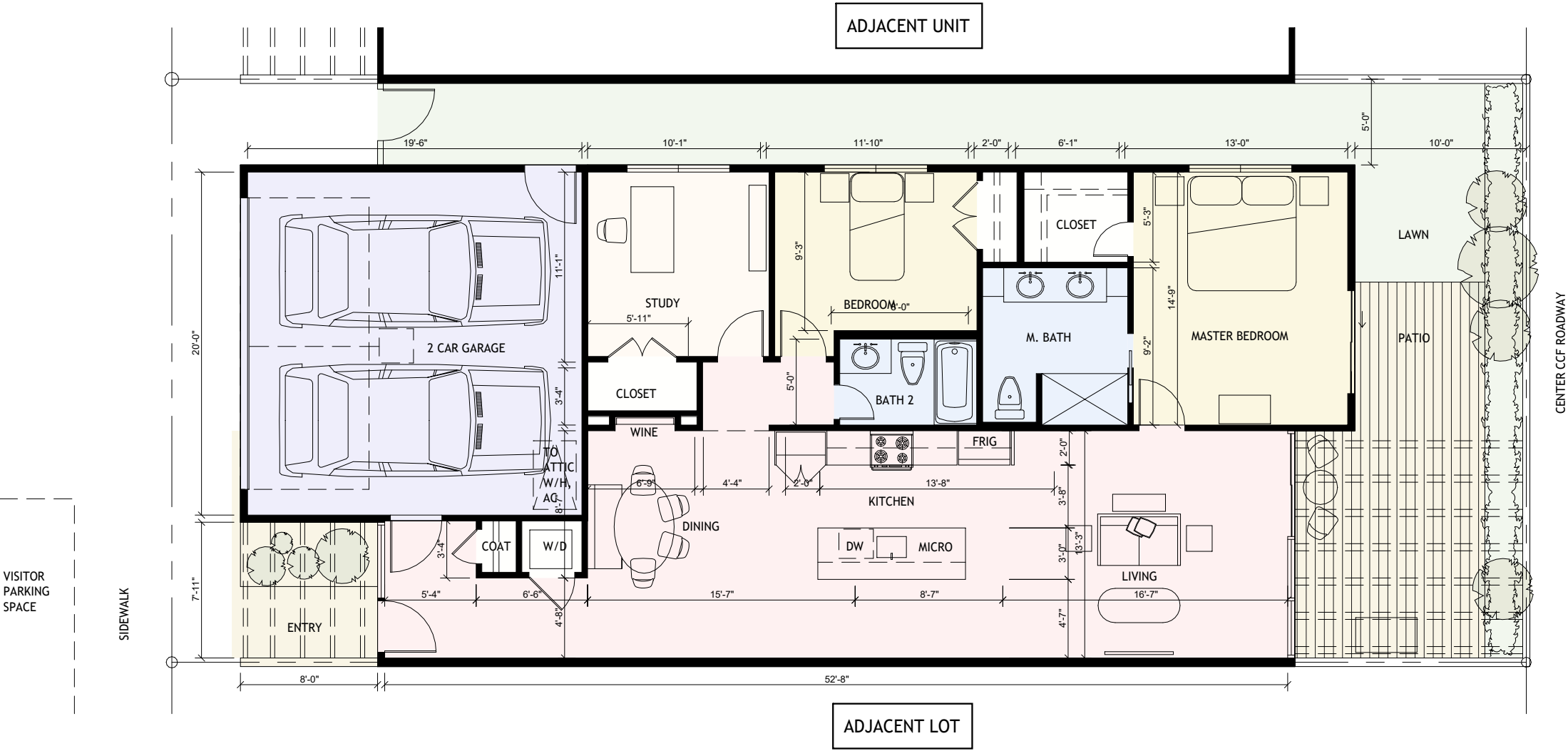
UNITS	340
SURFACE	148



A1

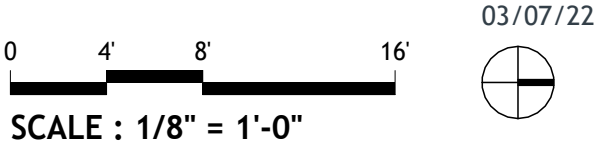
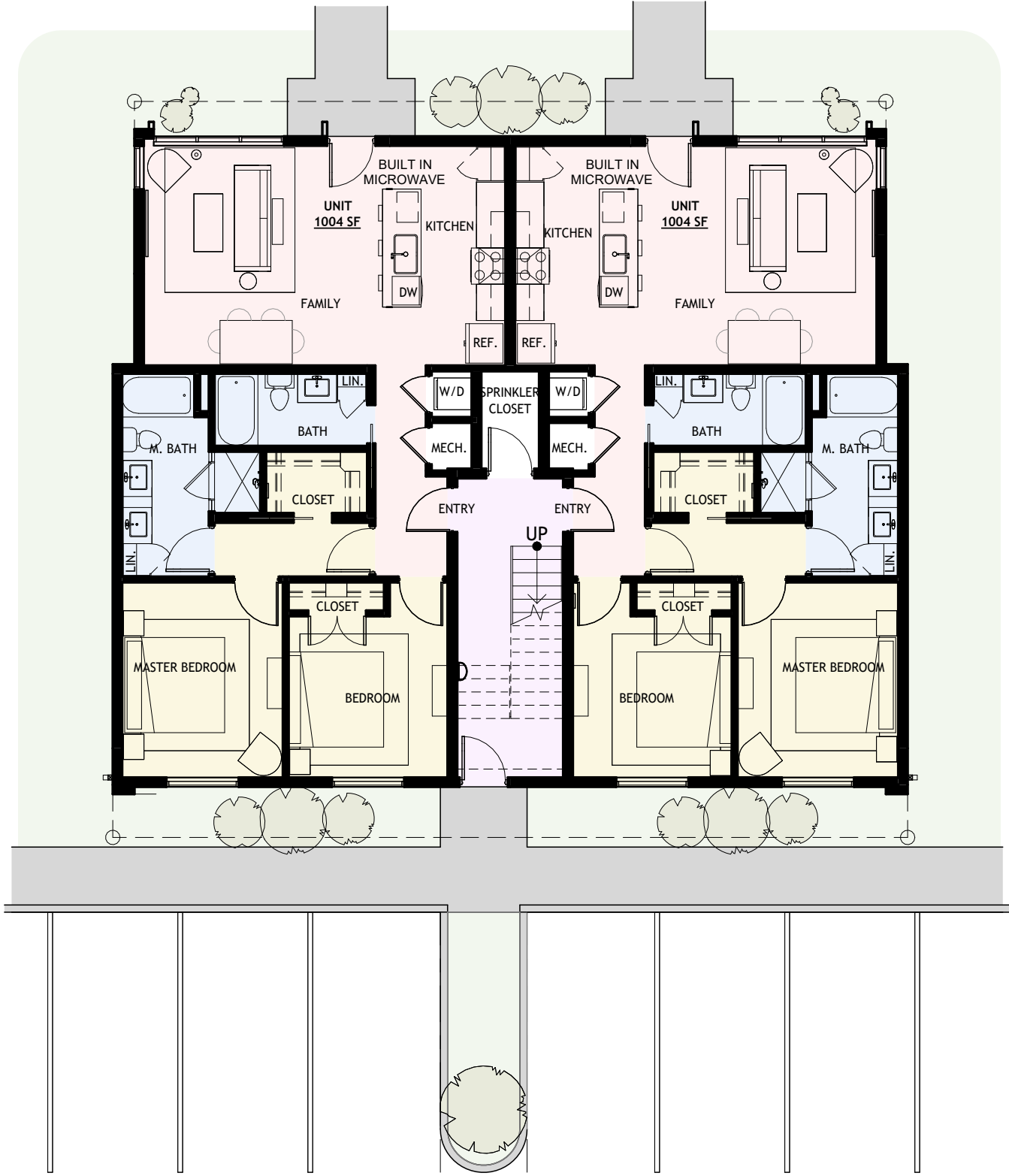


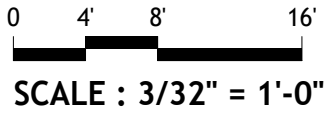
A2



03/04/22

RALPH FAIR ROAD







03/08/22

0 4' 8' 16'

SCALE : 1/8" = 1'-0"



03/08/22

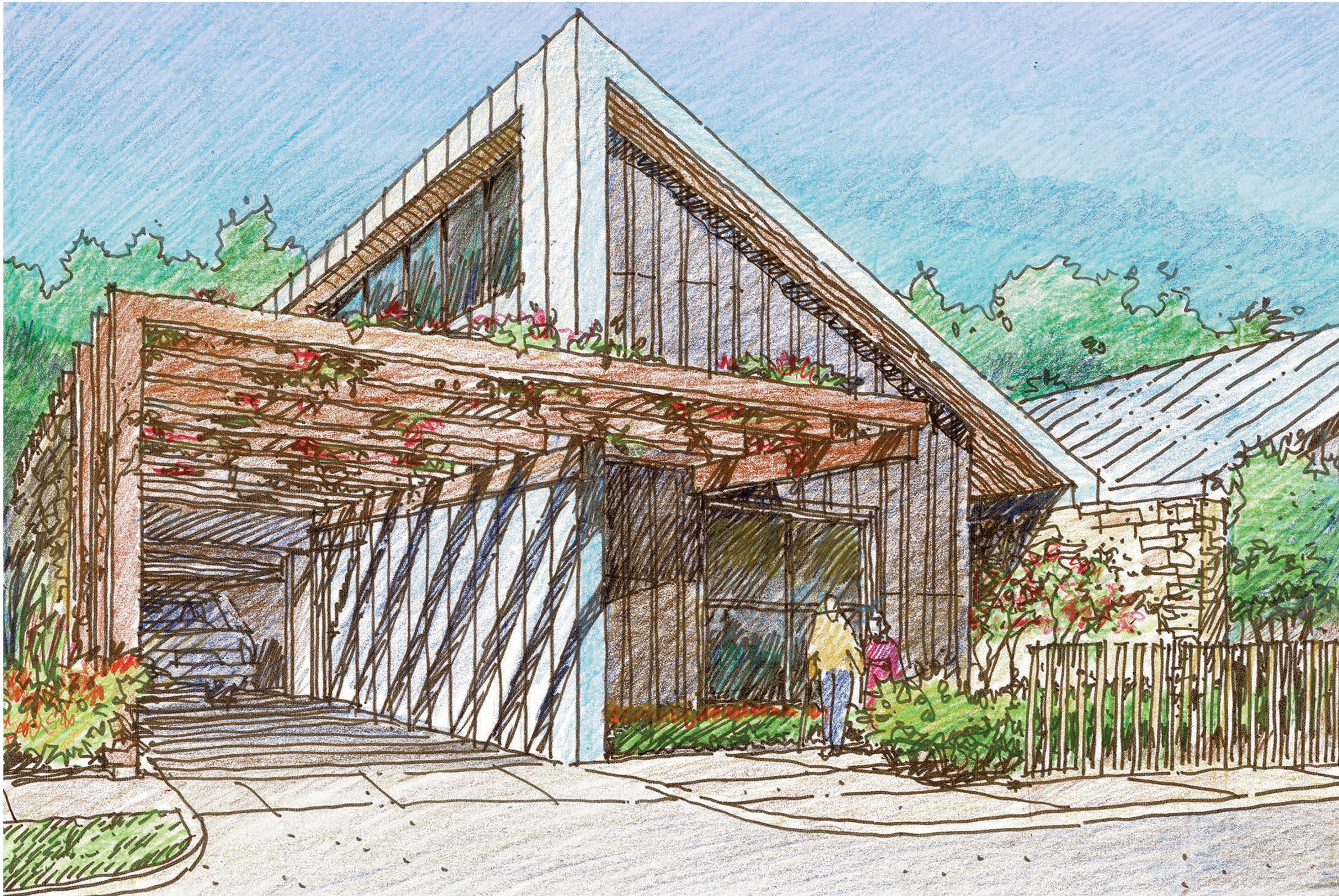
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Johnson Design Group

urbanist.
WELLNESS BY DESIGN

BOTANICA FAIR OAKS

AMENITY PERSPECTIVE VIEW



Concept Sketch















Amenity Center - Ball Room



Amenity Center - Craft Room



Amenity Center - Cinema Room



Amenity Center - Board Room



Amenity Center -Aerobic Room



Amenity Center - Weight Room



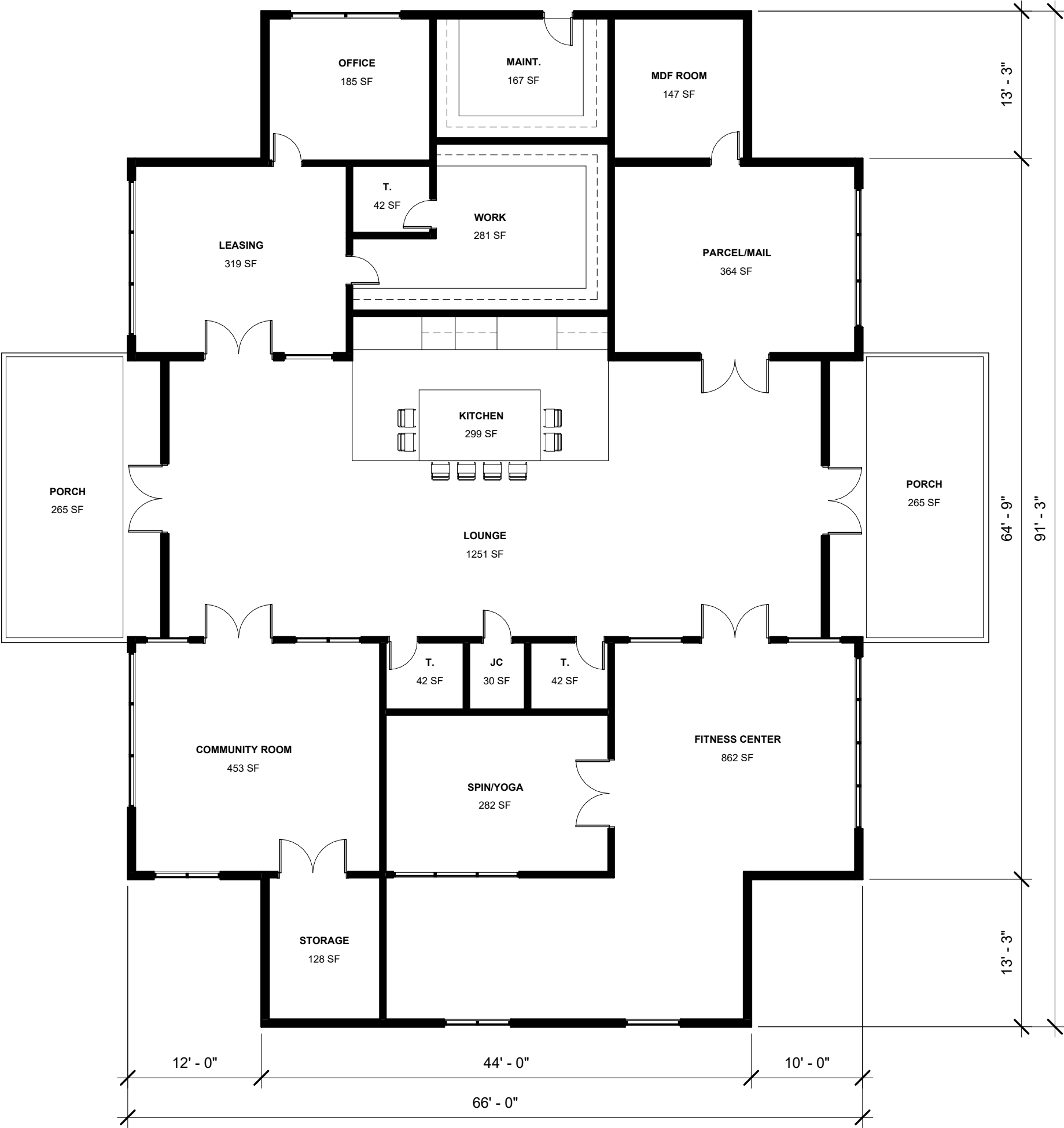
Amenity Center - Outside Seating



Amenity Center - Outside Seating



Amenity Center - Lap Pool



1 AMENITY CENTER
1" = 10'-0"

- c. A Special Use Permit (S) is allowed **only if approved by City Council** in accordance the standards found in Section 3.7.
- d. Not Permitted (NP)
- (2) For uses not listed, the City Manager shall use the descriptions found in Appendix B: Definitions to determine how an unlisted use should be treated. The City Manager shall produce an administrative policy for addressing unlisted uses, consistent with all other provisions of this UDC, either allowing for administrative decisions by the City Manager or requiring legislative action by the City Council, or a combination of both the above, depending on the circumstance.

Table 4.2: Use Table

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Retail Sales or Service <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales)	P/C	NP	NP	NP	NP	NP	NP	NP
Bars	S	S	NP	NP	NP	NP	NP	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u>	P	P	NP	P	NP	NP	NP	NP
Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)	P	P	NP	P	NP	NP	NP	NP
Entertainment, theater, cinema, or music venue	P/C	NP	NP	P/C	NP	NP	NP	NP
Sexually Oriented Business	NP	NP	NP	P	NP	NP	NP	NP
Commercial/ Office <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Commercial/ Office <u>with drive through facility</u>	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service	P	NP	NP	P	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	NP	NP	NP	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Business associations and professional membership organizations	P	P	P	P	NP	NP	NP	NP
Childcare, day care, and preschools	P/C	P/C	P/C	NP	NP	NP	NP	NP
Family home child care	P/C	P/C	P/C	NP	S	S	S	NP
Schools, libraries, and community/civic facilities	P	NP	P	NP	NP	NP	NP	NP
Religious Institutions	NP	NP	P	P	NP	NP	NP	NP
Universities and Colleges and Technical, trade, and specialty schools	P	NP	P	P	NP	NP	NP	NP
Hospitals and nursing establishments	P	NP	P	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	NP	NP	NP	NP
Transitional Housing	S	S	S	S	S	S	S	NP
Community or Group Homes	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Funeral homes	P/C	NP	NP	NP	NP	NP	NP	NP
Single Family Residential	P	NP	P	NP	P	P	P	NP
Accessory Building Residential Unit (Garage Apt.)	P	P	P	P	P	P	P	NP
Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)	P	P	P	P	P/C	NP	NP	NP
Multi-family Residential	P	NP	NP	NP	NP	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	NP
Manufactured Housing	NP	NP	NP	P/C	NP	NP	NP	NP
Auto and Vehicle Related Sales and Service Establishment	NP	NP	NP	P/C	NP	NP	NP	NP
Brewery, Distillery, or Winery	NP	NP	NP	P	NP	NP	NP	NP
Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)	P	NP	NP	P	NP	NP	NP	NP
Commercial food, textile and product manufacturing	NP	NP	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	NP	NP	NP	P	NP	NP	NP	NP
Warehouse and Self-Storage	NP	NP	NP	P/C	NP	NP	NP	NP
Climate Controlled Self-Storage	P/C	NP	NP	P/C	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	S	S	S	S	S	S	S	NP
Utility Facilities (electric, natural gas, alternative)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Hotel (45 or fewer rooms)	P	NP	NP	NP	NP	NP	NP	NP
Hotels (more than 45 rooms)	P	NP	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer guest rooms)	P	P/C	P	P/C	P/C	P/C	P/C	NP
Parking, structured	P	NP	NP	NP	NP	NP	NP	NP
Veterinary Services	P	NP	NP	P	NP	NP	NP	NP
Commercial Stables/Boarding	NP	NP	S	S	S	S	S	NP

¹ Open Spaces are reserved for active or passive recreation, and for the preservation of land in its natural state. Building on, or modification of, land in Open Space districts is generally prohibited except where incidental to a larger purpose of preserving and enhancing Open Space areas; or, where necessary for public health and safety purposes. The only exception is the category in Table 4.2 described as “Parks, greens, plazas, squares, and playgrounds.” These uses are allowed in Open Space districts, provided that vertical construction is kept to a minimum and, in the opinion of the City Manager, the primary purpose of the land use is not to provide for activity intended for other districts nor to otherwise circumvent this provision and the intent of this zoning UDC and the Comprehensive Plan of Fair Oaks Ranch.

Section 4.10 Conditional Uses

(1) Retail Sales or Service with Drive Through Facility

Retail Service with drive through facility will be governed by design guidelines promulgated by the City or by a design UDC. Until such guidelines are adopted, an applicant will develop plans consistent with the comprehensive plan and submit them to the City for approval by the City Manager (or designee), with appeal to the Zoning Board of Adjustment.