

Comal County Environmental Health OSSF Inspection Sheet

Installer Name: _____

OSSF Installer #: _____

1st Inspection Date: _____

2nd Inspection Date: _____

3rd Inspection Date: _____

Inspector Name: _____

Inspector Name: _____

Inspector Name: _____

Permit#:		Address:					
No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
1	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Site and Soil Conditions Consistent with Submitted Planning Materials		285.31(a) 285.30(b)(1)(A)(iv) 285.30(b)(1)(A)(v) 285.30(b)(1)(A)(iii) 285.30(b)(1)(A)(ii) 285.30(b)(1)(A)(i)				
2	SITE AND SOIL CONDITIONS & SETBACK DISTANCES Setback Distances Meet Minimum Standards		285.91(10) 285.30(b)(4) 285.31(d)				
3	SEWER PIPE Proper Type Pipe from Structure to Disposal System (Cast Iron, Ductile Iron, Sch. 40, SDR 26)		285.32(a)(1)				
4	SEWER PIPE Slope from the Sewer to the Tank at least 1/8 Inch Per Foot		285.32(a)(3)				
5	SEWER PIPE Two Way Sanitary - Type Cleanout Properly Installed (Add. C/O Every 100' &/or 90 degree bends)		285.32(a)(5)				
6	PRETREATMENT Installed (if required) TCEQ Approved List PRETREATMENT Septic Tank(s) Meet Minimum Requirements		285.32(b)(1)(G) 285.32(b)(1)(E)(iii) 285.32(b)(1)(E)(iv) 285.32(b)(1)(F) 285.32(b)(1)(B) 285.32(b)(1)(C)(i) 285.32(b)(1)(C)(ii) 285.32(b)(1)(D) 285.32(b)(1)(E) 285.32(b)(1)(A) 285.32(b)(1)(E)(ii)(II) 285.32(b)(1)(E)(i) 285.32(b)(1)(E)(ii)(I)				
7	PRETREATMENT Grease Interceptors if required for commercial		285.34(d)				

Inspector Notes:

**Comal County Environmental Health
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
8	SEPTIC TANK Tank(s) Clearly Marked SEPTIC TANK If Single Tank, 2 Compartments Provided with Baffle SEPTIC TANK Inlet Flowline Greater than 3" and " T " Provided on Inlet and Outlet SEPTIC TANK Septic Tank(s) Meet Minimum Requirements		285.32(b)(1) (E)285.91(2)285.32(b)(1) (F)285.32(b)(1)(E) (iii)285.32(b)(1)(E)(ii) (II)285.32(b)(1)(E)(ii) (I)285.32(b)(1)(E) (i)285.32(b)(1) (D)285.32(b)(1)(C) (ii)285.32(b)(1)(C) (i)285.32(b)(1) (B)285.32(b)(1) (A)285.32(b)(1)(E)(iv)				
9	ALL TANKS Installed on 4" Sand Cushion/ Proper Backfill Used		285.32(b)(1)(F) 285.32(b)(1)(G) 285.34(b)				
10	SEPTIC TANK Inspection / Clean Out Port & Risers Provided on Tanks Buried Greater than 12" Sealed and Capped		285.38(d)				
11	SEPTIC TANK Secondary restraint system provided SEPTIC TANK Riser permanently fastened to lid or cast into tank SEPTIC TANK Riser cap protected against unauthorized intrusions		285.38(d) 285.38(e)				
12	SEPTIC TANK Tank Volume Installed						
13	PUMP TANK Volume Installed						
14	AEROBIC TREATMENT UNIT Size Installed						
15	AEROBIC TREATMENT UNIT Manufacturer AEROBIC TREATMENT UNIT Model Number						
16	DISPOSAL SYSTEM Absorptive		285.33(a)(4) 285.33(a)(1) 285.33(a)(2) 285.33(a)(3)				
17	DISPOSAL SYSTEM Leaching Chamber		285.33(a)(1) 285.33(a)(3) 285.33(a)(4) 285.33(a)(2)				
18	DISPOSAL SYSTEM Evapo-transpirative		285.33(a)(3) 285.33(a)(4) 285.33(a)(1) 285.33(a)(2)				

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No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
19	DISPOSAL SYSTEM Drip Irrigation		285.33(c)(3)(A)-(F)				
20	DISPOSAL SYSTEM Soil Substitution		285.33(d)(4)				
21	DISPOSAL SYSTEM Pumped Effluent		285.33(a)(4) 285.33(a)(3) 285.33(a)(1) 285.33(a)(2)				
22	DISPOSAL SYSTEM Gravelless Pipe		285.33(a)(3) 285.33(a)(2) 285.33(a)(4) 285.33(a)(1)				
23	DISPOSAL SYSTEM Mound		285.33(a)(3) 285.33(a)(1) 285.33(a)(2) 285.33(a)(4)				
24	DISPOSAL SYSTEM Other (describe) (Approved Design)		285.33(d)(6) 285.33(c)(4)				
25	DRAINFIELD Absorptive Drainline 3" PVC or 4" PVC						
26	DRAINFIELD Area Installed						
27	DRAINFIELD Level to within 1 inch per 25 feet and within 3 inches over entire excavation		285.33(b)(1)(A)(v)				
28	DRAINFIELD Excavation Width DRAINFIELD Excavation Depth DRAINFIELD Excavation Separation DRAINFIELD Depth of Porous Media DRAINFIELD Type of Porous Media						
29	DRAINFIELD Pipe and Gravel - Geotextile Fabric in Place		285.33(b)(1)(E)				
30	DRAINFIELD Leaching Chambers DRAINFIELD Chambers - Open End Plates w/Splash Plate, Inspection Port & Closed End Plates in Place (per manufacturers spec.)		285.33(c)(2)				
31	LOW PRESSURE DISPOSAL SYSTEM Adequate Trench Length & Width, and Adequate Separation Distance between Trenches		285.33(d)(1)(C)(i)				

**Comal County Environmental Health
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No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
32	EFFLUENT DISPOSAL SYSTEM Utilized Only by Single Family Dwelling EFFLUENT DISPOSAL SYSTEM Topographic Slopes < 2.0% EFFLUENT DISPOSAL SYSTEM Adequate Length of Drain Field (1000 Linear ft. for 2 bedrooms or Less & an additional 400 ft. for each additional bedroom) EFFLUENT DISPOSAL SYSTEM Lateral Depth of 18 inches to 3 ft. & Vertical Separation of 1ft on bottom and 2 ft. to restrictive horizon and ground water respectfully EFFLUENT DISPOSAL SYSTEM Lateral Drain Pipe (1.25 - 1.5" dia.) & Pipe Holes (3/16 - 1/4" dia. Hole Size) 5 ft. Apart		285.33(b)(3)(A) 285.33(b)(3)(A) 285.33(b)(3) (B)285.91(13) 285.33(b)(3)(D) 285.33(b)(3)(F)				
33	AEROBIC TREATMENT UNIT Is Aerobic Unit Installed According to Approved Guidelines.		285.32(c)(1)				
34	AEROBIC TREATMENT UNIT Inspection/Clean Out Port & Risers Provided AEROBIC TREATMENT UNIT Secondary restraint system provided AEROBIC TREATMENT UNIT Riser permanently fastened to lid or cast into tank AEROBIC TREATMENT UNIT Riser cap protected against unauthorized intrusions						
35	AEROBIC TREATMENT UNIT Chlorinator Properly Installed with Chlorine Tablets in Place.						
36	PUMP TANK Is the Pump Tank an approved concrete tank or other acceptable materials & construction PUMP TANK Sampling Port Provided in the Treated Effluent Line PUMP TANK Check Valve and/or Anti- Siphon Device Present When Required PUMP TANK Audible and Visual High Water Alarm Installed on Separate Circuit From Pump						
37	PUMP TANK Inspection/Clean Out Port & Risers Provided PUMP TANK Secondary restraint system provided PUMP TANK Riser permanently fastened to lid or cast into tank PUMP TANK Riser cap protected against unauthorized intrusions						
38	PUMP TANK Secondary restraint system provided						
39	PUMP TANK Electrical Connections in Approved Junction Boxes / Wiring Buried						

**Comal County Environmental Health
OSSF Inspection Sheet**

No.	Description	Answer	Citations	Notes	1st Insp.	2nd Insp.	3rd Insp.
40	APPLICATION AREA Distribution Pipe, Fitting, Sprinkler Heads & Valve Covers Color Coded Purple?		285.33(d)(2)(G)(iii)(II) 285.33(d)(2)(G)(iii)(III) 285.33(d)(2)(G)(v) 285.33(d)(2)(G)(iii) 285.33(d)(2)(G)(iv) 285.33(d)(2)(G)(i) 285.33(d)(2)(G)(ii) 285.33(d)(2)(G)(iii)(I)				
41	APPLICATION AREA Low Angle Nozzles Used / Pressure is as required APPLICATION AREA Acceptable Area, nothing within 10 ft of sprinkler heads? APPLICATION AREA The Landscape Plan is as Designed		285.33(d)(2)(G) (i)285.33(d)(2) (A)285.33(d)(2)(F)				
42	APPLICATION AREA Area Installed						
43	PUMP TANK Meets Minimum Reserve Capacity Requirements						
44	PUMP TANK Material Type & Manufacturer						
45	PUMP TANK Type/Size of Pump Installed						



COMAL COUNTY

ENGINEER'S OFFICE

Permit of Authorization to Construct an On-Site Sewage Facility Permit Valid For One Year From Date Issued

Permit Number: 118352
Issued This Date: 03/25/2025
This permit is hereby given to: ASHTON SAN ANTONIO RESIDENTIAL, LLC

To start construction of a private, on-site sewage facility located at:

10715 CHESTNUT WARBLER
NEW BRAUNFELS, TX 78132

Subdivision: WALDSANGER SUBDIVISION
Unit: 1
Lot: 9
Block: NA
Acreage: 1.0200

APPROVED MINIMUM SIZES AS PER ATTACHED DESIGN

Type of System: Aerobic
Surface Irrigation

This permit gives permission for the construction of the above referenced on-site facility to commence. Installation must be completed by an installer holding a valid registration card from the Texas Commission on Environmental Quality (TCEQ). Installation and inspection must comply with current TCEQ and Comal County requirements.

Call (830) 608-2090 to schedule inspections.



COMAL COUNTY
ENGINEER'S OFFICE

**OSSF DEVELOPMENT APPLICATION
CHECKLIST**

Staff will complete shaded items

		118352
<i>Date Received</i>	<i>Initials</i>	<i>Permit Number</i>

Instructions:

Place a check mark next to all items that apply. For items that do not apply, place "N/A". This OSSF Development Application Checklist **must** accompany the completed application.

OSSF Permit

- Completed Application for Permit for Authorization to Construct an On-Site Sewage Facility and License to Operate
- Site/Soil Evaluation Completed by a Certified Site Evaluator or a Professional Engineer
- Planning Materials of the OSSF as Required by the TCEQ Rules for OSSF Chapter 285. Planning Materials shall consist of a scaled design and all system specifications.
- Required Permit Fee - See Attached Fee Schedule
- Copy of Recorded Deed
- Surface Application/Aerobic Treatment System
 - Recorded Certification of OSSF Requiring Maintenance/Affidavit to the Public
 - Signed Maintenance Contract with Effective Date as Issuance of License to Operate

I affirm that I have provided all information required for my OSSF Development Application and that this application constitutes a completed OSSF Development Application.

Signature of Applicant

Date

<input type="checkbox"/> COMPLETE APPLICATION Check No. _____ Receipt No. _____

<input type="checkbox"/> INCOMPLETE APPLICATION (Missing Items Circled, Application Refeused)



COMAL COUNTY
ENGINEER'S OFFICE

ON-SITE SEWAGE FACILITY APPLICATION

195 DAVID JONAS DR
NEW BRAUNFELS, TX 78132
(830) 608-2090
WWW.CCEO.ORG

Date 11/20/2024

Permit Number 118352

1. APPLICANT / AGENT INFORMATION

Owner Name ASHTON SAN ANTONIO RESIDENTIAL L
Mailing Address 17319 SAN PEDRO STE, 140
City, State, Zip SAN ANTONIO, TX 78232
Phone # 210-967-3883
Email DWAYNE.VADNAIS@ASHTONWOODS.C

Agent Name KYLE LENTS
Agent Address 9451 SELMA PARKWAY
City, State, Zip SELMA, TX 78154
Phone # 210-632-0753
Email KYLE@LSWASTEWATER.COM

2. LOCATION

Subdivision Name WALDSANGER SUBDIVISION Unit _____ Lot 9 Block _____
Survey Name / Abstract Number _____ Acreage 1.02
Address 10715 CHESTNUT WARBLER City NEW BRAUNFELS State TX Zip 78132

3. TYPE OF DEVELOPMENT

Single Family Residential

Type of Construction (House, Mobile, RV, Etc.) HOUSE

Number of Bedrooms 3

Indicate Sq Ft of Living Area 3371

Non-Single Family Residential

(Planning materials must show adequate land area for doubling the required land needed for treatment units and disposal area)

Type of Facility _____

Offices, Factories, Churches, Schools, Parks, Etc. - Indicate Number Of Occupants _____

Restaurants, Lounges, Theaters - Indicate Number of Seats _____

Hotel, Motel, Hospital, Nursing Home - Indicate Number of Beds _____

Travel Trailer/RV Parks - Indicate Number of Spaces _____

Miscellaneous _____

Estimated Cost of Construction: \$ 300,000 (Structure Only)

Is any portion of the proposed OSSF located in the United States Army Corps of Engineers (USACE) flowage easement?

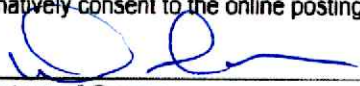
Yes No (If yes, owner must provide approval from USACE for proposed OSSF improvements within the USACE flowage easement)

Source of Water Public Private Well Rainwater

4. SIGNATURE OF OWNER

By signing this application, I certify that:

- The completed application and all additional information submitted does not contain any false information and does not conceal any material facts. I certify that I am the property owner or I possess the appropriate land rights necessary to make the permitted improvements on said property.
- Authorization is hereby given to the permitting authority and designated agents to enter upon the above described property for the purpose of site/soil evaluation and inspection of private sewage facilities..
- I understand that a permit of authorization to construct will not be issued until the Floodplain Administrator has performed the reviews required by the Comal County Flood Damage Prevention Order.
- I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable.


Signature of Owner

11/20/24
Date



Planning Materials & Site Evaluation as Required Completed By KYLE LENTS, P.E.

System Description AEROBIC TREATMENT W/ SPRAY DISTRIBUTION

Size of Septic System Required Based on Planning Materials & Soil Evaluation

Tank Size(s) (Gallons) 600 GPD Absorption/Application Area (Sq Ft) 4688

Gallons Per Day (As Per TCEQ Table III) 300

(Sites generating more than 5000 gallons per day are required to obtain a permit through TCEQ.)

Is the property located over the Edwards Recharge Zone? Yes No

(If yes, the planning materials must be completed by a Registered Sanitarian (R.S.) or Professional Engineer (P.E.))

Is there an existing TCEQ approved WPAP for the property? Yes No

(If yes, the R.S. or P.E. shall certify that the OSSF design complies with all provisions of the existing WPAP.)

Is there at least one acre per single family dwelling as per 285.40(c)(1)? Yes No

If there is no existing WPAP, does the proposed development activity require a TCEQ approved WPAP? Yes No

(If yes, the R.S. or P.E. shall certify that the OSSF design will comply with all provisions of the proposed WPAP. A Permit to Construct will not be issued for the proposed OSSF until the proposed WPAP has been approved by the appropriate regional office.)

Is the property located over the Edwards Contributing Zone? Yes No

Is there an existing TCEQ approval CZP for the property? Yes No

(If yes, the P.E. or R.S. shall certify that the OSSF design complies with all provisions of the existing CZP.)

If there is no existing CZP, does the proposed development activity require a TCEQ approved CZP? Yes No

(If yes, the R.S. or P.E. shall certify that the OSSF design will comply with all provisions of the proposed CZP. A Permit to Construct will not be issued for the proposed OSSF until the CZP has been approved by the appropriate regional office.)

Is this property within an incorporated city? Yes No

If yes, indicate the city: _____

By signing this application, I certify that:

- The information provided above is true and correct to the best of my knowledge.
- I affirmatively consent to the online posting/public release of my e-mail address associated with this permit application, as applicable.

Kyle Lents
Signature of Designer

11/20/2024
Date



AFFIDAVIT TO THE PUBLIC

THE COUNTY OF COMAL
STATE OF TEXAS

CERTIFICATION OF OSSF REQUIRING MAINTENANCE

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities (OSSF's), this document is filed in the Deed Records of Comal County, Texas.

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (commission) to regulate On-Site Sewage Facilities (OSSFs). Additionally, the Texas Water Code (TWC), § 5.012 and § 5.013, gives the commission primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The commission, under the authority of the TWC and the Texas Health and Safety code, requires owner's to provide notice to the public that certain types of OSSF's are located on specific pieces of property. To achieve this notice, the commission requires a recorded affidavit. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This recorded affidavit is not a representation or warranty by the commission of the suitability of this OSSF, nor does it constitute any guarantee by the commission that the appropriate OSSF was installed.

||

An OSSF requiring maintenance contract, according to 30 Texas Administrative Code §285.91 (12) will be installed on the property described as (insert legal description):

LOT 9 WALDSANGER SUBDIVISION, COMAL COUNTY, TX

The property is owned by (insert owner's full name): ASHTON SAN ANTONIO RESIDENTIAL, LLC

This OSSF must be covered by a continuous maintenance contract for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days or maintain the system personally. Upon sale or transfer of the above-described property, the permit for the OSSF shall be transferred to the buyer or new owner. A copy of the planning materials for the OSSF can be obtained from the Comal County Engineer's Office.

WITNESS BY HAND(S) ON THIS 25th DAY OF November, 2024

[Signature]

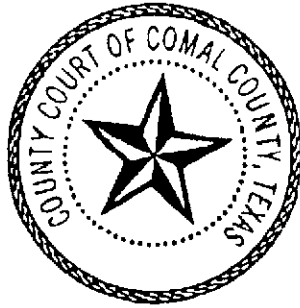
Owner(s) signature(s)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 25th DAY OF November, 2024

Rose Portillo

Notary Public, State of Texas






This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
11/26/2024 04:03:01 PM
JESS 2 Page(s)
202406036343



Bobbie Koepf


**TWO YEAR INITIAL SERVICE POLICY FOR AN
ON SITE SEWAGE FACILITY TREATMENT SYSTEM**

Two year service agreement starts the day the county issues the LTO (License to Operate).

System Owner: Ashton San Antonio Residential, LLC Brand Name: _____ SN: _____

HELOTES LAND & SEPTIC will inspect and service your aerobic system once every 4 (four) months for a period of 2 (two) years from the date that this OSSF is first used, at no additional charge to the customer, as required by state guidelines dated June 13, 2001. For a new single-family dwelling, this date is the date of sale by the builder. For an existing single-family dwelling, this date is the date of notice of approval issued by permitting authority.

Before this initial two-year service agreement expires, the owner of the OSSF is required to have a new maintenance agreement signed. A copy of the new agreement shall be submitted to the permitting authority at least 30 days before the current agreement expires. If the property owner or maintenance company desired to discontinue the maintenance agreement, the maintenance company shall notify, in writing, the permitting authority at least 30 days prior to the date service will cease. If a maintenance company discontinues business, the property owner shall sign an agreement with another approved maintenance company and provide the permitting authority with a copy of the newly signed maintenance agreement, within 30 days.

TESTING AND REPORTING.

HELOTES LAND & SEPTIC shall test and report on the system as required by rule on the following:

1. An inspection/service call every four months which includes: inspections, adjustment, and servicing of the mechanical and electrical component parts as necessary to ensure proper function.
2. An effluent quality inspection every 4 months, consisting of: visual check for color, turbidity, scum overflow, and an examination for odors.
3. If required, a sample shall be pulled from the aeration tank every 4 months to determine if there is an excess of solids in the treatment plant. If the test results determine a need for solids removal, user will bear the cost and responsibility for doing so.
4. If any improper operation is observed, which cannot be corrected at the time, the user shall be notified immediately, in writing, of the conditions and the estimated date of correction.
5. If necessary, a chlorine residual test will be taken at each visit (BOD and TSS annually on commercial use, only.)

The owner is responsible for keeping chlorine (calcium hypochlorite properly labeled for wastewater disinfection) in the chlorinator, as well as the cost of the chlorine.

David Wood, whom has been certified by the manufacturer of your system, will be responsible for fulfilling the requirements of this maintenance agreement, as well as responding to any complaints and/or addressing any concerns by the owner of the system. Concerns and/or complaints will be addressed within 24 hours of the initial contact. Upon expiration of the service agreement, our firm will offer a continuing service policy as mandated by state regulations.

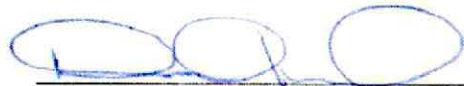
VIOLATION OF WARRANTY includes shutting off the electric current to the system for more than 24 hours, disconnecting the alarm system, restricting ventilation to the aerator, overloading the system above its rated capacity, introducing excessive amounts of harmful matter into the system, or any other form of unusual abuse.

THIS AGREEMENT DOES NOT INCLUDE PUMPING SLUDGE FROM UNIT WHEN NECESSARY.

The service company and the owner agreed to abide by the service policy as stated above.

Maintenance Provider:

Helotes Land and Septic
18690 Bandera Road
Helotes, TX 78023



David Wood - License MP0002655

11/20/2024
Date

Customer:

Ashton San Antonio Residential
Address: 10715 CHESTNUT WARBLER



Dwayne Vadnais

11/26/24
Date

OWNERS NAME: ASHTON SAN ANTONIO RESIDENTIAL, LLC

PHYSICAL ADDRESS: 10715 CHESTNUT WARBLER NEW BRAUNFELS, TX 78132

LEGAL DESCRIPTION: THE WALDSANGER SUBDIVISION, LOT 109

DATE PERFORMED: 12/13/2024

PROPOSED EXCAVATION DEPTH: 0-5'

REQUIREMENTS

- AT LEAST TWO SOIL EVALUATIONS MUST BE PERFORMED ON THE SITE, AT OPPOSITE ENDS OF THE PROPOSED DISPOSAL AREA. LOCATIONS OF SOIL EVALUATIONS MUST BE SHOWN ON THE APPLICATION SITE DRAWING OR DESIGNERS SITE DRAWING.
- FOR SUBSURFACE DISPOSAL, SOIL EVALUATIONS MUST BE PERFORMED TO A DEPTH OF AT LEAST 2 FEET BELOW THE PROPOSED EXCAVATION DEPTH. FOR SURFACE DISPOSAL, THE SURFACE HORIZON MUST BE EVALUTED.
- PLEASE DESCRIBE EACH SOIL HORIZON AND IDENTIFY ANY RESTRICTIVE FEATURES IN THE SPACE PROVIDED BELOW.

SOIL BORING 1 SOIL BORING/BACKHOE PIT _____ SURFACE EVALUATION X

DEPTH	TEXTURAL CLASS	GRAVEL ANALYSIS	DRAINAGE (MOTTLES/WATER TABLE)	RESTRICTIVE HORIZONS	OBSERVATIONS
1'	1A ROCK AT 4"	OVER 30%	WELL DRAINED	ROCK	AEROBIC SPRAY
2'					
3'					
4'					
5'					

SOIL BORING 2 SOIL BORING/BACKHOE PIT _____ SURFACE EVALUATION X

DEPTH	TEXTURAL CLASS	GRAVEL ANALYSIS	DRAINAGE (MOTTLES/WATER TABLE)	RESTRICTIVE HORIZONS	OBSERVATIONS
1'	1A ROCK AT 4"	OVER 30%	WELL DRAINED	ROCK	AEROBIC SPRAY
2'					
3'					
4'					
5'					

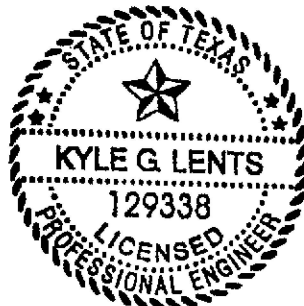
PRESENCE OF 100 YR FLOOD ZONE: NO

PRESENCE OF ADJACENT PONDS, STREAMS, WATER IMPOUNDMENTS: NO

EXISTING OR PROPOSED WATER WELL NEARBY: NO

RECHARGE FEATURE WITHIN 150': NO

I CERTIFY THAT THE FINDINGS OF THIS REPORT ARE BASED ON MY FIELD OBSERVATIONS AND ARE ACCURATE TO THE BEST OF MY ABILITY.



Kyle Lents
2/4/2025

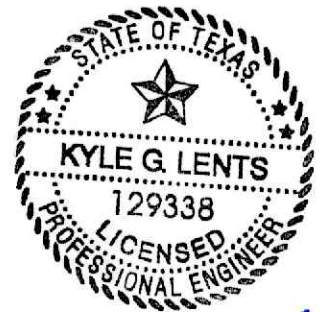
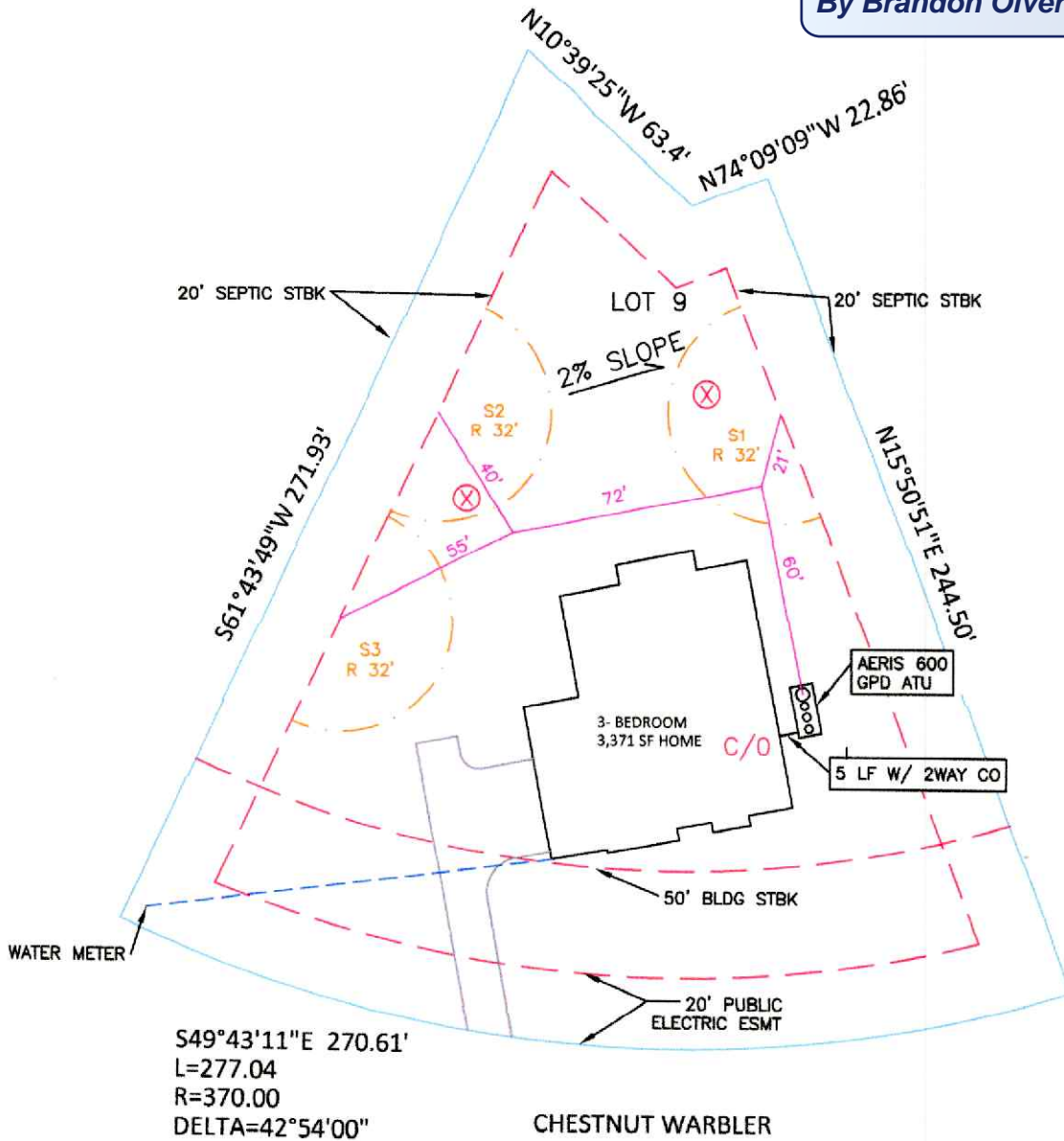


ASHTON SAN ANTONIO RESIDENTIAL LLC
 10715 CHESTNUT WARBLER
 COMAL COUNTY, TEXAS

LEGEND: = TEST HOLE
 = CLEAN OUT

RECEIVED

By Brandon Olvera at 2:15 pm, Mar 25, 2025



Kyle G. Lents
 3/21/2025

LEGAL: LOT 9 OF THE WALDSANGER SUBDIVISION
 INFRASTRUCTURE DRAWN AND SEPTIC ARE NOT LOCATED WITHIN THE
 100 YR FLOOD PLAIN
 PROPERTY IS IN THE EDWARDS AQUIFER RECHARGE ZONE
 THIS DESIGN MEETS THE REQUIREMENTS OUTLINED IN THE CURRENT
 WPAP #202306024211

NOTES:

1. SYSTEM IS DESIGNED TO ACCOMMODATE A MAXIMUM FLOW OF 300 GPD.
2. INSTALL A 2-WAY CLEANOUT ON TIGHT LINE FROM HOUSE TO SEPTIC TANK.
3. ATU IS A AERIS 600 GPD
4. SUPPLY LINE TO SPRINKLERS SHALL BE 1" SCH. 40 PURPLE PIPE.
5. S1-S2-S3 ARE K-RAIN PROPLUS LOW ANGLE SPRINKLERS WITH #3 NOZZLES OPERATING @ 40 P.S.I. WITH A 180° PATTERN AT A 32' RADIUS. THERE SHALL BE NO OBSTRUCTIONS WITHIN 10' OF THE SPRINKLER HEADS.
6. AUDIBLE AND VISUAL ALARMS, EXTERNAL DISCONNECT WITHIN SITE OF THE PUMP TANK, PUMP AND ALARMS ON SEPARATE BREAKERS AND EXTERNAL WIRING IN CONDUIT ARE REQUIRED.
7. TIMER SET TO SPRAY BETWEEN 12:00 AM AND 5:00 AM.
8. THE RESERVE CAPACITY 1/3 OF THE DAILY FLOW FOR THIS SYSTEM IS 100 GALLONS.
9. WATERLINE TO BE SLEEVED IN SCH 40 WHERE IT IS LOCATED <10' FROM ANY OSSF ELEMENT OR SPRAY AREA IN ORDER TO PROVIDE THE EQUIVALENT PROTECTION OF A 10' SEPERATION PER TAC CHAPTER 290, SUBCHAPTER D, RULES FOR PUBLIC DRINKING WATER SYSTEMS.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 19, 2015

Messrs. Tommy, Matt and Clint Dulworth
Aeris Aerobics
5021 SE McKinney
Rice, TX 75155

RE: Approval of Aeris Aerobics Models D-500-M, D-600-M, D-500-N-500PT, D-500-N-750PT

Gentlemen,

We have completed our review of the above referenced aerobic treatment units. The above referenced models are approved for use in Texas.

The treatment capacity (in gallons per day) of each unit is shown as the first three digits in the model number listed above. All of the listed units are provided with a pretreatment chamber and a pump chamber.

The D-500-M and D-600-M are provided with a 750 gallon pump chamber. The D-500-N-500PT is provided with a 500 gallon pump chamber and the D-500-N-750PT is provided with a 750 gallon pump chamber. Please note that while the pump chambers are not considered in the ANSI Standard 40 review, pump chambers are subject to the requirements shown in 30 TAC 285.34(b).

This letter will serve as proof of approval until your aerobic treatment units are listed on our web site. We request that you review the website listings of your products and advise us of any errors in the listings or company contact information.

If you have any questions concerning our review, please contact me by telephone at (512) 239-2150, by e-mail at mike.price@tceq.texas.gov or by facsimile at (512) 239-6390. When responding by mail please use mail code MC-235.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Price".

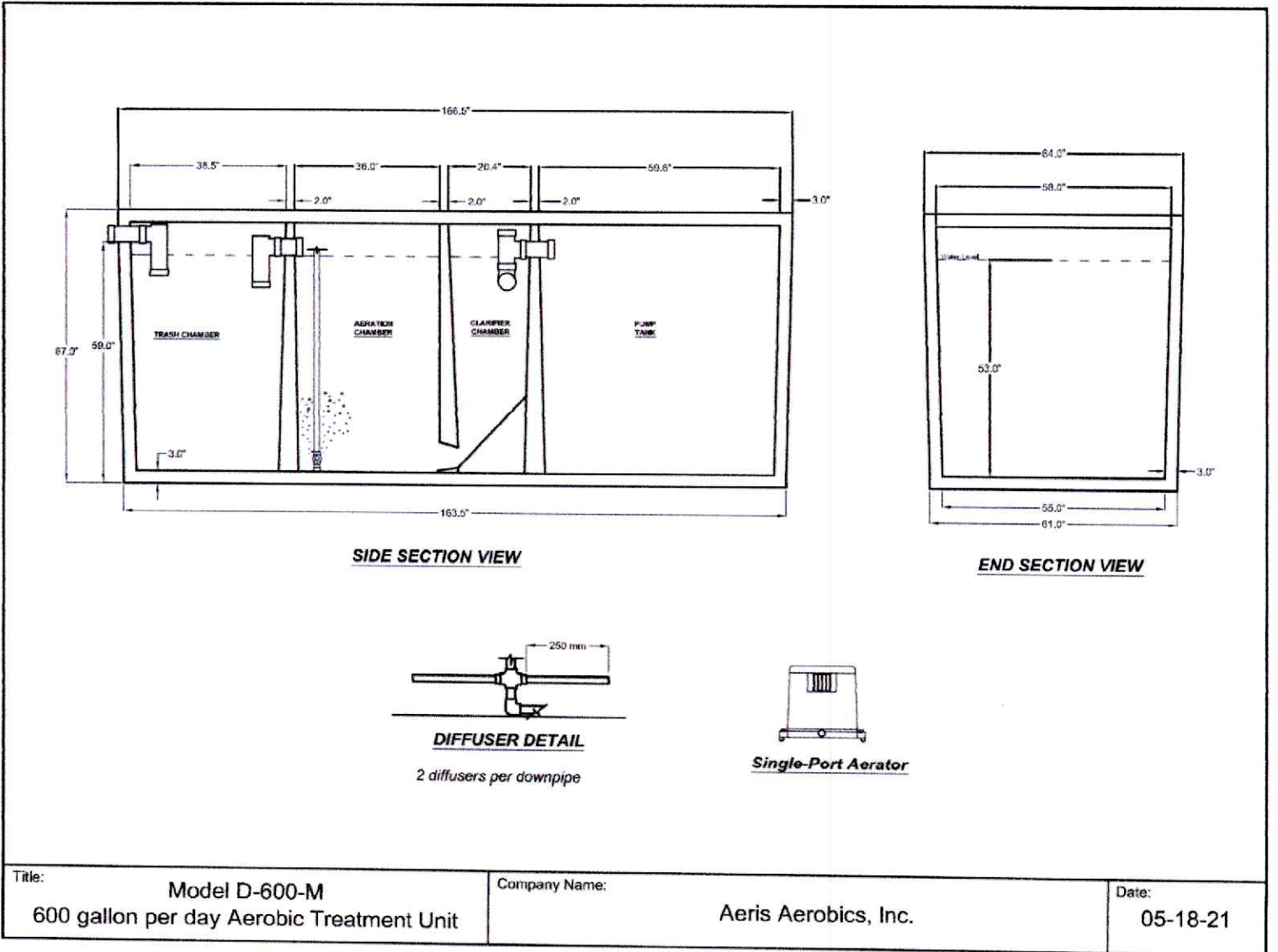
Michael Price
On-Site Wastewater Program

300 GPD FLOAT SETTINGS
 LIQUID DEPTH = 53" (14.16 GAL/IN)
 PUMP OFF: 8" (113.28 GAL)
 PUMP ON: 12" (56.64 GAL)
 HIGH WATER ALARM: 34" (311.52 GAL)
 RESERVE VOLUME: 53" (269.04 GAL)



Kyle Lents
 3/21/2025

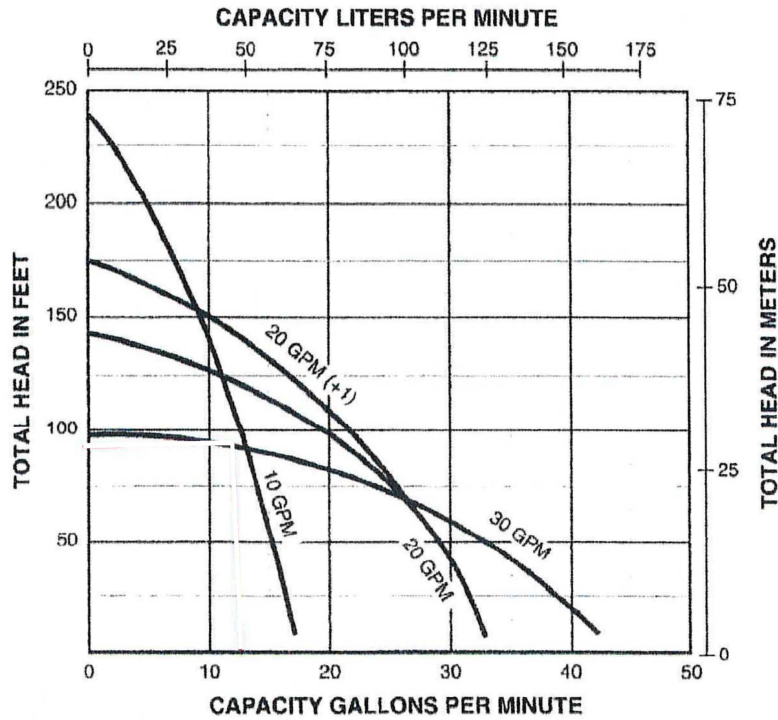
RECEIVED
 By Brandon Olvera at 2:15 pm, Mar 25, 2025



STA-RITE® ST.E.P Plus D Series

4" multi-stage submersible effluent pumps

PUMP PERFORMANCE



PUMP PERFORMANCE (CAPACITY IN GALLONS PER MINUTE)													
PUMP MODEL	FLOW RATE (GPM)	PSI											
		0	10	20	30	40	50	60	70	80	90	100	110
10DOM05221	10			15.0	13.7	12.7	11.5	10.2	8.4	6.5	4.3	1.0	
10DOM05121	10			15.0	13.7	12.7	11.5	10.2	8.4	6.5	4.3	1.0	
20DOM05221	20			30.0	26.0	21.5	14.2	4.4					
20DOM05121	20			30.0	26.0	21.5	14.2	4.4					
30DOM05221	30		38.5	33.3	25.8	16							
30DOM05121	30		38.5	33.3	25.8	16							
20DOM05221+1	20 + 1			30	27.5	24	20	13.5	6				
20DOM05121+1	20 + 1			30	27.5	24	20	13.5	6				

PUMP PERFORMANCE (CAPACITY IN LITERS PER MINUTE)													
PUMP MODEL	FLOW RATE (LPM)	BAR											
		.69	1.38	2.07	2.76	3.45	4.13	4.82	5.51	6.20	6.89	7.58	110
10DOM05221	37.85			56.8	51.9	48.1	43.5	38.6	31.8	24.6	16.3	3.8	
10DOM05121	37.85			56.8	51.9	48.1	43.5	38.6	31.8	24.6	16.3	3.8	
20DOM05221	75.7			113.6	98.4	81.4	53.7	16.7					
20DOM05121	75.7			113.6	98.4	81.4	53.7	16.7					
30DOM05221	113.55		145.7	126.0	97.7	60.6							
30DOM05121	113.55		145.7	126.0	97.7	60.6							
20DOM05221+1	75.7 + 1			113.4	103.9	90.7	75.6	51.0	22.6				
20DOM05121+1	75.7 + 1			113.4	103.9	90.7	75.6	51.0	22.6				

ProPlus™ Gear Driven Sprinkler Setting Instructions

NOTE: The *ProPlus* is factory preset with a 90° arc setting, and includes a pre-installed #2.5 nozzle.

CHANGING A NOZZLE

1 ► REMOVING THE NOZZLE RETENTION SCREW

Use your K-Key or a small flat blade screwdriver to remove the nozzle retention screw by turning counter-clockwise to remove and clockwise to re-install.

2 ► PULL UP THE RISER

Insert the k-Key in the keyhole on the top of the nozzle turret and turn the key 1/4 turn to insure that the key does not slip out of the keyhole when you pull it up. Firmly pull up the entire spring-loaded riser to access the nozzle socket. Hold the riser assembly with one hand.

3 ► REMOVING THE NOZZLE

With the nozzle retention screw removed, insert the K-Key into the slot directly under the nozzle “prongs” at the top of the nozzle. Now, turn the key 1/4 turn to “hook” the nozzle and pull the nozzle out.

4 ► INSTALLING A NOZZLE

Press the desired nozzle into the nozzle socket. Make sure the nozzle number is visible and the nozzle “prongs” are up. Then, re-install the nozzle retention screw. **NOTE:** The nozzle retention screw is also a break-up screw and used to adjust the distance of the spray.

SETTING THE ARC ADJUSTMENT

1 ► FINDING THE LEFT START POSITION

Place your finger on the top center of the nozzle turret. Rotate the turret to the right until it stops and then back to the left until it stops. Notice the position of the nozzle arrow. This is the “Left Start” position. The sprinkler will begin spraying from this position and rotate clockwise until it reaches the right Adjustable Stop-Return Point.

2 ► ORIENTING THE LEFT START POSITION

Insert the K-Key in the keyhole on the top of the nozzle turret and turn the key 1/4 turn to insure that the key does not slip out of the keyhole when you pull it up. Being careful not to allow the nozzle turret to turn, firmly pull up the entire spring-loaded riser. Hold the lower riser assembly up with one hand. Now turn only the lower riser clockwise or counter-clockwise until the nozzle arrow is pointing where you want the sprinkler to begin spraying.

3 ► CHANGING THE ARC

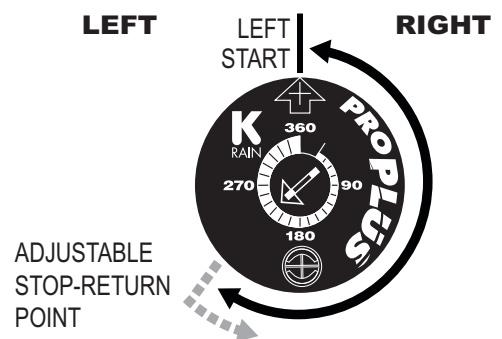
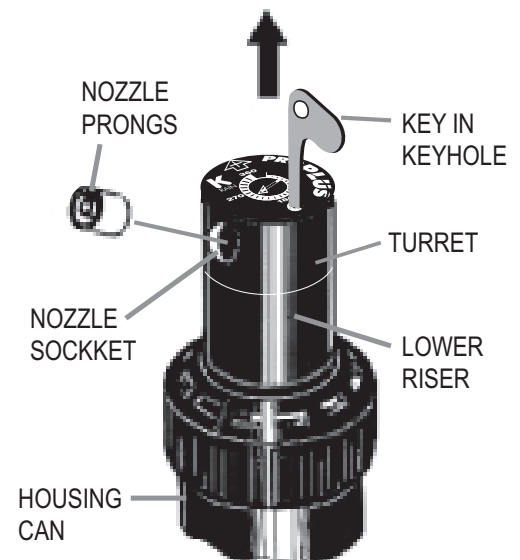
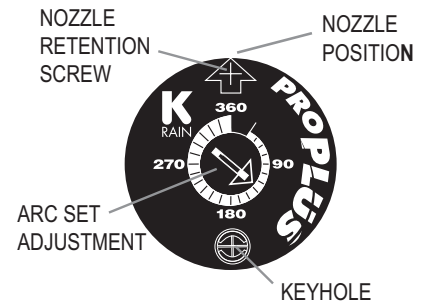
Insert the K-Key or a small flat blade screwdriver into the Arc Set Adjustment slot. Turn clockwise to increase the arc or counter-clockwise to decrease the arc.

WHEN SET AT 360°, THE PROPLUS WILL ROTATE CONTINUOUSLY IN A CLOCKWISE DIRECTION.

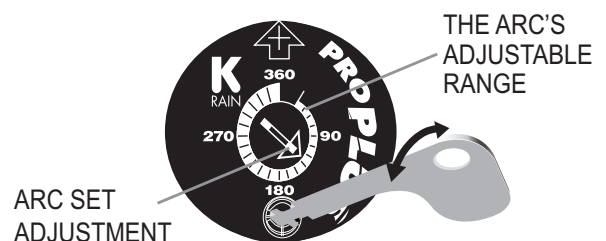
K-KEY



TURRET TOP



**ARC SELECTION
40° - 360°**



ProPlus™ Gear Driven Sprinkler Setting Instructions

SPRINKLER INSTALLATION

1 ► INSTALL AND BURY

Do not use pipe dope. Thread the sprinkler on the pipe. Bury the sprinkler flush to grade. **NOTE:** Gear driven sprinklers and pop-up sprays should not be installed on the same watering zone.

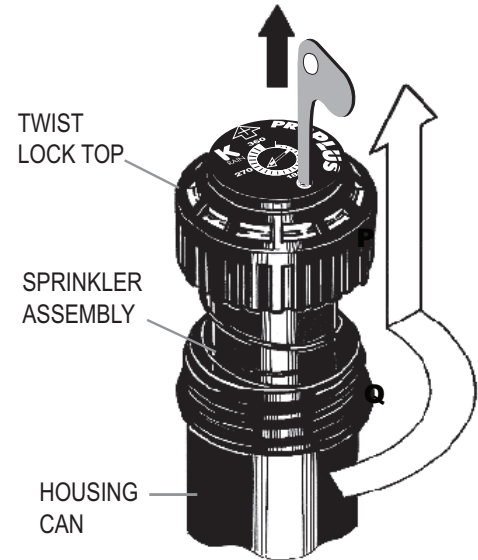
2 ► INSPECTING THE FILTER

Unscrew the top and lift the complete sprinkler assembly out of the housing can. The filter is located on the bottom of the sprinkler assembly and can be easily pulled out, cleaned and re-installed.

3 ► WINTERIZATION TIPS

When using an air compressor to remove water from the system please note the following:

- a. Do not exceed 30 PSI.
- b. Always introduce air into the system gradually to avoid air pressure surges. Sudden release of compressed air into the sprinkler can cause damage.
- c. Each zone should run no longer than 1 minute on air. Sprinklers turn 10 to 12 time faster on air than on water. Over spinning rotors on air can cause damage to the internal components.



PERFORMANCE DATA

NOZZLE	PRESSURE			RADIUS		FLOW RATE			PRECIP in/hr / mm/hr			
	PSI	kPa	Bars	Ft.	M.	GPM	L/M	M ³ /H	■	▲	■	▲
#0.5	30	207	2.1	28	8.5	0.5	1.9	0.11	0.12	0.14	3	4
	40	276	2.8	29	8.8	0.6	2.3	0.14	0.14	0.16	3	4
	50	345	3.5	29	8.8	0.7	2.7	0.16	0.16	0.19	4	5
	60	414	4.1	30	9.1	0.8	3.0	0.18	0.17	0.20	4	5
#0.75	30	207	2.1	29	8.8	0.7	2.7	0.16	0.16	0.19	4	5
	40	275	2.8	30	9.1	0.8	3.0	0.18	0.17	0.20	4	5
	50	344	3.4	31	9.4	0.9	3.4	0.20	0.18	0.21	5	5
	60	413	4.1	32	9.8	1.0	3.8	0.23	0.19	0.22	5	6
#1.0	30	207	2.1	32	9.8	1.3	4.9	0.30	0.24	0.28	6	7
	40	275	2.8	33	10.1	1.5	5.7	0.34	0.27	0.31	7	8
	50	344	3.4	34	10.4	1.6	6.1	0.36	0.27	0.31	7	8
	60	413	4.1	35	10.7	1.8	6.8	0.41	0.28	0.33	7	8
#2.0	30	207	2.1	37	11.3	2.4	9.1	0.55	0.34	0.39	9	10
	40	275	2.8	40	12.2	2.5	9.5	0.57	0.30	0.35	8	9
	50	344	3.4	42	12.8	3.0	11.4	0.68	0.33	0.38	8	10
	60	413	4.1	43	13.1	3.3	11.4	0.68	0.34	0.36	8	9
2.5 Pre- installed	30	207	2.1	38	11.6	2.5	9.5	0.57	0.33	0.38	8	10
	40	275	2.8	39	11.9	2.8	10.6	0.64	0.35	0.41	9	10
	50	344	3.4	40	12.2	3.2	12.1	0.73	0.39	0.44	10	11
	60	413	4.1	41	12.5	3.5	13.3	0.80	0.40	0.46	10	12
#3.0	30	207	2.1	38	11.6	3.6	13.6	0.82	0.48	0.55	12	14
	40	275	2.8	39	11.9	4.2	15.9	0.96	0.53	0.61	14	16
	50	344	3.4	41	12.5	4.6	17.4	1.05	0.53	0.61	13	15
	60	413	4.1	42	12.8	5.0	19.0	1.14	0.55	0.63	14	16
#4.0	30	207	2.1	43	13.1	4.4	16.7	1.00	0.46	0.53	12	13
	40	275	2.8	44	13.4	5.1	19.3	1.16	0.51	0.59	13	15
	50	344	3.4	46	14.0	5.6	21.2	1.27	0.51	0.59	13	15
	60	413	4.1	49	14.9	5.9	22.4	1.34	0.47	0.55	12	14
#6.0	40	276	2.8	45	13.7	5.9	22.4	1.34	0.56	0.65	14	16
	50	344	3.4	46	14.0	6.0	22.7	1.36	0.55	0.63	14	16
	60	413	4.1	48	14.6	6.3	23.9	1.43	0.53	0.61	13	15
	70	482	4.8	49	14.9	6.7	25.4	1.52	0.54	0.62	14	16
#8.0	40	276	2.8	42	12.8	8.0	30.3	1.82	0.87	1.01	22	26
	50	344	3.4	45	13.7	8.5	32.2	1.93	0.81	0.93	21	24
	60	413	4.1	49	14.9	9.5	36.0	2.16	0.76	0.88	19	22
	70	482	4.8	50	15.2	10.0	37.9	2.27	0.77	0.89	20	23

LOW ANGLE PERFORMANCE DATA

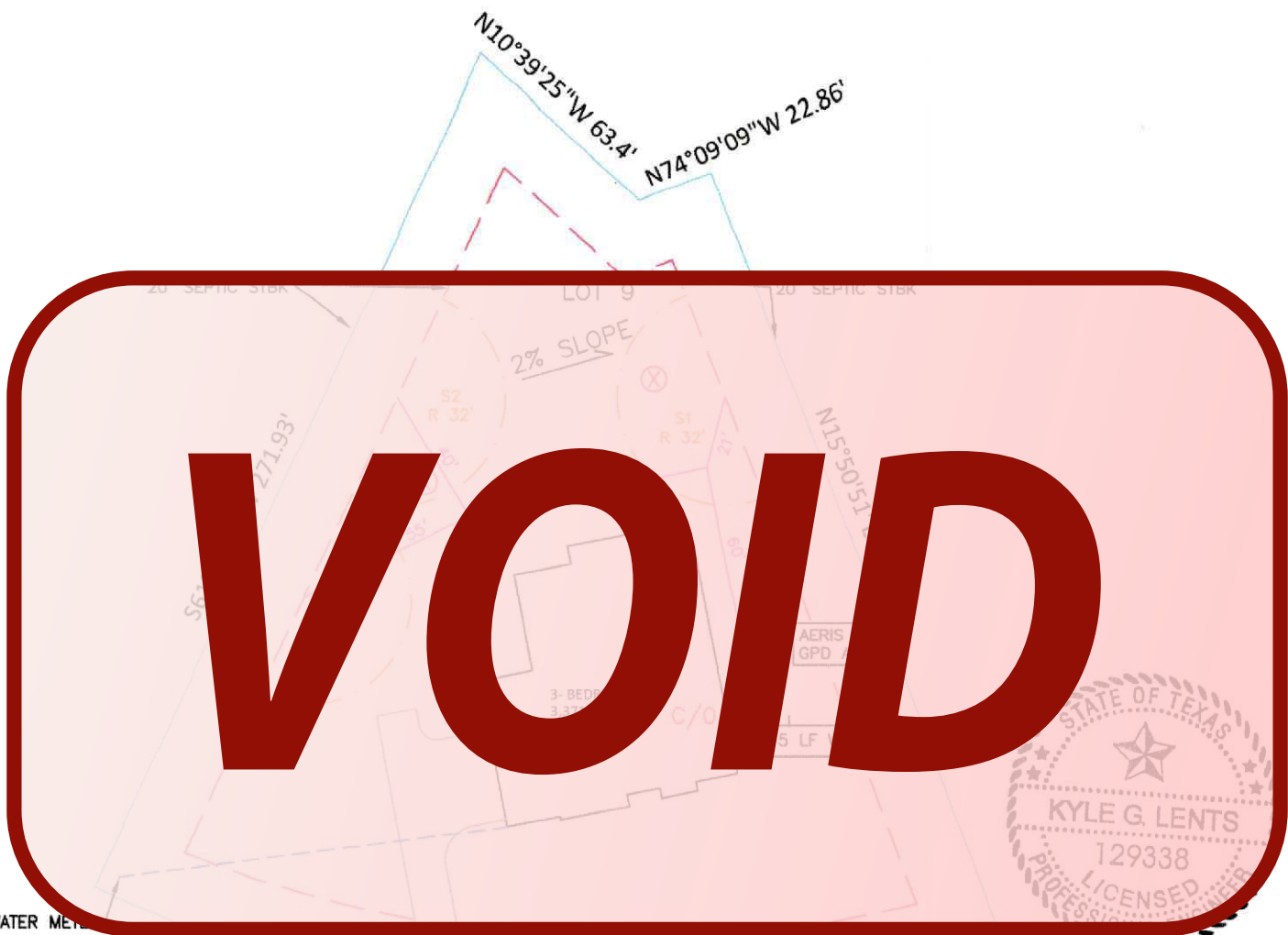
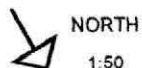
NOZZLE	PRESSURE			RADIUS		FLOW RATE			PRECIP in/hr / mm/hr			
	PSI	kPa	Bars	Ft.	M.	GPM	L/M	M ³ /H	■	▲	■	▲
#1.0	30	207	2.1	22	6.7	1.2	4.5	.27	0.48	0.55	12	14
	40	276	2.8	24	7.3	1.7	6.4	.39	0.57	0.66	14	17
	50	345	3.4	26	7.9	1.8	6.8	.41	0.51	0.59	13	15
	60	414	4.1	28	8.5	2.0	7.6	.45	0.49	0.57	12	14
#3.0	30	207	2.1	29	8.8	3.0	11.4	.68	0.69	0.79	17	20
	40	276	2.8	32	9.8	3.1	11.7	.70	0.58	0.67	15	17
	50	345	3.4	35	10.7	3.5	13.2	.80	0.55	0.64	14	16
	60	414	4.1	37	11.3	3.8	14.4	.86	0.53	0.62	14	16
#4.0	30	207	2.1	31	9.4	3.4	12.9	.77	0.68	0.79	17	20
	40	276	2.8	34	10.4	3.9	14.8	.89	0.65	0.75	17	19
	50	345	3.4	37	11.3	4.4	16.7	1.00	0.62	0.71	16	18
	60	414	4.1	38	11.6	4.7	17.8	1.07	0.63	0.72	16	18
#6.0	40	275	2.8	38	11.6	6.5	24.6	1.48	0.87	1.00	22	25
	50	344	3.4	40	12.2	7.3	27.7	1.66	0.88	1.01	22	26
	60	413	4.1	42	12.8	8.0	30.3	1.82	0.87	1.01	22	26
	70	482	4.8	44	13.4	8.6	32.6	1.96	0.86	0.99	22	25

*All precipitation rates calculated for 180° operation.
For the precipitation rate for a 360° sprinkler, divide by 2.



K-RAIN MANUFACTURING CORP.
1640 Australian Avenue
Riviera Beach, FL 33404 USA
PH: 561.844.1002 / 1.800.735.7246
FAX: 561.842.9493
www.krain.com

© K-RAIN Manufacturing Corp.
Part Number: 1100519 Rev. 01



Kyle Lents
2/14/2025

WATER MET

S49°43'11"E 270.61'
L=277.04
R=370.00
DELTA=42°54'00"

20' PUBLIC
ELECTRIC ESMT

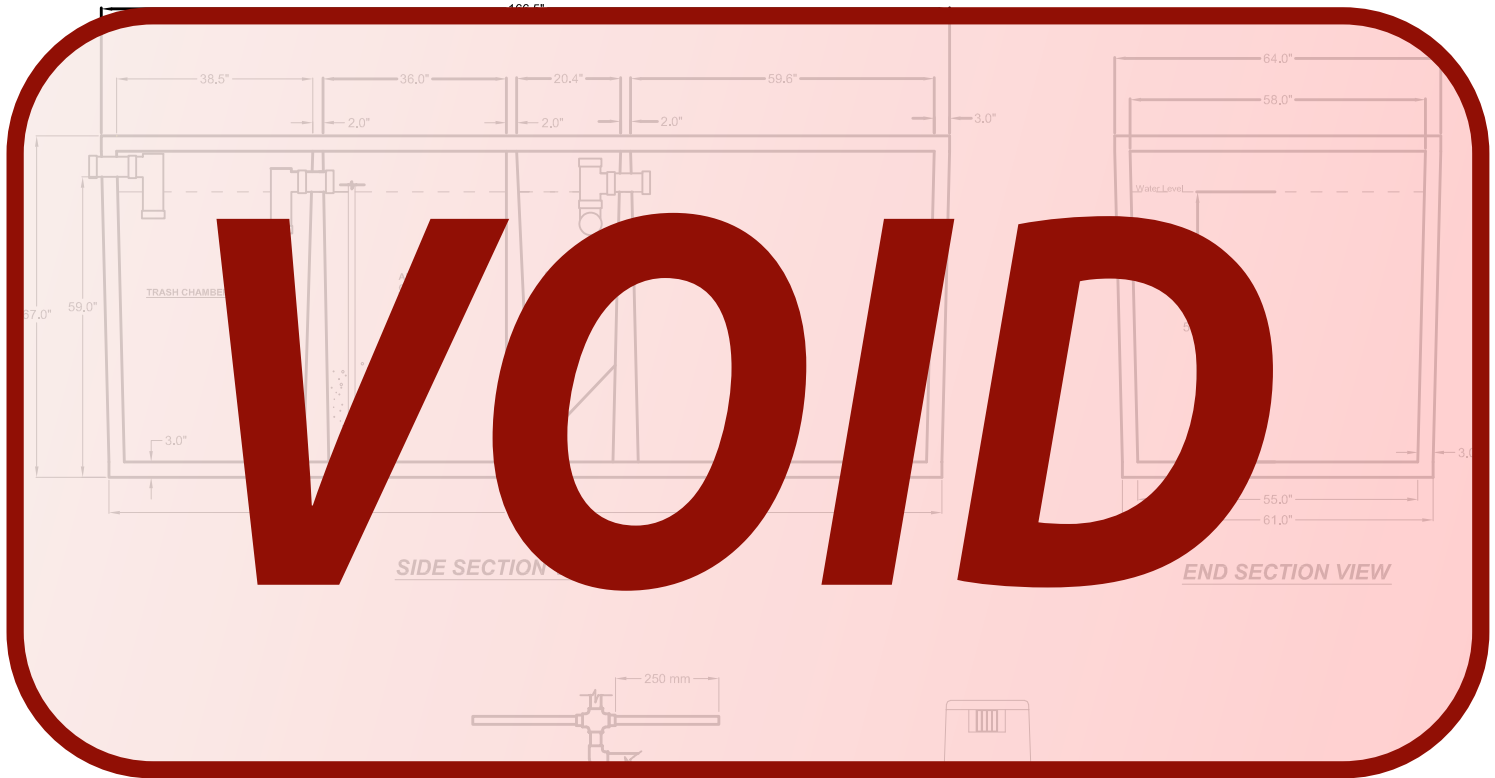
CHESTNUT WARBLER

LEGAL: LOT 9 OF THE WALDSANGER SUBDIVISION
INFRASTRUCTURE DRAWN AND SEPTIC ARE NOT LOCATED WITHIN THE
100 YR FLOOD PLAIN
PROPERTY IS IN THE EDWARDS AQUIFER RECHARGE ZONE
THIS DESIGN MEETS THE REQUIREMENTS OUTLINED IN THE CURRENT
WPAP #202306024211

NOTES:

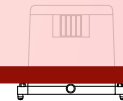
1. SYSTEM IS DESIGNED TO ACCOMMODATE A MAXIMUM FLOW OF 300 GPD.
2. INSTALL A 2-WAY CLEANOUT ON TIGHT LINE FROM HOUSE TO SEPTIC TANK.
3. ATU IS A AERIS 600 GPD
4. SUPPLY LINE TO SPRINKLERS SHALL BE 1" SCH. 40 PURPLE PIPE.
5. S1-S2-S3 ARE K-RAIN PROPLUS LOW ANGLE SPRINKLERS WITH #3 NOZZLES OPERATING @ 40 P.S.I. WITH A 180° PATTERN AT A 32' RADIUS. THERE SHALL BE NO OBSTRUCTIONS WITHIN 10' OF THE SPRINKLER HEADS.
6. AUDIBLE AND VISUAL ALARMS, EXTERNAL DISCONNECT WITHIN SITE OF THE PUMP TANK, PUMP AND ALARMS ON SEPARATE BREAKERS AND EXTERNAL WIRING IN CONDUIT ARE REQUIRED.
7. TIMER SET TO SPRAY BETWEEN 12:00 AM AND 5:00 AM.
8. THE RESERVE CAPACITY 1/3 OF THE DAILY FLOW FOR THIS SYSTEM IS 100 GALLONS.
9. WATERLINE TO BE SLEEVED IN SCH 40 WHERE IT IS LOCATED <10' FROM ANY OSSF ELEMENT OR SPRAY AREA IN ORDER TO PROVIDE THE EQUIVALENT PROTECTION OF A 10' SEPERATION PER TAC CHAPTER 290, SUBCHAPTER D, RULES FOR PUBLIC DRINKING WATER SYSTEMS.

300 GPD FLOAT SETTINGS
 LIQUID DEPTH = 53" (14.16 GAL/IN)
 PUMP OFF: 8" (113.28 GAL)
 PUMP ON: 12" (56.64 GAL)
 HIGH WATER ALARM: 34" (311.52 GAL)
 RESERVE VOLUME: 53" (269.04 GAL)



DIFFUSER DETAIL

2 diffusers per downpipe



Single-Port Aerator

Title: Model D-600-M 600 gallon per day Aerobic Treatment Unit	Company Name: Aeris Aerobics, Inc.	Date: 05-18-21
--------------------------------------------------------------------------	-------------------------------------------	-----------------------



COMAL COUNTY

ENGINEER'S OFFICE

RE: ***10715 Chestnut Warbler
Waldsanger
Lot 9***

Dear Property Owner & Agent,

Thank you for your submission. We have reviewed the planning materials for the referenced permit application, and unfortunately, they are insufficient. To proceed with processing this permit, we require the following:

- ✓ 1. Can you point out which tract this property falls under based on the deed?
- ✓ 2. Site Plan:
 - a. Show the 50 ft building setback.
- ✓ 3. Sign and seal the pump tank details.
- 4. Revise accordingly and resubmit.

If you have any questions, you can email me or call the office.

Thank You,

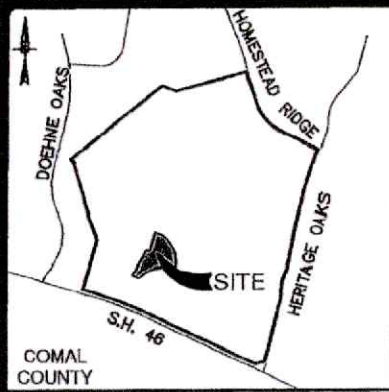
| **Brandon Olvera** | **Designated Representative OS0034792** |

| Comal County | www.cceo.org | f: 830-608-2078 | e: olverb@co.comal.tx.us |

RECEIVED

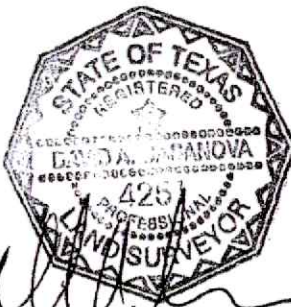
By Brandon Olvera at 2:14 pm, Mar 25, 2025

* Tract located on this exhibit



LOCATION MAP

NOT-TO-SCALE



NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

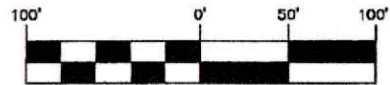
LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°09'09"E	40.24'
L2	S01°04'17"E	45.95'
L3	N59°04'32"W	75.17'

LEGEND:

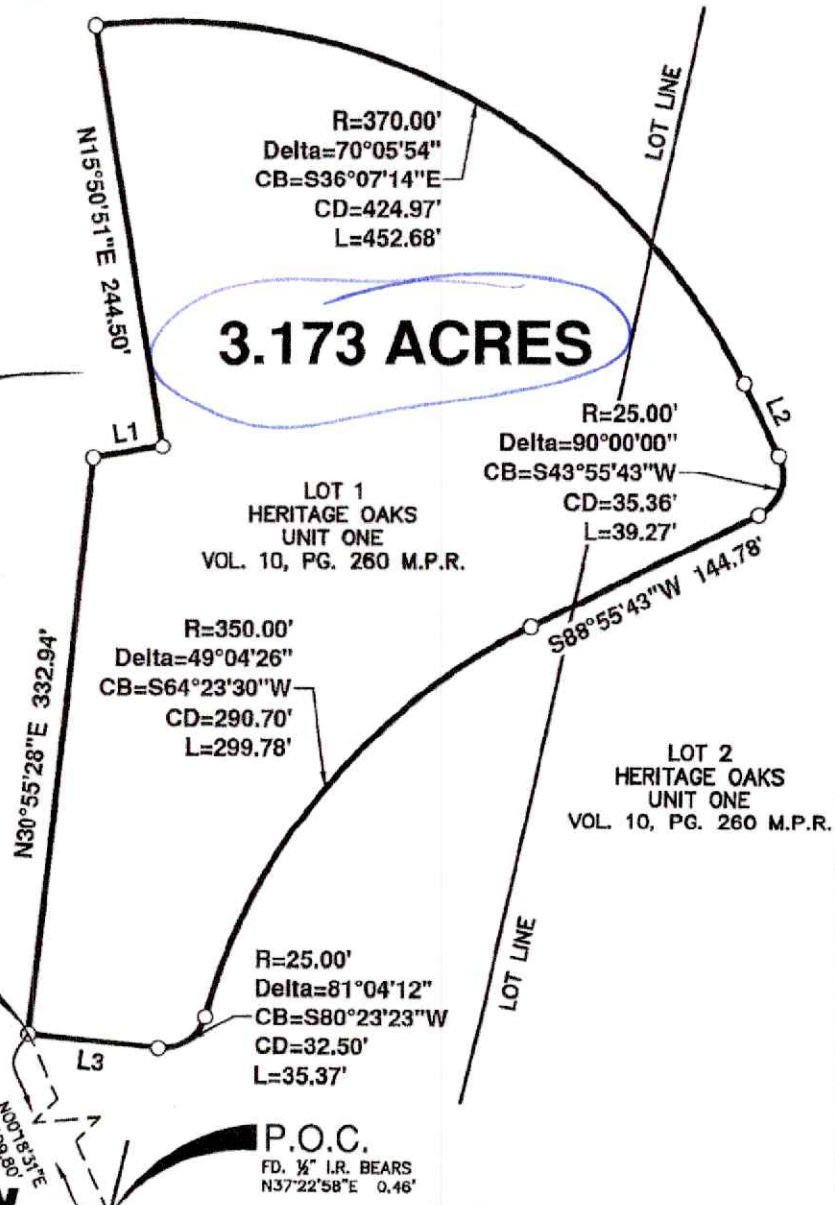
- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

- THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
- THE BEARINGS ARE 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.



SCALE: 1" = 100'



PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600

FD. TXDOT (TYPE II)
STATE HIGHWAY 46
(100' PUBLIC R.O.W.)

SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

Drawn: Sep 14, 2022, 09:15am, User: b2, d:\admin\12782-01\12782-01 LOT EXHIBIT_3173 AC.dwg

REFERENCE:

Kyle Lents, P.E. 129338

Mobile: (210) 632-0753

Email: Kyle@LSWastewater.com

OSSF DESIGN

Owner: ASHTON SAN ANTONIO RESIDENTIAL LLC
Location: 10715 Chestnut Warbler, NEW BRAUNFELS, TX 78132
Phone: 210-336-3414 Dwayne.Vadnais@ashtonwoods.com
Date: 12/13/2024

Development: **3 BEDROOM HOUSE W/ WATER SAVING DEVICES** Sq. Ft: **3,371**
Q: **300 GPD (AVG)** Soil: **Type IA** Ra: **0.064 GAL/FT²/DAY**

System Type: **AEROBIC/SURFACE APPLICATION**

Atu Treatment Plant: **Aeris 600 gpd**

Minimum Application Area (SF):

($A=Q/Ri$)

$A = 300 \text{ GPD} / 0.064$

A = 4,688 SF

Supply Line: **Sch 40, 1" Purple (~208')** Check Valve Required: **NO**

Sprinklers: **K-Rain Proplus Low Angle**

Number	Nozzle	PSI	Pattern	Radius	Area/Head	GPM/Head	Ri
S1	#3	40	180	32 ft	1607 sf	3.1	.064
S2	#3	40	180	32 ft	1607 sf	3.1	.064
S3	#3	40	180	32 ft	1607 sf	3.1	.064

Overlap Area: 0 Actual Application Area: 4,821 sf GPM: 9.3 GPM

Pump Requirements: 9.3 GPM @ 106.4 ft TDH

Pump Used Pump Tank: (Sta-Rite ST.E.P Pus D Series 20 GPM)

- Elevation Head = 5ft
- Pressure Head= 40 psi X 2.30 = 92 ft
- Friction Head of 1" Sch 40 = 208ft X 0.0452 = 9.4 ft
- Total Dynamic Head (TDH) = 5 + 92 + 9.4 = 106.4 ft
- Timer Set to spray between 12:00 AM & 5:00 AM
- Liquid Chlorinator

SPRAY FIELD SHALL NOT HAVE ANY EXPOSED ROCK. EXPOSED ROCK SHALL BE REMOVED OR COVERED WITH NATIVE DIRT. THE SPRAY FIELD SHALL BE SEEDED WITH NATIVE SEED TO ESTABLISH VEGETATION.

All design criteria are in accordance with TCEQ, Title 30, TAC Chapter 285, Subchapter D, On-Site Sewage Facilities (Effective December 27, 2012). The above design was based on the best available information and should function properly under normal operating conditions. All changes or modifications made to design must be approved by the below signed designer.



Kyle Lents
12/14/2025

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

CW-BIGBEE, LLC, a Texas limited liability company ("**Grantor**"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor, in hand paid by **ASHTON SAN ANTONIO RESIDENTIAL, L.L.C.**, a Texas limited liability company ("**Grantee**"), whose mailing address is 17319 San Pedro, Ste. 140, San Antonio, Texas 78232, the receipt and sufficiency of which are hereby acknowledged by Grantor, has **GRANTED, SOLD, AND CONVEYED** and, by these presents, does **GRANT, SELL, AND CONVEY** unto Grantee, subject to all of the reservations, exceptions, and other matters set forth or referred to herein, the following described real property, together with all improvements thereon, if any, and all appurtenances pertaining thereto, including but not limited to, all right, title, and interest of Grantor in and to adjacent streets, easements, and rights-of-way; strips and gores; rights of ingress and egress thereto; all permits, approvals, privileges, and entitlements appurtenant thereto; and utility capacities, including prepaid impact fees, associated therewith (collectively, the "**Property**"), to-wit:

The real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to **WARRANT AND FOREVER DEFEND** all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise; provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (a) the validly existing and enforceable rights, interests, and estates of third parties in connection with the items described in **Exhibit "B"** attached hereto and made part hereof for all purposes; and (b) all liens securing the payment of taxes or assessments for the current and all subsequent years, except for any taxes or other assessments based on change in use or ownership, including, without limitation, rollback taxes, which remain the obligation of Grantor.

Ad valorem taxes with respect to the Property for the current year have been prorated as of the date hereof.

FILED BY:
Texas Investors Title
116 Blanco Rd., Ste 101
Boerne, TX 78006

GF# 20210338A

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

[ON FOLLOWING PAGES]

METES AND BOUNDS DESCRIPTION
FOR

A 3.173 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 3.173 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 00°18'31" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 1, a distance of 409.80 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 1 and said Lot 2, the following bearings and distances:

N 30°55'28" E, a distance of 332.94 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 74°09'09" E, a distance of 40.24 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 15°50'51" E, a distance of 244.50 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southeasterly, along a non-tangent curve to the right, said curve having a radius of 370.00 feet, a central angle of 70°05'54", a chord bearing and distance of S 36°07'14" E, 424.97 feet, for an arc length of 452.68 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 45.95 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $S 43^{\circ}55'43'' W$, 35.36 feet, for an arc length of 39.27 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

$S 88^{\circ}55'43'' W$, a distance of 144.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

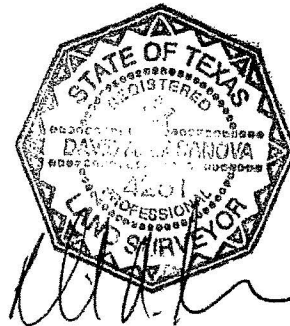
Southwesterly, along a tangent curve to the left, said curve having a radius of 350.00 feet, a central angle of $49^{\circ}04'26''$, a chord bearing and distance of $S 64^{\circ}23'30'' W$, 290.70 feet, for an arc length of 299.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

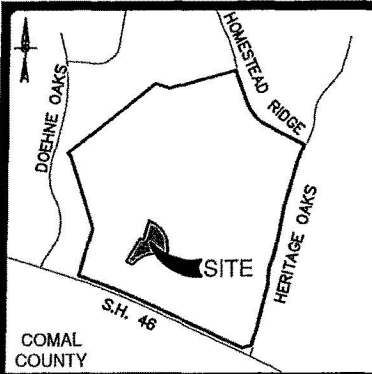
Southwesterly, along a reverse curve to the right, said curve having a radius of 25.00 feet, a central angle of $81^{\circ}04'12''$, a chord bearing and distance of $S 80^{\circ}23'23'' W$, 32.50 feet, for an arc length of 35.37 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $N 59^{\circ}04'32'' W$, a distance of 75.17 feet to the POINT OF BEGINNING and containing 3.173 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: $\frac{1}{2}$ " iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_3.173 AC.docx





LOCATION MAP

NOT-TO-SCALE



NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

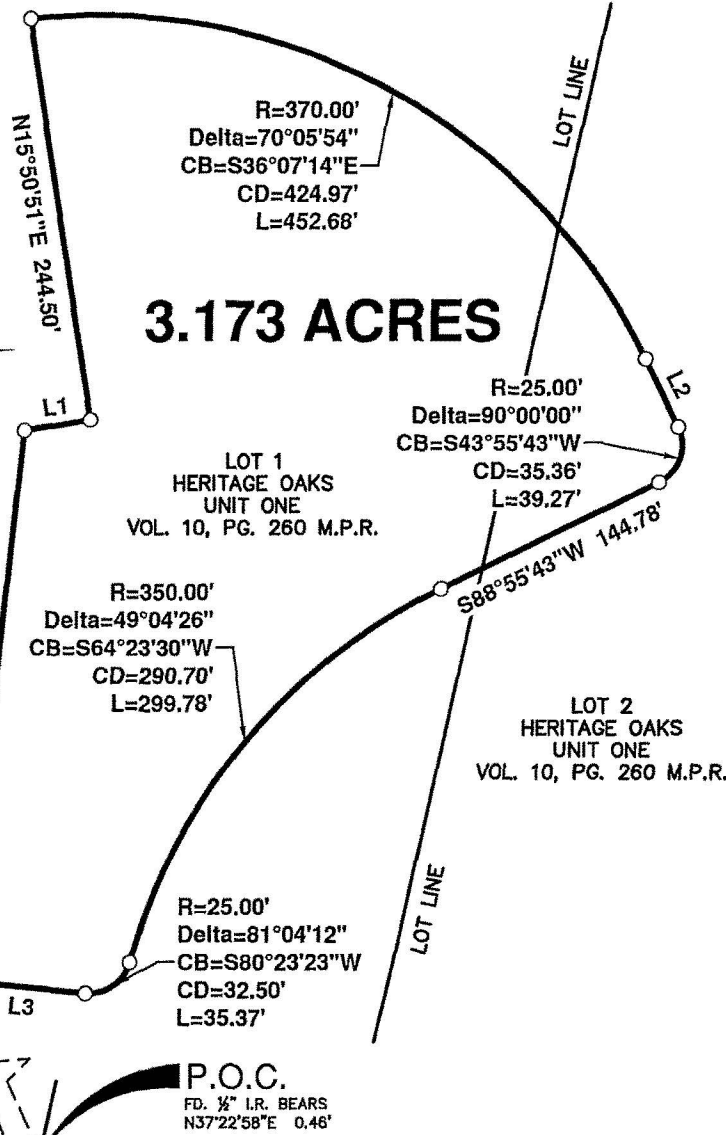
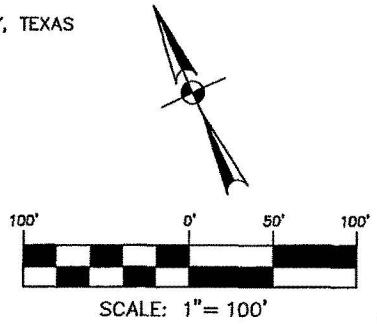
LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°09'09"E	40.24'
L2	S01°04'17"E	45.95'
L3	N59°04'32"W	75.17'

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE 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.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600

SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

Date: Sep 14, 2022, 8:15am User ID: chm1001
 File: N:\Projects\12782-01\12782-01 LOT 200812.LXD.dwg

METES AND BOUNDS DESCRIPTION
FOR

A 2.064 acre, more or less, tract of land out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 2.064 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:

COMMENCING: At the southeast corner of Lot 1 of said Heritage Oaks Unit One, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found $\frac{1}{2}$ " iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 73°40'50" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 642.69 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said Lot 1, the following bearings and distances:

Northeasterly, along a non-tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 52°14'14", a chord bearing and distance of N 01°20'16" E, 50.19 feet, for an arc length of 51.97 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 24°46'52" W, a distance of 49.93 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of N 12°55'34" W, 10.27 feet, for an arc length of 10.35 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 01°04'17" W, a distance of 135.45 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $N 43^{\circ}55'43'' E$, 35.36 feet, for an arc length of 39.27 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

$N 88^{\circ}55'43'' E$, a distance of 244.00 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

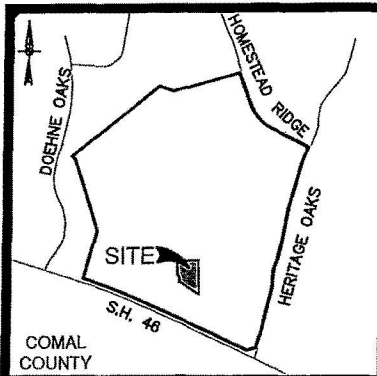
$S 00^{\circ}41'42'' E$, a distance of 431.92 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $N 57^{\circ}08'29'' W$, a distance of 296.58 feet to the POINT OF BEGINNING and containing 2.064 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: $\frac{1}{2}$ " iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_2.064 AC.docx





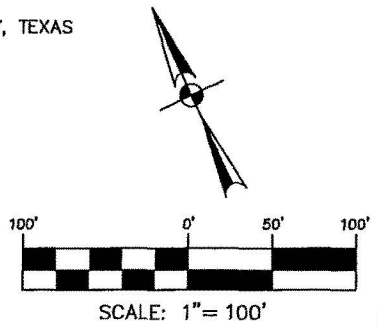
LOCATION MAP

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

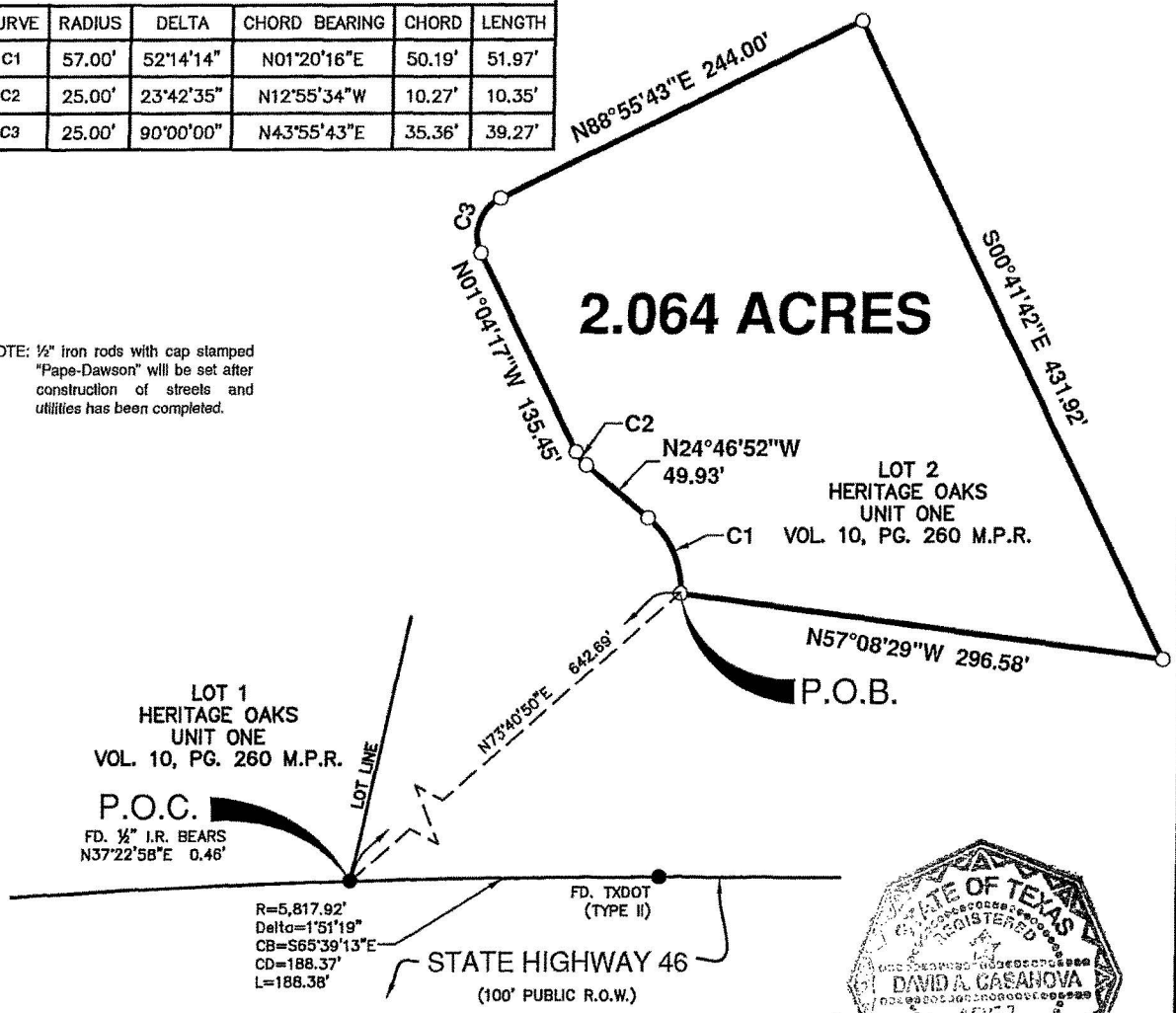
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



NOT-TO-SCALE

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	57.00'	52°14'14"	N01°20'16"E	50.19'	51.97'
C2	25.00'	23°42'35"	N12°55'34"W	10.27'	10.35'
C3	25.00'	90°00'00"	N43°55'43"E	35.36'	39.27'

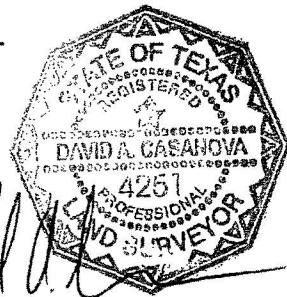
NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



LOT 1
HERITAGE OAKS
UNIT ONE
VOL. 10, PG. 260 M.P.R.
P.O.C.
FD. 1/2" I.R. BEARS
N37°22'58"E 0.46'

R=5,817.92'
Delta=1°51'19"
CB=S65°39'13"E
CD=188.37'
L=188.38'

STATE HIGHWAY 46
(100' PUBLIC R.O.W.)



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028000

SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

Date: Sep 14, 2022, 8:15am, User: D. daniel, File: N:\CML\12782-01\2782-01.dwg, Plot: EXHIBIT_12782-01.dwg

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 1.561 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 1.561 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: S 84°15'39" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 146.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 2 and said Lot 1, the following bearings and distances:

N 25°07'14" W, a distance of 67.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 14°55'09" E, a distance of 156.01 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 10°51'19", a chord bearing and distance of N 20°20'49" E, 4.73 feet, for an arc length of 4.74 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 25°46'29" E, a distance of 74.29 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 84°21'32" E, a distance of 345.51 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 17.98 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of S 10°47'00" W, 10.27 feet, for an arc length of 10.35 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

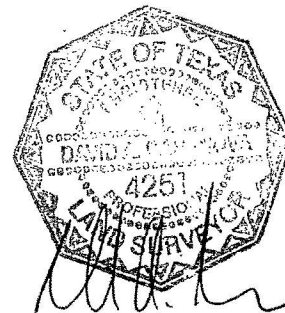
S 22°38'18" W, a distance of 49.93 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

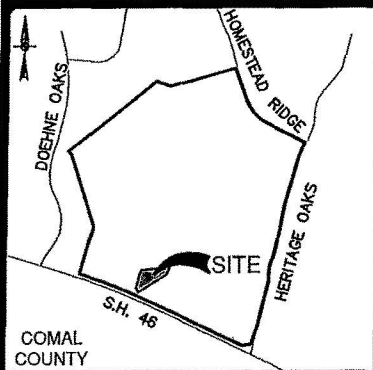
Southwesterly, along a tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 14°06'26", a chord bearing and distance of S 15°35'04" W, 14.00 feet, for an arc length of 14.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 57°45'32" W, a distance of 431.00 feet to the POINT OF BEGINNING and containing 1.561 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN 1.561 AC.docx





LOCATION MAP

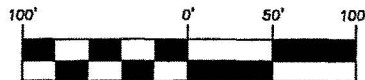
NOT-TO-SCALE

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

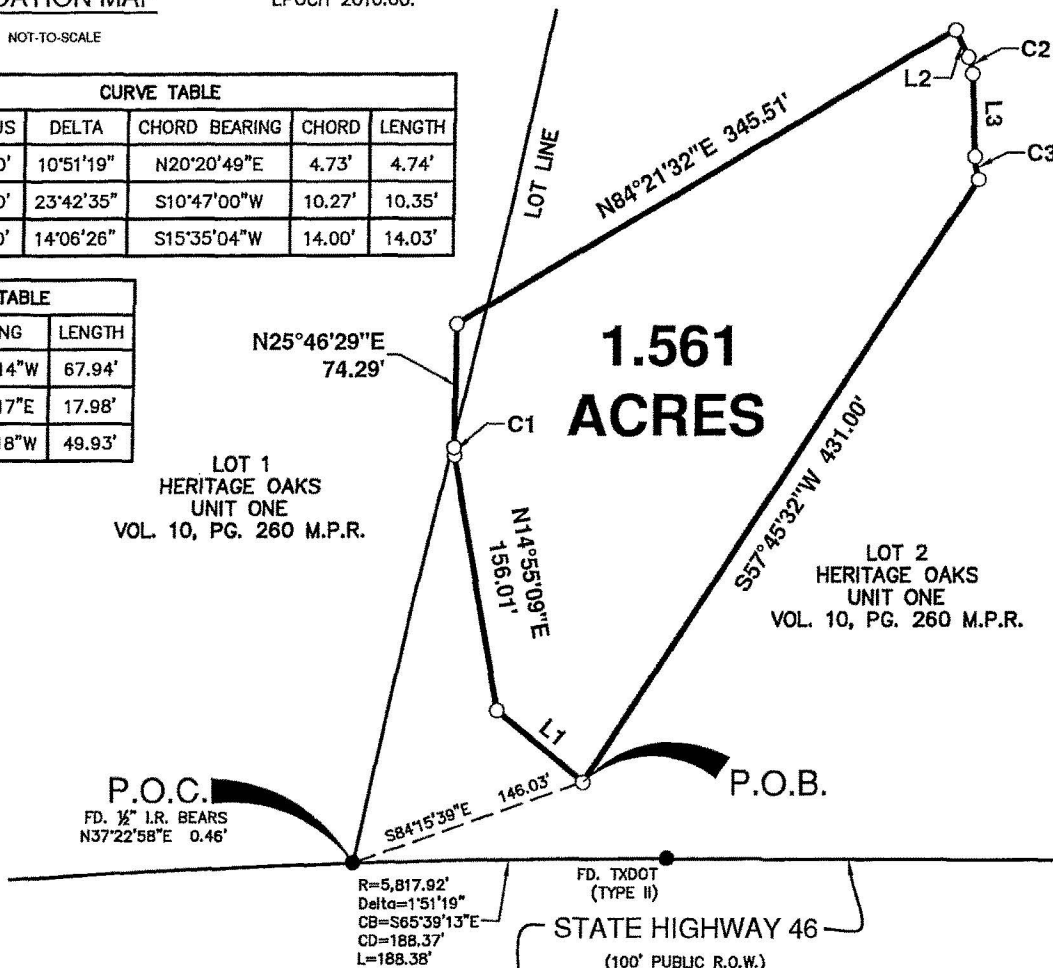
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 100'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	25.00'	10°51'19"	N20°20'49"E	4.73'	4.74'
C2	25.00'	23°42'35"	S10°47'00"W	10.27'	10.35'
C3	57.00'	14°06'26"	S15°35'04"W	14.00'	14.03'

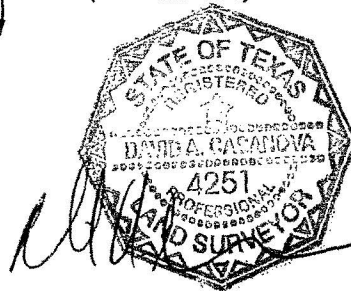
LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°07'14"W	67.94'
L2	S01°04'17"E	17.98'
L3	S22°38'18"W	49.93'



NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.8000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600



SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

Date: 09/14/2022, 9:15am User: D: clemson Date: 09/14/2022, 9:15am User: D: clemson

EXHIBIT "B"

LIST OF PERMITTED EXCEPTIONS

1. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, referenced in Warranty Deed with Vendor's Lien dated June 14, 1985, recorded June 20, 1985, in Volume 453, Page 498, Deed Records of Comal County, Texas.
2. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee to New Braunfels Utilities Board of Trustees, dated February 28, 1995, recorded on April 17, 1995, under Document No. 464030, Official Public Records of Comal County, Texas.
3. Non-Access Easement executed by Smithson Valley Heritage Oaks Property Owner's Association, Inc., dated October 31, 1995, recorded November 13, 1995, under Document No. 9506479228, Official Public Records of Comal County, Texas.
4. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee, to New Braunfels Utilities Board of Trustees, dated February 12, 1996, recorded March 11, 1996, under Document No. 9606005224, Official Public Records of Comal County, Texas.
5. 20' Utility Easement along lot lines adjacent to a road as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
6. 25' Building Setback Line along lot lines as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
7. Channel Easement as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.

Filed and Recorded
Official Public Records
Bobbie Koeppe, County Clerk
Comal County, Texas
09/15/2022 12:15:37 PM
LAURA 13 Pages(s)
202206041226



Bobbie Koeppe

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

CW-BIGBEE, LLC, a Texas limited liability company (“Grantor”), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor, in hand paid by ASHTON SAN ANTONIO RESIDENTIAL, L.L.C., a Texas limited liability company (“Grantee”), whose mailing address is 17319 San Pedro, Ste. 140, San Antonio, Texas 78232, the receipt and sufficiency of which are hereby acknowledged by Grantor, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY unto Grantee, subject to all of the reservations, exceptions, and other matters set forth or referred to herein, the following described real property, together with all improvements thereon, if any, and all appurtenances pertaining thereto, including but not limited to, all right, title, and interest of Grantor in and to adjacent streets, easements, and rights-of-way; strips and gores; rights of ingress and egress thereto; all permits, approvals, privileges, and entitlements appurtenant thereto; and utility capacities, including prepaid impact fees, associated therewith (collectively, the “Property”), to-wit:

The real property described on Exhibit “A” attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee’s successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee’s successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise; provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (a) the validly existing and enforceable rights, interests, and estates of third parties in connection with the items described in Exhibit “B” attached hereto and made part hereof for all purposes; and (b) all liens securing the payment of taxes or assessments for the current and all subsequent years, except for any taxes or other assessments based on change in use or ownership, including, without limitation, rollback taxes, which remain the obligation of Grantor.

Ad valorem taxes with respect to the Property for the current year have been prorated as of the date hereof.

FILED BY:
Texas Investors Title
116 Blanco Rd., Ste 101
Boerne, TX 78006

GF# 20210338A

EXECUTED AND DELIVERED to be effective September 15, 2022.

GRANTOR:

CW-BIGBEE, LLC,
a Texas limited liability company


By: CW-Trophy, LLC,
a Texas limited liability company,
its Manager

By: 
John Cork, President

STATE OF Arizona §
 §
COUNTY OF Maricopa §

This instrument was acknowledged before me on the 14th day of September, 2022, by John Cork, President of CW-TROPHY, LLC, a Texas limited liability company and the Manager of CW-BIGBEE, LLC, a Texas limited liability company, on behalf of said entities.

(seal)


Notary Public, State of Arizona

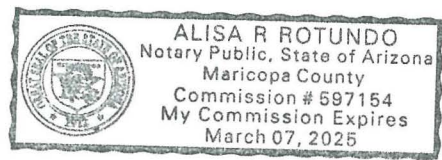


EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

[ON FOLLOWING PAGES]

METES AND BOUNDS DESCRIPTION
FOR

A 3.173 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 3.173 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 00°18'31" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 1, a distance of 409.80 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 1 and said Lot 2, the following bearings and distances:

N 30°55'28" E, a distance of 332.94 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 74°09'09" E, a distance of 40.24 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 15°50'51" E, a distance of 244.50 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southeasterly, along a non-tangent curve to the right, said curve having a radius of 370.00 feet, a central angle of 70°05'54", a chord bearing and distance of S 36°07'14" E, 424.97 feet, for an arc length of 452.68 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 45.95 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $S 43^{\circ}55'43'' W$, 35.36 feet, for an arc length of 39.27 feet to a found $\frac{1}{2}''$ iron rod with a yellow cap stamped "Pape-Dawson";

$S 88^{\circ}55'43'' W$, a distance of 144.78 feet to a found $\frac{1}{2}''$ iron rod with a yellow cap stamped "Pape-Dawson";

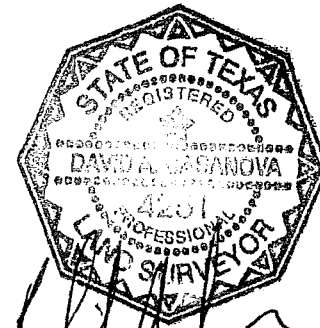
Southwesterly, along a tangent curve to the left, said curve having a radius of 350.00 feet, a central angle of $49^{\circ}04'26''$, a chord bearing and distance of $S 64^{\circ}23'30'' W$, 290.70 feet, for an arc length of 299.78 feet to a found $\frac{1}{2}''$ iron rod with a yellow cap stamped "Pape-Dawson";

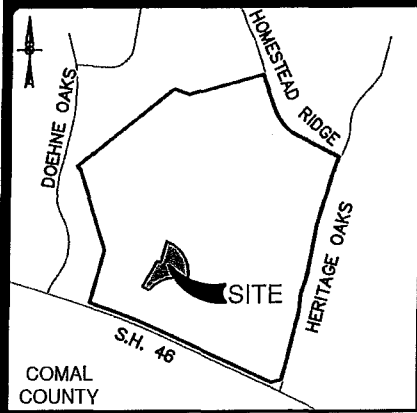
Southwesterly, along a reverse curve to the right, said curve having a radius of 25.00 feet, a central angle of $81^{\circ}04'12''$, a chord bearing and distance of $S 80^{\circ}23'23'' W$, 32.50 feet, for an arc length of 35.37 feet to a found $\frac{1}{2}''$ iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $N 59^{\circ}04'32'' W$, a distance of 75.17 feet to the POINT OF BEGINNING and containing 3.173 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: $\frac{1}{2}''$ iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_3.173 AC.docx



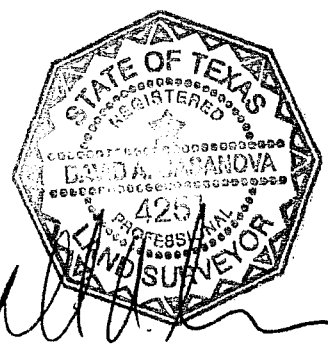
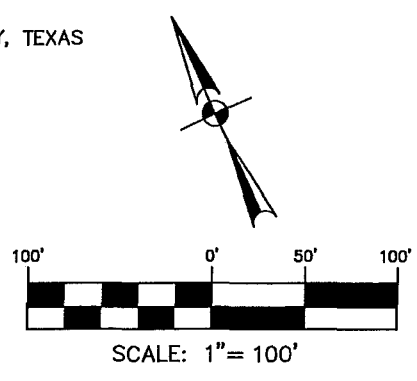


LOCATION MAP

NOT-TO-SCALE

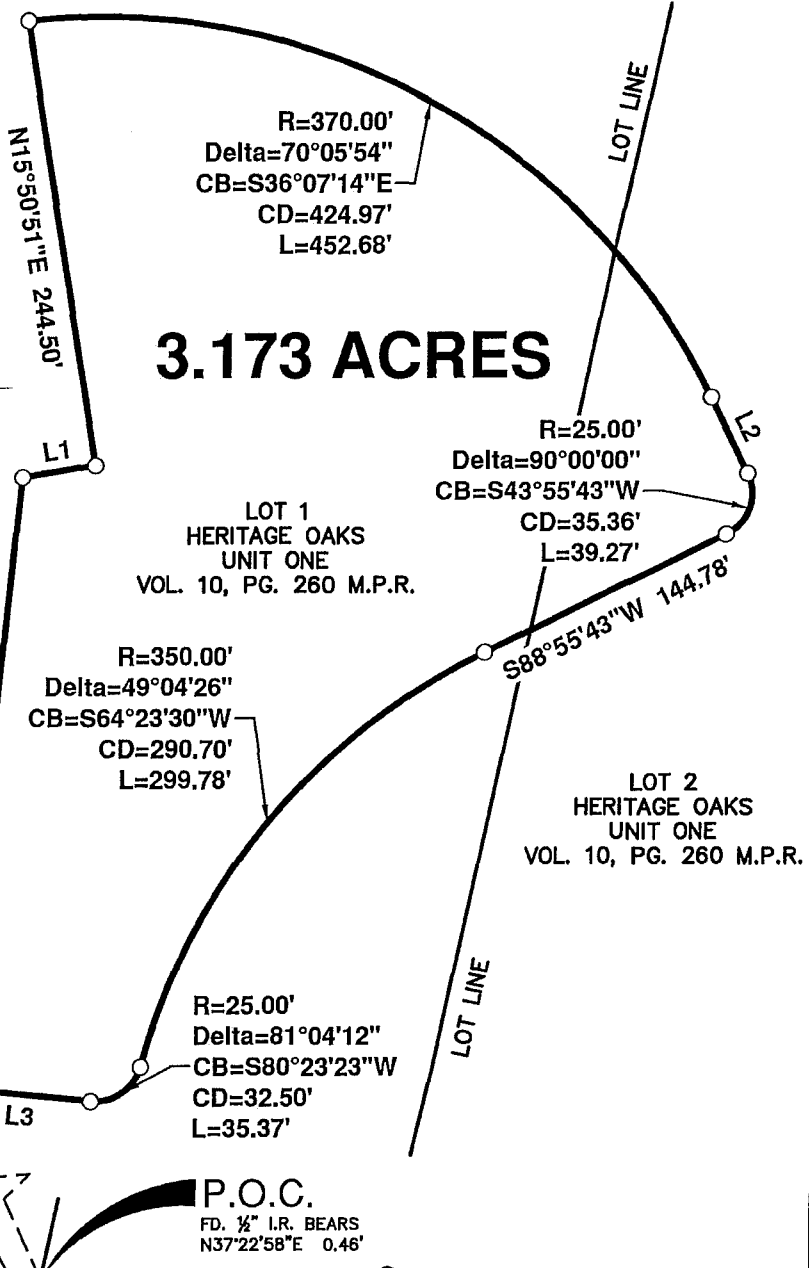
- LEGEND:**
- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
 - FD. FOUND
 - I.R. 1/2" IRON ROD
 - FOUND MONUMENT
 - SET 1/2" I.R. WITH PAPE-DAWSON CAP

- NOTES:**
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
 2. THE BEARINGS ARE 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.



NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°09'09"E	40.24'
L2	S01°04'17"E	45.95'
L3	N59°04'32"W	75.17'



3.173 ACRES



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 2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.376.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

R=5,817.92'
 Delta=1°51'19"
 CB=S65°39'13"E
 CD=188.37'
 L=188.38'

FD. TXDOT (TYPE II)
 STATE HIGHWAY 46
 (100' PUBLIC R.O.W.)

SEPTEMBER 14, 2022

SHEET 1 OF 1
 JOB No.:12782-01

Date: Sep 14, 2022, 8:15am User: ld: chennison
 File: N:\CIVIL\12782-01\2782-01 LOT EXHIBIT_3.173 AC.dwg

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 2.064 acre, more or less, tract of land out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 2.064 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:

COMMENCING: At the southeast corner of Lot 1 of said Heritage Oaks Unit One, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found $\frac{1}{2}$ " iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 73°40'50" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 642.69 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said Lot 1, the following bearings and distances:

Northeasterly, along a non-tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 52°14'14", a chord bearing and distance of N 01°20'16" E, 50.19 feet, for an arc length of 51.97 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 24°46'52" W, a distance of 49.93 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of N 12°55'34" W, 10.27 feet, for an arc length of 10.35 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 01°04'17" W, a distance of 135.45 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 43°55'43" E, 35.36 feet, for an arc length of 39.27 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

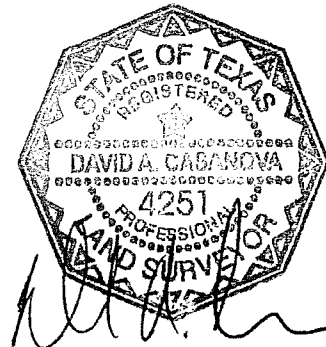
N 88°55'43" E, a distance of 244.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

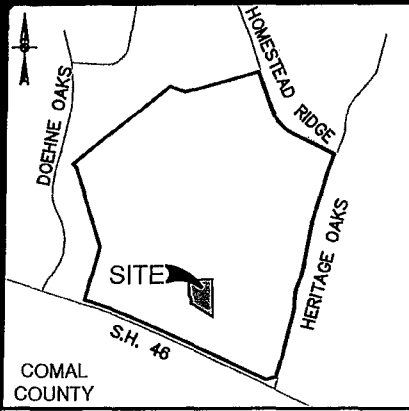
S 00°41'42" E, a distance of 431.92 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 57°08'29" W, a distance of 296.58 feet to the POINT OF BEGINNING and containing 2.064 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_2.064 AC.docx





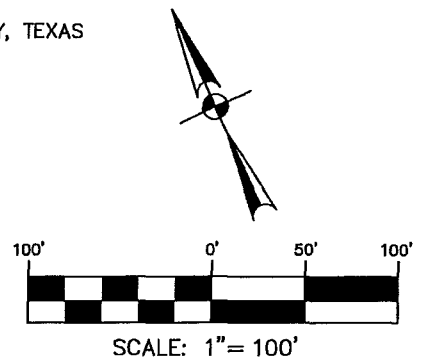
LOCATION MAP

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE 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.



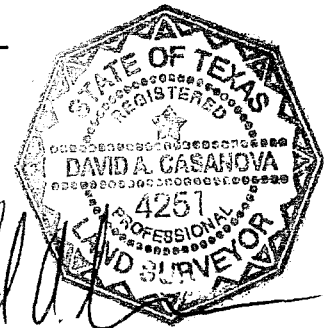
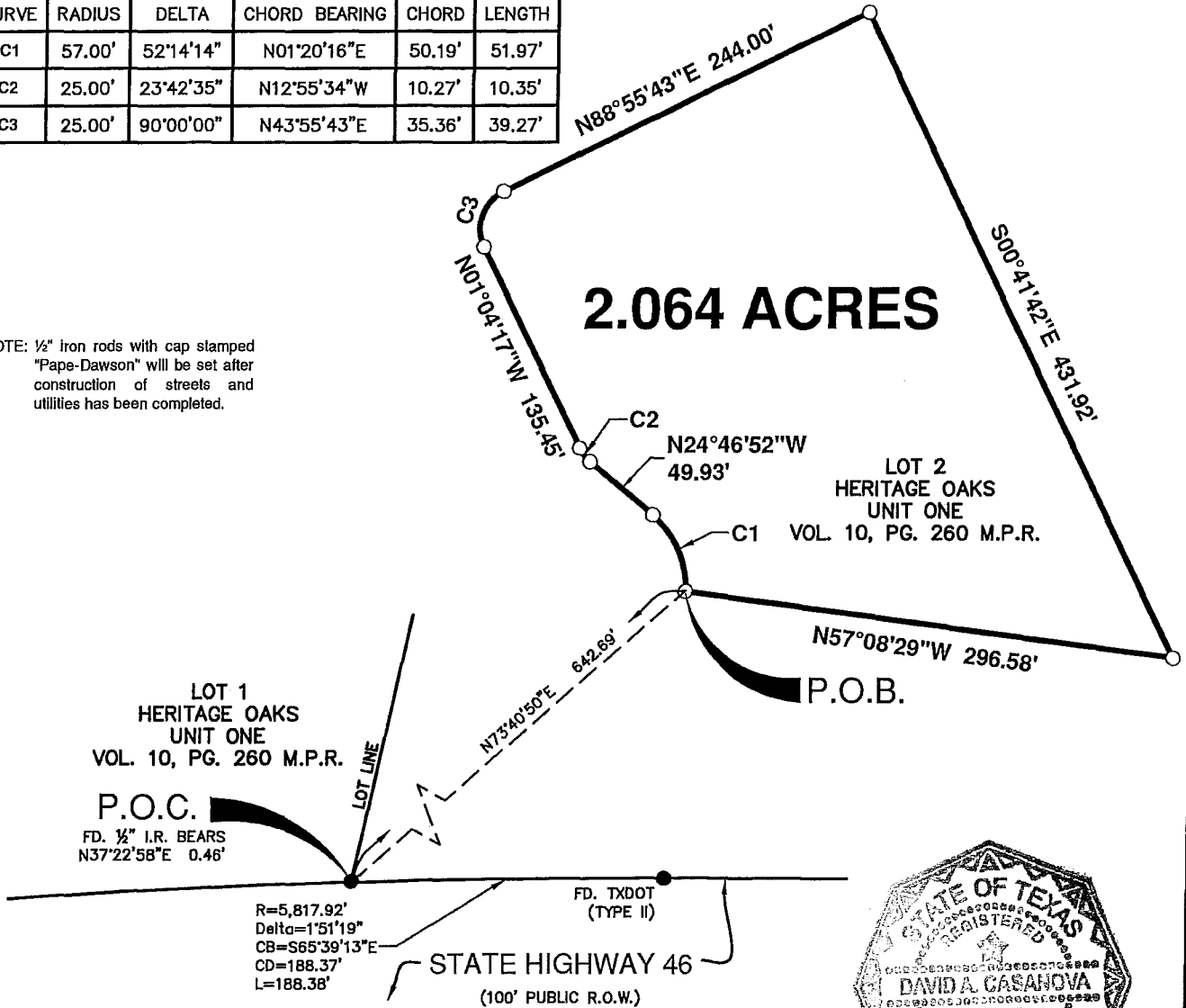
NOT-TO-SCALE

CURVE TABLE

CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	57.00'	52°14'14"	N01°20'16"E	50.19'	51.97'
C2	25.00'	23°42'35"	N12°55'34"W	10.27'	10.35'
C3	25.00'	90°00'00"	N43°55'43"E	35.36'	39.27'

2.064 ACRES

NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



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 2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028900

SEPTEMBER 14, 2022

SHEET 1 OF 1
 JOB No.:12782-01

Date: Sep 14, 2022, 8:15am User ID: ckenilam
 File: N:\CIVIL\12782-01\12782-01 LOT EXHIBIT_2.064 AC.dwg

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 1.561 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 1.561 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: S 84°15'39" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 146.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 2 and said Lot 1, the following bearings and distances:

N 25°07'14" W, a distance of 67.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 14°55'09" E, a distance of 156.01 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 10°51'19", a chord bearing and distance of N 20°20'49" E, 4.73 feet, for an arc length of 4.74 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 25°46'29" E, a distance of 74.29 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 84°21'32" E, a distance of 345.51 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 17.98 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of S 10°47'00" W, 10.27 feet, for an arc length of 10.35 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

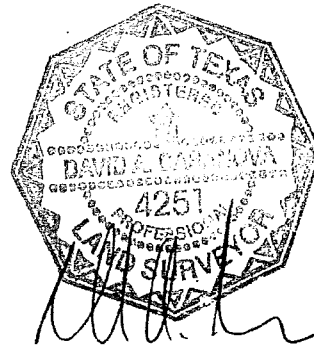
S 22°38'18" W, a distance of 49.93 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

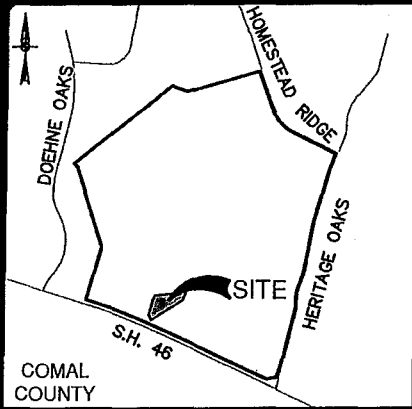
Southwesterly, along a tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 14°06'26", a chord bearing and distance of S 15°35'04" W, 14.00 feet, for an arc length of 14.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 57°45'32" W, a distance of 431.00 feet to the POINT OF BEGINNING and containing 1.561 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN 1.561 AC.docx





LOCATION MAP

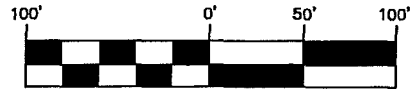
NOT-TO-SCALE

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

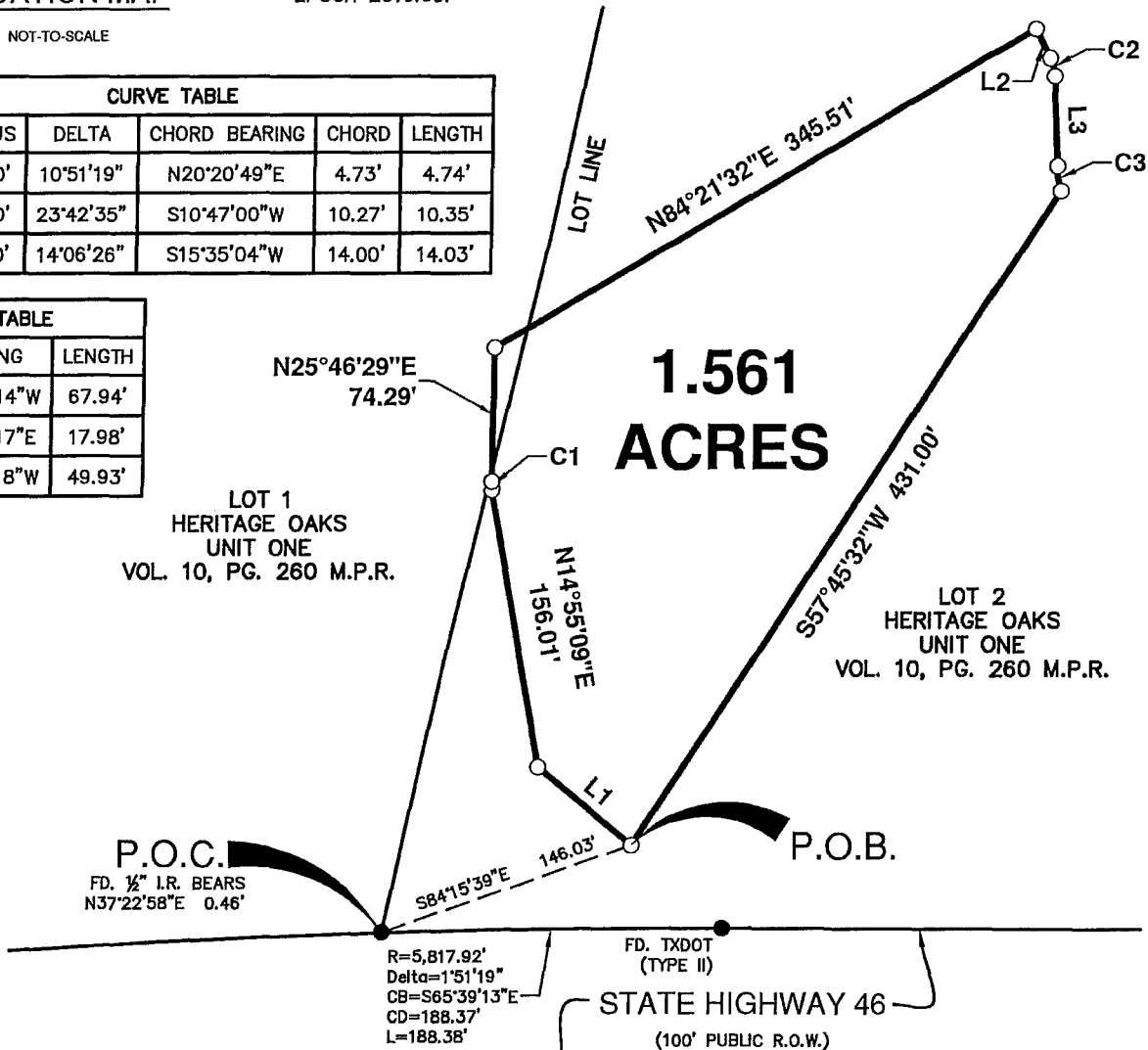
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 100'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	25.00'	10°51'19"	N20°20'49"E	4.73'	4.74'
C2	25.00'	23°42'35"	S10°47'00"W	10.27'	10.35'
C3	57.00'	14°06'26"	S15°35'04"W	14.00'	14.03'

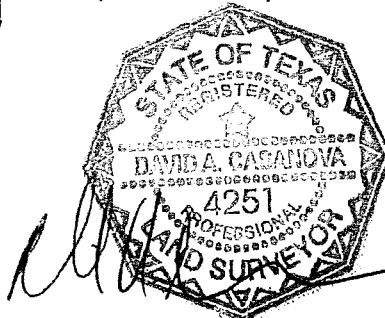
LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°07'14"W	67.94'
L2	S01°04'17"E	17.98'
L3	S22°38'18"W	49.93'



NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



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2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800



SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

Date: Sep 14, 2022, 9:15am User: id: clemmison
File: N:\COMAL\12782-01\12782-01 LOT EXHIBIT_1.561 AC.dwg

REFERENCE

EXHIBIT "B"

LIST OF PERMITTED EXCEPTIONS

1. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, referenced in Warranty Deed with Vendor's Lien dated June 14, 1985, recorded June 20, 2985, in Volume 453, Page 498, Deed Records of Comal County, Texas.
2. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee to New Braunfels Utilities Board of Trustees, dated February 28, 1995, recorded on April 17, 1995, under Document No. 464030, Official Public Records of Comal County, Texas.
3. Non-Access Easement executed by Smithson Valley Heritage Oaks Property Owner's Association, Inc., dated October 31, 1995, recorded November 13, 1995, under Document No. 9506479228, Official Public Records of Comal County, Texas.
4. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee, to New Braunfels Utilities Board of Trustees, dated February 12, 1996, recorded March 11, 1996, under Document No. 9606005224, Official Public Records of Comal County, Texas.
5. 20' Utility Easement along lot lines adjacent to a road as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
6. 25' Building Setback Line along lot lines as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
7. Channel Easement as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

CW-BIGBEE, LLC, a Texas limited liability company ("**Grantor**"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor, in hand paid by **ASHTON SAN ANTONIO RESIDENTIAL, L.L.C.**, a Texas limited liability company ("**Grantee**"), whose mailing address is 17319 San Pedro, Ste. 140, San Antonio, Texas 78232, the receipt and sufficiency of which are hereby acknowledged by Grantor, has **GRANTED, SOLD, AND CONVEYED** and, by these presents, does **GRANT, SELL, AND CONVEY** unto Grantee, subject to all of the reservations, exceptions, and other matters set forth or referred to herein, the following described real property, together with all improvements thereon, if any, and all appurtenances pertaining thereto, including but not limited to, all right, title, and interest of Grantor in and to adjacent streets, easements, and rights-of-way; strips and gores; rights of ingress and egress thereto; all permits, approvals, privileges, and entitlements appurtenant thereto; and utility capacities, including prepaid impact fees, associated therewith (collectively, the "**Property**"), to-wit:

The real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to **WARRANT AND FOREVER DEFEND** all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise; provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (a) the validly existing and enforceable rights, interests, and estates of third parties in connection with the items described in **Exhibit "B"** attached hereto and made part hereof for all purposes; and (b) all liens securing the payment of taxes or assessments for the current and all subsequent years, except for any taxes or other assessments based on change in use or ownership, including, without limitation, rollback taxes, which remain the obligation of Grantor.

Ad valorem taxes with respect to the Property for the current year have been prorated as of the date hereof.

FILED BY:
Texas Investors Title
116 Blanco Rd., Ste 101
Boerne, TX 78006

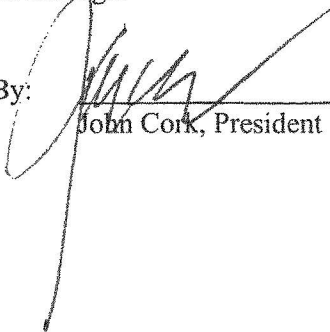
GF# 20210338A

EXECUTED AND DELIVERED to be effective September 15, 2022.

GRANTOR:

CW-BIGBEE, LLC,
a Texas limited liability company

By: CW-Trophy, LLC,
a Texas limited liability company,
its Manager

By: 

John Cork, President

STATE OF Arizona §
 §
COUNTY OF Maricopa §

This instrument was acknowledged before me on the 14th day of September, 2022, by John Cork, President of CW-TROPHY, LLC, a Texas limited liability company and the Manager of CW-BIGBEE, LLC, a Texas limited liability company, on behalf of said entities.

(seal)



Notary Public, State of Arizona

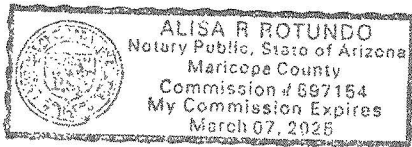


EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

[ON FOLLOWING PAGES]

METES AND BOUNDS DESCRIPTION
FOR

A 3.173 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 3.173 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found $\frac{1}{2}$ " iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 00°18'31" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 1, a distance of 409.80 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 1 and said Lot 2, the following bearings and distances:

N 30°55'28" E, a distance of 332.94 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

S 74°09'09" E, a distance of 40.24 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 15°50'51" E, a distance of 244.50 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Southeasterly, along a non-tangent curve to the right, said curve having a radius of 370.00 feet, a central angle of 70°05'54", a chord bearing and distance of S 36°07'14" E, 424.97 feet, for an arc length of 452.68 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 45.95 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $S 43^{\circ}55'43'' W$, 35.36 feet, for an arc length of 39.27 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

$S 88^{\circ}55'43'' W$, a distance of 144.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

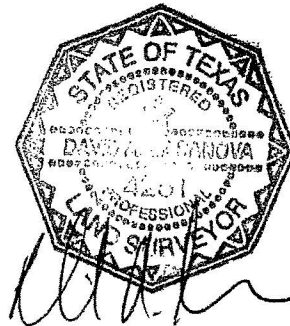
Southwesterly, along a tangent curve to the left, said curve having a radius of 350.00 feet, a central angle of $49^{\circ}04'26''$, a chord bearing and distance of $S 64^{\circ}23'30'' W$, 290.70 feet, for an arc length of 299.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

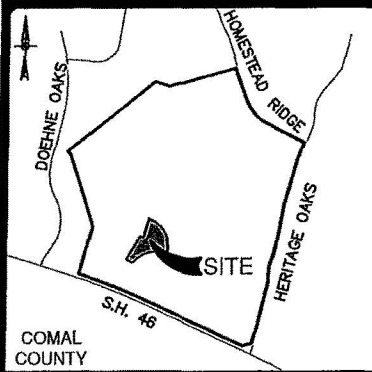
Southwesterly, along a reverse curve to the right, said curve having a radius of 25.00 feet, a central angle of $81^{\circ}04'12''$, a chord bearing and distance of $S 80^{\circ}23'23'' W$, 32.50 feet, for an arc length of 35.37 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $N 59^{\circ}04'32'' W$, a distance of 75.17 feet to the POINT OF BEGINNING and containing 3.173 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: $\frac{1}{2}$ " iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

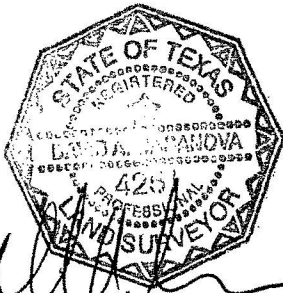
PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_3.173 AC.docx





LOCATION MAP

NOT-TO-SCALE



NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

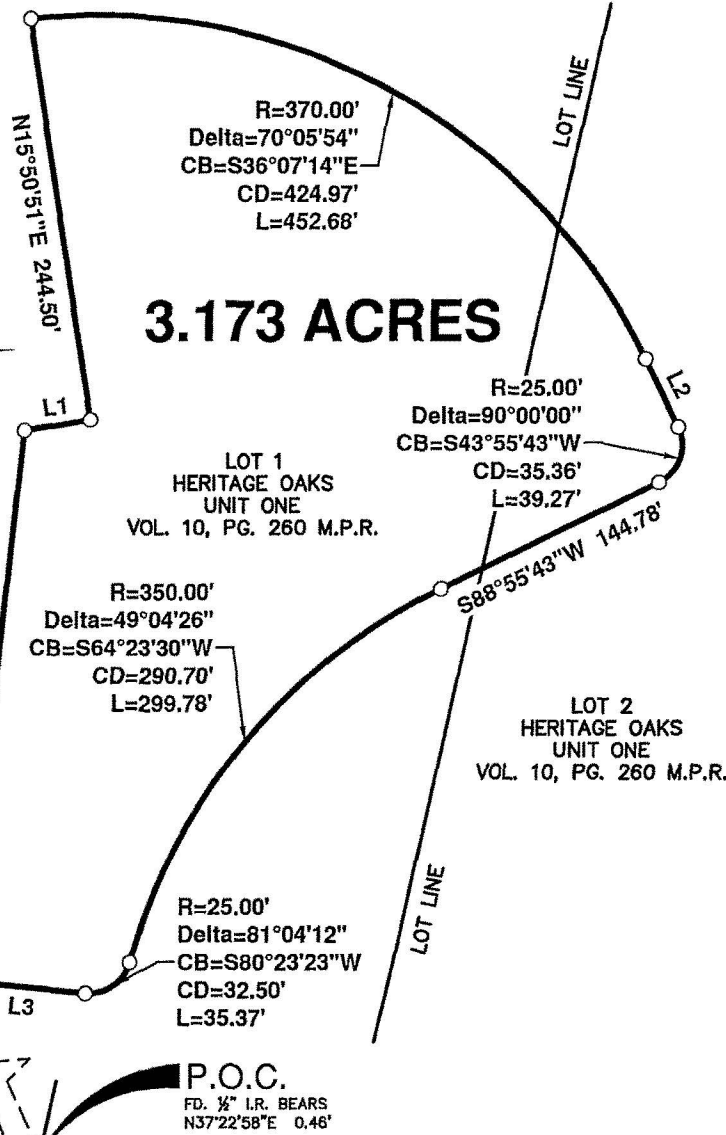
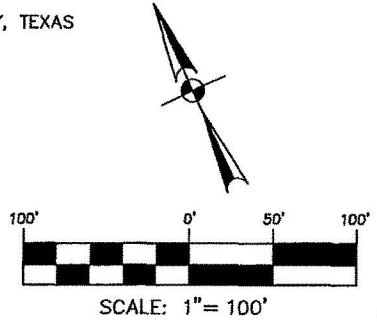
LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°09'09"E	40.24'
L2	S01°04'17"E	45.95'
L3	N59°04'32"W	75.17'

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE 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.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600

FD. TXDOT (TYPE II)
STATE HIGHWAY 46
(100' PUBLIC R.O.W.)

SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

Date: Sep 14, 2022, 8:15am User ID: chm10m
 File: N:\Projects\12782-01\12782-01 LOT 200812.LXD.dwg

METES AND BOUNDS DESCRIPTION
FOR

A 2.064 acre, more or less, tract of land out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 2.064 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:

COMMENCING: At the southeast corner of Lot 1 of said Heritage Oaks Unit One, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found $\frac{1}{2}$ " iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 73°40'50" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 642.69 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said Lot 1, the following bearings and distances:

Northeasterly, along a non-tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 52°14'14", a chord bearing and distance of N 01°20'16" E, 50.19 feet, for an arc length of 51.97 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 24°46'52" W, a distance of 49.93 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of N 12°55'34" W, 10.27 feet, for an arc length of 10.35 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 01°04'17" W, a distance of 135.45 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 43°55'43" E, 35.36 feet, for an arc length of 39.27 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 88°55'43" E, a distance of 244.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

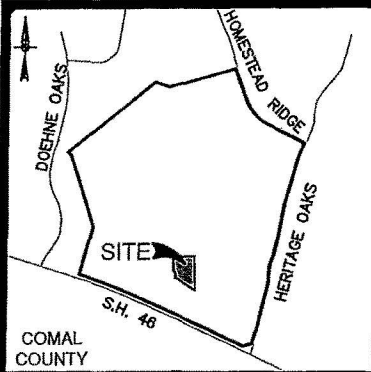
S 00°41'42" E, a distance of 431.92 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 57°08'29" W, a distance of 296.58 feet to the POINT OF BEGINNING and containing 2.064 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_2.064 AC.docx





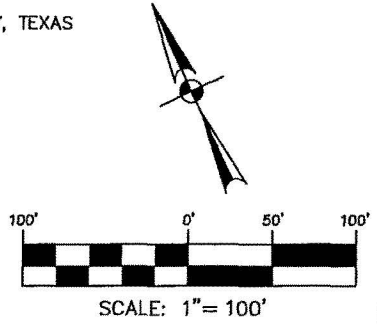
LOCATION MAP

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

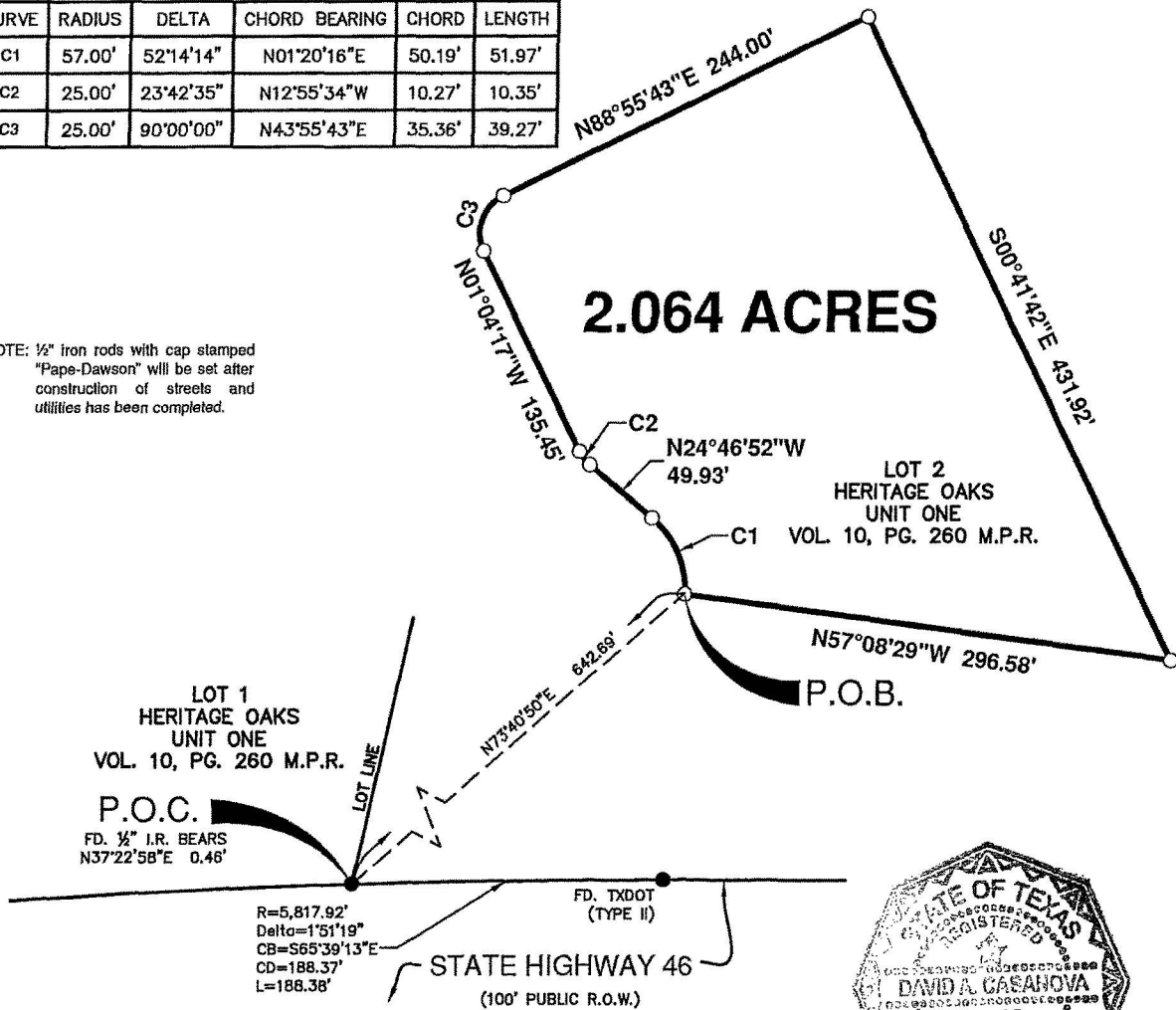
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



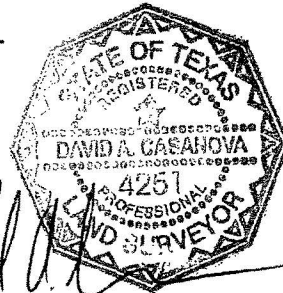
NOT-TO-SCALE

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	57.00'	52°14'14"	N01°20'16"E	50.19'	51.97'
C2	25.00'	23°42'35"	N12°55'34"W	10.27'	10.35'
C3	25.00'	90°00'00"	N43°55'43"E	35.36'	39.27'

NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



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 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.8000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028000



David A. Casanova

SEPTEMBER 14, 2022

SHEET 1 OF 1
 JOB No.:12782-01

Date: Sep 14, 2022, 8:15am, User: D. daniel, File: H:\CML\12782-01\12782-01.dwg

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 1.561 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 1.561 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: S 84°15'39" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 146.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 2 and said Lot 1, the following bearings and distances:

N 25°07'14" W, a distance of 67.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 14°55'09" E, a distance of 156.01 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 10°51'19", a chord bearing and distance of N 20°20'49" E, 4.73 feet, for an arc length of 4.74 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 25°46'29" E, a distance of 74.29 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 84°21'32" E, a distance of 345.51 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 17.98 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of S 10°47'00" W, 10.27 feet, for an arc length of 10.35 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

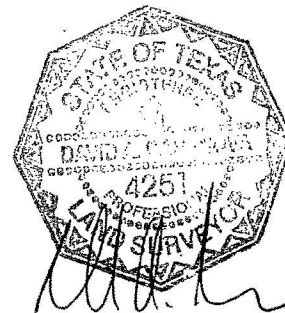
S 22°38'18" W, a distance of 49.93 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

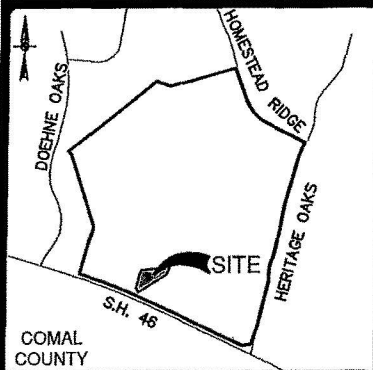
Southwesterly, along a tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 14°06'26", a chord bearing and distance of S 15°35'04" W, 14.00 feet, for an arc length of 14.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 57°45'32" W, a distance of 431.00 feet to the POINT OF BEGINNING and containing 1.561 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN 1.561 AC.docx





LOCATION MAP

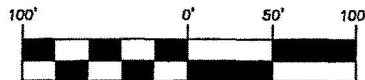
NOT-TO-SCALE

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

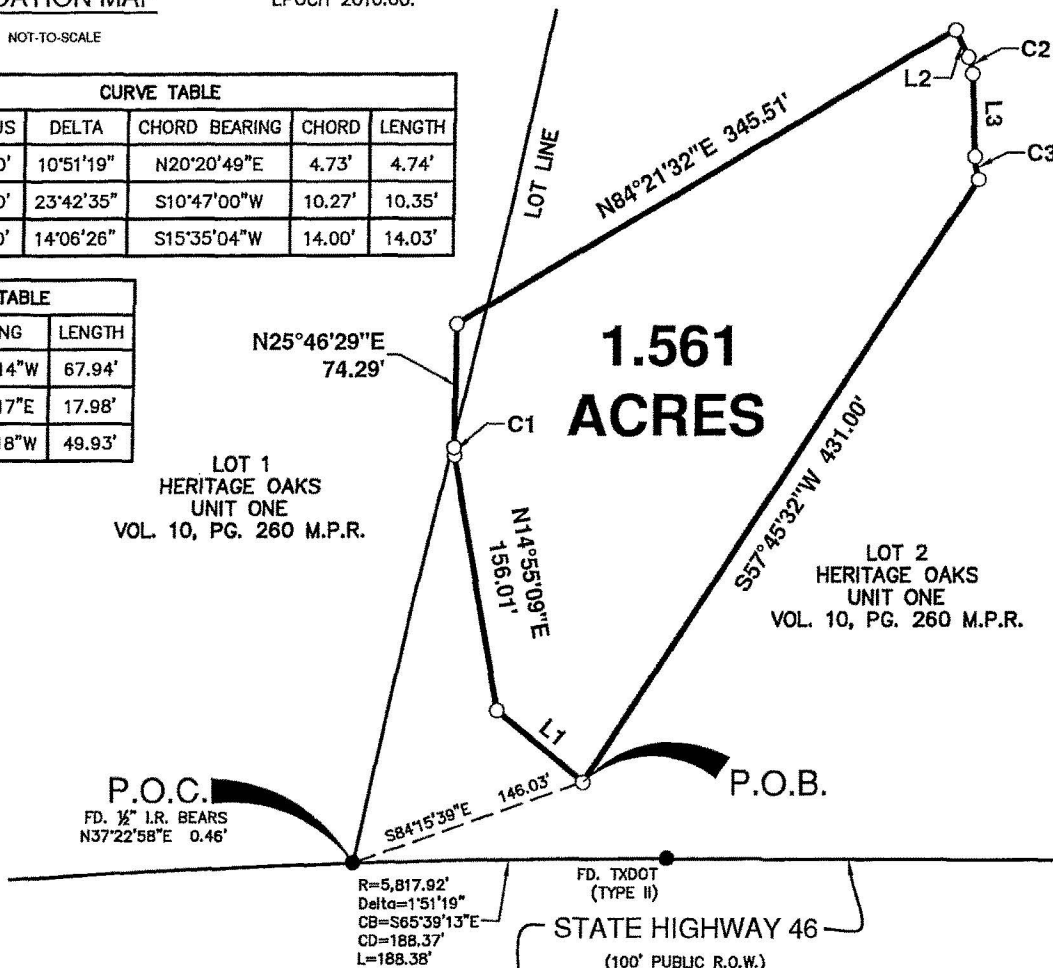
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 100'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	25.00'	10°51'19"	N20°20'49"E	4.73'	4.74'
C2	25.00'	23°42'35"	S10°47'00"W	10.27'	10.35'
C3	57.00'	14°06'26"	S15°35'04"W	14.00'	14.03'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°07'14"W	67.94'
L2	S01°04'17"E	17.98'
L3	S22°38'18"W	49.93'



P.O.C.
FD. 1/2" I.R. BEARS
N37°22'58"E 0.46'

P.O.B.

R=5,817.92'
Delta=1°51'19"
CB=S65°39'13"E
CD=188.37'
L=188.38'

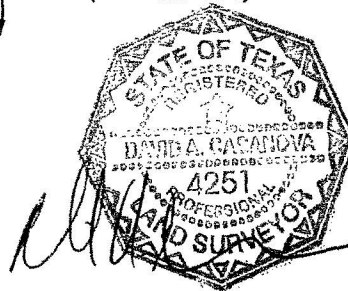
FD. TXDOT
(TYPE II)

STATE HIGHWAY 46
(100' PUBLIC R.O.W.)

NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.8000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600



SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

Date: 09/14/2022, 9:15am User: D: clemson Date: 09/14/2022, 9:15am User: D: clemson

EXHIBIT "B"

LIST OF PERMITTED EXCEPTIONS

1. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, referenced in Warranty Deed with Vendor's Lien dated June 14, 1985, recorded June 20, 1985, in Volume 453, Page 498, Deed Records of Comal County, Texas.
2. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee to New Braunfels Utilities Board of Trustees, dated February 28, 1995, recorded on April 17, 1995, under Document No. 464030, Official Public Records of Comal County, Texas.
3. Non-Access Easement executed by Smithson Valley Heritage Oaks Property Owner's Association, Inc., dated October 31, 1995, recorded November 13, 1995, under Document No. 9506479228, Official Public Records of Comal County, Texas.
4. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee, to New Braunfels Utilities Board of Trustees, dated February 12, 1996, recorded March 11, 1996, under Document No. 9606005224, Official Public Records of Comal County, Texas.
5. 20' Utility Easement along lot lines adjacent to a road as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
6. 25' Building Setback Line along lot lines as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
7. Channel Easement as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.

Filed and Recorded
Official Public Records
Bobbie Koeppe, County Clerk
Comal County, Texas
09/15/2022 12:15:37 PM
LAURA 13 Pages(s)
202206041226



Bobbie Koeppe

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

CW-BIGBEE, LLC, a Texas limited liability company ("**Grantor**"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor, in hand paid by **ASHTON SAN ANTONIO RESIDENTIAL, L.L.C.**, a Texas limited liability company ("**Grantee**"), whose mailing address is 17319 San Pedro, Ste. 140, San Antonio, Texas 78232, the receipt and sufficiency of which are hereby acknowledged by Grantor, has **GRANTED, SOLD, AND CONVEYED** and, by these presents, does **GRANT, SELL, AND CONVEY** unto Grantee, subject to all of the reservations, exceptions, and other matters set forth or referred to herein, the following described real property, together with all improvements thereon, if any, and all appurtenances pertaining thereto, including but not limited to, all right, title, and interest of Grantor in and to adjacent streets, easements, and rights-of-way; strips and gores; rights of ingress and egress thereto; all permits, approvals, privileges, and entitlements appurtenant thereto; and utility capacities, including prepaid impact fees, associated therewith (collectively, the "**Property**"), to-wit:

The real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to **WARRANT AND FOREVER DEFEND** all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise; provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (a) the validly existing and enforceable rights, interests, and estates of third parties in connection with the items described in **Exhibit "B"** attached hereto and made part hereof for all purposes; and (b) all liens securing the payment of taxes or assessments for the current and all subsequent years, except for any taxes or other assessments based on change in use or ownership, including, without limitation, rollback taxes, which remain the obligation of Grantor.

Ad valorem taxes with respect to the Property for the current year have been prorated as of the date hereof.

FILED BY:
Texas Investors Title
116 Blanco Rd., Ste 101
Boerne, TX 78006

GF# 20210338A

EXECUTED AND DELIVERED to be effective September 15, 2022.

GRANTOR:

CW-BIGBEE, LLC,
a Texas limited liability company

By: CW-Trophy, LLC,
a Texas limited liability company,
its Manager

By: _____
John Cork, President

STATE OF Arizona §
 §
COUNTY OF Maricopa §

This instrument was acknowledged before me on the 14th day of September, 2022, by John Cork, President of CW-TROPHY, LLC, a Texas limited liability company and the Manager of CW-BIGBEE, LLC, a Texas limited liability company, on behalf of said entities.

(seal)

Alisa R Rotundo
Notary Public, State of Arizona

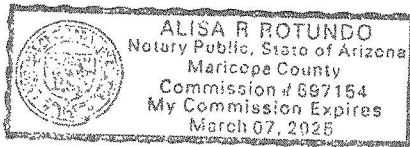


EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

[ON FOLLOWING PAGES]

METES AND BOUNDS DESCRIPTION
FOR

A 3.173 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 3.173 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 00°18'31" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 1, a distance of 409.80 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 1 and said Lot 2, the following bearings and distances:

N 30°55'28" E, a distance of 332.94 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 74°09'09" E, a distance of 40.24 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 15°50'51" E, a distance of 244.50 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southeasterly, along a non-tangent curve to the right, said curve having a radius of 370.00 feet, a central angle of 70°05'54", a chord bearing and distance of S 36°07'14" E, 424.97 feet, for an arc length of 452.68 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 45.95 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $S 43^{\circ}55'43'' W$, 35.36 feet, for an arc length of 39.27 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

$S 88^{\circ}55'43'' W$, a distance of 144.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

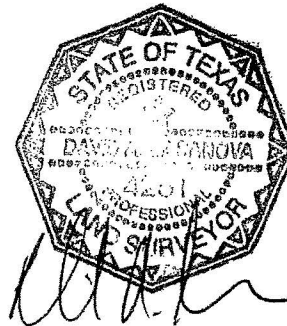
Southwesterly, along a tangent curve to the left, said curve having a radius of 350.00 feet, a central angle of $49^{\circ}04'26''$, a chord bearing and distance of $S 64^{\circ}23'30'' W$, 290.70 feet, for an arc length of 299.78 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

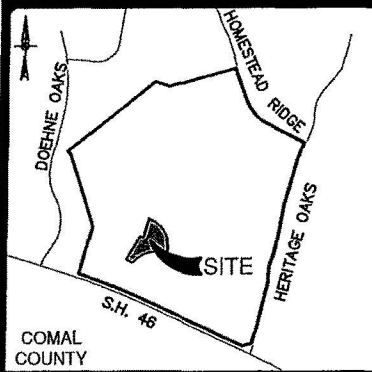
Southwesterly, along a reverse curve to the right, said curve having a radius of 25.00 feet, a central angle of $81^{\circ}04'12''$, a chord bearing and distance of $S 80^{\circ}23'23'' W$, 32.50 feet, for an arc length of 35.37 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $N 59^{\circ}04'32'' W$, a distance of 75.17 feet to the POINT OF BEGINNING and containing 3.173 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: $\frac{1}{2}$ " iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

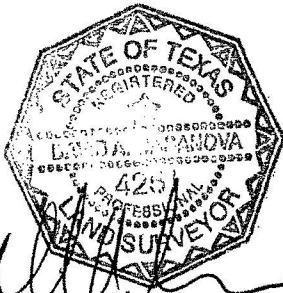
PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_3.173 AC.docx





LOCATION MAP

NOT-TO-SCALE



NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

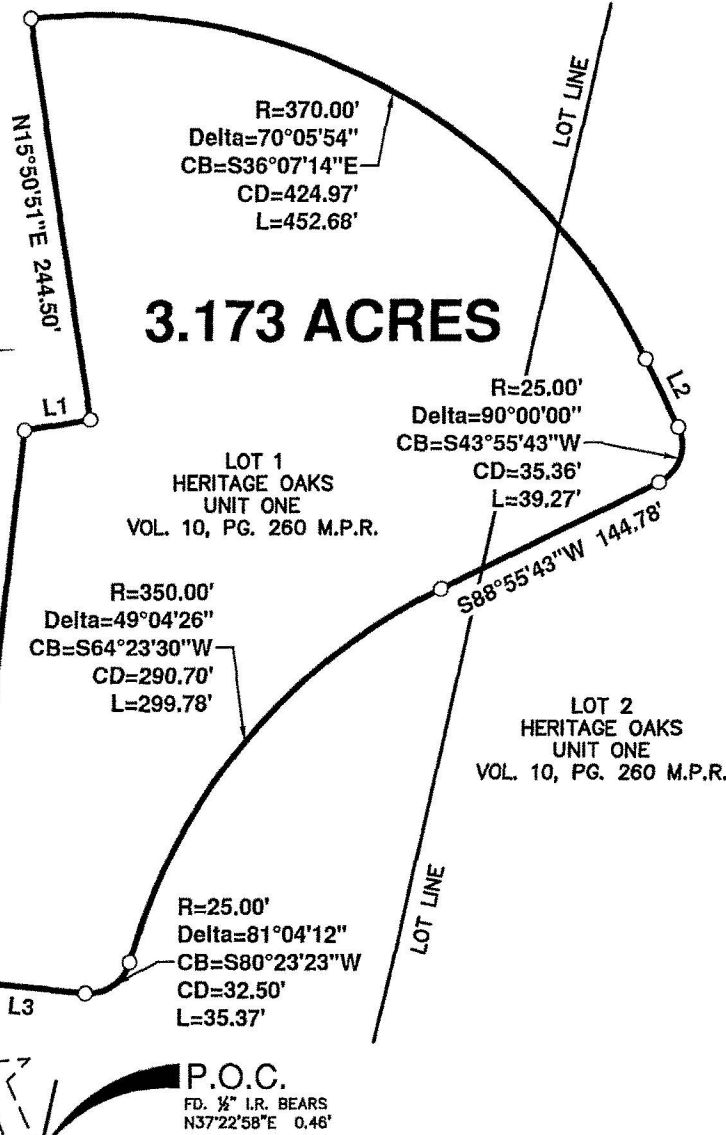
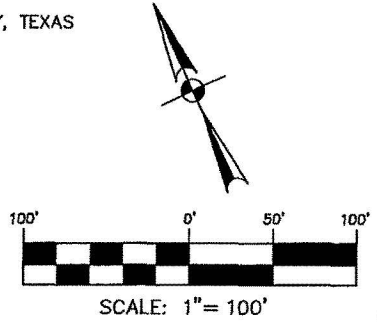
LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°09'09"E	40.24'
L2	S01°04'17"E	45.95'
L3	N59°04'32"W	75.17'

LEGEND:

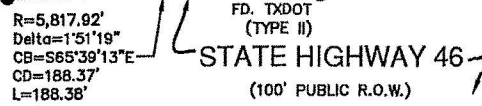
- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE 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.



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2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10022800



R=5,817.92'
Delta=1°51'19"
CB=S65°39'13"E
CD=188.37'
L=188.38'

Date: Sep 14, 2022, 8:15am User ID: chm10m
 File: N:\Projects\12782-01\12782-01 LOT 201812175 Ac.dwg

SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 2.064 acre, more or less, tract of land out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 2.064 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:

COMMENCING: At the southeast corner of Lot 1 of said Heritage Oaks Unit One, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found $\frac{1}{2}$ " iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: N 73°40'50" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 642.69 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" and the POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said Lot 1, the following bearings and distances:

Northeasterly, along a non-tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 52°14'14", a chord bearing and distance of N 01°20'16" E, 50.19 feet, for an arc length of 51.97 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 24°46'52" W, a distance of 49.93 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of N 12°55'34" W, 10.27 feet, for an arc length of 10.35 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

N 01°04'17" W, a distance of 135.45 feet to a set $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 43°55'43" E, 35.36 feet, for an arc length of 39.27 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

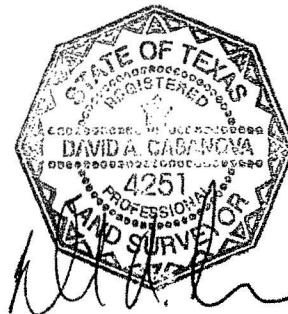
N 88°55'43" E, a distance of 244.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

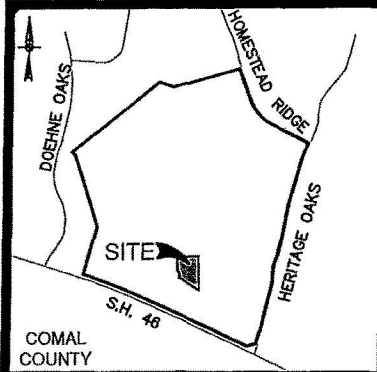
S 00°41'42" E, a distance of 431.92 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 57°08'29" W, a distance of 296.58 feet to the POINT OF BEGINNING and containing 2.064 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN_2.064 AC.docx

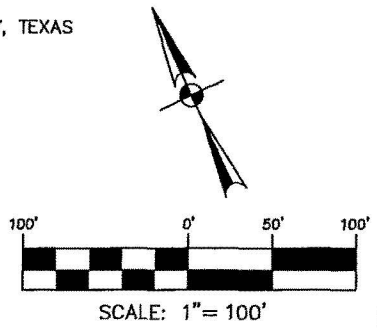




LOCATION MAP

- LEGEND:**
- M.P.R. MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
 - FD. FOUND
 - I.R. 1/2" IRON ROD
 - FOUND MONUMENT
 - SET 1/2" I.R. WITH PAPE-DAWSON CAP

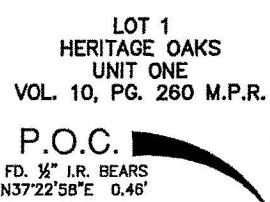
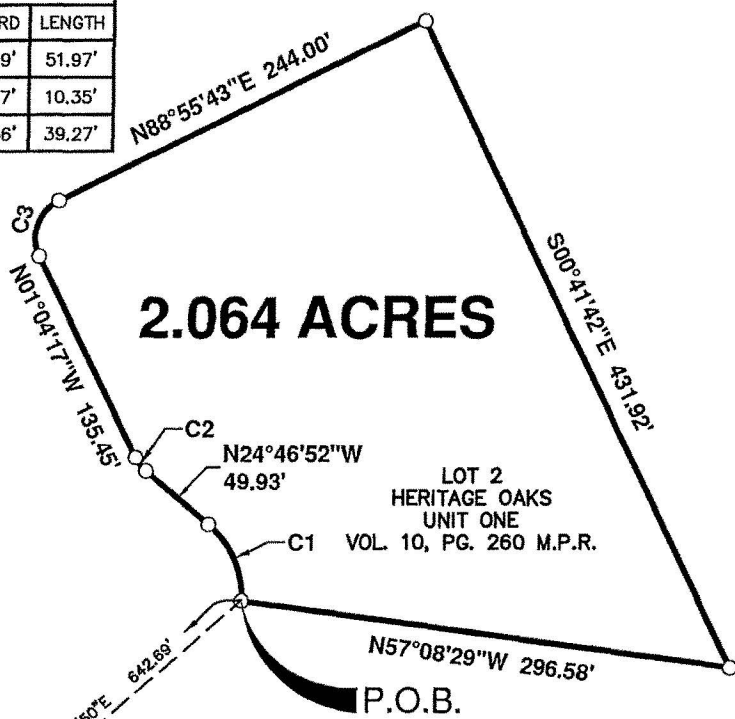
- NOTES:**
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
 2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



NOT-TO-SCALE

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	57.00'	52°14'14"	N01°20'16"E	50.19'	51.97'
C2	25.00'	23°42'35"	N12°55'34"W	10.27'	10.35'
C3	25.00'	90°00'00"	N43°55'43"E	35.36'	39.27'

NOTE: 1/2" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.



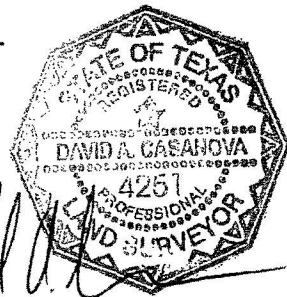
R=5,817.92'
Delta=1°51'19"
CB=S65°39'13"E
CD=188.37'
L=188.38'

FD. TXDOT (TYPE II)

STATE HIGHWAY 46
(100' PUBLIC R.O.W.)



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028000



SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

Date: Sep 14, 2022 8:15am User: D. G. G. dwg
 File: H:\CADD\12782-01\12782-01.dwg

REFERENCE:

METES AND BOUNDS DESCRIPTION
FOR

A 1.561 acre, more or less, tract of land partially out of Lot 1 and partially out of Lot 2, Heritage Oaks Unit One recorded in Volume 10, Page 260 of the Map and Plat Records of Comal County, Texas, in Comal County, Texas. Said 1.561 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:

COMMENCING: At the southeast corner of said Lot 1, the southwest corner of said Lot 2, on the north right-of-way line of State Highway 46, a 100-foot public right-of-way, from which a found ½" iron rod bears N 37°22'58" E, a distance of 0.46 feet, and from which a found TxDOT Right-of-Way Monument (Type II) bears southeasterly, along a non-tangent curve to the right, said curve having a radius of 5,817.92 feet, a central angle of 01°51'19", a chord bearing and distance of S 65°39'13" E, 188.37 feet, for an arc length of 188.38 feet;

THENCE: S 84°15'39" E, departing the north right-of-way line of said State Highway 46, over and across said Lot 2, a distance of 146.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 2 and said Lot 1, the following bearings and distances:

N 25°07'14" W, a distance of 67.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 14°55'09" E, a distance of 156.01 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Northeasterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 10°51'19", a chord bearing and distance of N 20°20'49" E, 4.73 feet, for an arc length of 4.74 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 25°46'29" E, a distance of 74.29 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 84°21'32" E, a distance of 345.51 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 01°04'17" E, a distance of 17.98 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Southwesterly, along a tangent curve to the right, said curve having a radius of 25.00 feet, a central angle of 23°42'35", a chord bearing and distance of S 10°47'00" W, 10.27 feet, for an arc length of 10.35 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

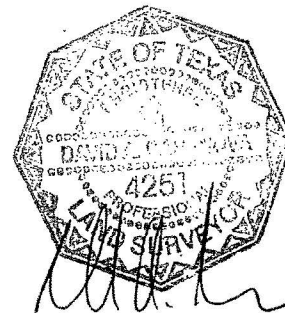
S 22°38'18" W, a distance of 49.93 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

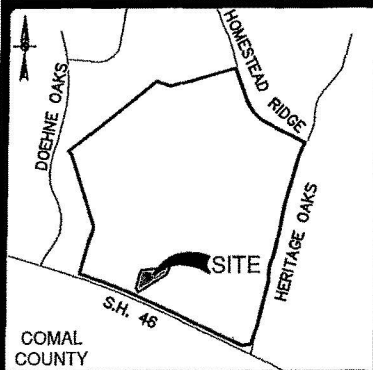
Southwesterly, along a tangent curve to the left, said curve having a radius of 57.00 feet, a central angle of 14°06'26", a chord bearing and distance of S 15°35'04" W, 14.00 feet, for an arc length of 14.03 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 57°45'32" W, a distance of 431.00 feet to the POINT OF BEGINNING and containing 1.561 acres in Comal County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12782-01 by Pape-Dawson Engineers, Inc.

NOTE: ½" iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 14, 2022
JOB NO. 12782-01
DOC. ID. N:\CIVIL\12782-01\Word\12782-01 FN 1.561 AC.docx





LOCATION MAP

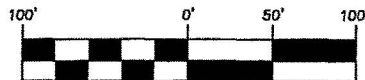
NOT-TO-SCALE

LEGEND:

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- FOUND MONUMENT
- SET 1/2" I.R. WITH PAPE-DAWSON CAP

NOTES:

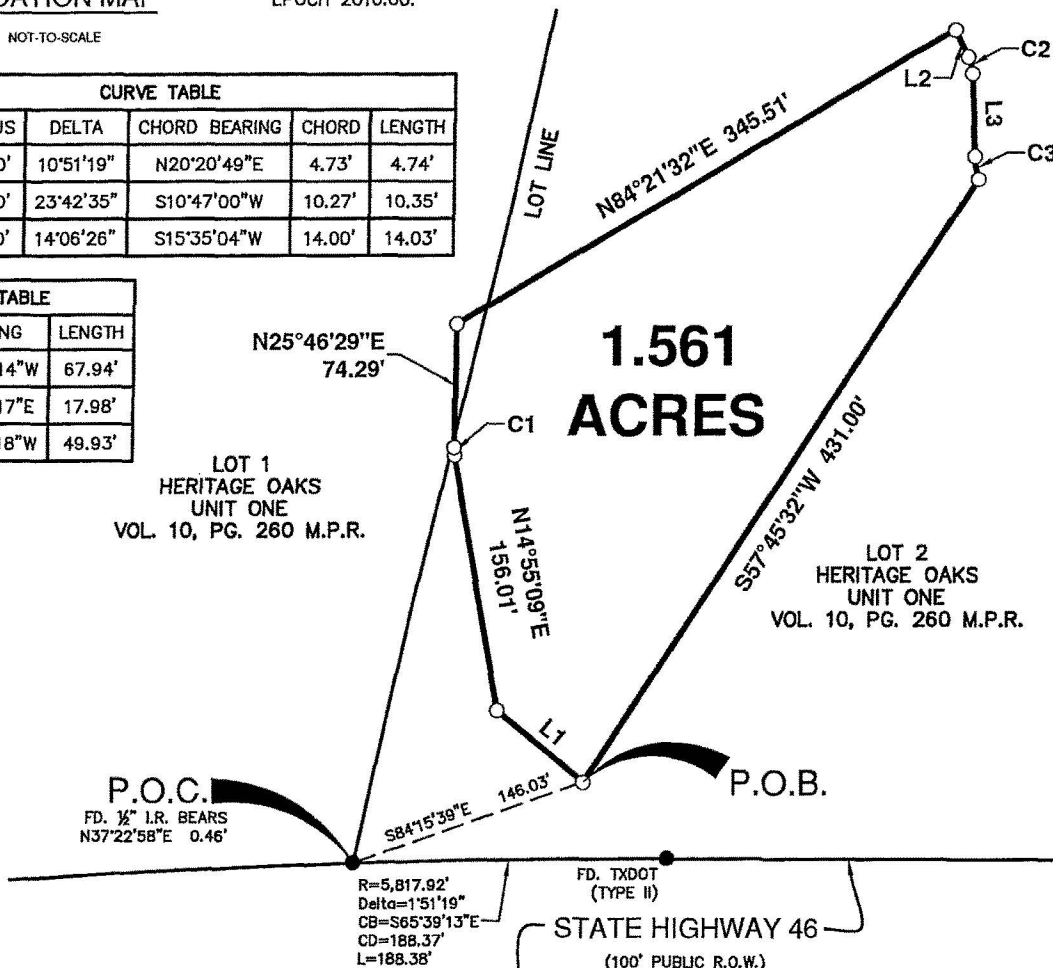
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 12782-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



SCALE: 1" = 100'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	25.00'	10°51'19"	N20°20'49"E	4.73'	4.74'
C2	25.00'	23°42'35"	S10°47'00"W	10.27'	10.35'
C3	57.00'	14°06'26"	S15°35'04"W	14.00'	14.03'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°07'14"W	67.94'
L2	S01°04'17"E	17.98'
L3	S22°38'18"W	49.93'



P.O.C.
FD. 1/2" I.R. BEARS
N37°22'58"E 0.46'

P.O.B.

R=5,817.92'
Delta=1°51'19"
CB=S65°39'13"E
CD=188.37'
L=188.38'

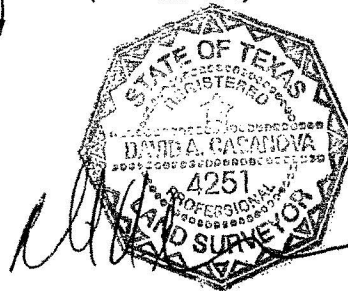
FD. TXDOT
(TYPE II)

STATE HIGHWAY 46
(100' PUBLIC R.O.W.)

NOTE: 1/2" Iron rods with cap stamped "Pape-Dawson" will be set after construction of streets and utilities has been completed.

PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.8000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028600



SEPTEMBER 14, 2022

SHEET 1 OF 1
JOB No.:12782-01

REFERENCE:

Date: Sep 14, 2022, 9:15am User ID: clemson Date: 9/14/2022 9:15:01 AM Job No: 12782-01 Lot: 000001.1581 Ac.dwg

EXHIBIT "B"

LIST OF PERMITTED EXCEPTIONS

1. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, referenced in Warranty Deed with Vendor's Lien dated June 14, 1985, recorded June 20, 1985, in Volume 453, Page 498, Deed Records of Comal County, Texas.
2. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee to New Braunfels Utilities Board of Trustees, dated February 28, 1995, recorded on April 17, 1995, under Document No. 464030, Official Public Records of Comal County, Texas.
3. Non-Access Easement executed by Smithson Valley Heritage Oaks Property Owner's Association, Inc., dated October 31, 1995, recorded November 13, 1995, under Document No. 9506479228, Official Public Records of Comal County, Texas.
4. Electric Line Right-of-Way Agreement granted by Ron Bigbee and wife, Elaine Bigbee, to New Braunfels Utilities Board of Trustees, dated February 12, 1996, recorded March 11, 1996, under Document No. 9606005224, Official Public Records of Comal County, Texas.
5. 20' Utility Easement along lot lines adjacent to a road as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
6. 25' Building Setback Line along lot lines as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.
7. Channel Easement as shown on Plat recorded in Volume 10, Page 260, Map and Plat Records of Comal County, Texas.

Filed and Recorded
Official Public Records
Bobbie Koeppe, County Clerk
Comal County, Texas
09/15/2022 12:15:37 PM
LAURA 13 Pages(s)
202206041226



Bobbie Koeppe