

**The Villas at  
Bluebonnet Ridge  
A PLANNED DEVELOPMENT DISTRICT  
City of Schertz  
May 2023**

---

**Table of Contents**

1. Planned Development District -----	2
2. PDD Purpose and Intent -----	2
3. The Property -----	2-3
4. Parks and Amenities -----	3
5. Two Family Residential District -----	4
6. Homeowners Association and Maintenance -----	4-5
7. Architectural Review Comitee -----	5
8. Site Design Standards -----	5
9. Fire Walls -----	5-6
10. Parking -----	6
11. Amendments to the Planned Development District (PDD) -----	6

**Exhibits**

- A. *Meets and Bounds Description*
- B. *The Villas at Bluebonnet Ridge*
- C. *Zoning Exhibit*
- D. *Amenities, Parks, Entry, Mail Station*
- E. *Parking Exhibit Per Unit*

**May 2023**

---

**Habi Land, LLC.**

**Authored by: Eugenio Murillo**



---

# The Villas at Bluebonnet Ridge

170 Unit Development on 24.1784 Acres

**Planned Development District.** Understanding there may be circumstances in which a development might not be able to adhere to the strict regulations and design standards set forth in the Schertz Unified Development Code (UDC), the UDC established Article 5, and Section 21.5.10, a Planned Development District (PDD), as an alternative approach to conventional land development.

The City of Schertz Unified Development Code as amended will govern development of the property, except for the following statements.

**PDD Purpose and Intent.** The purpose of PDD regulations is to encourage and promote more creative, innovative, and imaginative land development than would be possible under the regulations found in a typical zoning district. The intent is to allow substantial flexibility in planning, design, and development standards in exchange for greater land values and amenities. Enhanced parkland and open space, preservation of natural resources, pedestrian friendly environment, and deviation from the typical traffic patterns are all a result of this allowed flexibility. It is this intrinsic flexibility, in the form of relief from the normal zoning ordinances, design standards, land use densities, and subdivision regulations, that allows for the definition of uses, densities and standards that will permit the alternative planning associated with a PDD and this development known as The Villas at Bluebonnet Ridge.

**The Property.** The location of the subject property is directly west of the Scenic Hills Neighborhood and directly east of The Fairways at Scenic Hills as described on *Exhibit A*. The current condition of the property creates a unique opportunity for development. The approximately 24.1784-acre site was previously known as part of the Northcliffe Golf Club.

The property is bound by Country Club Boulevard to the south, Columbia Drive to the North, and existing single-family neighborhoods to the east and west.

---

Analysis of the property via phase 1 ESA reports, geotechnical reports, and bore samples do not reveal any physical constraints, potential health, or safety hazards. Further evaluation of the tract by the Developer's engineers has confirmed utilities are available and the property's demands can be served.

The Villas at Bluebonnet Ridge (*Exhibit B*) is proposed. Such amenities will include both passive and active areas, as well as concrete pathways and crushed granite walking trails. Multi-purposed walkways and sidewalks will provide links between park areas, open spaces, resident units, and amenities. Amenities provided and shown on *Exhibit D* will include playscapes, picnic tables, and a neighborhood pavilion. All of which promote a safe and pedestrian friendly environment and overall livable community. Also, *Exhibit D* will depict the entry gate and landscaping features.

Our current concept plan consists of a gated community with no more than 170 units. These units will be spread across 85 duplexes. Each unit will be between 1,300 sf and 1,400 sf. Every unit will feature 3 bedrooms, 2.5 baths, an eat in kitchen, two living rooms, a laundry room, a covered back patio, a private yard, and a two-car garage. This proposed community will be managed and maintained by The Villas at Bluebonnet Ridge "HOA". The community is designed to enhance the overall neighborhood standards by incorporating 7.31 acres of green space and amenities. This includes multiple Private Parks public walking trail contingent upon approval with LCRA to develop within the easement. All of which are outlined in the overall site plan *Exhibit B and Exhibit D*.

**Parks & Amenities.** The development's interior private park and amenities as shown on 0.50 acres, are designed to house a pavilion for birthday parties & special events, a playground for the community, and a concrete walking path. The mail center is designed with a covered pavilion, and additional parking access will be provided on 0.29 acres. In addition to the previously mentioned improvements, the development will also feature a 0.56 acre fenced in private dog park, a 1.95-acre private Picnic/Trail/Community Garden area, and a 4.01 Acre public walking trail contingent upon approval with LCRA to develop within the easement. All the above is shown on *Exhibit B and Exhibit D*

**Two-Family Residential District.** The intent of the development is to conform with the Two-Family Residential District (R-3) zoning district but to modify the lot width and depth as follows. Each lot is comprised of at least 5,655 sf with a minimum depth of 87-feet. Each lot will have a width of at least 65 feet. There will be 85 lots in total. Each area, as shown and identified on *Exhibit B*.

Each lot will have a 10-foot side setback on one side and a zero-lot line setback on the opposite side (the 6 corner lots within the development will maintain 15-foot side setback). Each lot will have a 25-foot front setback, and a 20-foot rear setback per the table below. Where residential lots have double frontage, running from one street to another, no access from the rear of the property will be permitted to the street. Only one access point will be permitted from a residential lot, so long as the access is from the front of the lot. All lots with double frontage within that block will have the same restriction and orientation as the lot on either side.

Table 21.5.7.A DIMENSIONAL REQUIREMENTS RESIDENTIAL ZONING DISTRICTS											
		Minimum Lot Size and Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
R-3 Per UDC	Two-Family Residential District	9000	75	120	25	10	20	2	35	60%	h,j,k,l,m,o
R-3 (PDD)	Two-Family Residential District (PDD)	5655	65	87	25	10, 0	20	2	35	75%	h,j,k,l,m
Key:											
h.	Corner lot shall have minimum 15-foot yard setback from street right-of-way.										
j.	Site Plan approval required.										
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.										
l.	No variances may be permitted to exceed the maximum impervious cover limitations										
m.	Refer to Article 14, section 21.14.3 for additional design requirements										
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15. → (Not to be used for The Villas at Bluebonnet Ridge)										

**Homeowners Association & Maintenance.** This development will be gated, and a Homeowners Association (HOA) will be established. The entire development both inside and outside of the gates to include irrigation will be maintained by the HOA’s maintenance crew. This is to include the maintenance of common areas, all front yards,

---

side yards, and back yards. The HOA's maintenance crew will have access to all back yards via side gates. The HOA will have master keyed locks to allow for access to maintain each unit's backyard. A 6-foot wood fence will be installed along the boundary with The Fairways at Scenic Hills neighborhood. Crushed granite walking trails, concrete pathways, neighborhood amenities, and multi-use paths within the development's common areas will all be maintained by "The Villas at Bluebonnet Ridge HOA" as well.

**Architectural Review Committee.** The Developer will establish an Architectural Review Committee (ARC) which will be responsible for reviewing and approving construction plans for all residential construction within The Villas at Bluebonnet Ridge. The ARC will consist of members appointed by the Developer until all the property within the Villas at Bluebonnet Ridge has been transferred to an independent third-party purchaser or to the HOA.

Construction of residential and community amenities within the Villas at Bluebonnet Ridge shall first be submitted to the ARC for approval and to verify compliance with the terms, conditions, and obligations of the PDD and deed restrictions. The ARC shall review such contemplated construction and shall, if approved, provide verification in a form acceptable to the City by which the ARC verifies that the plan for the contemplated construction complies with the PDD and associated guidelines.

**Site Design Standards.** With the exemption of lot sizes, this proposed development conforms to the UDC for orderly and unified development of streets, utilities, neighborhood design, public land and facilities. Streets, gates, and lighting will be maintained by the HOA. All public utilities will be maintained by the city with easements to be recorded for access and maintenance as detailed in the utility plan provided to the city.

**Fire Walls.** Due to the reduced side yard setbacks, each Duplex within The Villas at Bluebonnet Ridge, will require all A/C condensers to be in the rear yard, and exterior sidewalls will be at least a minimum of a 1-hour fire rated. No structures, including sheds, will be permitted within the side yard setbacks. Fencing shall be in line with rear wall of

---

the home. The fire rating shall extend the full length of both side walls and include any projections, it will be the acceptable fire rated standard per code.

**Parking.** According to UDC Section 21.10.4, each 3-bedroom unit within this development is required to have 2 off street parking spaces. As noted, and shown in Exhibit E, each 3 -bedroom unit has two driveway parking spaces in addition to two garage parking space for a total of 4 spaces per unit. In addition to the 680 off street parking spaces allocated across the development, there are an additional 16 parking spaces split between the interior parks and mail station and an additional 76 spaces available on street to use as overflow and guest parking. Total parking spaces available are 772.

**Amendments to the Planned Development District (PDD).** Any significant future changes from the established Dimensional Requirements for the approved PDD, which alter the concept of the PDD or increase the density, will cause the plan to be re-submitted for approval by the Planning & Zoning Commission and the City Council, including a new public hearing with applicable fees. Minor changes which do not change the concept or intent of the development shall be approved or denied administratively.

# Exhibit A

## Meets and Bounds Description

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE**

**SPECIAL WARRANTY DEED**

CHICAGO TITLE

GF CT121743729

**Date:** May 26, 2022

**Grantor:** Nolley Caribbean Properties, LLC,  
a Wyoming limited liability company

**Grantor's Mailing Address (including county):** 9370 McKnight Rd  
Pittsburgh, Allegheny County, PA 15237-5953

**Grantee:** HABI Land, LLC,  
a Texas limited liability company

**Grantee's Mailing Address (including county):** 7551 Callaghan Road  
San Antonio, Bexar County, TX 78229-2860

**Consideration:** Ten Dollars (\$10.00) and other valuable consideration

**Property (including any improvements):**

24.19 acres out of the Rafael Garza Survey No. 98, Abstract 138, City of Schertz, Guadalupe County and Comal County, Texas, being that 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds on Exhibit "A", attached hereto and incorporated herein by reference.

**Reservations from Conveyance:**

None.

**Reservations Exceptions to Conveyance and Warranty:**

See Exhibit "B," attached hereto and incorporated herein by reference.

---

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys unto Grantee, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, TO HAVE AND TO HOLD it to Grantee, and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee, Grantee's heirs, executors, administrators,

successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor, but not otherwise.

Except as provided in the Reservations from Conveyance, above, if any, such Property is conveyed together with all of Grantor's right, title and interest in and to all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise pertaining to the Property described herein and with all improvements located thereon, including (without limitation) (i) any right, title, and interest of Grantor in and to all strips and gores, and all abutting properties, adjacent streets, alleys or rights-of-way, if any, (ii) any right, title, and interest of Grantor in and to any development rights specifically tied to the Property, (iii) any right, title, and interest of Grantor all roads, alleys, rights-of-way, easements, streets and ways adjacent to or serving the Property, and rights of ingress and egress thereto, (iv) EDU rights related to sanitary sewer or water and any other water rights (surface, underground or otherwise), oil, gas, and other mineral rights, wind rights and solar rights of Grantor, and (v) all improvements on the Property, if any.

Except for the written representations and material facts contained in that certain Commercial Contract - Unimproved Property (With Special Provisions Addendum), dated effective May 25, 2021, as amended by that certain First Amendment, dated May 24, 2022 and as otherwise amended (collectively the "Contract"), and the warranties of title contained in the Special Warranty Deed, Grantee acknowledges, understands and agrees that (i) Grantee will accept (is accepting) the Property "AS IS" and "WHERE IS", "WITH ALL FAULTS," and (ii) neither Grantor nor any of its officers, managers, brokers, employees, attorneys or agents have made or given any warranties, guarantees, or representations, regarding any matter relating to the Contract or the Property.

Taxes having been prorated at Closing, all real property taxes and assessments as to the Property for the current year and subsequent years are the responsibility of Grantee and are assumed by Grantee [and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, shall be allocated as provided in the Contract.]

When the context requires, singular nouns and pronouns include the plural.

*[signature on the following pages]*



**EXHIBIT "A" – PROPERTY**

24.19 acres out of the  
Rafael Garza Survey No. 98  
Abstract 138  
City of Schertz

THE STATE OF TEXAS  
COUNTIES OF GUADALUPE AND COMAL

METES AND BOUNDS DESCRIPTION OF A SURVEY OF

24.19 acres out of the Rafael Garza Survey No. 98, Abstract 138, City of Schertz, Guadalupe County and Comal County, Texas, being that 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an ½" iron bar with a red cap marked "Survey Ass." found set in the ground in the southwest right-of-way line of Columbia, an east corner of a 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and the west corner of Block 16, The Fairways at Scenic Hills, Unit 3A as shown by plat of record in Volume 6 at page 762 of the Plat Records of Guadalupe County, Texas, for an east corner of this tract;

Thence S 14°44'52" W (called S 14°45'10" W) with the east boundary line of said 24.1784-acre tract and a west boundary line of said Block 16 a distance of 267.16 feet (called 267.10 feet) to an ½" iron bar with a yellow cap marked "Reg. No. 5464" set in the ground, a reentrant corner of said 24.1784-acre tract and a corner of said Block 16, for a reentrant corner of this tract;

Thence S 18°44'53" E (called S 18°41'26" E) with a northeast boundary line of said 24.1784-acre tract and a southwest boundary line of said Block 16 a distance of 31.65 feet (called 31.67 feet) to an ½" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 16, for a corner of this tract;

Thence S 25°24'20" E (called S 25°22'27" E) with a northeast boundary line of said 24.1784-acre tract and a southwest boundary line of said Block 16 a distance of 157.41 feet (called 157.55 feet) to an ½" iron bar with a yellow cap marked "Baker" found set in the ground, a corner of said 24.1784-acre tract and the south corner of said Block 16, for a corner of this tract;

Thence S 36°04'53" E (called S 36°43'13" E) with a northeast boundary line of said 24.1784-

acre tract a distance of 98.98 feet (called 100.40 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground in the northwest boundary line of Block 21, The Ridge at Scenic Hills, Unit 1 as shown by plat of record in Volume 6 at page 763 of the Plat Records of Guadalupe County, Texas, the east corner of said 24.1784-acre tract, for the east corner of this tract;

Thence S 52°58'20" W (called S 53°03'32" W) with the southeast boundary line of said 24.1784-acre tract and the southwest boundary lines of said Block 21, and Block 1, Scenic Hills Community, Phase 1 as shown by plat of record in Volume 4 at pages 143-147 of the Plat Records of Guadalupe County, Texas a distance of 1,729.56 feet (called 1,729.56 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground in the northeast right-of-way line of Country Club Blvd., the south corner of said 24.1784-acre tract and the west corner of said Block 1, for the south corner of this tract;

Thence N 30°23'09" W (called N 30°21'33" W) with the northeast right-of-way line of Country Club Blvd. and the southwest boundary line of said 24.1784-acre tract a distance of 560.34 feet (called 559.03 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground, the west corner of said 24.1784-acre tract and the south corner of Block 14, Fairways at Scenic Hills, Section 2 as shown by plat of record in Volume 6 at page 745 of the Plat Records of Guadalupe County, Texas and Volume 15 at page 86 of the Plat Records of Comal County, Texas, for the west corner of this tract;

Thence N 53°30'56" E (called N 53°32'22" E) with the northwest boundary line of said 24.1784-acre tract and the southeast boundary line of said Block 14 a distance of 935.14 feet (called 935.05 feet) to an ½” iron bar with an orange cap marked “C&B” found set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 42°40'11" E (called N 42°37'53" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 348.59 feet (called 348.59 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 41°39'37" E (called N 41°31'58" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 363.99 feet (called 364.04 feet) to an ½” iron bar with a yellow cap marked “Baker” found set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 56°01'58" E (called N 56°03'18" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 151.27 feet (called 151.28 feet) to an ½” iron bar with an orange cap marked “C&B” found set in the ground in the southwest right-of-way line of Columbia, the north corner of said 24.1784-acre tract and the east corner of said Block 14, for the north corner of this tract;

Thence S 54°25'16" E (called S 54°20'37" E) with a northeast boundary line of said 24.1784-acre tract a distance of 75.46 feet (called 75.87 feet) to an ½" iron bar with a yellow cap marked "Baker" found set in the ground, a reentrant corner of said 24.1784-acre tract, for a reentrant corner of this tract;

Thence N 44°58'13" E (called N 45°15'45" E) with a northwest boundary line of said 24.1784-acre tract a distance of 18.41 feet (called 18.40 feet) to an ½" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground, in the southwest right-of-way line of Columbia, a north corner of said 24.1784-acre tract, for a north corner of this tract;

Thence S 67°23'54" E (called S 67°27'09" E) with the southwest right-of-way line of Columbia and the northeast boundary line of said 24.1784-acre tract a distance of 180.14 feet (called 180.08 feet) to the point of beginning.

Containing 24.19 acres of land, more or less

The bearings for this survey are based on the Texas State Plane Coordinate System Grid, South Central Zone (4204), North American Datum 1983.

SINCLAIR LAND SURVEYING, INC.

Lemuel T. Sinclair,  
Registered Professional Land  
Surveyor No. 5142

**EXHIBIT "B" – PERMITTED EXCEPTIONS**

1. Standby fees, taxes and assessments by any taxing authority for the year 2022 and subsequent years, not yet due and payable
2. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, to the extent appearing in Public Records and valid and existing.
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: New Braunfels Utilities  
Purpose: Electric Easement  
Recording Date: April 18, 1994  
Recording No: Volume 957, Page 488, Official Public Records, Comal County, Texas  
Recording Date: April 25, 1994  
Recording No: Volume 1093, Page 590, Official Public Records, Guadalupe County, Texas  
Affects: As described therein.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: U.S. Home Corporation  
Purpose: 10' Water Line Easement  
Recording Date: October 24, 1994  
Recording No: Volume 1003, Page 707, Official Public Records, Comal County, Texas  
Recording Date: December 5, 1994  
Recording No: Volume 1126, Page 271, Official Public Records, Guadalupe County, Texas  
Recording Date: June 24, 1997  
Recording No: Volume 1276, Page 603, Official Public Records, Guadalupe County, Texas  
Affects: As described therein.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Comal Power Company  
Purpose: Electric Easement  
Recording Date: June 12, 1925  
Recording No: Volume 85, Page 262, Deed Records, Guadalupe County, Texas  
Affects: As described therein

6. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as of dedication, on the map of said tract/plat:

Purpose: 16' Utility Easement  
Affects: As depicted thereon.  
Recording No: Volume 4, Page 143-147, Map and Plat Records, Guadalupe County, Texas

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as of dedication, on the map of said tract/plat:

Purpose: Variable Width Fill Easement  
Variable Width Fill and Drainage Easement  
10' Electric, Gas, Telephone and Cable TV Easement  
Affects: As depicted therein.  
Recording No: Volume 6, Page 762, Map and Plat Records, Guadalupe County, Texas

**Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
05/27/2022 11:27:28 AM  
TERRI 8 Pages(s)  
202206025013**



*Bobbie Koepf*

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE**

**SPECIAL WARRANTY DEED**

CHICAGO TITLE  
GF CT121743729

**Date:** May 26, 2022

**Grantor:** Nolley Caribbean Properties, LLC,  
a Wyoming limited liability company

**Grantor's Mailing Address (including county):** 9370 McKnight Rd  
Pittsburgh, Allegheny County, PA 15237-5953

**Grantee:** HABI Land, LLC,  
a Texas limited liability company

**Grantee's Mailing Address (including county):** 7551 Callaghan Road  
San Antonio, Bexar County, TX 78229-2860

**Consideration:** Ten Dollars (\$10.00) and other valuable consideration

**Property (including any improvements):**

24.19 acres out of the Rafael Garza Survey No. 98, Abstract 138, City of Schertz, Guadalupe County and Comal County, Texas, being that 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds on Exhibit "A", attached hereto and incorporated herein by reference.

**Reservations from Conveyance:**

None.

**Reservations Exceptions to Conveyance and Warranty:**

See Exhibit "B," attached hereto and incorporated herein by reference.

---

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys unto Grantee, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, TO HAVE AND TO HOLD it to Grantee, and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee, Grantee's heirs, executors, administrators,

successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor, but not otherwise.

Except as provided in the Reservations from Conveyance, above, if any, such Property is conveyed together with all of Grantor's right, title and interest in and to all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise pertaining to the Property described herein and with all improvements located thereon, including (without limitation) (i) any right, title, and interest of Grantor in and to all strips and gores, and all abutting properties, adjacent streets, alleys or rights-of-way, if any, (ii) any right, title, and interest of Grantor in and to any development rights specifically tied to the Property, (iii) any right, title, and interest of Grantor all roads, alleys, rights-of-way, easements, streets and ways adjacent to or serving the Property, and rights of ingress and egress thereto, (iv) EDU rights related to sanitary sewer or water and any other water rights (surface, underground or otherwise), oil, gas, and other mineral rights, wind rights and solar rights of Grantor, and (v) all improvements on the Property, if any.

Except for the written representations and material facts contained in that certain Commercial Contract - Unimproved Property (With Special Provisions Addendum), dated effective May 25, 2021, as amended by that certain First Amendment, dated May 24, 2022 and as otherwise amended (collectively the "Contract"), and the warranties of title contained in the Special Warranty Deed, Grantee acknowledges, understands and agrees that (i) Grantee will accept (is accepting) the Property "AS IS" and "WHERE IS", "WITH ALL FAULTS," and (ii) neither Grantor nor any of its officers, managers, brokers, employees, attorneys or agents have made or given any warranties, guarantees, or representations, regarding any matter relating to the Contract or the Property.

Taxes having been prorated at Closing, all real property taxes and assessments as to the Property for the current year and subsequent years are the responsibility of Grantee and are assumed by Grantee [and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, shall be allocated as provided in the Contract.]

When the context requires, singular nouns and pronouns include the plural.

*[signature on the following pages]*



**EXHIBIT "A" – PROPERTY**

24.19 acres out of the  
Rafael Garza Survey No. 98  
Abstract 138  
City of Schertz

THE STATE OF TEXAS  
COUNTIES OF GUADALUPE AND COMAL

METES AND BOUNDS DESCRIPTION OF A SURVEY OF

24.19 acres out of the Rafael Garza Survey No. 98, Abstract 138, City of Schertz, Guadalupe County and Comal County, Texas, being that 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an ½" iron bar with a red cap marked "Survey Ass." found set in the ground in the southwest right-of-way line of Columbia, an east corner of a 24.1784-acre tract of land described in deed of record in Document Number 2017013553 of the Official Public Records of Guadalupe County, Texas and in deed of record in Document Number 201706029109 of the Official Public Records of Comal County, Texas and the west corner of Block 16, The Fairways at Scenic Hills, Unit 3A as shown by plat of record in Volume 6 at page 762 of the Plat Records of Guadalupe County, Texas, for an east corner of this tract;

Thence S 14°44'52" W (called S 14°45'10" W) with the east boundary line of said 24.1784-acre tract and a west boundary line of said Block 16 a distance of 267.16 feet (called 267.10 feet) to an ½" iron bar with a yellow cap marked "Reg. No. 5464" set in the ground, a reentrant corner of said 24.1784-acre tract and a corner of said Block 16, for a reentrant corner of this tract;

Thence S 18°44'53" E (called S 18°41'26" E) with a northeast boundary line of said 24.1784-acre tract and a southwest boundary line of said Block 16 a distance of 31.65 feet (called 31.67 feet) to an ½" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 16, for a corner of this tract;

Thence S 25°24'20" E (called S 25°22'27" E) with a northeast boundary line of said 24.1784-acre tract and a southwest boundary line of said Block 16 a distance of 157.41 feet (called 157.55 feet) to an ½" iron bar with a yellow cap marked "Baker" found set in the ground, a corner of said 24.1784-acre tract and the south corner of said Block 16, for a corner of this tract;

Thence S 36°04'53" E (called S 36°43'13" E) with a northeast boundary line of said 24.1784-

acre tract a distance of 98.98 feet (called 100.40 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground in the northwest boundary line of Block 21, The Ridge at Scenic Hills, Unit 1 as shown by plat of record in Volume 6 at page 763 of the Plat Records of Guadalupe County, Texas, the east corner of said 24.1784-acre tract, for the east corner of this tract;

Thence S 52°58'20" W (called S 53°03'32" W) with the southeast boundary line of said 24.1784-acre tract and the southwest boundary lines of said Block 21, and Block 1, Scenic Hills Community, Phase 1 as shown by plat of record in Volume 4 at pages 143-147 of the Plat Records of Guadalupe County, Texas a distance of 1,729.56 feet (called 1,729.56 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground in the northeast right-of-way line of Country Club Blvd., the south corner of said 24.1784-acre tract and the west corner of said Block 1, for the south corner of this tract;

Thence N 30°23'09" W (called N 30°21'33" W) with the northeast right-of-way line of Country Club Blvd. and the southwest boundary line of said 24.1784-acre tract a distance of 560.34 feet (called 559.03 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground, the west corner of said 24.1784-acre tract and the south corner of Block 14, Fairways at Scenic Hills, Section 2 as shown by plat of record in Volume 6 at page 745 of the Plat Records of Guadalupe County, Texas and Volume 15 at page 86 of the Plat Records of Comal County, Texas, for the west corner of this tract;

Thence N 53°30'56" E (called N 53°32'22" E) with the northwest boundary line of said 24.1784-acre tract and the southeast boundary line of said Block 14 a distance of 935.14 feet (called 935.05 feet) to an ½” iron bar with an orange cap marked “C&B” found set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 42°40'11" E (called N 42°37'53" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 348.59 feet (called 348.59 feet) to an ½” iron bar with an orange cap marked “SLS RPLS 5142” set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 41°39'37" E (called N 41°31'58" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 363.99 feet (called 364.04 feet) to an ½” iron bar with a yellow cap marked “Baker” found set in the ground, a corner of said 24.1784-acre tract and a corner of said Block 14, for a corner of this tract;

Thence N 56°01'58" E (called N 56°03'18" E) with a northwest boundary line of said 24.1784-acre tract and a southeast boundary line of said Block 14 a distance of 151.27 feet (called 151.28 feet) to an ½” iron bar with an orange cap marked “C&B” found set in the ground in the southwest right-of-way line of Columbia, the north corner of said 24.1784-acre tract and the east corner of said Block 14, for the north corner of this tract;

Thence S 54°25'16" E (called S 54°20'37" E) with a northeast boundary line of said 24.1784-acre tract a distance of 75.46 feet (called 75.87 feet) to an ½" iron bar with a yellow cap marked "Baker" found set in the ground, a reentrant corner of said 24.1784-acre tract, for a reentrant corner of this tract;

Thence N 44°58'13" E (called N 45°15'45" E) with a northwest boundary line of said 24.1784-acre tract a distance of 18.41 feet (called 18.40 feet) to an ½" iron bar with an orange cap marked "SLS RPLS 5142" set in the ground, in the southwest right-of-way line of Columbia, a north corner of said 24.1784-acre tract, for a north corner of this tract;

Thence S 67°23'54" E (called S 67°27'09" E) with the southwest right-of-way line of Columbia and the northeast boundary line of said 24.1784-acre tract a distance of 180.14 feet (called 180.08 feet) to the point of beginning.

Containing 24.19 acres of land, more or less

The bearings for this survey are based on the Texas State Plane Coordinate System Grid, South Central Zone (4204), North American Datum 1983.

SINCLAIR LAND SURVEYING, INC.

Lemuel T. Sinclair,  
Registered Professional Land  
Surveyor No. 5142

**EXHIBIT "B" – PERMITTED EXCEPTIONS**

1. Standby fees, taxes and assessments by any taxing authority for the year 2022 and subsequent years, not yet due and payable
2. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, to the extent appearing in Public Records and valid and existing.
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: New Braunfels Utilities  
Purpose: Electric Easement  
Recording Date: April 18, 1994  
Recording No: Volume 957, Page 488, Official Public Records, Comal County, Texas  
Recording Date: April 25, 1994  
Recording No: Volume 1093, Page 590, Official Public Records, Guadalupe County, Texas  
Affects: As described therein.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: U.S. Home Corporation  
Purpose: 10' Water Line Easement  
Recording Date: October 24, 1994  
Recording No: Volume 1003, Page 707, Official Public Records, Comal County, Texas  
Recording Date: December 5, 1994  
Recording No: Volume 1126, Page 271, Official Public Records, Guadalupe County, Texas  
Recording Date: June 24, 1997  
Recording No: Volume 1276, Page 603, Official Public Records, Guadalupe County, Texas  
Affects: As described therein.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Comal Power Company  
Purpose: Electric Easement  
Recording Date: June 12, 1925  
Recording No: Volume 85, Page 262, Deed Records, Guadalupe County, Texas  
Affects: As described therein

6. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as of dedication, on the map of said tract/plat:

Purpose: 16' Utility Easement  
Affects: As depicted thereon.  
Recording No: Volume 4, Page 143-147, Map and Plat Records, Guadalupe County, Texas

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as of dedication, on the map of said tract/plat:

Purpose: Variable Width Fill Easement  
Variable Width Fill and Drainage Easement  
10' Electric, Gas, Telephone and Cable TV Easement  
Affects: As depicted therein.  
Recording No: Volume 6, Page 762, Map and Plat Records, Guadalupe County, Texas

202299016900

I certify this instrument was ELECTRONICALLY FILED  
and RECORDED in the OFFICIAL PUBLIC RECORDS  
of Guadalupe County, Texas on  
05/27/2022 11:35:20 AM PAGES: 8 LEAH  
TERESA KIEL, COUNTY CLERK



*Teresa Kiel*

# Exhibit B

## The Villas at Bluebonnet Ridge

# The Villas

## AT BLUEBONNET RIDGE

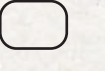

### MASTER PLAN



#### PROJECT AREAS & UNITS:

-  Duplex / **85 Lots -170 Units**
-  Park & Amenities / **0.50 Acres**
-  Picnic Trail Area / **1.95 Acres**
-  Mail Center Area / **0.29 Acres**
-  Dog Park Area / **0.56 Acres**

**TOTAL: 3.30 ac.**

-  Detention Ponds / **0.66 Acres**
-  Public Trail System / **4.01 Acres**

ALL RENDERINGS & ILLUSTRATIONS SHOWN ARE FOR ILLUSTRATION PURPOSE ONLY.

# Exhibit C

## Zoning Exhibit

**ACREAGE SUMMARY**  
 EXISTING: 24.1784 AC PRE-DEVELOPMENT ZONING  
 PROPOSED: 24.1784 AC R3 PDD ZONING

**NOTE:**  
 NO 100-YR FLOODPLAIN EXISTS ON THE PROPERTY AS DEFINED BY THE COMAL COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0090F, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, EFFECTIVE DATE NOVEMBER 2, 2007

**Owner/ Developer:**  
 HABI Land,LLC.  
 7551 Callaghan RD, Suite 103, San Antonio, TX 78229  
 (210) 683-5158

**Applicant:**  
 Eugenio Murillo / HABI Land,LLC.  
 7551 Callaghan RD, Suite 103, San Antonio, TX 78229  
 (210) 683-5158

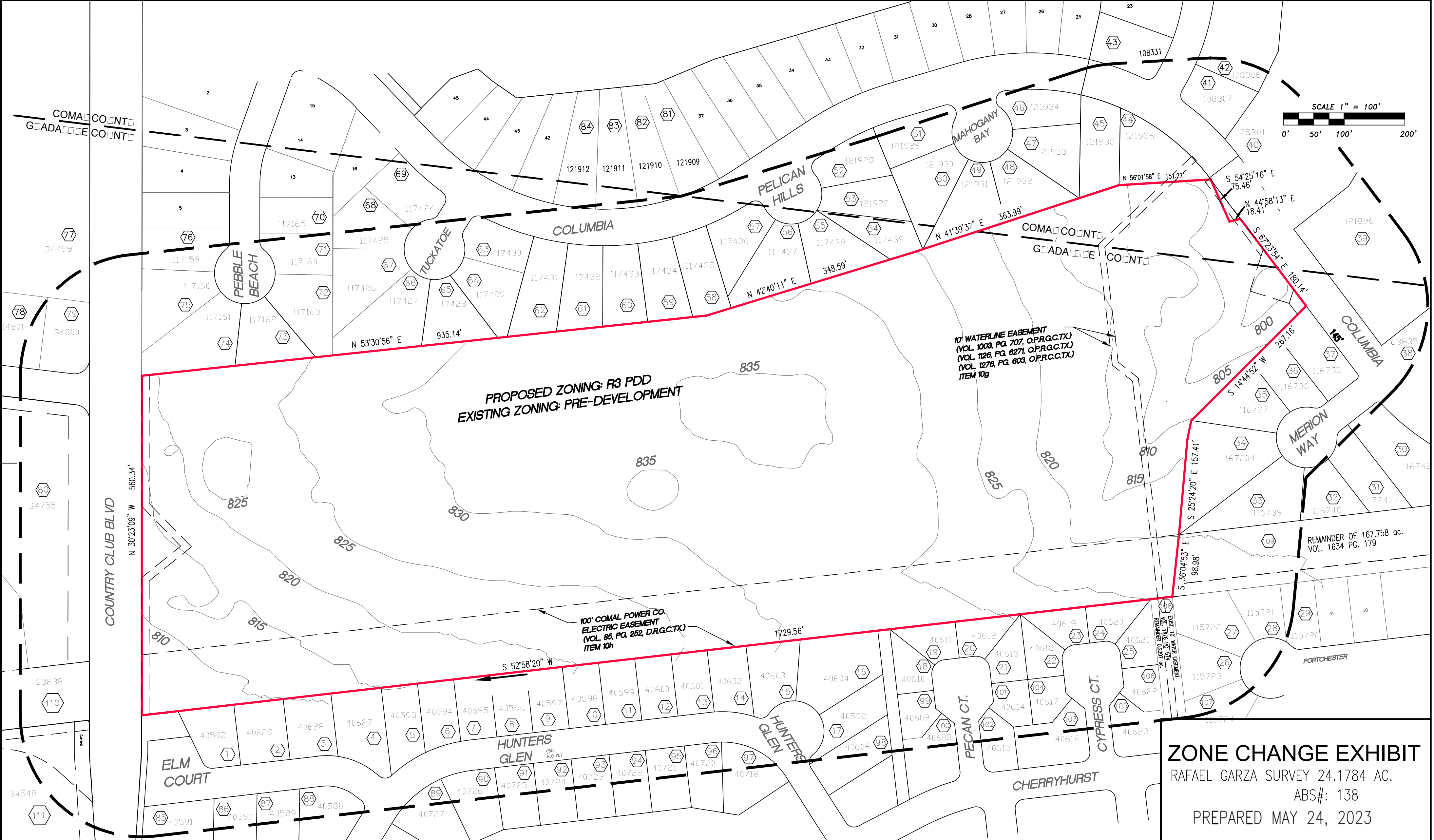
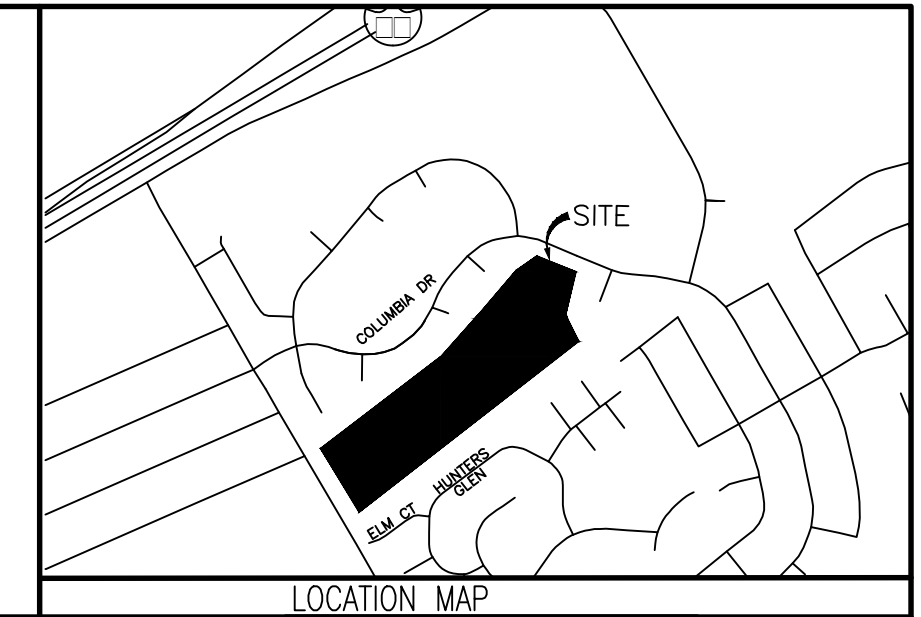
**Engineer:**  
 Alejandro R. Gomez, PE / Gomez-Garcia & Associates, Inc.  
 19230 Stone Oak Pkwy, Suite 302, San Antonio, TX 78258  
 (210) 639-5193 TBPE #5362

**Surveyor:**  
 Lemuel T. Sinclair, RPLS / Sinclair Land Surveying, Inc.  
 3411 Magic DR, San Antonio, TX 78229  
 (210) 341-4518 TBPLS #10089000

**GGA**  
**GOMEZ-GARCIA & ASSOCIATES, INC.**  
 19230 Stone Oak Pkwy, Ste. 302, San Antonio, Tx 78258  
 (210) 832-9608  
 TBPE FIRM REGISTRATION #5362

**LEGEND**

- ① PROPERTY INFORMATION. SEE TABLE FOR ADDITIONAL INFORMATION
- - - NOTIFICATION BOUNDARY
- █ ZONE CHANGE BOUNDARY
- 835 EXISTING CONTOUR LINES



**ZONE CHANGE EXHIBIT**  
 RAFAEL GARZA SURVEY 24.1784 AC.  
 ABS#: 138  
 PREPARED MAY 24, 2023



GOMEZ-GARCIA & ASSOCIATES, INC.

19230 Stone Oak Pkwy, Ste. 302, San Antonio, Tx 78258  
(210) 832-9608

TBPE FIRM REGISTRATION #5362

Table with 8 columns: PROPERTY #, COUNTY, LAND USE, ZONING, SUBDIVISION NAME, OWNER NAME, PROPERTY ADDRESS, PROPERTY ID#, RECORDING INFO. Contains 111 rows of property data.

Owner/ Developer:

HABI Land,LLC.  
7551 Callaghan RD, Suite 103, San Antonio, TX 78229  
(210) 683-5158

Applicant:

Eugenio Murillo / HABI Land,LLC.  
7551 Callaghan RD, Suite 103, San Antonio, TX 78229  
(210) 683-5158

Engineer:

Alejandro R. Gomez, PE / Gomez-Garcia & Associates, Inc.  
19230 Stone Oak Pkwy, Suite 302, San Antonio, TX 78258  
(210) 639-5193 TBPE #5362

Surveyor:

Lemuel T. Sinclair, RPLS / Sinclair Land Surveying, Inc.  
3411 Magic DR, San Antonio, TX 78229  
(210) 341-4518 TBPLS #10089000

ZONE CHANGE EXHIBIT

RAFAEL GARZA SURVEY 24.1784 AC.

ABS#: 138

PREPARED MAY 24, 2023

# Exhibit D

## Amenities, Parks, Entry, Mail Station

MEP	CIVIL
STRUCTURAL	LANDSCAPE

**The Villas**  
**AT BLUBONNET RIDGE**  
Northcliffe  
Schertz, TX 78108

REVISIONS		
No.	Date	Description

PROJECT # 8129-S  
DATE: 04/05/2023  
DRAWN: JPV  
CHECKED BY: OAV

**L0.0**

SHEET #

OF SHTS.



**KEY:**

- 1. PRIMARY GATED ACCESS
- 2. SECONDARY GATED ACCESS (RESIDENTS ONLY)
- 3. DOG PARK
- 4. AMENITIES
- 5. PRIVATE TRAIL & PICNIC AREA
- 6. PUBLIC TRAIL SYSTEM (DESIGN TBD)
- 7. POND
- 8. MAILBOX PAVILION

**PARKING:**

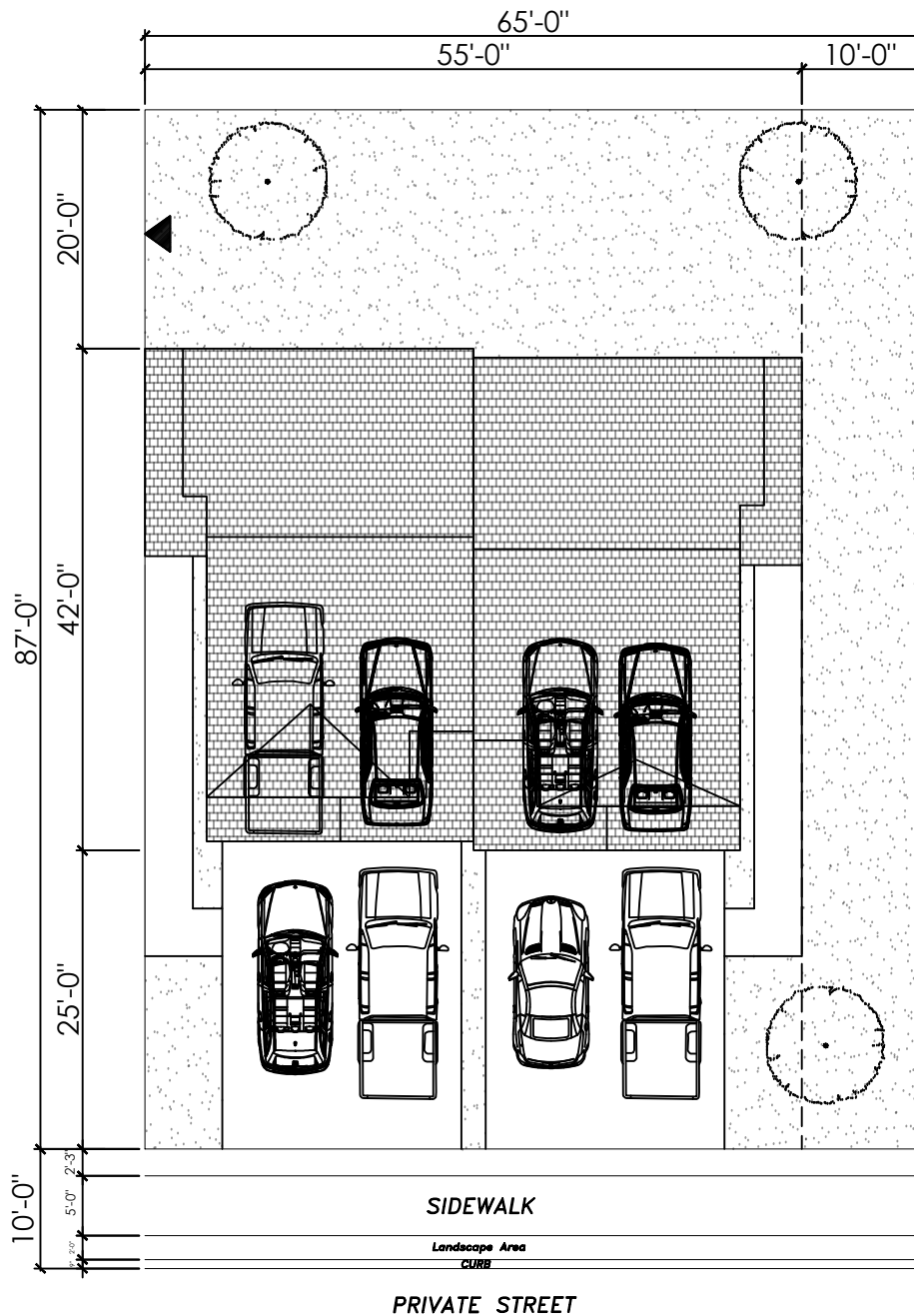
- 76 STREET PARKING
- 680 OFF STREET PARKING
- 16 AMENITY PARKING
- 772 TOTAL PARKING SPOTS

**1 GENERAL SITE PLAN**  
SCALE: 1"=80'-0"

**NOT FOR CONSTRUCTION**  
NOTE: THESE DRAWINGS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY PERMIT, OR CONSTRUCTION

# Exhibit E

## Parking Exhibit Per Unit



## EXHIBIT "E"

### ARTICLE 10. PARKING STANDARDS

#### Sec. 21.10.2. General provisions.

- A. Required off-street parking in residential districts shall be provided on the same site, lot or tract as the main use for which the parking is provided.
- B. Required off-street parking in nonresidential districts may be located on the same site, lot or tract as the main use for which the parking is provided or on a site, lot or tract located within the same zoning district and within 150 feet of the main use.
- E. All driveways and all required off-street parking spaces shall be on a paved concrete or asphalt surface. All drive approaches shall be of paved concrete.
- I. *Residential curb cuts.*
  1. *Straight driveways.* Curb cuts for residential driveway aprons shall be not less than ten feet (10') in width, and not more than twelve feet (12') in width for a single driveway apron nor more than twenty-four feet (24') in width for a double driveway apron. Curb cuts will be permitted only for driveway aprons providing access to a garage, carport or hardstand. Not more than one curb cut will be permitted for each residential parcel of land except as follows for circular driveways.

#### Sec. 21.10.3. Size of space.

- A. Each standard off-street surface parking space shall measure not less than ten feet by 20 feet, exclusive of access drives and aisles, and shall be of usable shape and condition.
- D. Each standard parking space located in a parking garage shall measure not less than ten feet by eighteen feet (10' x 18'), exclusive of access drives or aisles.

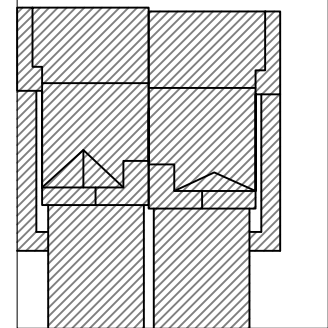


Xero Escape



Zero Lot Line

SqFt Lot	5655
Impervious Cover	3320.58
% Impervious Cover	58.72%



# EXHIBIT "E"

## ARTICLE 10. PARKING STANDARDS

### Sec. 21.10.2. General provisions.

- A. Required off-street parking in residential districts shall be provided on the same site, lot or tract as the main use for which the parking is provided.
- B. Required off-street parking in nonresidential districts may be located on the same site, lot or tract as the main use for which the parking is provided or on a site, lot or tract located within the same zoning district and within 150 feet of the main use.
- E. All driveways and all required off-street parking spaces shall be on a paved concrete or asphalt surface. All drive approaches shall be of paved concrete.
- I. *Residential curb cuts.*
  - 1. *Straight driveways.* Curb cuts for residential driveway aprons shall be not less than ten feet (10') in width, and not more than twelve feet (12') in width for a single driveway apron nor more than twenty-four feet (24') in width for a double driveway apron. Curb cuts will be permitted only for driveway aprons providing access to a garage, carport or hardstand. Not more than one curb cut will be permitted for each residential parcel of land except as follows for circular driveways.

### Sec. 21.10.3. Size of space.

- A. Each standard off-street surface parking space shall measure not less than ten feet by 20 feet, exclusive of access drives and aisles, and shall be of usable shape and condition.
- D. Each standard parking space located in a parking garage shall measure not less than ten feet by eighteen feet (10' x 18'), exclusive of access drives or aisles.



Xero Escape



Zero Lot Line

SqFt Lot	5655
Impervious Cover	3320.58
% Impervious Cover	58.72%

