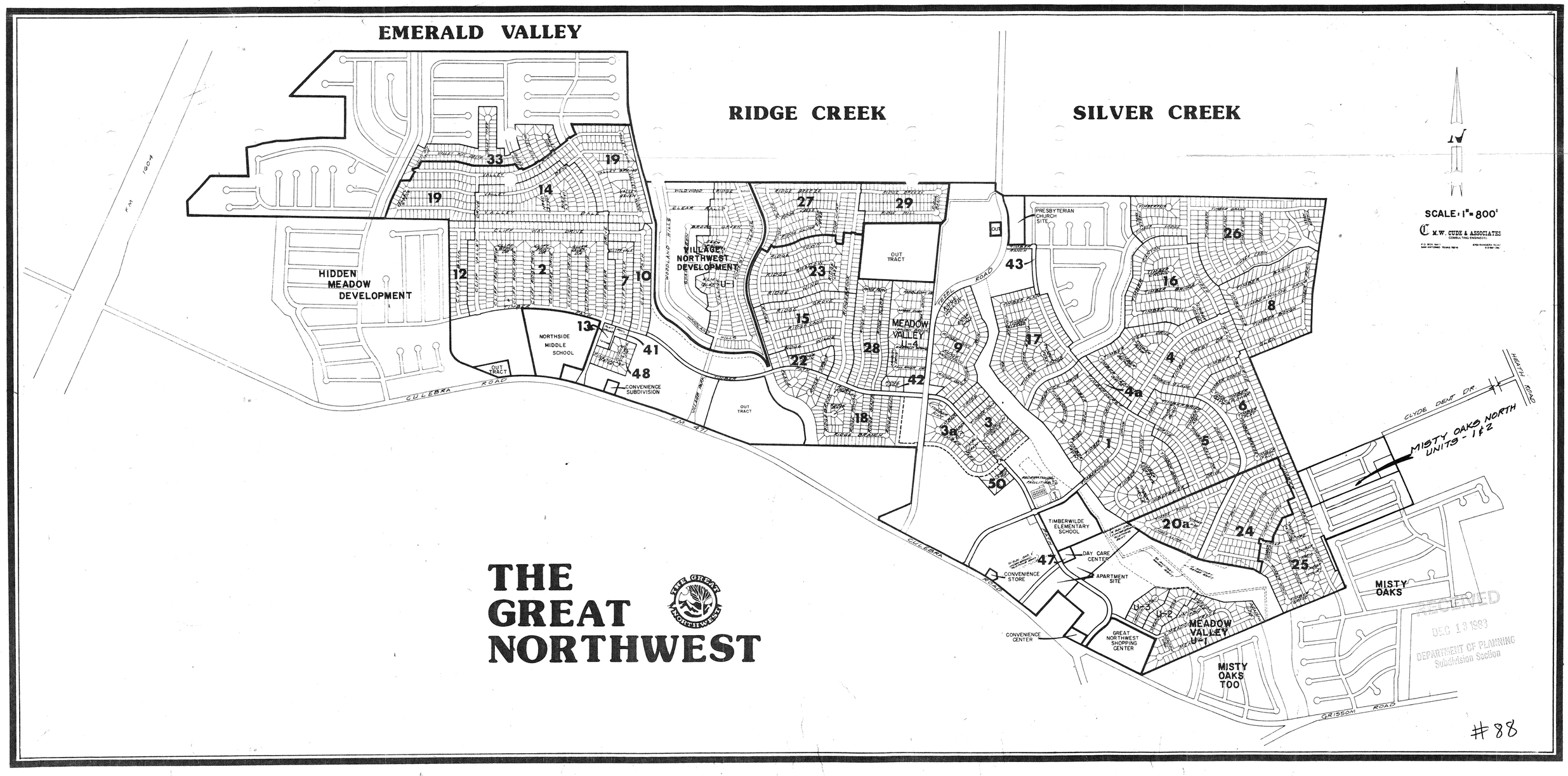
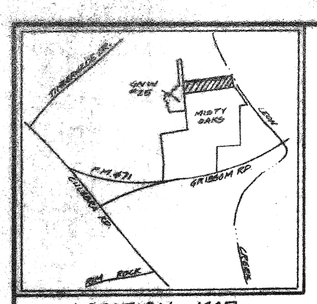
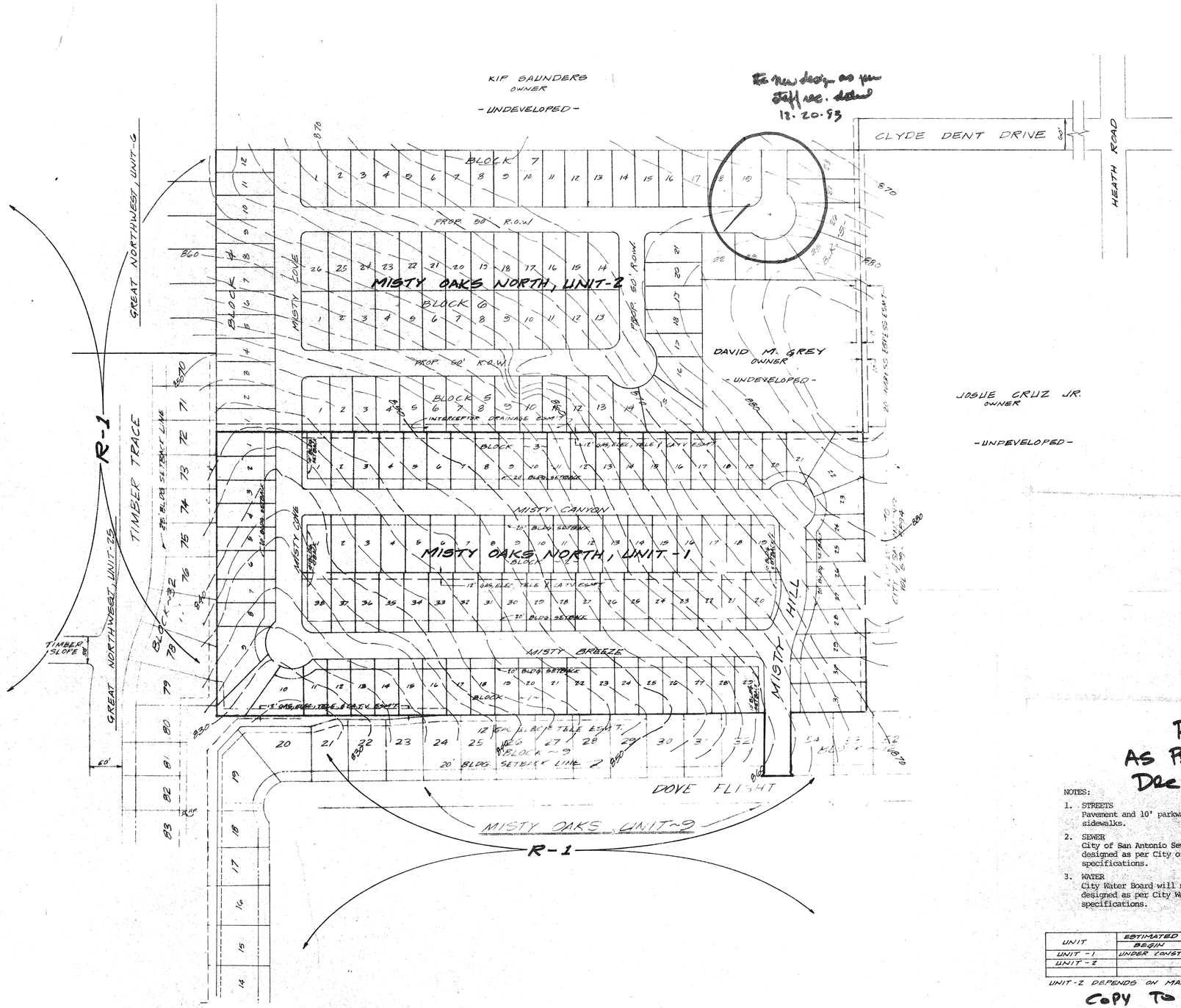

EMERALD VALLEY
RIDGE CREEK
SILVER CREEK
SCALE: 1" = 800'
M.W. CUDE & ASSOCIATES
HIDDEN MEADOW DEVELOPMENT
VILLAGE NORTHWEST DEVELOPMENT
NORTHSIDE MIDDLE SCHOOL
CONVENIENCE SUBDIVISION
OUT TRACT
MEADOW VALLEY U-4
PRESBYTERIAN CHURCH SITE
TIMBERWILDE ELEMENTARY SCHOOL
DAY CARE CENTER
APARTMENT SITE
CONVENIENCE STORE
CONVENIENCE CENTER
GREAT NORTHWEST SHOPPING CENTER
MEADOW VALLEY U-1
MISTY OAKS TOO
MISTY OAKS
MISTY OAKS NORTH UNITS - 1 & 2
CULEBRA ROAD
F.M. 471
F.M. 1604
CLYDE DENT DR.
HEATH ROAD
GRISSOM ROAD
THE GREAT NORTHWEST
RECEIVED
DEC 13 1983
DEPARTMENT OF PLANNING
Subdivision Section
#88



LOCATION MAP



P.O.A.D.P. REVISED
AS PER COMMENTS DATED
DEC. 20, 1983
(street design amendment)

NOTES:

1. STREETS
   Pavement and 10' parkway, with 3 foot sidewalks.
2. SEWER
   City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications.
3. WATER
   City Water Board will supply the water, designed as per City Water Board specifications.

RECEIVED
JUN 29 1984
DEPARTMENT OF PLANNING
Subdivision Section

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT -1	UNDER CONST.	MAY 1, 1984
UNIT -2		

UNIT-2 DEPENDS ON MARKET DEMAND.

Copy To W & Dean 7.2.84

#88

"PROPOSED OVERALL AREA DEVELOPMENT PLAN"

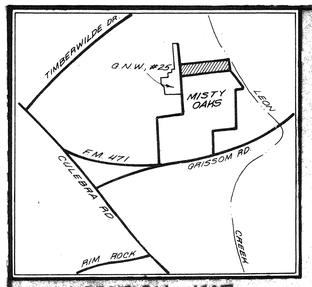
MISTY OAKS NORTH, UNIT - 1 & 2

STATE OF TEXAS
MICHAEL W. CUDE
43630
REGISTERED PROFESSIONAL ENGINEER

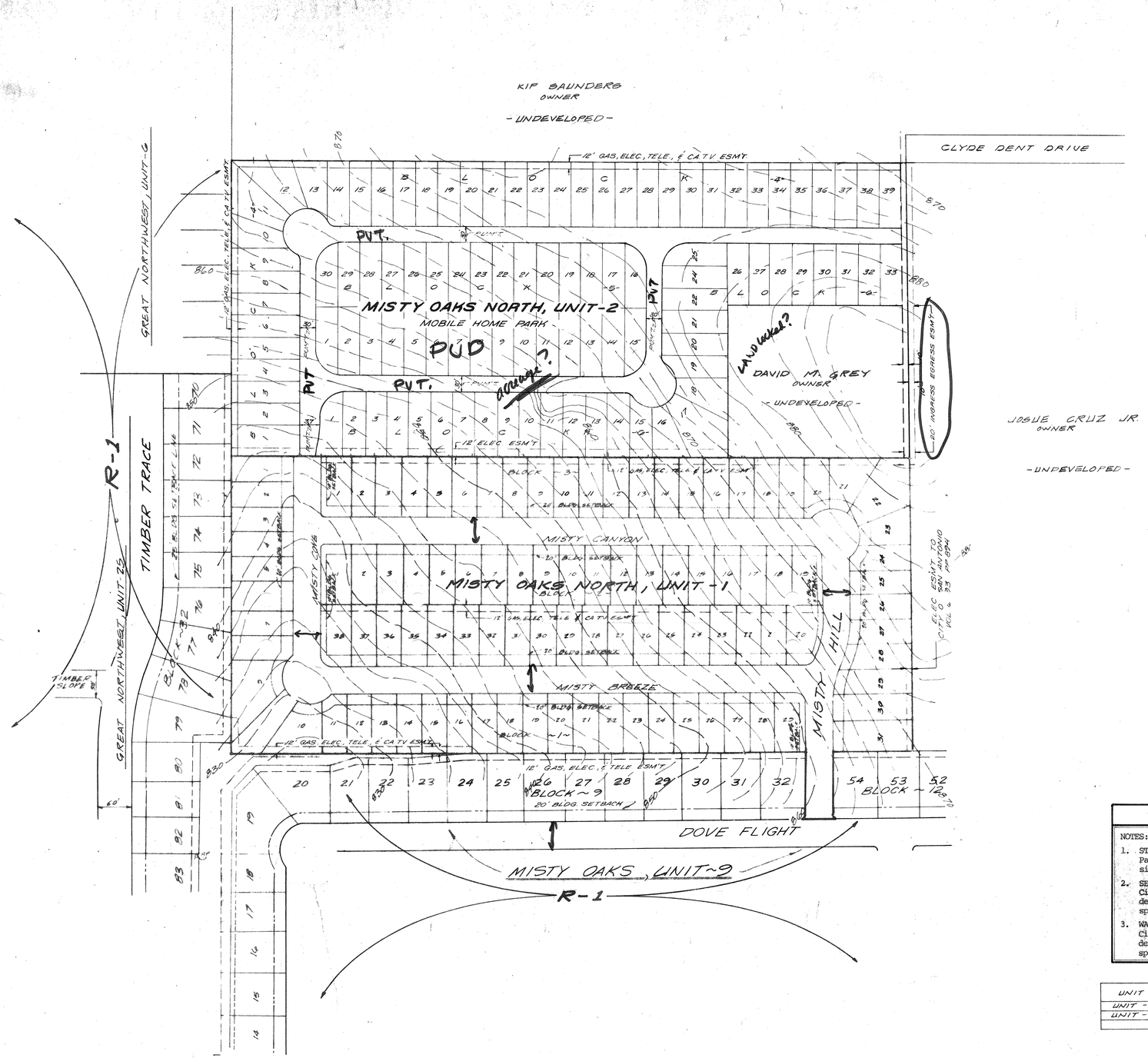
M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 16411 San Antonio, Texas

REVISIONS	
DATE	DESCRIPTION
12-12-83	
12-16-83	

DRAWN BY: J. CANTRILL | DATE: DEC. 8, 1983
CHECKED BY: M.W. CUDE | JOB NO.: 0126-01
SHEET 1 OF



LOCATION MAP



Eng. notified for revisions
11/14/85

UNIT 1 LOTS 98	UNIT 2 LOTS 102
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 30' and 37' PAVEMENT & WITH 8' SIDEWALK. 2. SEWER CITY OF SAN ANTONIO SEWAGE DISPOSAL DESINGED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT - 1	UNDER CONST.	MAY 1, 1984
UNIT - 2	DECEMBER, 1985	MAY, 1985

RECEIVED
1985 NOV 14 PM 2 57
DEPT. OF PLANNING
CURRENT PLANNING SECTION

WESTGATE MANAGEMENT CORP. — DEVELOPER
P.O. BOX 28506 — ADDRESS
684-7662 — PHONE NO.

"PROPOSED OVERALL AREA DEVELOPMENT PLAN"

MISTY OAKS NORTH, UNIT - 1 & 2

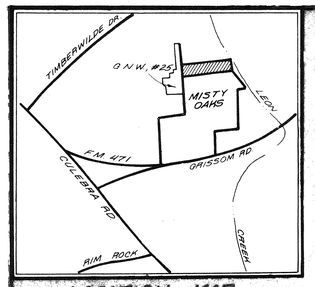
M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 18411 San Antonio, Texas

MICHAEL W. CUDE 43630 REGISTERED PROFESSIONAL ENGINEER

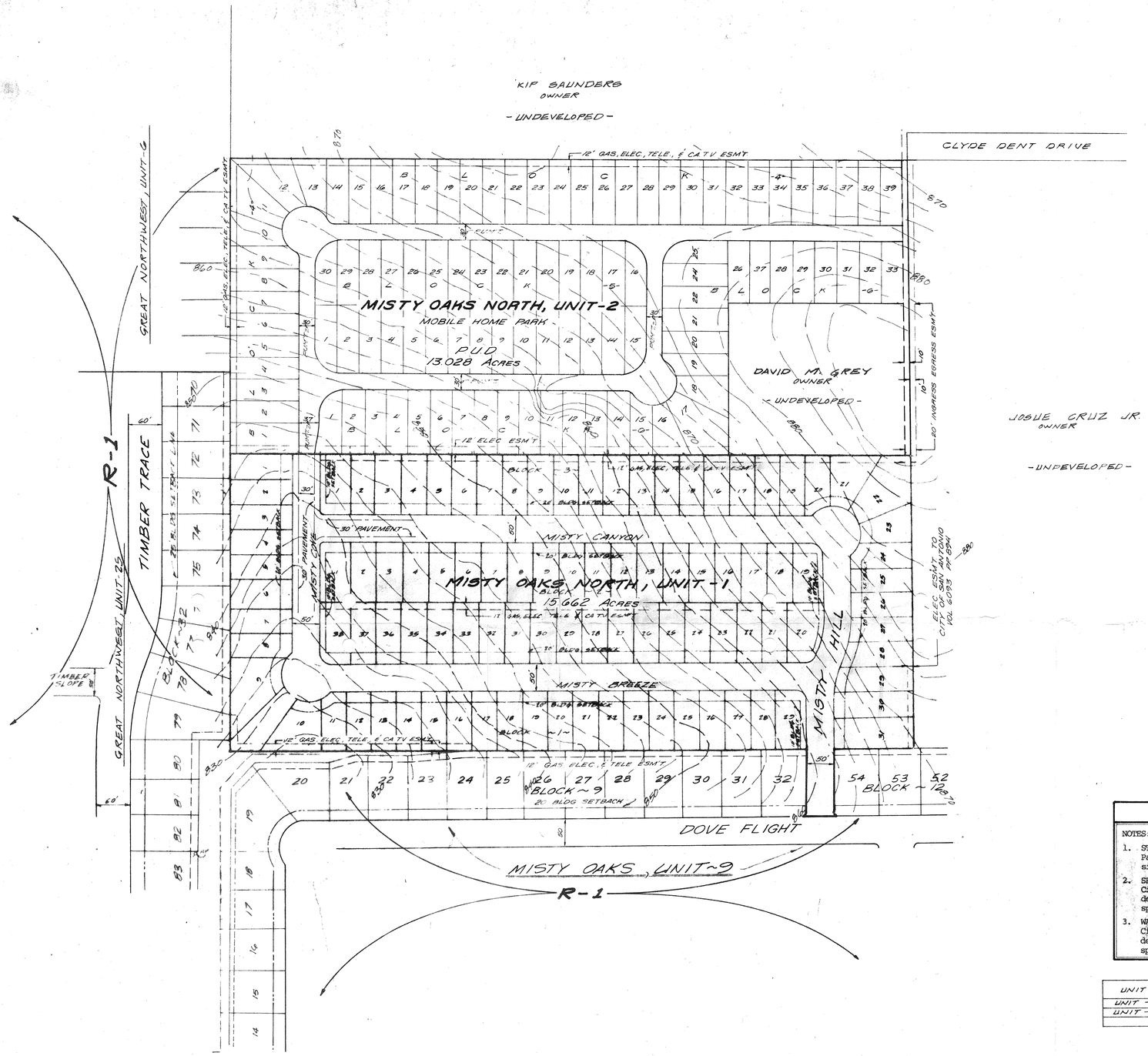
REVISIONS	
DATE	DESCRIPTION
12-12-83	
12-12-83	

DRAWN BY: J. CANTRILL | DATE: DEC. 8, 1983
CHECKED BY: M.W. CUDE | JOB NO.: 0138-01
SHEET 1 OF

#88



LOCATION MAP



RECEIVED
1985 NOV 15 PM 3:40
DEPT OF PLANNING
CURRENT PLANNING SECTION

UNIT 1 LOTS 98	UNIT 2 LOTS 102
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 30' and 37' PAVEMENT & WITH 3' SIDEWALK. 2. SEWER CITY OF SAN ANTONIO SEWAGE DISPOSAL DESIGNED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT - 1	UNDER CONST	MAY 1, 1984
UNIT - 2	DECEMBER, 1985	MAY, 1985

WESTGATE MANAGEMENT CORP. — DEVELOPER
P.O. BOX 28500 — ADDRESS
684-7602 — PHONE NO.

"PROPOSED OVERALL AREA DEVELOPMENT PLAN"

MISTY OAKS NORTH, UNIT - 1 & 2

MICHAEL W. CUDE 43630 REGISTERED PROFESSIONAL ENGINEER

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 18411 San Antonio, Texas

DRAWN BY: J. CANTRILL | DATE: DEC. 8, 1983
CHECKED BY: M.W. CUDE | JOB NO.: 0198-01

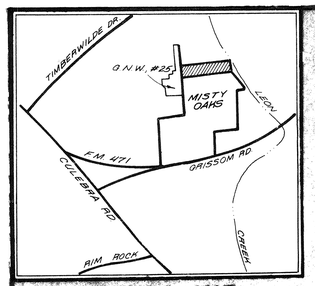
REVISIONS	
DATE	DESCRIPTION
12-8-83	
12-15-83	

SHEET 1 OF

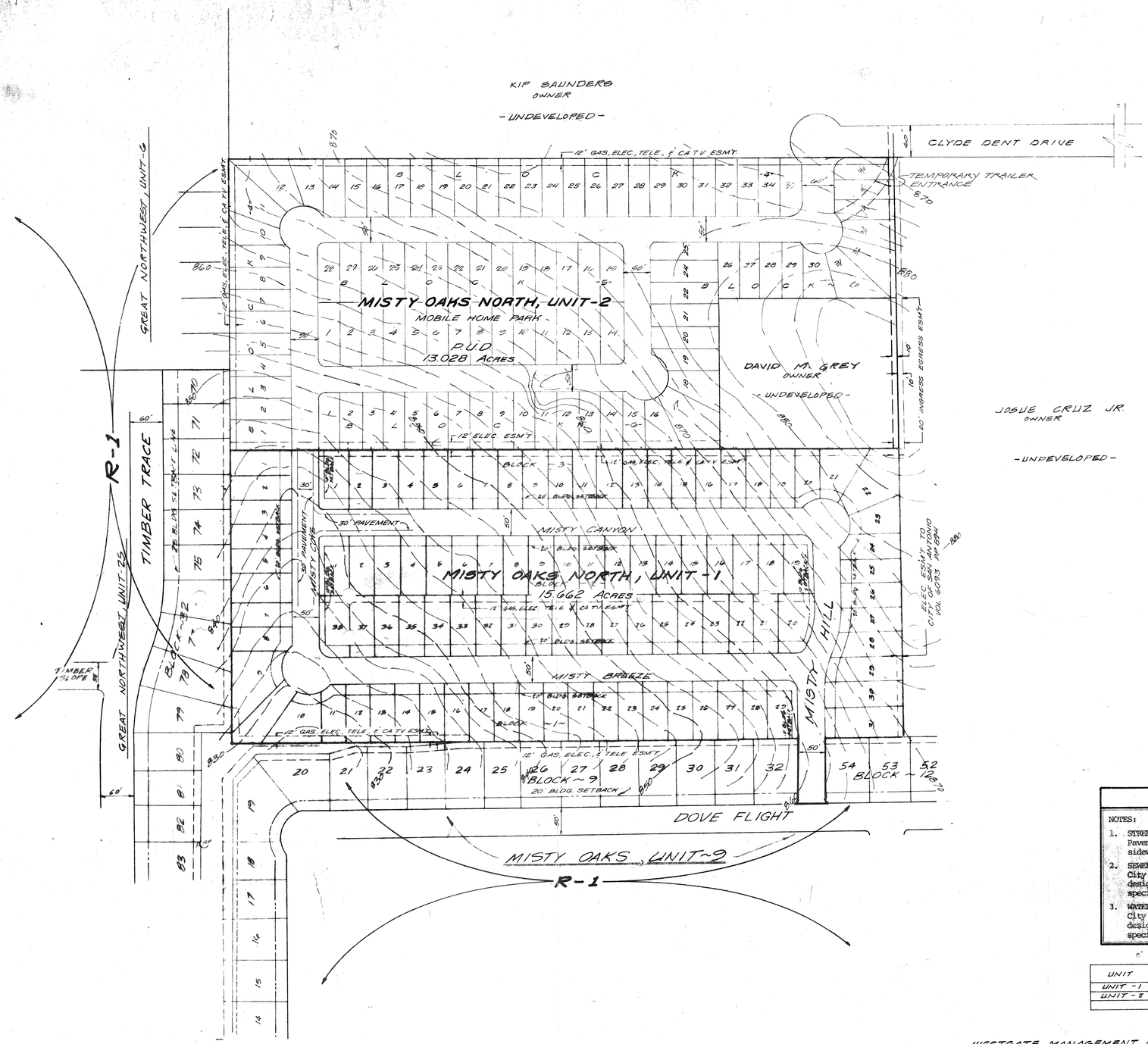
88

REVISED: 11/15/85

FILE COPY



LOCATION MAP



Scale 1"=100'

File Copy
Revised

UNIT 1 LOTS 93	UNIT 2 LOTS 88
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 30' and 40' PAVEMENT & WITH 3' SIDEWALK. 2. SEWER CITY OF SAN ANTONIO SEWAGE DISPOSAL DESIGNED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT - 1	UNDER CONST.	MAY 1, 1984
UNIT - 2	DECEMBER, 1985	MAY, 1985

WESTGATE MANAGEMENT CORP. — DEVELOPER
P.O. BOX 28506 — ADDRESS
684-7602 — PHONE NO.

"PROPOSED OVERALL AREA DEVELOPMENT PLAN"

MISTY OAKS NORTH, UNIT - 1 & 2

STATE OF TEXAS
MICHAEL W. CUDE
43630
REGISTERED PROFESSIONAL ENGINEER

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 18411 San Antonio, Texas

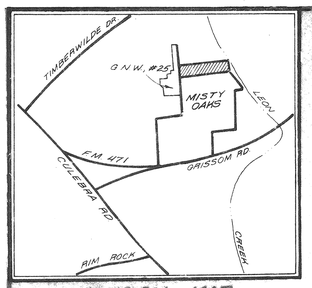
DRAWN BY: J. CANTRILL
CHECKED BY: M.W. CUDE
DATE: DEC. 8, 1983
JOB NO.: 0198-01

REVISIONS	
DATE	DESCRIPTION
12-18-83	
12-10-85	

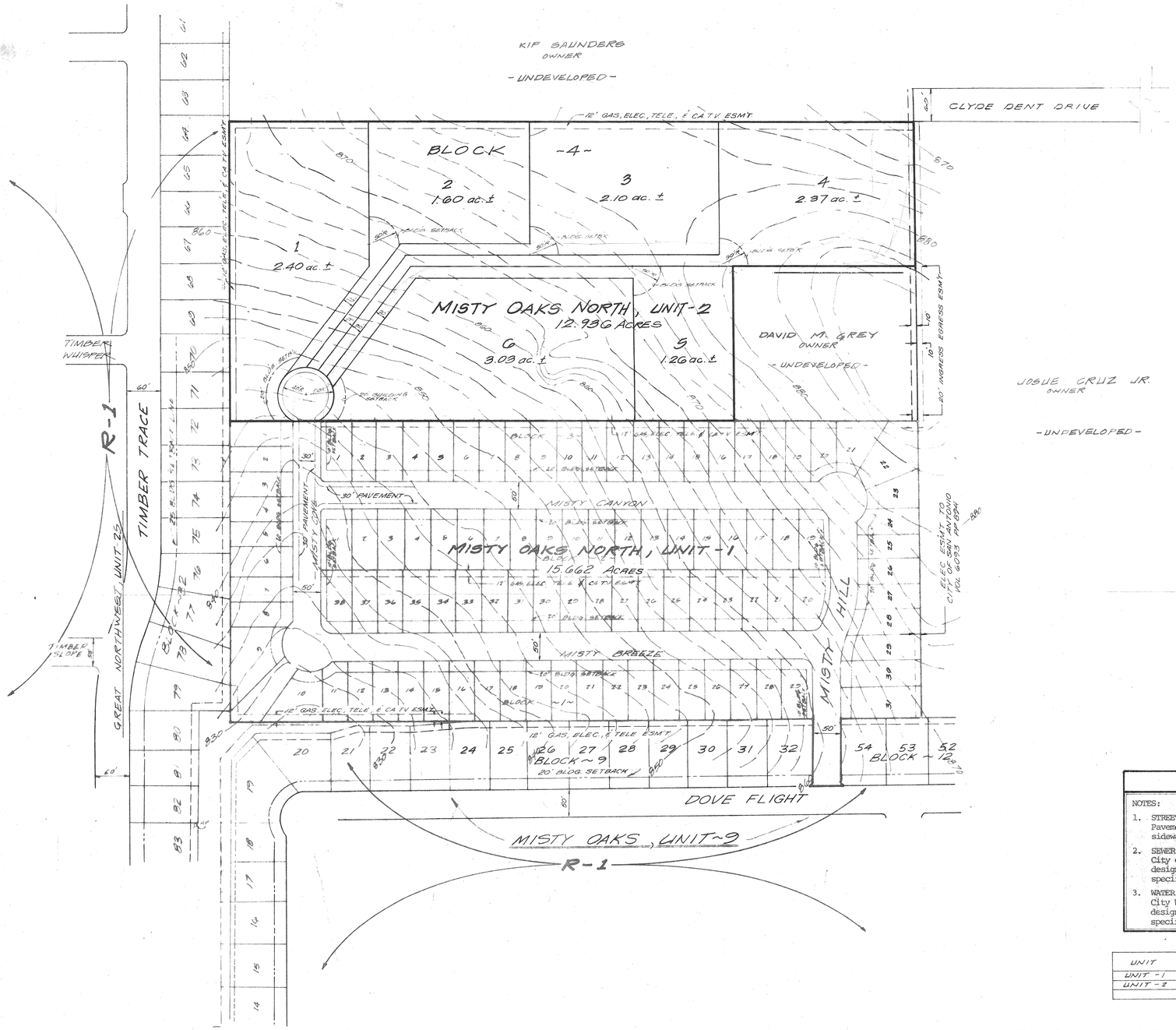
SHEET 1 OF

#88

REVISED: 12/10/85
11/15/85



LOCATION MAP



Scale 1"=100'

NORTH

RECEIVED
1988 NOV -8 PM 4:02
DEPT. OF PLANNING
CURRENT PLANNING
DIVISION

UNIT 1 LOTS 78	UNIT 2 LOTS 6
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 100' DIA. - 80' DIA. PAVEMENT & WITH 3' SIDEWALK. 2. SEWER CITY OF SAN ANTONIO SEWAGE DISPOSAL DESIGNED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE	
	BEGIN	COMPLETE
UNIT - 1	UNDER CONST.	MAY 1, 1984
UNIT - 2	DECEMBER 88	JANUARY 1989

WESTGATE MANAGEMENT CORP. — DEVELOPER
P.O. BOX 28506 — ADDRESS
735-3515 — PHONE NO.

"PROPOSED OVERALL AREA DEVELOPMENT PLAN"

MISTY OAKS NORTH, UNIT - 1 & 2

#88

12/10/85
REVISED: 11/15/85
11-08-88

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 16411 San Antonio, Texas

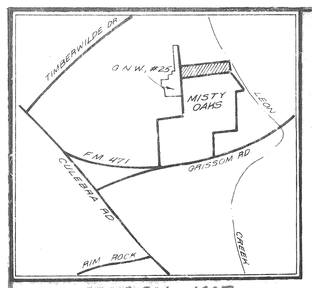
MICHAEL W. CUDE 43630 REGISTERED PROFESSIONAL ENGINEER

REVISIONS	
DATE	DESCRIPTION
	12-18-83
	12-15-83

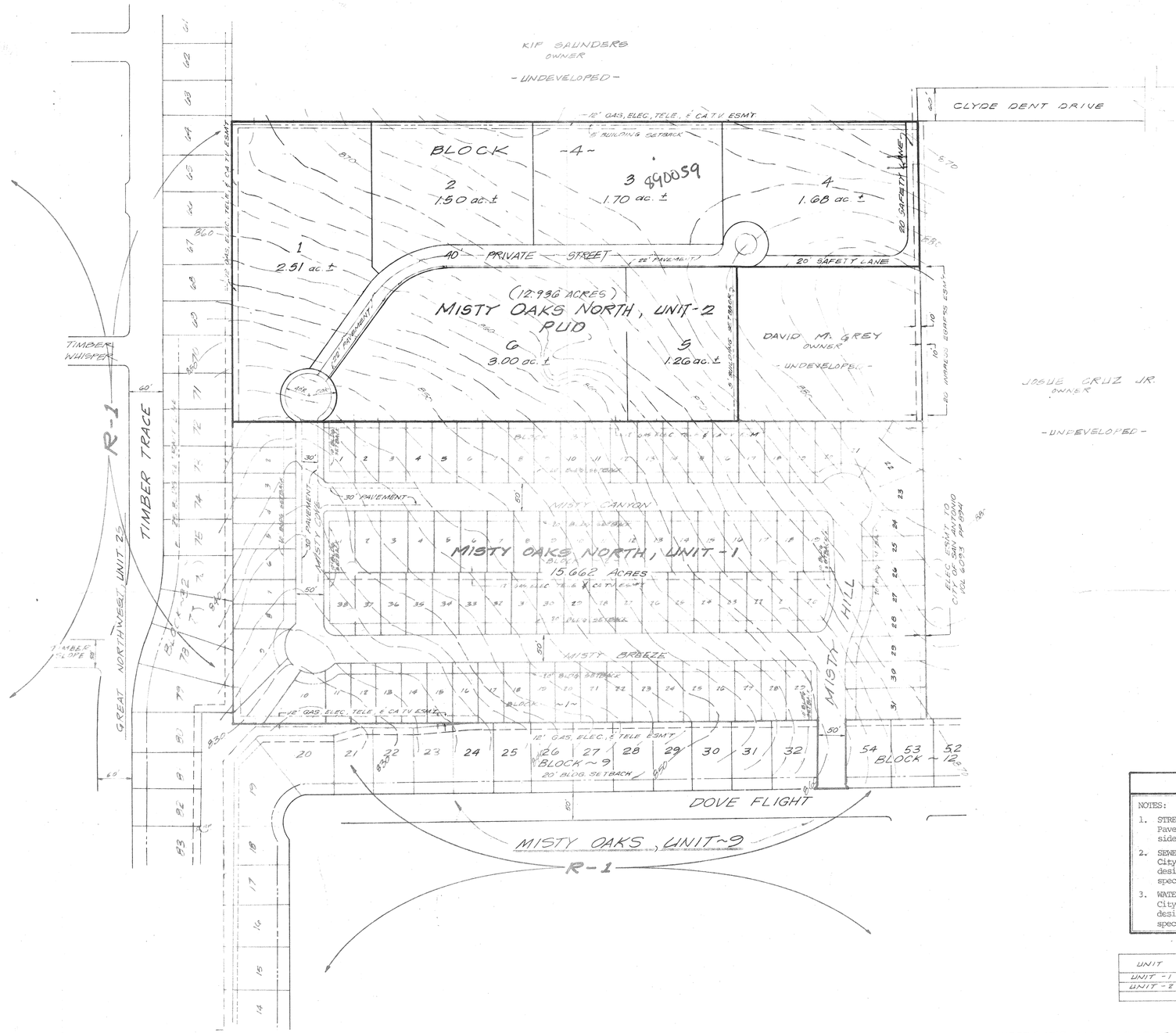
DRAWN BY: J. CANTRILL — DATE: DEC. 8, 1983
CHECKED BY: M.W. CUDE — JOB NO.: 0198-01

SHEET 1

88



LOCATION MAP



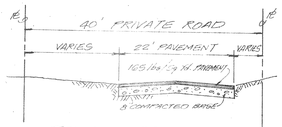
Scale 1"=100'

PLAN HAS BEEN ACCEPTED BY THE CITY OF SAN ANTONIO DEVELOPMENT REVIEW COMMITTEE
Date: 12-1-88
File # 88
Signed: McNeal

UNIT 1 LOTS 98	UNIT 2 LOTS 6
NOTES: 1. STREETS Pavement and 10' parkway, with 3 foot sidewalks. 2. SEWER City of San Antonio Sewage Disposal, designed as per City of San Antonio specifications. 3. WATER City Water Board will supply the water, designed as per City Water Board specifications.	NOTES: 1. STREETS 100' DIA. - 80' DIA. PAVEMENT 37 WITH 3' SIDEWALK. 40' PRIVATE STREET - 22' PAVEMENT. 2. SEWER CITY OF SAN ANTONIO SEWAGE DISPOSAL DESIGNED AS PER CITY OF SAN ANTONIO SPECIFICATIONS. 3. WATER CITY WATER BOARD WILL SUPPLY THE WATER DESIGNED AS PER CITY WATER BOARD SPECIFICATIONS.

UNIT	ESTIMATED CONSTRUCTION DATE BEGIN	COMPLETE
UNIT - 1	UNDER CONST.	MAY 1, 1984
UNIT - 2	DECEMBER 88	JANUARY 1989

WESTGATE MANAGEMENT CORP. — DEVELOPER
P.O. BOX 28506 — ADDRESS
792-3515 — PHONE NO.



PRIVATE STREET SECTION

#88

PLANNED UNIT DEVELOPMENT PLAN "FINAL"

MISTY OAKS NORTH, UNIT - 1 & 2

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. Box 16411 San Antonio, Texas

REVISIONS

DATE	DESCRIPTION
	12-18-83
	12-19-83

DRAWN BY: J. CANTRILL — DATE: DEC. 8, 1983
CHECKED BY: M.W. CUDE — JOB NO.: 0198-01

SHEET 1

12/10/85
REVISED 11/15/85
11-08-88

REVISED: NOV. 28, 1988 REVISED: NOV. 22, 1988

E 17 0253 10-78 MC 8663•

CURVE DATA				
CV.	RADIUS	DELTA	TANGENT	LENGTH
1	275.00'	24°18'25"	59.22'	116.66'
2	5.00'	90°00'00"	5.00	7.85'
3	275.00'	7°03'34"	18.90'	33.88'
4	50.00'	139°01'53"	120.81'	117.83'
5	25.00'	89°27'28"	24.77'	39.03'
6	3.00'	84°18'55"	4.53'	7.36'
7	325.00'	19°44'21"	56.54'	111.97'
8	275.00'	17°14'51"	41.71'	82.78'
9	10.00'	98°10'43"	11.94'	17.14'

WE WAYNE T. NANCE AND R. D. LENZEN JOIN IN THE EXECUTION OF THIS PLAT FOR THE SOLE PURPOSE OF SUBJECTING THAT PORTION OF LAND WE OWN ABUTTING THE WEST LINE OF THIS SUBDIVISION AND DESIGNATED ON THIS PLAT AS A DRAINAGE AND SANITARY SEWER EASEMENT AND I FURTHER, MAKE NO OTHER REPRESENTATION OF THIS PLAT.

WAYNE T. NANCE

R. D. LENZEN

STATE OF TEXAS

COUNTY OF BEXAR

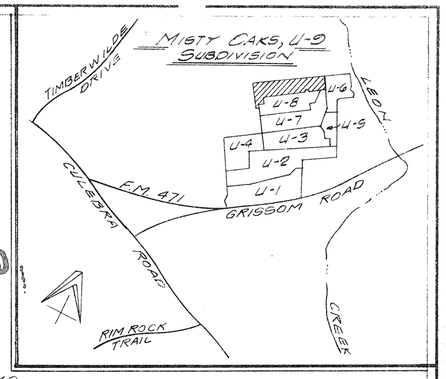
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED WAYNE T. NANCE AND R. D. LENZEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 24th DAY OF August A.D. 1979

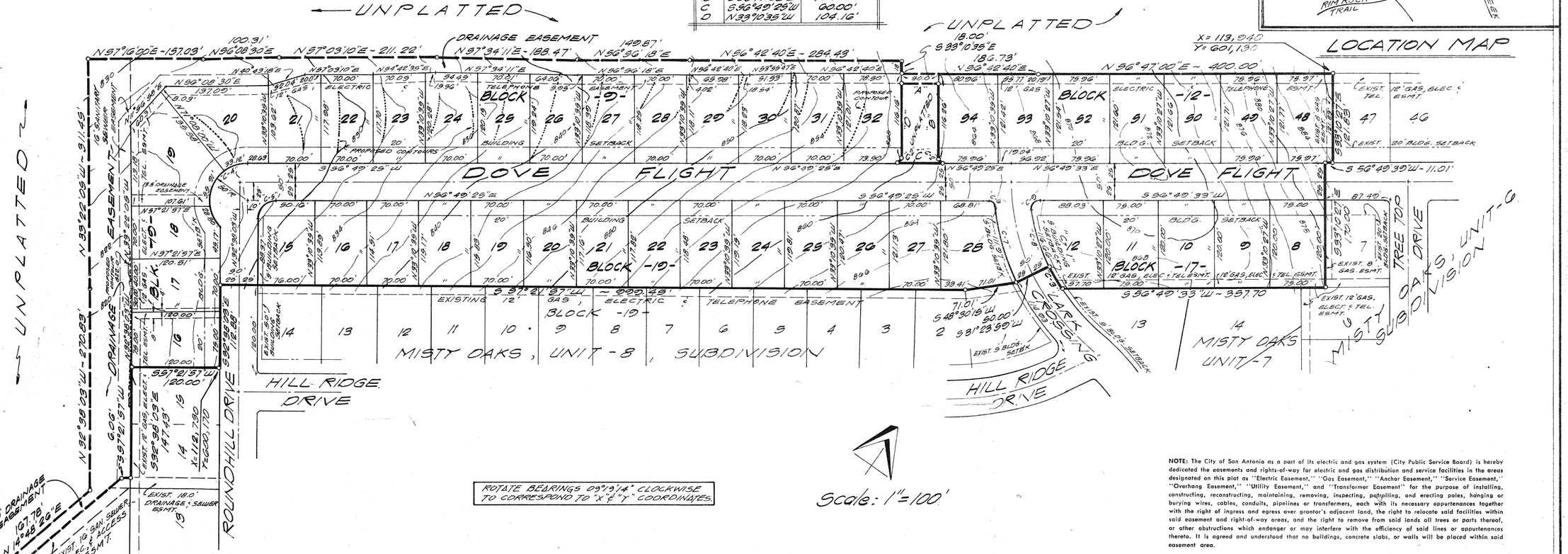
Nellie Lee Moore
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

Planning Commission
City of San Antonio
NOV 7 1979
PLAT APPROVED

Nº	BEARING	DISTANCE
A	N56°42'40"E	90.00'
B	S33°0'35"E	104.26'
C	S56°49'25"W	60.00'
D	N33°0'35"W	104.16'



LOCATION MAP



ROTATE BEARINGS 09°19'14" CLOCKWISE TO CORRESPOND TO "X" & "Y" COORDINATES.

Scale: 1"=100'

NOTE: The City of San Antonio as a part of its electric and gas system (City Public Service Board) is hereby dedicated the easements and rights-of-way for electric and gas distribution and service facilities in the areas designated on this plat as "Electric Easement," "Gas Easement," "Anchor Easement," "Service Easement," "Overhang Easement," "Utility Easement," and "Transformer Easement" for the purpose of installing, constructing, reconstructing, maintaining, removing, inspecting, patrolling, and erecting poles, hanging or burying wires, cables, conduits, pipelines or transformers, each with its necessary appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to relocate said facilities within said easement and right-of-way areas, and the right to remove from said lands all trees or parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or appurtenances thereto. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.

Any CPS monetary loss resulting from modifications required of CPS equipment, located within said easement, due to grade changes or ground elevation alterations shall be charged to the person or persons deemed responsible for said grade changes or ground elevation alteration.

STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT; AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

Eugene H. Dawson
REGISTERED PROFESSIONAL ENGINEER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 16th DAY OF AUGUST A.D., 19 79.

Jesus F. Pacheco
JESUS F. PACHECO, NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

MEADER CONSTRUCTION CO.

BY: Ike Meader - PRESIDENT
OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS

COUNTY OF BEXAR

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 16th DAY OF AUGUST A.D. 1979

Jesus F. Pacheco
JESUS F. PACHECO, NOTARY PUBLIC
BEXAR COUNTY, TEXAS

SUBDIVISION PLAT
of

MISTY OAKS, UNIT-9, SUBDIVISION

BEING 12.197 ACRES OF LAND COMPRISED OF 10.893 ACRES OUT OF A 117.967 ACRE TRACT; 0.427 ACRES OUT OF A 14.953 ACRE TRACT AND 0.837 ACRES OUT OF A 49.042 AND A 34.958 ACRE TRACT ALL OUT OF THE ELIZABETH PLUNKETT SURVEY Nº 72, ABSTRACT 573, COUNTY BLOCK 4433, BEXAR COUNTY, TEXAS.

PAPE-DAWSON ENGINEERS

THIS PLAT OF HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 7th DAY OF November A.D. 19 79

BY: Robert R. Ashley
CHAIRMAN

BY: _____
SECRETARY

STATE OF TEXAS

COUNTY OF BEXAR

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

Eugene H. Dawson
REGISTERED PROFESSIONAL ENGINEER
OR
REGISTERED PUBLIC SURVEYOR

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 16th DAY OF AUGUST A.D. 1979

Jesus F. Pacheco
JESUS F. PACHECO, NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

I, _____ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF _____ A. D. _____ AT _____ M. AND DULY RECORDED THE _____ DAY OF _____ A. D. _____ AT _____ M. IN THE RECORDS OF _____ OF SAID COUNTY, IN BOOK VOLUME _____ ON PAGE _____

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS ____ DAY OF _____, A. D. _____.

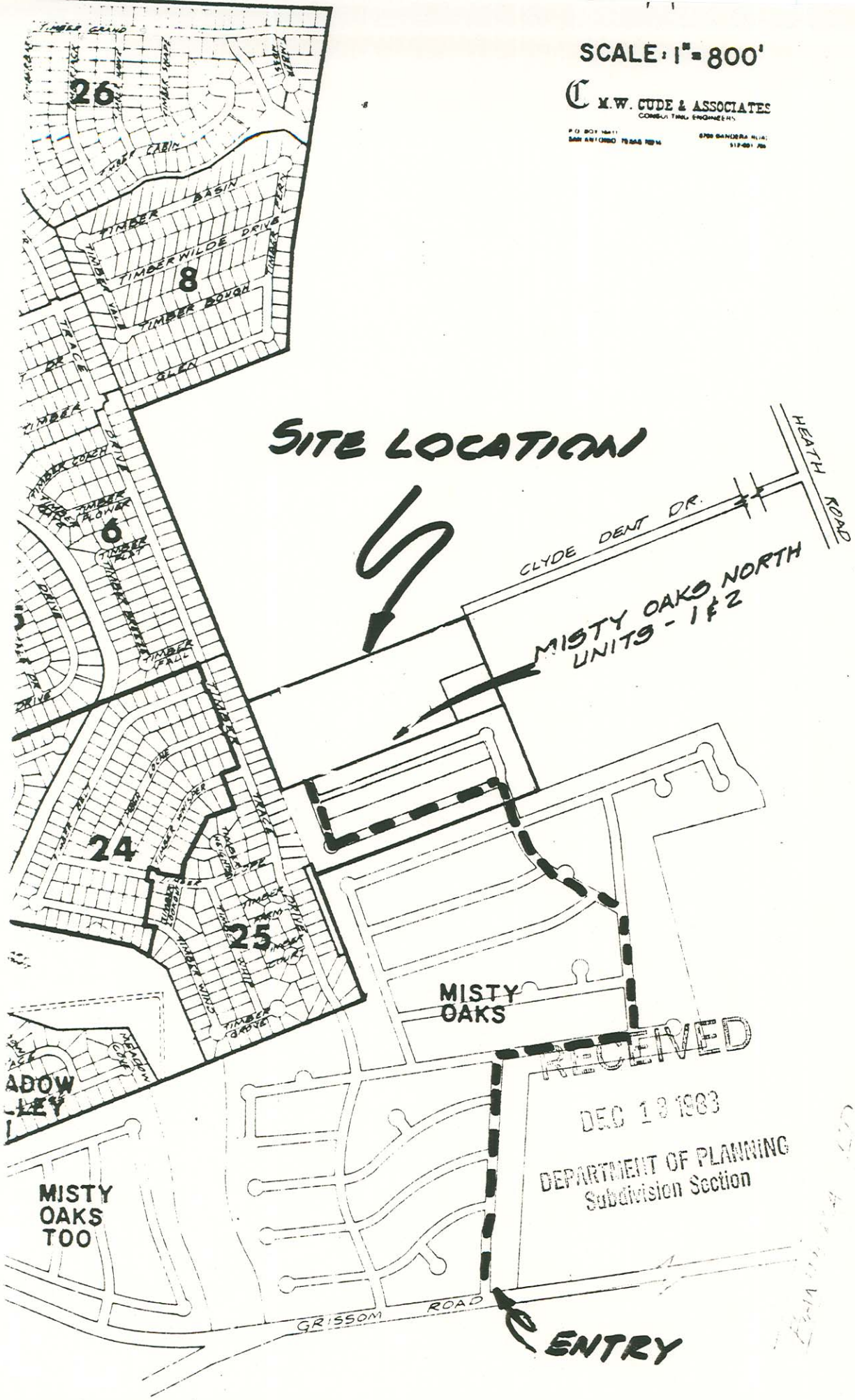
COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: _____, DEPUTY

#88

SCALE: 1" = 800'

M.W. CUDE & ASSOCIATES
CONSULTING ENGINEERS



RECEIVED
DEC 13 1983
DEPARTMENT OF PLANNING
Subdivision Section

INFORMATION SHEET FOR
PRELIMINARY OVERALL AREA DEVELOPMENT PLAN
(P.O.A.D.P.)

FILE NO. 83-11-60-20
(To be assigned by the Planning Dept.)

MISTY OAKS NORTH UNIT 1 & 2
P.O.A.D.P. NAME

WAYNE NANCE & ASSOC. NAME OF DEVELOPER/SUBDIVIDER — P.O. BOX 16411 ADDRESS S.A. 78216 — PHONE NO.

M.W. CUDE & ASSOC, INC. NAME OF CONSULTANT — P.O. BOX 16411 S.A. TEX. ADDRESS — 681 2951 PHONE NO.

GENERAL LOCATION OF SITE NORTH OF DOVE FLIGHT & 910' EAST OF ITS INTERSECTION WITH ROUNDHILL DR.

EXISTING ZONING (If Applicable) O.C.L.

PROPOSED WATER SERVICE

(✓) City Water Board
( ) Other District _____ Name
( ) Water Wells

PROPOSED LAND USE

(✓) Single Family (E.7)
( ) Duplex
( ) Multi-Family
( ) Business
( ) Industrial

PROPOSED SEWER SERVICE

(✓) City of San Antonio
( ) Other System _____ Name
( ) Septic Tank(s)

DATE FILED Dec 13, 1983

DUE DATE OF RESPONSE Jan 11, 1984
(within 20 working days of receipt)

REVISIONS FILED _____
(if applicable)
DATE OF RESPONSE _____
(within 15 working days of receipt)

JUNE 1985
(Date of expiration of plan, if no plats are received within 18 months of the plan filing)

NEEDED INFORMATION:

INFORMATION REQUESTED. The POADP as an overview of the developer's projected land use, shall include, at least the following information:

✓ (a) perimeter property lines;
✓ (b) name of the plan and the subdivisions;
✓ (c) scale;
✓ (d) proposed land use(s) by location and type;
✓ (e) existing and proposed circulation system of collector and arterial streets and their relationship to any adjacent major thoroughfares and any proposed alternative pedestrian circulation systems: (sidewalks, lanes, paths, etc.)
✓ (f) the proposed source and type of sewage disposal and water supply;
✓ (g) contour lines at no greater than ten (10) foot intervals;
✓ (h) projected sequence of phasing;
✓ (i) existing and/or proposed zoning classification(s);
✓ (j) known ownership and proposed development of adjacent undeveloped land; and
✓ (k) existing adjacent streets or development which impact upon access decisions within the proposed POADP.

Copies to Al & Dean 12-14-83
Committee will review 12-20-83

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

December 6, 1988

Mr. M. W. Cude, P.E.
M. W. Cude & Associates, Inc.
10325 Bandera Road
San Antonio, Texas 78250

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed and accepted the revised conceptual plan for Misty Oaks PUD. Although the committee has accepted the plan as designed, it is still subject to PUD requirements and will need Planning Commission approval. The plan has been assigned File #88 for future reference.

Please note that this action does not establish any commitment for the provision of utilities, services or zoning of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Unified Development Code. Any platting will have to comply with the regulations in force at the time of platting.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

M C O'Neal

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/hdlv

CITY OF SAN ANTONIO

P O BOX 9066
SAN ANTONIO, TEXAS 78285

December 1, 1988

Mr. M. W. Cude, P.E.
M. W. Cude & Associates, Inc.
P. O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed and accepted the revised conceptual plan for Misty Oaks PUD. Although the committee has accepted the plan as designed, it is still subject to PUD requirements and will need Planning Commission approval. The plan has been assigned File #88 for future reference.

Please note that this action does not establish any commitment for the provision of utilities, services or zoning of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Unified Development Code. Any platting will have to comply with the regulations in force at the time of platting.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

MCONeal

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/hdlv

"AN EQUAL OPPORTUNITY EMPLOYER"

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

November 21, 1988

Mr. M. W. Cude, P.E.
M.W. Cude & Associates, Inc.
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed your revised Preliminary Area Development Plan (POADP) for Misty Oaks #88 on November 18, 1988 and did not accept the plan. The committee requests that Misty Cove Drive be extended to the north property line as a stub street to allow an eventual tie into Clyde Dent. This will provide a second means of access for all the residences north of Dove Flight. In addition, if the large lots should be developed in the future for multifamily or non-residential uses, it would provide an alternative access other than through the single-family subdivision.

If you do not concur with this request, you may appeal to the Planning Commission by submitting a written request.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

M O'Neal

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/sm

Roy

CITY OF SAN ANTONIO

P. O BOX 9066
SAN ANTONIO, TEXAS 78285

December 20, 1985

M. W. Cude & Associates
Mr. M. W. Cude
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North, Units 1&2 POADP
(File #83-11-60-20) (Revised December 11, 1985)

Dear Mr. Cude:

The POADP Committee has reviewed and accepted your proposed plan for Misty Oaks North, Units 1&2 (see attached).

If you have any questions, please contact Roy Ramos in our Subdivision Section at 299-7900.

Sincerely,

Michael C. O'Neal
Planning Administrator
Dept. of Planning

MCO/RR/sm
Attachment

File

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

November 26, 1985

M.W. Cude & Associates
Mr. M. W. Cude
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North, Units 1 & 2 POADP
File #83-11-60-20 (Revised November 15, 1985)

Dear Mr. Cude:

The POADP Committee has reviewed the revised plan for Misty Oaks North Units 1&2. At its meeting of November 22, 1985, the Committee determined not to accept the revised plan.

The Committee has two concerns with the revised plan.

1. If Unit-2 is to be developed as a Mobile Home Park, then access should not be through an established single family subdivision. Access should be gained from Clyde Dent Drive.

2. If the streets in Unit-2 are to be private, then a turnaround should be provided at the end of the public right-of-way on Misty Cove.

If you wish to discuss these recommendations, I would be most happy to meet with you at your convenience. In accordance with Section 36-20(c) of the Subdivision Regulations, you may also appeal this decision to the Planning Commission for resolution.

Sincerely,

MCO'Neal

Michael C. O'Neal
Planning Administrator
Dept. of Planning

sm

CITY OF SAN ANTONIO

P O BOX 9066
SAN ANTONIO, TEXAS 78285

Date: July 10, 1984

Applicant: M. W. Cude & Associates, Inc.
Mr. Michael Cude
Address: P.O. Box 16411
San Antonio, Texas 78216

Re: Misty Oaks North Units 1 & 2
File #: 83-11-60-20

☐ Preliminary Plan
☒ P.O.A.D.P. Revision dated June 29, 1984

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

(X) meets the P.O.A.D.P. requirements

( ) does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations.

( ) 36-20D(a)	( ) 36-20D(e)	( ) 36-20D(i)
( ) 36-20D(b)	( ) 36-20D(f)	( ) 36-20D(j)
( ) 36-20D(c)	( ) 36-20D(g)	( ) 36-20D(k)
( ) 36-20D(d)	( ) 36-20D(h)	( ) _____

(X) is in general compliance with the Subdivision Regulations

( ) lacks compliance with the Subdivision Regulations regarding:

( ) Street layout	( ) Low density lots fronting onto major thoroughfares
( ) Relation to adjoining street system	( ) 24' alley(s)
( ) Stub streets	( ) _____
( ) Street jogs or intersections	_____
( ) Dead-end streets	_____
( ) Cul-de-sac streets in excess of 500'	

( ) See annotations/comments on attached copy of your plan.

(X) Comments: This acknowledges receipt of the street design amendment as suggested by the staff in the POADP review comments dated Dec. 20, 1983. Staff offers no objections to the amendment as submitted.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By Rebecca Quintanilla Gallo

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

Date: December 20, 1983

Applicant: M.W. Cude & Assoc. Inc
Mr. Michael Cude
Address: P.O. BOX 16411
San Antonio, Tx 78216

Re: Misty Oaks North of 1 and 2
( ) Preliminary Plan
XX P.O.A.D.P.

File #: 83-11-60-20

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

(X) meets the P.O.A.D.P. requirements

( ) does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations:

( ) 36-20D(a)	( ) 36-20D(e)	( ) 36-20D(i)
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( ) 36-20D(c)	( ) 36-20D(g)	( ) 36-20D(k)
( ) 36-20D(d)	( ) 36-20D(h)	( )

(X) is in general compliance with the Subdivision Regulations

( ) lacks compliance with the Subdivision Regulations regarding:

( ) Street layout
( ) Relation to adjoining street system
( ) Stub streets
( ) Street jogs or intersections
( ) Dead-end streets
( ) Cul-de-sac streets in excess of 500'
( ) Low density lots fronting onto major thoroughfares
( ) 24' alley(s)
( ) _____

(X) See annotations/comments on attached copy of your plan.

(X) Comments: A street design amendment as generally shown on the attached P.O.A.D.P. is recommended. The proposal would allow a linkage with the potential Clyde Dent extension.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By _____

AN EQUAL OPPORTUNITY EMPLOYER

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

Date: December 20, 1983

Applicant: M.W. Cude & Assoc. Inc
Mr. Michael Cude
Address: P.O. BOX 16411
San Antonio, Tx 78216

Re: Misty Oaks North of 1 and 2 ( ) Preliminary Plan XX P.O.A.D.P.

File #: 83-11-60-20

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

(X) meets the P.O.A.D.P. requirements

( ) does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations:

( ) 36-20D(a)	( ) 36-20D(e)	( ) 36-20D(i)
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( ) 36-20D(c)	( ) 36-20D(g)	( ) 36-20D(k)
( ) 36-20D(d)	( ) 36-20D(h)	( )

(X) is in general compliance with the Subdivision Regulations

( ) lacks compliance with the Subdivision Regulations regarding:

( ) Street layout	( ) Low density lots fronting onto major thoroughfares
( ) Relation to adjoining street system	( ) 24' alley(s)
( ) Stub streets	( ) _____
( ) Street jogs or intersections	_____
( ) Dead-end streets	_____
( ) Cul-de-sac streets in excess of 500'	

(X) See annotations/comments on attached copy of your plan.

(X) Comments: A street design amendment as generally shown on the attached P.O.A.D.P. is recommended. The proposal would allow a linkage with the potential Clyde Dent extension.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By [signature]

AN EQUAL OPPORTUNITY EMPLOYER

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

Date: Dec. 20, 1983

M. W. Cude & Assoc Inc

Applicant: Mr. Mickail Cude

Address: P.O. Box 16411
S.A. 78216

☐ Preliminary Plan
☑ P.O.A.D.P.

Re: Misty Oaks, north Unit 1&2

File #: 83-11-60-20

The above has been reviewed by Planning and Traffic staff and it has been determined that it:

(✓) meets the P.O.A.D.P. requirements

( ) does not meet the P.O.A.D.P. requirements and does not constitute a POADP filing although it was submitted as a POADP. The lacking information is set out in the following section(s) of the Subdivision Regulations:

( ) 36-20D(a)	( ) 36-20D(e)	( ) 36-20D(i)
( ) 36-20D(b)	( ) 36-20D(f)	( ) 36-20D(j)
( ) 36-20D(c)	( ) 36-20D(g)	( ) 36-20D(k)
( ) 36-20D(d)	( ) 36-20D(h)	( )

(✓) is in general compliance with the Subdivision Regulations

( ) lacks compliance with the Subdivision Regulations regarding:

( ) Street layout
( ) Relation to adjoining street system
( ) Stub streets
( ) Street jogs or intersections
( ) Dead-end streets
( ) Cul-de-sac streets in excess of 500'
( ) Low density lots fronting onto major thoroughfares
( ) 24' alley(s)
( ) _____

(✓) See annotations/comments on attached copy of your plan.

(✓) Comments: ~~Staff rec. that consideration be given to~~ a street design amendment as generally shown on the attached P.O.A.D.P. is recommended. This proposal would allow a linkage with the potential Clyde Dent extension.

Please note that these are staff comments and not Planning Commission comments. This action does not establish any commitment for the provision of utilities or services of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.

By _____

Nov. 18, 1988

Mr. M.W. Cude, P.E.
M.W. Cude & Associates, Inc.
P.O. Box 16411
San Antonio, Texas. 78216

Re: Misty Oaks North P.O.A.D.P.
#88

Dear Mr. Cude:

The Development Review Committee ~~has~~ reviewed your revised plan for Misty Oaks, plan #88 on November 18, 1988 ~~and finds the plan unacceptable.~~ and did not accept the plan.

The committee ~~recommends~~ requests that Misty Cove Dr. be extended ~~south~~ north to the ~~Kay Saunders~~ property line as a stub street to allow an eventual tie into Clyde Dent. *

~~You may alter your plan and offer an alternative design~~ If you do not concur with this request, you may appeal to the Planning Commission by submitting a written request. ~~If you elect to appeal to the Commission, please submit a written request, stating the basis for your request.~~

~~Please note that this action by the Committee does not establish any commitment for the provision of utilities, services or zoning of any type now or in the future by the City of San Antonio. Additionally, this action does not confer any vested rights to plat under the existing Subdivision Regulations. Any platting will have to comply with the Subdivision Regulations in force at the time of platting.~~

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

Michael C. O'Neal, AICP
Planning Administrator
Dept. of Planning

MCO/RR/sm
Encl.

* This will provide an a second means ~~point~~ access for all the residences north of Dove Flight. In addition, if the large lots should be developed in the future ~~for non-single~~ multi-family or non-residential uses, it would provide an ~~means to~~ alternative access other than through the single-family subdivision.

"AN EQUAL OPPORTUNITY EMPLOYER"

CITY OF SAN ANTONIO

Intradepartment Correspondence Sheet

TO: File

FROM:

COPIES TO:

SUBJECT: Case History

Date

(1) Submitted Dec. 13, 1983
(2) Response Dec. 20, 1984
(3) Revised June 29, 1984
(4) Response July 10, 1984
(5) Replied Nov. 15, 1985
(6) Response Nov. 26, 1985 pending revisions
(7) Resubmitted Dec. 11, 1985 w/ revisions
(8) Response favorable Dec. 20, 1985

AGENDA NO. 23

NOV 30 1988

CITY OF SAN ANTONIO

Interdepartment Correspondence Sheet

TO: Planning Commission

FROM: Roland A. Lozano, Director of Planning

COPIES TO: File

SUBJECT: CONSIDERATION OF THE MISTY OAKS NORTH POADP

Date November 21, 1988

Mr. H. J. Buckley is requesting the Commission to consider for acceptance the proposed design for the captioned POADP. As indicated in the attached letter dated November 21, 1988, staff has not accepted the plan as submitted. Staff has requested that the plan be amended to allow a future connection with Clyde Dent Street which is located to the north of this proposal.

Staff's concern is accessibility of emergency vehicles to the immediate area. The plan as designed would require emergency vehicles to gain access through a local street system from Grissom Road which is approximately 2/3 miles from this site. The original POADP and the first revision both provided for a connection to Clyde Dent. However, this second revision does not.

Mr. Buckley has requested that the Planning Commission approve the POADP as designed.

Roland A. Lozano
Director of Planning

RAL/EG/sm
Attachments

Withdrawn

Staff request that this item be withdrawn from consideration. The applicant has submitted an alternative plan which is satisfactory to both the applicant and Planning staff. The applicant is now proposing to prepare a P.U.D. with a pvt. street system. The PUD plan and plat will need to be reviewed and processed in accordance with the Unified Development Code prior to presentation to the P.C.

Westgate Management Corp.

P.O. Box 28506
San Antonio, Texas 78228

A/C 512
732-3515

November 18, 1988

Planning Department
City of San Antonio
P. O. Box 839966
San Antonio, Texas 78283-3966

Attn: Mr. Roland Lozano

Re: P.O.A.D.P. review of Misty Oaks North, Unit 2

Dear Sir:

By this letter I request to appear before the Planning Commission to request a variance from the requirement created by the review of the P.O.A.D.P. committee for a stub street through the property.

Yours truly,

H. J. Buckley
President

HJB:sh

CITY OF SAN ANTONIO

P. O. BOX 9066
SAN ANTONIO, TEXAS 78285

November 21, 1988

Mr. M. W. Cude, P.E.
M.W. Cude & Associates, Inc.
P.O. Box 16411
San Antonio, Texas 78216

RE: Misty Oaks North POADP #88

Dear Mr. Cude:

The Development Review Committee has reviewed your revised Preliminary Area Development Plan (POADP) for Misty Oaks #88 on November 18, 1988 and did not accept the plan. The committee requests that Misty Cove Drive be extended to the north property line as a stub street to allow an eventual tie into Clyde Dent. This will provide a second means of access for all the residences north of Dove Flight. In addition, if the large lots should be developed in the future for multifamily or non-residential uses, it would provide an alternative access other than through the single-family subdivision.

If you do not concur with this request, you may appeal to the Planning Commission by submitting a written request.

If you have any questions, please contact Roy Ramos at 299-7900.

Sincerely,

M O'Neal

Michael C. O'Neal, AICP
Planning Administrator
Department of Planning

MCO/RR/sm

DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
ESTATES OF MISTY OAKS

THE STATE OF TEXAS

COUNTY OF BEXAR

THIS DECLARATION made on the date hereinafter set forth by WESTGATE MANAGEMENT CORP., a Texas corporation, and G.B. & J.L. PROPERTIES, hereinafter referred to as "Declarant",

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain 12.936 acre parcel of property situated in Bexar County, Texas described by field notes attached hereto as Exhibit "A" and made a part hereof for all purposes and whereas Declarant desires to subdivide said tract into tracts of one (1) or more acres and totaling approximately six (6) tracts, as a Planned Unit Development (P.U.D.) in accordance with the applicable subdivision regulations and/or ordinances of the City of San Antonio, which are incorporated herein by reference.

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed, subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I.

DEFINITIONS

Section 1.1. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 1.2. "Lot" shall mean and refer to any plot of land which is a part of the property.

Section 1.3. "Declarant" shall mean and refer to WESTGATE MANAGEMENT CORP., a Texas corporation, and G.B. & J.L. Properties, its successors and assigns, if such successors or assigns should acquire more than one (1) undeveloped lot from the Declarant for the purpose of development. For the purpose of this Declaration, the term "development" shall mean the construction of residential buildings, and consequently, an "undeveloped lot" shall be a lot upon which a residential building has not been constructed. Any one who acquires title to any tract prior to the recording of the subdivision plat but who is subject to this Declaration agrees to join with Declarant in signing such plat when presented for signature.

ARTICLE II.

ARCHITECTURAL CONTROL

Section 2.1. No building, fence, well or other structure shall be commenced, erected or maintained upon a Lot nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by an Architectural Control Committee composed of H. J. Buckley, Raul M. Escamilla and Richard L. Draker, or a representative designated by a member of said Committee. In the event of death or resignation of any member of said Committee, the remaining member or members shall have full authority to appoint a successor member or members who shall thereupon succeed to the powers and authorities of the members so replaced. In the event said Committee or its designated representative fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, such approval will not be required and this covenant will be deemed to have been fully complied with. The Committee shall have the express authority to perform fact finding functions hereunder and shall have the power to construe and interpret any covenants herein that may be vague, indefinite, uncertain and capable of more than one construction. All decisions

of such Committee shall be final and binding and there shall be no revision of any action of such Committee except by procedure for injunctive relief when such action is patently arbitrary and capricious. The powers and duties of such Committee and of its designated representative, and the requirements of this covenant, shall cease on or before January 1, 1995, provided, however, that at that time the then record Owners of a majority of the Lots in the Properties controlled by these covenants shall have the power through a duly recorded written instrument to extend the operation of this covenant for any additional period of time, and in connection with such extension shall have the power to remove any Committee member or members and replace them with other members, or to withdraw from the Committee any of its powers and duties. Neither the members of such Committee nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

ARTICLE III.

USE RESTRICTIONS

The Lots shall be occupied and used as follows:

Section 3.1. Nuisances: No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become any annoyance or nuisance to the other Owners. Any Owner shall do no act nor any work that will impair the structural soundness or integrity of another residence or impair any easement or hereditament, nor do any act nor allow any condition to exist which will adversely affect the other residences or their Owners.

Section 3.2. Use of Land: The Lots shall be used for private dwelling purposes only. No store or business house, no gas or oil or automobile service station, and no building of any kind whatsoever shall be erected or maintained thereon except private dwelling units and such outbuildings as are customarily appurtenant to dwellings, each unit being designed to occupancy for a single family. No residence of temporary character shall be permitted on any Lot. No existing dwelling shall be moved onto any Lot in this

Subdivision, unless expressly approved in writing by the Architectural Control Committee.

No shack, basement, garage, trailer, tent, barn or other outbuilding erected on or moved onto any Lot in the subdivision shall at any time be used as a residence, as living quarters by servants engaged on the premises, or anyone, after completion of the main building. Nothing contained in this Section shall preclude or prohibit the erecting on the lot of a detached garage so long as same is compatible with the main structure.

Section 3.3. Frontage: Every dwelling erected on any Lot with frontage on a public or private street shall front, or present a good frontage to the street on which said Lot fronts.

Section 3.4: Size Dwelling: No dwelling, exclusive of open porches, garages, carports or patios, shall be permitted on any Lot at a cost of less than $60,000.00 exclusive of lot costs, based on cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the permitted dwelling size. On all Lots, the entire floor area of the main structure, exclusive of first floor open porches and garages, shall not be less than 1,700 square feet for a single-story house, nor less than 2,250 square feet total for a two-story house.

Section 3.5: Outbuilding Requirements: Every outbuilding and detached garage, except a greenhouse, poultry pen or barn, shall correspond in style and architecture to the dwelling to which it is appurtenant, and shall be of the same exterior materials, both walls and roof, as such dwelling. No outbuilding shall exceed a height of two stories.

Section 3.6: Building Location: No building shall be located on any Lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. The side lot setback for any lot shall be a minimum of fifteen (15)

feet. For the purpose of this covenant, eaves, steps and open porches shall not be considered as part of the building; provided, however, that this shall not be construed to permit any portion of a building on a Lot to encroach upon another Lot.

Section 3.07:. Signs: No signs, banners or pennants of any kind shall be displayed to the public view on any residential Lot except one professional sign of not more than thirty inches by thirty inches advertising the Property for sale or rent or signs used by a builder advertising the Property during construction and sales period. No portable signs of any kind shall be placed upon any lot.

Section 3.8: Oil and Mining Operations: No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon any Lot. No derrick or other structure designated for use in boring for oil or natural gas shall be erected, maintained or permitted on any Lot. No tank for the storage of oil or other flamable fluids may be maintained on any of the Lots.

Section 3.9: Livestock and Poultry: No animals, livestock, or poultry of any kind (except chickens, which shall be kept penned) shall be raised, bred, or kept on any Lot, except that horses (not to exceed two (2) per acre or fraction thereof), and cows (not to exceed one (1) per acre, dogs, cats or other household pets may be kept, provided that none of the permitted animals are kept, bred or raised for any commercial purpose.

Section 3.10: Garbage and Refuse Disposal: (a) Grass and weeds shall be kept mowed to prevent an unsightly appearance. Dead or damaged trees, which might create a hazard to property or persons on any Lot or adjacent Lot, shall be promptly removed or repaired.

(b) No Lot shall be used or maintained as a dumping ground for rubbish, debris, or waste matter. Trash, garbage, and other waste shall be kept in sanitary containers and shall be disposed of at regular intervals, consistent with good housekeeping. All incinerators or other equipment for the storage or disposal of all

such matters (to the extent such incinerators and equipment may lawfully be kept in residential subdivisions, pursuant to applicable municipal, county, state or federal laws, regulations or ordinances) shall be kept in a clean and sanitary condition and shall comply with all current laws, regulations and ordinances and those that may be promulgated in the future by any federal, state, county, municipal, or other governmental body with regard to environmental quality and waste disposal. Vacant Lots shall not be used as dumping grounds for rubbish, trash, rubble or extra soil.

(c) Each owner/occupant is hereby obligated to and responsible for the exterior maintenance of their respective dwelling unit on a regular and continuing basis. Such maintenance shall include, but not be limited to the regular mowing, edging, watering of lawns and the maintenance/replacement of shrubs and trees and the repainting of the exterior of the unit as it becomes necessary and the replacement or repair of any portion of the exterior resulting from damage from whatever cause. The purpose of this section being to provide for the attractive appearance of the subdivision at all times. Should owner/occupant fail to provide the aforesaid maintenance then Declarant shall have the right, but not the obligation to perform said maintenance at the expense of the owner/occupant.

Section 3.11: Fences, Walls, Hedges: In order to ensure general uniformity of appearance of those fence sections that can be viewed from a street, all fence plans showing location, design and materials shall be submitted for approval to the Architectural Control Committee prior to construction. No fence shall be constructed within or impede the access to or use of any easement except as provided elsewhere herein.

Section 3.12: Easements: Easements for installation and maintenance of utilities and drainage (U & D) facilities are reserved over the rear of each Lotand along the private street and safety lane. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may

change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The U & D easement area of each Lot and all improvements in it shall be maintained continuously by the Owner of the Lot, except for those improvements for which a public authority or utility company is responsible. The Owner of the Property upon which a U & D easement is located may use it for yard purposes except the easement adjacent to the private street. Fencing across the U & D easement shall be permitted except when such an easement is in combination with a safety lane or as otherwise provided for elsewhere herein, but gates along the side and rear lot lines must be provided. The gates shall be at least as wide as the easement and shall be capable of being opened and closed at all times. These gates shall be secured in the center by a drop rod or some similar device which does not obstruct free passage over the easement. The drop rod may be lowered into a drop rod keeper installed so as to be flush with the ground level. No permanent type center pole for the gates may be erected on the easement. The gates provided for herein shall remain unlocked at all times.

There is hereby created a five foot (5') wide easement for drainage purposes on, over, and across the rear lot line of each lot and a three foot (3') wide easement for drainage purposes on, over and across the side lot lines of each and every lot.

A safety lane for ingress and egress (I & E) whether created exclusively for I & E or in combination with other easements shall at all times remain open , and unobstructed so as to provide uninterrupted use, however such safety lane is created for the exclusive use by residents, guests, invitees and emergency vehicles only and are not created for use by the general public.

<u>Section 3.13</u>: <u>Private Street/Safety Lane</u>: There will be created by plat a private street to serve the majority of the lots in the development, together with a safety lane. Such facilities shall be the responsibility of all owners of property to maintain the facilities, the cost of which shall be borne equally per owner. Should an owner refuse to pay its portion of such maintenance costs

and other owner(s) fund the cost of the necessary repairs, those providing such funds shall be entitled to file a lien against the property of the non-participating owner, or seek reimbursement through a court having jurisdiction.

Section 3.14: Mobile Homes: No mobile home, motor home, motorized recreational vehicle, boat, boat trailer, trailer of any nature, truck, bus, travel trailer, inoperable or partially dismantled vehicle shall be parked, stored, or permitted to remain on the street in front of the Lot, upon a dedicated easement, or on the Lot visible from any public or private street, unless permission to do so is specifically granted in writing by the Architectural Control Committee.

Section 3.15: Rooflines: No roof-mounted or ground-mounted appurtenances, and/or structures , including, but not limited to wireless radio or television masts (except the height necessary for normal area TV reception), or satellite antenna dishes, or flagpoles shall be installed without the prior written approval of the Architectural Control Committee.

Section 3.16. Sidewalks: In the event sidewalks lying along and adjacent to public streets are required to be installed by any governmental authority, the installation of such sidewalks shall be the responsibility of and at the expense of the owner whose tract abutts such public street and shall be installed at the time permanent improvements are constructed on the building site.

ARTICLE IV.

GENERAL PROVISIONS

Section 4.1. Enforcement: Declarant, or any Owner, shall have the right to enforce, by any proceeding, at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 4.2. Severability: Invalidation of any one of these

covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

Section 4.3. Amendments: This Declaration may be amended during the first three (3) year period by an instrument signed by not less than a majority of the Lot Owners, and thereafter by an instrument signed by not less than two-thirds (2/3rds) of the Lot Owners. Any amendment must be recorded in the Real Property Records of Bexar County, Texas.

Section 4.4: Amendments by Declarant: Notwithstanding Section 4.3, Declarant shall have and hereby reserves the right at any time and from time to time, without the joinder or consent of any other party to amend this Declaration by any instrument in writing duly signed, acknowledged, and filed for record for the purpose of correcting any typographical or grammatical error, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of this Declaration and shall not impair or affect the vested property or other rights of any Owner or his mortgagee.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this ____ day of _____, 1987.

WESTGATE MANAGEMENT CORP.

Attest:

_____ _____

Secretary H. J. Buckley, President

G.B. & J. L. PROPERTIES

By:_____
Richard L. Draker

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared H. J. BUCKLEY, President of WESTGATE MANAGEMENT CORP., a Texas Corporation, and RICHARD L. DRAKER of G.B. & J.L. PROPERTIES, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and in consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____ __, 1988.

_____
Notary Public in and for Bexar County, Texas
Notary's name printed_____
My commission expires:_____

12.936 acres (563,471 sq. ft.) of land being out of a 14.953 acre tract of land described in Deed from Fred S. Kuentz and wife, Johnnie Mac Kuentz to David M. Grey, dated June 21, 1967, recorded in Volume 5781, Page 530-531 of the Deed Records of Bexar County, Texas and being out of the Elizabeth Plunkett Survey No. 72, Abstract 573, County Block 4433, Bexar County, Texas; said 12.936 acres of land being more particularly described as follows:

Beginning: At a found iron pin on the South Right of Way line of Clyde Dent Drive; said pin being the Northeast corner of said 14.953 acre tract and the Northeast corner of the herein described parcel;

Thence: S19°57'44"E, 261.18 feet with the East boundary of said 14.953 acre tract to a found iron pin being the North corner of a 2.000 acre tract;

Thence: S70°39'32"W, 316.46 feet with the North boundary of said 2.000 acre tract to a found iron pin being the Northwest corner of said 2.000 acre tract;

Thence: S19°57'44"E, 275.51 feet with the West boundary of said 2.000 acre tract to a found iron pin on the South boundary of said 14.953 acre tract and the North boundary of Misty Oaks North, Unit-1 as described by plat recorded in Volume 9505, Page 8 of the Deed and Plat Records of Bexar County, Texas; said pin being the Southwest corner of said 2.000 acre tract and the Southeast corner of the herein described parcel;

Thence: S70°34'01"W, 898.71 feet with the South boundary of said 14.953 acre tract and the North boundary of Misty Oaks North, Unit-1 to a found iron pin being the Southwest corner of said 14.953 acre tract, the Northwest corner of Misty Oaks North, Unit-1 and the Southwest corner of the herein described parcel;

Thence: N19°47'34"W, 66.51 feet with the West boundary of said 14.953 acre tract to a found iron pin for an angle;

Thence: N19°31'34"W, 469.64 feet continuing with the West boundary of said 14.953 acre tract to a found iron pin being the Northwest corner of the herein described parcel;

Thence: N70°34'01"E, 1211.39 feet with the North boundary of said 14.953 acre tract to a found iron pin on the South Right of Way line of Clyde Dent Drive being the Northeast corner of said 14.953 acre tract, the Northeast corner of the herein described parcel and the POINT OF BEGINNING, containing 12.936 acres (563,471 sq. ft.) of land.

EXHIBIT A

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS

P.O. BOX 16411
SAN ANTONIO, TEXAS 78216

5433 GRISSOM ROAD
512-681-2951

Memo

TO: Planning Dept.
Eddie Guzman

DATE: June 29, 1984

SUBJECT: Misty Oaks North Unit-2

3- P.O.A.D.P.

FOLD

FOLD

added Cul-de-sac and street to CLYDE DENT for approval

RECEIVED
JUN 29 1984
DEPARTMENT OF PLANNING
Subdivision Section

SIGNED

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS

MAILING ADDRESS:
P.O. BOX 700605
SAN ANTONIO, TEXAS 78270

LOCATION:
10325 BANDERA RD.
SAN ANTONIO, TEXAS 78250

Memo

RECEIVED
1988 NOV -8 PM 4:02
DEPT. OF PLANNING
CURRENT PLANNING
DIVISION

TO: Planning Dept.
Roy Ramos

DATE: Nov. 8, 1988

SUBJECT: Misty Oaks North U-2

FOLD

FOLD

6- POADP - Revised Proposed Unit-2 for approval

11/8/88

SIGNED

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. BOX 16411
SAN ANTONIO, TEXAS 78216
5433 GRISSOM ROAD
512-681-2951

Memo

TO: Planning Dept.
Eddie Guzman

DATE: Dec. 12, 1983

SUBJECT: Misty Oaks North, U-1
Camino Bandera, U-1

FOLD

P.O.A.D.P. on Misty Oaks North U-1
" " " " Camino Bandera, Unit-1
Overall Location of Misty Oaks North U-1
Revised as requested

12-13-83

SIGNED

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. BOX 16411
SAN ANTONIO, TEXAS 78216
5433 GRISSOM ROAD
512-681-2951

Memo

TO: Planning Dept.
Roy Ramos

DATE: Nov. 15, 1985

SUBJECT: Misty Oaks
North U-2

FOLD

P.C.S.A.P.P.
Revised as requested

RECEIVED
1985 NOV 15 PM 3:39
DEPT. OF PLANNING
CURRENT PLANNING
SECTION

SIGNED

M.W. CUDE & ASSOCIATES, INC.
CONSULTING ENGINEERS

P.O. BOX 16411
SAN ANTONIO, TEXAS 78216

5433 GRISSOM ROAD
512-681-2951

Memo

TO: Planning Dept.
Eddie Guzman

DATE: Nov. 13, 1985

SUBJECT: Misty Oaks
North U-8

P.O.A.D.P.

FOLD

FOLD

for Approval

Betty Contreras

SIGNED