



OFFICE USE ONLY:

Intake Date: _____ Intake By: _____ File # _____

Instructions:

1. This application form is only applicable to requests for the recognition of statutory rights in accordance with Chapter 245 of the Local Government Code, and Article VII of the Unified Development Code ("UDC")
2. All applicable information must be legibly printed or typed for processing.
3. Please complete and attach 2 sets of all applicable documents (i.e. this form, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.
4. Application must contain all applicable information to establish rights under Chapter 245 of the Local Government Code and Article VII of the UDC.

Note: Must comply with the UDC, §35-B128 Rights Determination for the City of San Antonio.

APPLICANT/REPRESENTATIVE INFORMATION:

Business/Company Name: _____
Point of Contact: _____
Mailing address: _____
Contact Information: Primary Phone: _____ Secondary Phone: _____
E-mail: _____

PROPERTY OWNER INFORMATION:

Business/Company Name: _____
Point of Contact: _____
Mailing address: _____
Contact Information: Primary Phone: _____ Secondary Phone: _____
E-mail: _____

REQUEST INFORMATION:

Type of Request: ☐ Rights Determination ☐ Consent Agreement
Address/Location: _____
Legal Description: _____
City Parcel Key No.: _____ BCAD Property ID No.: _____
City Council District(s): _____ Edward's Aquifer Recharge Zone ☐ Yes ☐ No
Name of Project: _____



DEVELOPMENT SERVICES

RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

PROJECT INFORMATION:

1. Describe current use(s) of the property:

2. Describe the specific Project and the expected use(s) to be created by this Project including the nature, extent, and density or intensity of each use for which rights are being claimed (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Fair Notice of the Project is required with requests based on MDPs, POADPs or plat applications.*

(a) Nature of the project:

(b) Total land area (in square feet):

(c) Total area of impervious surface (in square feet):

(d) Acreage and number of residential dwellings units by type (single-family, two-four dwelling units, multi-family, etc.):

(e) Acreage and amount of non-residential square footage (ground floor building footprint only) by type (office, retail, commercial, industrial, warehouse, etc.). If project is mixed-use (mix of uses on same lot, please specify):

(f) Number of buildings:

(g) Phases of the development (if applicable):

3. List ordinances to which the Project described in item #2 above will seek exception to; based on the date requested for recognition of rights. *State specific sections of the San Antonio Municipal Code and their effective dates:*



- 4. Please indicate permits or development approvals received that are the basis to establish rights to complete the Project. Please specify all that may be applicable and include copies of the permit.**

UTILITY SERVICE AGREEMENT (USA)

USA Name: _____ USA No.: _____
Effective Date: _____ No. of EDUs: _____ Acreage: _____

MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)

MDPs accepted prior to September 1, 1997, are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97), and MDPs submitted after September 1, 1997, are subject to 24 months for the MDP acceptance date.

MDP Name: _____ MDP No.: _____
Acceptance Date: _____ Expiration Date: _____ MDP Size (acres): _____

PLANNED UNIT DEVELOPMENT (PUD) PLAN

PUD Plan Name: _____ PUD Plan No.: _____
Approval Date: _____ PUD Size (acres): _____

PLAT APPLICATION

Note: Plat must be approved within 24 months of application submittal date

Plat Name: _____ Plat No.: _____
Submittal Date: _____ Expiration Date: _____ Acreage: _____

APPROVED/RECORDED PLAT

Note: If plat is not recorded within 3 years of plat approval permit rights will expire

Plat Name: _____ Plat No.: _____
Approval Date: _____ Expiration Date: _____ Acreage: _____
Recording Date: _____ Volume No.: _____ Page No.: _____

OTHER PERMIT

Please specify

Type of Permit: _____ Date of Application: _____
Permit Number: _____ Date issued: _____
Expiration Date: _____ Acreage: _____



RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

5. Requested date for claim of rights for this Project: _____

6. Specify the amount; date and purpose of each expenditure or obligation incurred in reliance on the permits identified above (include copies of contracts): *Please include verified or certified copies of all contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for rights or equitable estoppel is based. Do not include land purchase costs or payment of taxes.*

7. Describe any construction or related actions that have taken place on the property since that date: *Include the date, cost, nature and extent of each physical improvement to the property including structures, utilities, roads, driveways, etc*

CONSENT AGREEMENTS ONLY:

In addition to the required processing as set forth above, a request for Consent Agreement Approval shall include, but shall not be limited to, the following:

- ☐ A timing and phasing plan for the proposed development;
- ☐ A plan for the provision of public facilities and services to the proposed development, by phase;
- ☐ The conditions under which the proposed development will be authorized to proceed; and
- ☐ The conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application.



City of San Antonio
Development Services Department
Land Entitlements Section

RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

8. Authorization from Property Owner

I, H Kyle Seale Family Properties, LTD. (through its GP, Encino Grande, LLC - Daniel Seale, Director) HKS QTIP TRUST swear and affirm that I am the owner of property at 13985 N FM, as shown in the records of Bexar County, Texas, which is the subject of this application.

I, H Kyle Seale Family Properties, LTD. (through its GP, Encino Grande, LLC - Daniel Seale, Director) HKS QTIP TRUST the owner of the property subject to this Rights Determination/Consent Agreement application, authorize Brown & McDonald PLLC (c/o Caroline McDonald) to submit the application and serve as my representative for this request.

[Signature] 8.9.2024
Property owner's signature H. Kyle Seale Family Properties, LTD. Date

9. Sworn statement:

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I, the undersigned, hereby certify that all information contained herein and the attached documents are true and correct and that it is my belief that the property owner is entitled to the requested rights for this Project and, during the pending time of this determination, I understand my continuing obligation to notify the Development Services Director in writing of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances.

Brown & McDonald PLLC (Caroline McDonald)
Applicant's Name

[Signature] 8.12.2024
Applicant's signature Date

Sworn to and subscribed before me by Caroline McDonald on this 12th day of AUGUST in the year 2024, to certify which witness my hand and seal of office.



Wayne Gonzales
Notary Public, State of Texas