



## RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

### 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: Killen, Griffin & Farrimond, PLLC  
Point of Contact: James B. Griffin  
Mailing address: 10101 Reunion Place, Suite 250, San Antonio, TX 78216  
Contact Information: Primary Phone: 210-641-5736 Secondary Phone: \_\_\_\_\_  
E-mail: james@kgftx.com

### PROPERTY OWNER INFORMATION:

Business/Company Name: Sunbelt Investment Partners I LP  
Point of Contact: \_\_\_\_\_  
Mailing address: 16515 Blanco Rd, San Antonio, TX 78232  
Contact Information: Primary Phone: \_\_\_\_\_ Secondary Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

### REQUEST INFORMATION:

Type of Request: ☒ Rights Determination ☐ Consent Agreement  
Address/Location: Northeast Corner of Canyon Golf Road and Stone Oak Parkway  
Legal Description: See Attached  
City Parcel Key No.: 610218, 610219, 650677, 482242 BCAD Property ID No.: 1084307, 738423, 738424, 11298  
City Council District(s): CD 9 Edward's Aquifer Recharge Zone ☒ Yes ☐ No  
Name of Project: 11.089-Acre Commercial/Office - NEC of Canyon Golf and Stone Oak Parkway



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### PROJECT INFORMATION:

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

Undeveloped

**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:**

commercial & office

**(b) Total land area (in square feet):** 483,036.84 sq.ft. (11.089ac)

**(c) Total area of impervious surface (in square feet):** Up to 483,036.84 sq.ft. (100%)

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

N/A

**(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):**

Up to 483,036.84 sq.ft. of commercial and office

**(f) Number of buildings:** +/- 50

**(g) Phases of the development (if applicable):** 1 of several

**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:***

All City of San Antonio ordinances, rules, regulations, and other properly adopted codes made effective after June 5, 1985, the approval date of Stone Oak POADP No. 48.



## RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

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: Stone Oak MDP No.: 48  
Acceptance Date: 6-5-1985 Expiration Date: N/A MDP Size (acres): +/- 4,300ac

### 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: June 5, 1985
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.*

See attached

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*

See attached

### **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.*



# RIGHTS DETERMINATION/ CONSENT AGREEMENT APPLICATION

## 8. Authorization from Property Owner

I, Sunbelt Investment Partners I, LP, swear and affirm that I am the owner of property at NEC of Canyon Golf and Stone Oak Parkway, as shown in the records of Bexar County, Texas, which is the subject of this application.

I, Sunbelt Investment Partners I, LP, the owner of the property subject to this Rights Determination/Consent Agreement application, authorize Killen, Griffin & Farrimond, PLLC to submit the application and serve as my representative for this request.

See attached letter of agent

Property owner's signature

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.

James Griffin

Applicant's Name

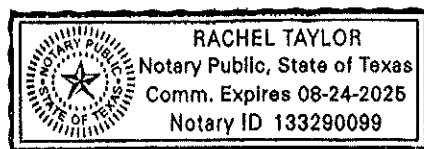


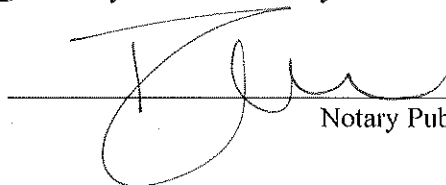
Applicant's signature

11-1-2022

Date

Sworn to and subscribed before me by James Griffin on this 1<sup>st</sup> day of November in the year 2022, to certify which witness my hand and seal of office.



  
Notary Public, State of Texas

September 12, 2022

City of San Antonio  
Development Services  
1901 South Alamo  
San Antonio, Texas 78204

San Antonio Water System  
2800 U.S. Hwy. 281 North  
San Antonio, TX 78212

Attn: Land Entitlements / SAWS Aquifer Protection & Evaluation

This letter hereby authorizes Killen, Griffin & Farrimond, PLLC to act as agent for application execution, processing and related items in connection with Rights Determinations and/or Category Confirmations on behalf of Sun Belt Investment Partners I, LP, the record owner of the approximately 11.5-acre tract of land located northeast of the intersection of Stone Oak Parkway and Canyon Golf Road, in San Antonio, Texas.

**Sun Belt Investment Partners I, LP**

By: \_\_\_\_\_

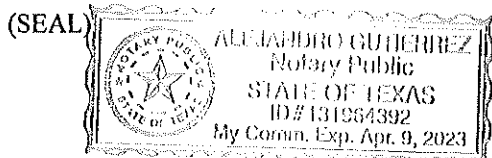
Name: Carlos F. M.

Title: Ugr

State of Texas §  
§  
County of Bexar §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Carlos F. M., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 12<sup>th</sup> day of September, 2022.



[Signature]