



CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT

CITY OF SAN ANTONIO
STATE OF TEXAS

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§

COUNTY OF BEXAR

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property description where Certificate Appropriateness was requested:

Lot no. 11

Block No. 27

NCB 399 Property Address: 615 E. EVERGREEN ST.

Per Section 35-451 of the Unified Development Code (UDC), the Zoning Board of Adjustment is empowered to consider an appeal from an applicant for a Certificate of Appropriateness.

The Applicant, TX3 PROPERTIES LLC of BEXAR County, alleges that the City Manager or designee erred in the decision regarding Case No. 2021-360, rendered on 9/15/2021 (add date).

The correct decision or interpretation should be as follows: ITEM 4 IS APPROVED.

PART (i) - THIS CANNOT BE ACCOMPLISHED BECAUSE WINDOW SIZES ON ADDITION DO NOT MATCH EXISTING WINDOWS TO BE RE-USED. THESE ARE THE (2) 2'X4' WINDOWS IN THE REAR BATHROOM WHICH MATCH THE SIZE OF THE EXISTING WINDOW AT FRONT BATH. PART (ii) SEE ATTACHED GUIDELINES. ITEM 7 IS APPROVED - THE HISTORIC DESIGN GUIDELINES AS WELL AS THE WINDOW GUIDELINES CLEARLY STATE THAT REPLACEMENT IS WARRANTED IN THIS CASE. THE UDC ALSO APPLIES IN THIS MATTER. COMMISSION MEMBER STATED WINDOWS WERE IN NEED OF REPLACEMENT. THIS WAS IGNORED.

Respectfully submitted:

Applicant's name: JOSEPH M. CALDERONI

Status: Owner (X) Agent ()

Mailing address: P.O. Box 15824, SAN ANTONIO, TX 78212

Telephone: 512-423-6144 Alternate: _____

Email: MONTYCALDERONI@GMAIL.COM

Joseph M. Calderoni 10-1-2021
Applicant's Signature Date

Property Owner: _____

Mailing address: _____

Telephone: _____ Alternate: _____

Email: _____

I, _____ the owner of the subject property, authorize
_____ to submit this application and represent me in this
appeal before the Board of Adjustment.

Please include the following items with this appeal

- Documentation from City of San Antonio Office of Historic Preservation representing the decision you are appealing and proof that you are within the mandatory 20 day time limit to file the appeal.
- Sections of the UDC, or the Historic Design Guidelines from which the decision was based, including all support sections which potentially reinforce your assertion that an error was made.
- Property Ownership documentation, including a copy of the warranty deed and Bexar County Appraisal District and applicable documentation as required by IB 554
- Filing Fee of \$600 (plus applicable administrative fees)



CITY OF SAN ANTONIO OFFICE OF HISTORIC PRESERVATION

HISTORIC AND DESIGN REVIEW COMMISSION
COMMISSION ACTION

This is not a Certificate of Appropriateness and cannot be used to acquire permits

September 15, 2021

HDRC CASE NO: 2021-360
ADDRESS: 615 E EVERGREEN
LEGAL DESCRIPTION: NCB 399 BLK 27 LOT 11
HISTORIC DISTRICT: Tobin Hill
APPLICANT: TX3 PROPERTIES LLC - PO BOX 15824
OWNER: TX3 PROPERTIES LLC - PO BOX 15824
TYPE OF WORK: Garage/carport, New construction, Demolition of Historic Landmark

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to: (1)demolish the existing rear accessory structure, (2)construct a new 1-story, 308-square-foot rear accessory structure with an attached carport, (3)reduce the length of the front porch, (4)construct a 1-story, 323-square-foot rear addition, (5)install a rear covered patio, (6) remove and enclose 4 existing windows, (7)replace 22 existing wood windows with new aluminum-clad wood windows, (8)replace the existing metal roof with a composition shingle roof, (9)modify the existing footprint of the driveway and retaining wall.

FINDINGS:

- a. The primary structure located at 615 E Evergreen is a 1-story, single-family residence constructed circa 1920 in the Craftsman style. The structure features a standing seam metal hip roof with front gables and widely overhanging eaves, a deep-set front and side porch on square wood columns, one-over-one wood windows, and wood cladding. The property first appears on the Sanborn Map in 1951. The property is contributing to the Tobin Hill Historic District.
- b. DRC SITE VISIT – The request was referred to a Design Review Committee (DRC) site visit at the HDRC hearing on August 18, 2021, to review the requests for front porch modification, driveway modifications, and window replacement. A DRC site visit was conducted on September 7, 2021. The property lines and existing driveway conditions were discussed and staff and the Commissioners examined the window conditions of the existing windows from the interior of the primary structure.
- c. DEMOLITION OF REAR ACCESSORY STRUCTURE – The applicant is requesting approval for the demolition of the rear accessory structure only. In general, accessory structures contribute to the character of historic properties and the historical development pattern within a historic district.
- d. CONTRIBUTING STATUS – The structure is a 1-story structure likely constructed after 1951. A rear accessory structure appears on the 1951 Sanborn Map in a similar location with a smaller footprint. On August 11, 2021, staff conducted a site visit to evaluate the condition of the rear accessory structure. While most of the original materials exist and the original footprint is intact, the structure shows signs of severe deterioration. The vertical elements have experienced significant deterioration and the support elements are water damaged and show evidence of rot. The structure is sinking into the surrounding earth and the interior shows evidence of significant structural damage. While staff finds that the structure has significantly deteriorated, the structure is contributing to the district.
- e. UNREASONABLE ECONOMIC HARDSHIP – In accordance with UDC Section 35-616, no certificate shall be

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ADDRESS: 615 E EVERGREEN
HDRC: 2021-360

issued for demolition of a historic landmark unless the applicant provides sufficient evidence to support a finding by the commission of unreasonable economic hardship on the applicant. In the case of a historic landmark, if an applicant fails to prove unreasonable economic hardship, the applicant may provide to the Historic and Design Review Commission additional information regarding loss of significance. In order to unreasonable economic hardship to be met, the owner must provide sufficient evidence for the HDRC to support a finding in favor of demolition. In the submitted application, the applicant has provided a cost estimate of \$36,250 for the rehabilitation of the structure from a contractor. The applicant has additionally provided a cost estimate of \$21,900 for the construction of a new rear accessory structure. The estimate does not include an estimate for the demolition cost. The applicant has indicated that in its current condition, the existing rear accessory structure is not structurally sound and cannot be reasonably adapted for use. Staff finds that evidence for UDC Section 35-614(b) has been met based on the documentation provided.

f. **LOSS OF SIGNIFICANCE** – In accordance with UDC Section 35-614(c), demolition may be recommended if the owner has provided sufficient evidence to support a finding that the structure has undergone significant and irreversible changes which have caused it to lose historic, cultural, architectural or archaeological significance, qualities or features which qualified the structure or property for such designation. The 1-story rear accessory structure features wood construction with a front gable corrugated metal roof and a front opening with a sliding barn door. The structure does not currently feature additional openings. Staff finds that a loss of significance may have occurred due to the modifications and substantial deterioration of original materials.

g. **REPLACEMENT PLANS** – The applicant is requesting to replace the existing rear accessory structure with a 1-story 308-square-foot rear accessory structure with an attached carport. While the existing rear accessory structure is contributing to the district and is representative of historical development patterns within the historic district, due to the condition of the existing structure, staff finds the proposal appropriate.

h. **NEW REAR ACCESSORY STRUCTURE: SETBACKS & ORIENTATION** – The applicant has proposed to construct a new 1-story, 308-square-foot rear accessory structure with an attached carport. According to the Guidelines for New Construction, the orientation of new construction should be consistent with the historic example found on the block. The applicant has proposed to orient the structure on the lot to generally reflect that of the historic structure currently on the site. The applicant has proposed a 5-foot side setback and a 20-foot rear setback. The applicant is required to comply with the Unified Development Code.

i. **NEW REAR ACCESSORY STRUCTURE: SCALE & MASS** – Per the Guidelines for New Construction 2.A.i., a height and massing similar to historic structures in the vicinity of the proposed new construction should be used. The existing rear accessory structure is 1-story in height. The applicant has proposed a 1-story structure at 12'-8" in height with an attached 280-square-foot carport. The overall configuration of the building in terms of its footprint, roof form, and architectural details is consistent with the development pattern of the district.

j. **NEW REAR ACCESSORY STRUCTURE: FOOTPRINT** – The applicant has proposed a footprint of approximately 308 square feet with an attached 280-square-foot carport. According to the Historic Design Guidelines, new construction should be consistent with adjacent historic buildings in terms of the building to lot ratio. At this time, the applicant has not provided total lot coverage for the property with the proposed modifications. Staff finds that the applicant should submit total lot coverage to staff. The total building footprint should not exceed 50 percent of the total lot area.

k. **NEW REAR ACCESSORY STRUCTURE: ROOF FORM** – The applicant has proposed a front gable roof form. The roof form on the existing rear accessory structure is front gable, staff finds the form consistent with the Guidelines.

l. **NEW REAR ACCESSORY STRUCTURE: WINDOW & DOOR OPENINGS** – Per the Guidelines for New Construction 2.C.i., window and door openings with similar proportions of wall to window space as typical with nearby historic facades should be incorporated into new construction. The applicant has proposed to install a single-car garage door on the front façade of the proposed rear accessory structure. The applicant has not proposed to install any windows on the structure. The applicant has not submitted material specifications for the proposed garage door. Staff finds that the applicant should submit material specifications to staff for review and approval. A wood garage door would be most appropriate.

m. **NEW REAR ACCESSORY STRUCTURE: MATERIALS** – The applicant has proposed to install composition shingle roofing, wood siding, and wood carport columns to match the primary structure. Staff finds that the material proposal is consistent with the Guidelines.

n. **NEW REAR ACCESSORY STRUCTURE: ARCHITECTURAL DETAILS** – New buildings should be designed to reflect their time while representing the historic context of the district. Additionally, architectural details should be complementary in nature and should not detract from nearby historic structures. The proposed architectural details are appropriate for the Tobin Hill Historic District.

o. **FRONT PORCH MODIFICATIONS** – The applicant has proposed to modify the existing front porch by reducing the width to the east by 2'-6". The reduction of the front porch width will accommodate the width of the

driveway. Guideline 7.A.i for Exterior Maintenance and Alterations states that porches should be preserved. Staff finds the proposal inconsistent with the Guidelines.

p. ADDITION: MASSING AND FOOTPRINT – The applicant has proposed to construct a 1-story, 323-square foot rear addition. The proposed addition will remain within the footprint of the existing structure and will not be visible from the public right-of-way. Guideline 1.A.i for Additions states that residential additions should be sited at the rear of the building whenever possible to minimize views of the addition from the public right-of-way, an addition to the front of a building would be inappropriate. Guidelines 1.A.ii. for Additions states that new residential additions should be designed to be in keeping with the existing, historic context of the block. For example, a large, two-story addition on a block comprised of single-story homes would not be appropriate. According to Guideline 1. B.v, the height of new additions should be determined by examining the line-of-sight or visibility from the street. Addition height should never be so contrasting as to overwhelm or distract from the existing structure. The Guidelines stipulate that residential additions should not be so large as to double the existing building footprint, regardless of lot size. Staff finds the proposal consistent with the Guidelines.

q. ADDITION: ROOF – The applicant has proposed to install a front gable composition shingle roof to match the proposed material change on the primary structure. Guideline 3.A.i for Additions states that materials should match in type, color, and texture. Any new materials introduced to the site as a result of an addition must be compatible with the architectural style and materials of the original structure. Staff finds that the roof material on the addition should match the HDRC-approved roof material on the existing primary structure.

r. ADDITION: WINDOW AND DOOR REMOVAL – The proposed addition will require the removal of three one-over-one wood windows and one door on the north (rear) elevation. The wood windows on the rear elevation should be salvaged and stored on the property for future use or incorporated into the design for the new addition. The proposed addition will also require the removal of one wood door from the north (rear) elevation. The door may be original to the structure but is deteriorated. Staff finds the removal of the window and door to accommodate the rear addition appropriate.

s. ADDITION: NEW WINDOWS: SIZE AND PROPORTION – The applicant has proposed to install a small one-over-one window, a large, fixed window, and a full-lite door on the rear elevation of the addition, a large one-over-one window on the east elevation of the addition, and a traditional-sized one-over-one window on the west elevation. Staff's standard window specifications state that new windows should feature traditional dimensions and proportions as found within the district. Staff finds that the applicant should incorporate a more traditional fenestration pattern on the proposed rear addition.

t. ADDITION: NEW WINDOWS AND DOORS: MATERIALS – The applicant has proposed to install a small one-over-one window, a large, fixed window, and a full-lite door on the rear elevation of the addition, a large one-over-one window on the east elevation of the addition, and a traditional-sized one-over-one window on the west elevation. The Standard Specifications for Windows in Additions and New Construction states that new windows on additions should relate to the windows of the primary historic structure in terms of materiality and overall appearance. Windows used in new construction should be similar in appearance to those commonly found within the district?in terms of size, profile, and configuration. While no material is expressly prohibited by the Historic Design Guidelines, a high-quality wood or aluminum-clad wood window product often meets the?Guidelines with staff's standard window stipulations. Whole window systems should match the size of historic windows on property unless otherwise approved. Staff finds that the applicant should install fully wood or aluminum-clad wood windows in the rear addition. A fully wood door is most appropriate.

u. ADDITION: MATERIALS: FAÇADE – The applicant has proposed to clad the rear addition in wood siding to match existing. Guideline 3.A.i for Additions stipulates that additions should use materials that match in type, color, and texture and include an offset or reveal to distinguish the addition from the historic structure whenever possible. Any new materials introduced to the site as a result of an addition must be compatible with the architectural style and materials of the original. Staff finds the proposal appropriate.

v. REAR PATIO INSTALLATION – The applicant has proposed to install a covered rear patio off of the proposed rear addition. The rear patio will feature a concrete slab, wood columns, and roofing to match existing. The applicant has not provided total square footage for the proposed rear patio. Staff finds that the applicant should submit the square footage of the patio for review.

w. FENESTRATION MODIFICATION: WINDOW REMOVAL – The applicant has proposed to remove 3 windows from the east elevation and 1 window from the west elevation. The existing windows feature broken or missing cords but are in repairable condition. The window removal is requested to accommodate changes to the interior floor plan. The applicant has proposed to enclose the window openings with siding to match existing. Guideline 6. A.i for Exterior Maintenance and Alterations states that existing window openings should be preserved. Avoid filling in historic door or window openings. Staff finds the proposal inconsistent with the Guidelines.

x. WINDOW REPLACEMENT: EXISTING CONDITION – The applicant has requested to replace 22 existing wood

windows with aluminum-clad wood windows. Staff conducted a site visit to assess the condition of the existing windows on August 11, 2021. Staff observed the following conditions from the exterior: broken or missing sash cords, peeling or chipping paint, and missing glass. The applicant has provided documentation that includes interior photos which show signs of wood rot, water damage, missing sash elements, and uneven sashes. Staff and DRC Commissioners completed an additional site visit on September 7, 2021, and assessed the condition of the windows from the interior. Staff finds that the windows are in repairable condition based on the documentation provided and the site visits, with most windows requiring intervention such as the reworking of the sashes, the replacement of sash elements, and reglazing, along with refitting into the trim and frames. Staff and the Commissioners observed that one (1) window on the rear west elevation (window #14) features missing sash elements due to animal bites. The removal of window #14 and the replacement of the damaged window with one of the existing windows relocated to accommodate the proposed rear addition is appropriate.

y. WINDOW REPLACEMENT: ENERGY EFFICIENCY AND MAINTENANCE – In terms of efficiency, in most cases, windows only account for a fraction of heat gain/loss in a building. Improving the energy efficiency of historic windows should be considered only after other options have been explored such as improving attic and wall insulation. The original windows feature single-pane glass which is subject to radiant heat transfer. Products are available to reduce heat transfer such as window films, interior storm windows, and thermal shades. Additionally, air infiltration can be mitigated through weatherstripping or readjusting the window assembly within the frame, as assemblies can settle or shift over time. The wood windows were designed specifically for this structure and can accommodate the natural settling and movement of the structure as a whole throughout seasons. Modern replacement products are extremely rigid, often resulting in the creation of gaps, cracks, and major points of air infiltration at the window frames and other areas of the exterior wall plane over time due to material incompatibility when considering the structure as whole integrated system.

z. WINDOW REPLACEMENT: WASTE AND LIFESPAN – Over 112 million windows end up in landfills each year, and about half are under 20 years old. Historic wood windows were constructed to last 100+ years with old growth wood, which is substantially more durable than modern wood and clad products, and original windows that are restored and maintained over time can last for decades. Replacement window products have a much shorter lifespan, around 10-20 years, and cannot be repaired once they fail. On average, over the lifetime of an original wood window, replacement windows will need to be again replaced at least 4 times. The total lifecycle cost of replacement windows is also much more energy intensive than the restoration of existing windows, including material sourcing and the depletion of natural resources and forests, petroleum-heavy manufacturing methods, transportation, and installation. Finally, window repair and restoration utilizes the local labor and expertise of craftspeople versus off-the-shelf, non-custom composite products. Staff generally encourages the repair and restoration of original windows whenever possible.

aa. WINDOW REPLACEMENT – The applicant has proposed to replace 22 existing wood windows with replacement aluminum-clad wood windows. According to the Historic Design Guidelines, wood windows should be repaired in place and restored whenever possible, unless there is substantial evidence that the windows are deteriorated beyond repair. Guideline 6.B.iv for Exterior Maintenance and Alterations states that new windows should be installed to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail when original windows are deteriorated beyond repair. As noted in finding w, staff finds that the windows are in repairable condition.

bb. ROOF REPLACEMENT – The applicant has proposed to replace the existing standing seam metal roof with a composition shingle roof. According to the Historic Design Guidelines, when roof replacement is required, the roof should be repaired in-kind. According to the Sanborn Map, the property historically featured a metal roof. Additionally, the existing roof appears to be original or has been in place for several decades. Metal roofs in the existing configuration are typical of the style of the home. Staff finds the proposal inconsistent with the Guidelines.

cc. DRIVEWAY AND RETAINING WALL MODIFICATION – The applicant has proposed to modify the existing footprint of the driveway apron, retaining wall, and ribbon driveway so that they are located within the property line. Guideline 5.B.i for Site Elements states that historic driveway configurations, such as ribbon drives, should be retained and repaired in place. Incorporate a similar driveway configuration—materials, width, and design—to that historically found on the site. Historic driveways are typically no wider than 10 feet. Previous paving surfaces may be considered where replacement is necessary to increase stormwater infiltration. The applicant has proposed to install a 10-foot-wide fully concrete driveway apron and a 9-foot-wide ribbon driveway extending to the rear of the property. As the driveway apron, driveway, and retaining wall modifications require the removal of a portion of the front porch, staff finds the request inappropriate.

RECOMMENDATION:

Item 1, staff recommends approval of the demolition of the existing rear accessory structure based on findings a through f with the following stipulation:

- i. That materials from the historic accessory structure including salvageable wood siding and wood doors be salvaged and stored on site for use in future construction.

Item 2, staff recommends approval of the construction of a new rear accessory structure based on findings g through m with the following stipulations:

- i. That the applicant submits final material specifications for a fully wood garage door to staff for review and approval prior to the issuance of a Certificate of Appropriateness.
- ii. That the applicant submits the percentage of total lot coverage to staff for review and approval prior to the issuance of a Certificate of Appropriateness. The total building footprint should not exceed 50 percent of the total lot area.

Item 3, staff does not recommend approval of the front porch modification based on finding n.

Item 4, staff recommends approval of the construction of a rear addition based on findings o through t with the following stipulations:

- i. That the existing wood windows are salvaged and stored on site for future use or installed on the rear addition. An existing wood window may be re-used in place of the damaged window (#14) on the west elevation.
- ii. That the applicant proposes a fenestration pattern, window opening proportions, and materials that are more consistent with the Guidelines and the Standard Specifications for Windows in Additions as noted in findings r and s. The applicant is required to submit updated elevation drawings showing windows on the rear addition that match the existing window proportions on the primary structure to staff for review and approval prior to the issuance of a Certificate of Appropriateness.
- iii. That the applicant installs wood or aluminum-clad wood windows on the rear addition as noted in finding s. Windows should feature an inset of two (2) inches within facades and should feature profiles that are found historically within the immediate vicinity. An alternative window material may be proposed, provided that the window features meeting rails that are no taller than 1.25" and stiles no wider than 2.25". White manufacturer's color is not allowed, and color selection must be presented to staff. There should be a minimum of two inches in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. Window trim must feature traditional dimensions and an architecturally appropriate sill detail. Window track components must be painted to match the window trim or be concealed by a wood window screen set within the opening. The applicant is required to submit final material specifications to staff for review and approval prior to the issuance of a Certificate of Appropriateness.
- iv. That the roofing material on the addition matches the HDRC-approved roof material on the existing primary structure.

Item 5, staff recommends approval of the installation of a covered rear patio based on finding u with the following stipulation:

- i. That the applicant submits the total square footage for the rear patio to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

Item 6, staff does not recommend approval of the window removal and enclosure based on finding v. Staff recommends that the existing windows are retained and repaired in place.

Item 7, staff does not recommend approval of window replacement based on findings w through z. The Historic Design Guidelines always recommend that the repair of historic-age windows be prioritized over replacement. If the HDRC is compelled to approve window replacement, staff recommends the following stipulations:

- i. That the applicant installs fully wood windows that meet staff's standard window stipulations and submits updated specifications to staff for review and approval. The windows should feature an inset of two (2) inches within facades and should feature profiles that are found historically within the immediate vicinity. Meeting rails must be no taller than 1.25" and stiles no wider than 2.25". White manufacturer's color is not allowed, and color selection must be presented to staff. There should be a minimum of two inches in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. Window trim must feature traditional dimensions and architecturally appropriate sill detail. Window track components must be painted to match the window trim or concealed by a wood window screen set within the opening.
- ii. That the existing wood windows are salvaged and stored on site for future use or donated to a local architectural salvage store.

Item 8, staff does not recommend approval of the replacement of the existing standing seam metal roof with a composition shingle roof based on finding aa.

Item 9, staff does not recommend approval of the driveway and retaining wall modifications based on finding bb. In-kind repairs are eligible for administrative approval.

COMMISSION ACTION:

Approved with stipulations:

Item 1, the demolition of the existing rear accessory structure is approved with the following stipulation:

i. That materials from the historic accessory structure including salvageable wood siding and wood doors be salvaged and stored on site for use in future construction.

Item 2, the construction of a new rear accessory structure is approved with the following stipulations:

i. That the applicant submits final material specifications for a fully wood garage door to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

ii. That the applicant submits the percentage of total lot coverage to staff for review and approval prior to the issuance of a Certificate of Appropriateness. The total building footprint should not exceed 50 percent of the total lot area.

Item 3, the front porch modification is approved as submitted.

Item 4, the construction of a rear addition is approved with the following stipulations:

i. That the existing wood windows are salvaged and stored on site for future use or installed on the rear addition. An existing wood window may be re-used in place of the damaged window (#14) on the west elevation.

ii. That the applicant proposes a fenestration pattern, window opening proportions, and materials that are more consistent with the Guidelines and the Standard Specifications for Windows in Additions as noted in findings r and s. The applicant is required to submit updated elevation drawings showing windows on the rear addition that match the existing window proportions on the primary structure to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

iii. That the applicant installs wood or aluminum-clad wood windows on the rear addition as noted in finding s. Windows should feature an inset of two (2) inches within facades and should feature profiles that are found historically within the immediate vicinity. An alternative window material may be proposed, provided that the window features meeting rails that are no taller than 1.25" and stiles no wider than 2.25". White manufacturer's color is not allowed, and color selection must be presented to staff. There should be a minimum of two inches in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. Window trim must feature traditional dimensions and an architecturally appropriate sill detail. Window track components must be painted to match the window trim or be concealed by a wood window screen set within the opening. The applicant is required to submit final material specifications to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

iv. That the roofing material on the addition matches the HDRC-approved roof material on the existing primary structure.

Item 5, the installation of a covered rear patio is approved with the following stipulation:

i. That the applicant submits the total square footage for the rear patio to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

Item 6, denied.

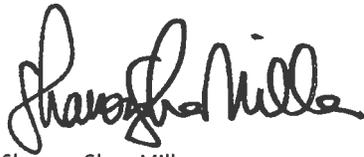
Item 7, denied.

Window repair is eligible for administrative approval.

Item 8, denied.

Replacement with in-kind metal roofing material is eligible for administrative approval.

Item 9, the driveway and retaining wall modifications are approved as submitted.

A handwritten signature in black ink, appearing to read "Shanon Shea Miller". The signature is fluid and cursive, with the first name "Shanon" being more prominent than the last name "Miller".

Shanon Shea Miller
Historic Preservation Officer

6. Architectural Features: Doors, Windows, and Screens

Why is this Important?

The proportion, shape, pattern, and size of historic doors, windows, and screens help convey the style and period of a building and contribute to its overall architectural character. In addition, the quality of construction of historic windows is generally much better than that of replacement windows and can be preserved through regular maintenance. Properly maintained and sealed historic windows are efficient and sustainable. Please see (12) *Increasing Energy Efficiency* on page 30 for more information.



These historic window screens are unique in design and contribute significantly to the character of the building.



The fanlight, detailing, and glazed area of this entrance help define the character of this public building.

Guidelines

A. MAINTENANCE (PRESERVATION)

- i. **Openings**—Preserve existing window and door openings. Avoid enlarging or diminishing to fit stock sizes or air conditioning units. Avoid filling in historic door or window openings. Avoid creating new primary entrances or window openings on the primary façade or where visible from the public right-of-way.
- ii. **Doors**—Preserve historic doors including hardware, fanlights, sidelights, pilasters, and entablatures.
- iii. **Windows**—Preserve historic windows. When glass is broken, the color and clarity of replacement glass should match the original historic glass.
- iv. **Screens and shutters**—Preserve historic window screens and shutters.
- v. **Storm windows**—Install full-view storm windows on the interior of windows for improved energy efficiency. Storm window may be installed on the exterior so long as the visual impact is minimal and original architectural details are not obscured.

B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

- i. **Doors**—Replace doors, hardware, fanlight, sidelights, pilasters, and entablatures in-kind when possible and when deteriorated beyond repair. When in-kind replacement is not feasible, ensure features match the size, material, and profile of the historic element.
- ii. **New entrances**—Ensure that new entrances, when necessary to comply with other regulations, are compatible in size, scale, shape, proportion, material, and massing with historic entrances.
- iii. **Glazed area**—Avoid installing interior floors or suspended ceilings that block the glazed area of historic windows.
- iv. **Window design**—Install new windows to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail when original windows are deteriorated beyond repair.
- v. **Muntins**—Use the exterior muntin pattern, profile, and size appropriate for the historic building when replacement windows are necessary. Do not use internal muntins sandwiched between layers of glass.

- vi. **Replacement glass**—Use clear glass when replacement glass is necessary. Do not use tinted glass, reflective glass, opaque glass, and other non-traditional glass types unless it was used historically. When established by the architectural style of the building, patterned, leaded, or colored glass can be used.
- vii. **Non-historic windows**—Replace non-historic incompatible windows with windows that are typical of the architectural style of the building.
- viii. **Security bars**—Install security bars only on the interior of windows and doors.
- ix. **Screens**—Utilize wood screen window frames matching in profile, size, and design of those historically found when the existing screens are deteriorated beyond repair. Ensure that the tint of replacement screens closely matches the original screens or those used historically.
- x. **Shutters**—Incorporate shutters only where they existed historically and where appropriate to the architectural style of the house. Shutters should match the height and width of the opening and be mounted to be operational or appear to be operational. Do not mount shutters directly onto any historic wall material.



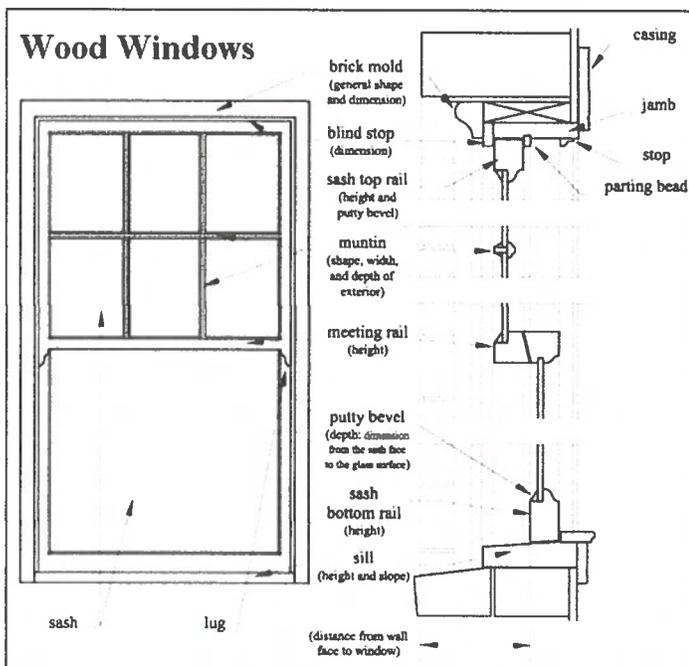
Why repair windows rather than replace them?

- Maintain the historic character of your house.
- Save money by repairing windows yourself rather than paying for replacement windows.
- Historic wood windows are made of durable materials and can last longer than replacement windows when properly maintained.
- Save energy in your home as well as the energy that it takes to make replacement windows.
- Reduce landfill debris.

Did you know?

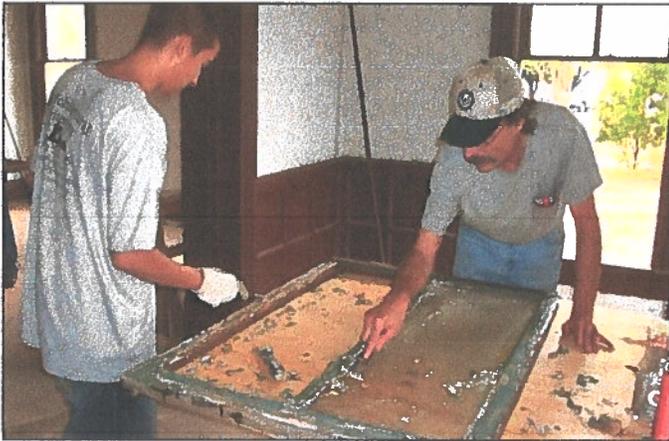
Window Rehab Workshops offer hands on training to homeowners, students, and contractor to learn do-it-yourself techniques and proper maintenance for wood windows. Workshops are offered periodically by OHP.

Restored historic windows can be energy efficient and cost effective. More information on retaining historic windows is available on page 30.



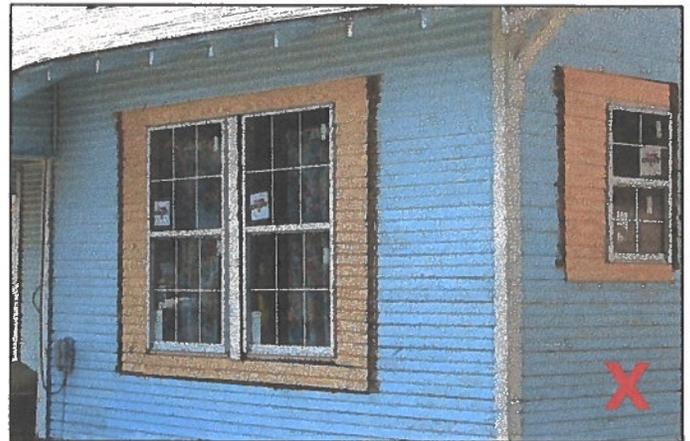
Elements of wood windows (Diagram: NPS.gov).

This



Repair historic windows when possible rather than replacing them. (Photo: San Antonio Office of Historic Preservation)

Not This



Do not reduce historic window openings to fit stock window sizes or use faux divided lights when replacement is necessary. (Photo: Ron Bauml, San Antonio Conservation Society)



Use the exterior muntin pattern, profile, and size appropriate for the historic building when replacement windows are necessary.



Do not use replacement windows, such as these vinyl inserts, that do not match the historic character of the building's original windows.



Maintain the character and symmetry of the façade by maintaining the historic window and door openings.



Do not alter the character and symmetry of the façade by filling historic window openings.



Additional Resources

OHP Links and workshops:

<http://sanantonio.gov/historic/Windows.aspx>

Guidance from the National Trust for Historic Preservation:

<http://www.preservationnation.org/information-center/sustainable-communities/weatherization/windows/>

<http://www.preservationnation.org/information-center/sustainable-communities/sustainability/additional-resources/July2008WindowsTipSheet.pdf>

Adding New Entrances to Historic Buildings, ITS #22, by Anne E. Grimmer. <http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS22-NewEntrances.pdf>

New Openings on Secondary Elevations, ITS #21, by Anne E. Grimmer. <http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS21-NewOpenings-SecondaryElevations.pdf>

Inappropriate Replacement Doors, ITS #4, by Anne E. Grimmer. <http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS04-Doors-Replacement.pdf>

Selecting New Windows to Replace Non-Historic Windows, ITS #23, by Claire Kelly. <http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS23-ReplaceWindows.pdf>

The Preservation and Repair of Historic Stained and Leaded Glass, Preservation Brief #33, by Neal A. Vogel and Rolf Achilles. <http://www.nps.gov/history/hps/tps/briefs/brief33.pdf>

The Repair of Historic Wooden Windows, Preservation Brief #9, by John H. Meyers. <http://www.nps.gov/history/hps/tps/briefs/brief09.htm>

The Repair and Thermal Upgrading of Historic Steel Windows, Preservation Brief #13, by Sharon C. Park, AIA. <http://www.nps.gov/history/hps/tps/briefs/brief13.htm>

2. Guidelines for Exterior Maintenance and Alterations

Introduction

These guidelines provide general guidance to property owners, design professionals, homeowners, and decision-makers regarding the exterior maintenance and alterations of historic buildings; they are not intended as a substitute for consultation with qualified architects, contractors, attorneys, City of San Antonio staff, and/or the Historic and Design Review Commission (“HDRC”). All applicants are responsible for the professional, legal, and/or other services required for their project.

Countless variables in design, construction techniques, and materials exist within San Antonio’s historic districts. District-specific guidelines address issues or elements that are unique within individual historic districts.

Routine maintenance of properties will increase the performance and lifespan of materials. If maintained, original or historic materials are not as likely to require replacement in the future. This results in savings in both an economic and environmental sense. A list of supplemental resources related to specific topics, building materials, and features is provided at the end of each topic in this chapter.

The International Existing Building Code (“IEBC”) makes provisions for the safety and stability of existing and historic properties. Historic property owners should consult with OHP staff before implementing any changes that may be required by most modern building codes to explore flexibility allowed for in the IEBC.

Applicability

The Historic Design Guidelines generally apply to all **exterior** modifications to properties that are located within a locally designated historic district or that are individually designated landmarks. This section specifically applies to all residential properties and non-residential or mixed-use properties as follows:

- Routine exterior maintenance and repair (preservation) of a historic structure and features; and
- Rehabilitation, restoration, and reconstruction of individual features of a historic structure.

The terms preservation, rehabilitation, restoration, and reconstruction are defined in *Using the Historic Design Guidelines*.

General Principles

The following General Principles for Exterior Maintenance and Alterations will be considered during the review process in conjunction with the guidelines contained in this section.

Principle #1: Routine Maintenance is Essential for Preservation

With proper maintenance, most historic buildings can last for centuries. Poorly functioning gutters, downspouts, and flashing; standing water at foundations; water splashing onto walls from the surrounding hard surfaces; and water-entrapping vegetation such as vines and shrubs on or near walls and foundations can all contribute to the deterioration of historic structures. Each of these issues can be prevented or corrected through proper maintenance.

Principle #2: Preservation of Features in Place is Preferred Over Replacement

Maintaining and repairing features is preferred over replacing features as to maintain the high-quality materials, character, and embodied energy of historic buildings and to reduce the amount of waste that goes to a landfill. However, if features are deteriorated beyond repair (more than 50%), in-kind replacement using new components that match the original in form, finish, and materials is favored while replacement with comparable substitutes will be considered.

Principle #3: More Flexibility in Treatment and/or Replacement May be Considered in Locations Not Visible from the Public Right-of-Way

Building features not visible from the public right-of-way are less likely to detract from the character of the structure or district. More flexibility in the treatment and/or replacement of features in these locations may be considered if the historic integrity of the structure has already been lost or compromised and/or other unique circumstances exist that warrant consideration of a more flexible approach. However, the OHP will review proposed alterations on a case-by-case basis to determine whether they are appropriate.

Sec. 35-102. - General Purpose and Intent.

The Unified Development Code as established in this chapter has been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals, and the general welfare of the community. It is intended to consolidate in one (1) place and in logical order without unnecessary duplication all of the regulations pertaining to land use and development. It is designed to make it possible for all of those concerned with land use and development to have access to all city legislation with respect thereto in one (1) convenient chapter which is capable of being published and distributed as a separate and comprehensive segment of the City Code as a whole.

- (a) The zoning and land use regulations set forth in articles II and III are designed to promote the public health, safety, morals, or general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance.
- (b) The subdivision regulations set forth in articles IV and V are designed to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.
- (c) The processing procedures set forth in article IV are designed to consolidate the location of regulations governing the processing of permits for the development of land. The purpose is to ensure that notification and procedures comply with state regulations, provide ample opportunity for public participation in the land development process, provide for the efficient and timely processing of development permits, and to promote the readability of the document for the general public and for applicants requesting a permit.
- (d) The development standards in article V consolidate the substantive standards relating to the issuance of permits for zoning and subdivision approval in order to provide clarity and certainty in the development approval process.
- (e) Article VI provides standards for the alteration, restoration and rehabilitation of historic structures, properties within historic districts, the modification of archaeological sites, and development activities on city-owned property, and within public rights-of-way.
- (f) Article VII provides for the protection of legal nonconforming uses and vested rights in accordance with state and federal common and statutory law.
- (g) Article VIII establishes the various administrative agencies involved in the development approval process, as well as the role of administrative and legislative bodies.
- (h) Definitions are established in Appendix "A" in order to provide guidance to readers of this chapter, while reserving the balance of the chapter for substantive standards.
- (i) Application submittal requirements are established in Appendix "B" in order to provide



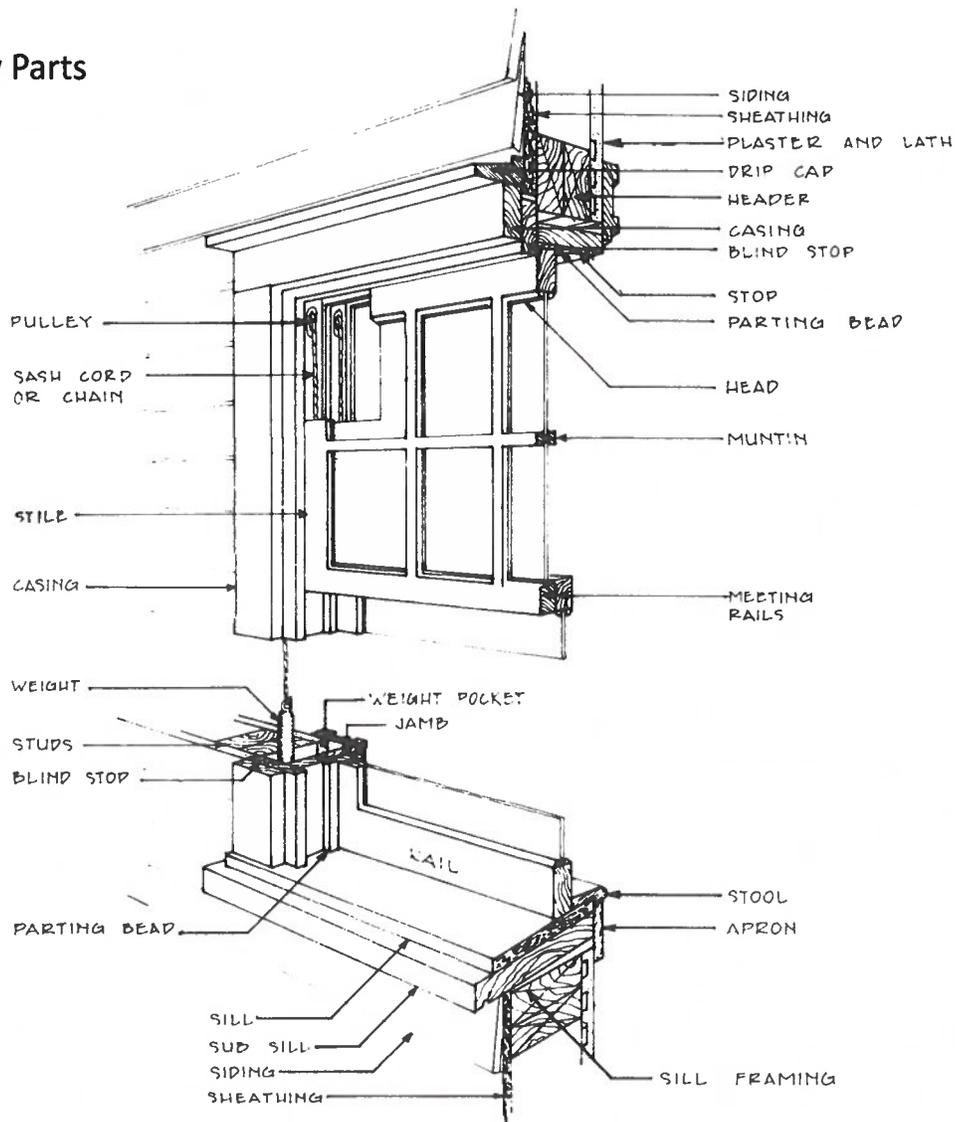
CITY OF SAN ANTONIO OFFICE OF HISTORIC PRESERVATION

HISTORIC DESIGN GUIDELINES WINDOWS: REPAIR, REPLACEMENT, AND NEW CONSTRUCTION

December 16, 2015



Wood Window Parts





Why are windows important?

A value of a historic home is equal to the sum of its parts. As original materials are removed from a historic property, it begins to lose its integrity and ultimately its historic value. Historic windows greatly contribute to a property in terms of character and craftsmanship. They were expertly designed and constructed from high-quality materials. Preserving historic windows in place keeps original, high quality materials with the property and out of the landfill.

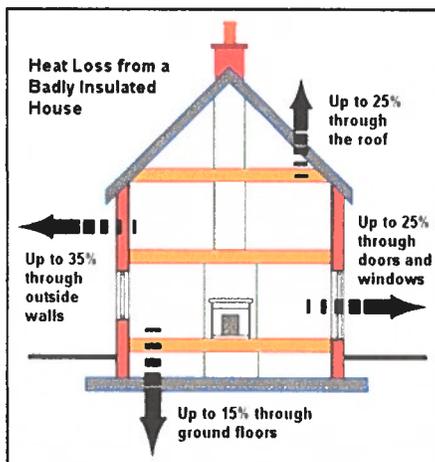


In historic homes, the windows are an integral part of the design. They were designed to not only be aesthetically pleasing, but were necessary as a functioning component to the building by providing light and ventilation. The loss of original windows also has great potential to negatively impact the appearance of a historic home. Building facades lose proportionality and depth as modern replacements are introduced.

Historic wood windows can certainly be maintained or restored to working order. Preservation of original architectural features, including windows, is encouraged in the City of San Antonio Historic Design Guidelines. Nevertheless, there is an abundance of replacement window products that are too often used by historic home owners seeking to “upgrade” their aging properties.

I’ve been told my wood windows need to be replaced.

In an age where energy reduction is at the forefront of every homeowner’s mind, windows are often blamed as the leading culprit of heat gain/loss. The criminalization of “drafty old windows” is nothing new; window manufacturers have long been pointing out the faults of old windows while promoting attractive solutions (their products). New low-e, gas-filled and triple pane replacements may seem like an exciting solution for homeowners coping with their monthly energy bill. Walk into any home-improvement store, and you may be feeling the pressure to replace. Door-to-door window salesmen have also been reported in historic districts in San Antonio.



In reality, heat gain/loss occurs evenly throughout the home, with windows only accounting for 25% of waste. Poorly insulated walls and attics are the greater culprit, especially locally. The San Antonio climate offers many days of full sun. While we enjoy these sunny days in the winter, during the hot summer months that same sun bears down on rooftops, turning attics into ovens.

Trying to solve an energy problem by only addressing the windows is like trying to hold water in a leaky bucket and only patching a few of its holes!

Retrofitting Solutions

Even windows in the best condition can be made more energy efficient. Heat gain/loss through windows occurs in three different ways: air infiltration, heat transfer (conduction) and solar gain (radiation). There are a number of low cost, reversible and historically appropriate strategies that can be used to reduce heat gain/loss. It should be noted that implementing a combination of any of these techniques can be just as effective in arresting heat gain/loss as a brand new window.

Weather stripping is perhaps the cheapest and easiest solution for improving window efficiency. Proper weather stripping drastically reduces air infiltration at meeting points in the window. This can easily be done by any homeowner and offers a great return on investment.

Storm windows can be used to provide an additional transparent barrier between the outside and inside of a historic home. Their installation creates an insulating air pocket which reduces heat transfer. Storm windows can be hung from the interior of a window and simply clipped or wedged into place (some even use magnets) for easy removal and cleaning. Some exterior storm windows may be appropriate provided that they have a thin frame and are used with either a decorative screen or in a manner that does not obscure any architectural details.



Shades, Shutters and Screens can all be used to prevent solar gain during the hot summer months or seasons where windows receive direct sunlight. Some interior shades also have insulating qualities that can reduce heat transfer. Solar screens are gaining in popularity, but are only appropriate when installed on the rear of a building as to not have a visual impact from the street.

Interior window films can be applied to reduce the impact of solar gain, and are another affordable, easy solution. A wide variety of products are available, but homeowners should be cautious to avoid films that are deeply tinted or reflective as they have the potential to alter the exterior appearance of the glass.

Additional Resources



There are countless online resources from a number of reputable sources. Perhaps some of the best materials come from the National Trust for Historic Preservation and National Park Service:

[NTHP: Repair or Replace?](#)

[NTHP: Saving Windows, Saving Money](#)

[NTHP: Wood Windows Tip Sheet](#)

[NPS: Preservation Brief](#)

OHP periodically hosts a Historic Window Restoration Workshop. The workshop is open to all, and for a small tuition participants receive hands-on training in window repair. Of course, OHP staff is always available for consultation at your property. We look forward to helping you find an appropriate solution.

REPAIR OR REPLACE?

6.A.iii. Preserve historic windows. When glass is broken, the color and clarity of replacement glass should match the original historic glass.

Repairable Window:

- Glass missing or broken;
- Meeting rails not aligning;
- Cords broken or hardware missing;
- Sill or frame rotted;
- Partially rotted rails and stiles which require patching.

Beyond Repair:

- Missing components or units;
- Extreme wood rot;
- Where 50% or more of a window's components must be reconstructed, a replacement may be considered;
- Replacement sashes may also be constructed to fit within the original frame.

In most cases, window repair is not only the more affordable solution upfront, but offers a much greater return on investment than replacement. Repairing and maintaining an old wood window may seem like a daunting task, but remember that historic windows were intended to be taken apart. If one piece fails, then only that piece may be replaced. By educating themselves on these practices, repairs can become something that any homeowner can tackle one window at a time (although feel free to obtain the services of a professional!)

Examples of Repairable Windows:



SELECTING AN APPROPRIATE REPLACEMENT

6.B.iv. Install new windows to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail when original windows are deteriorated beyond repair.



Recommended stipulations for replacement:

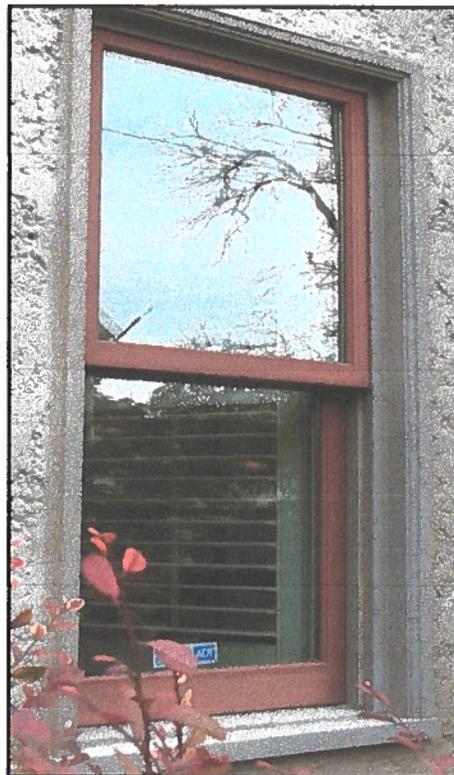
Individual sashes should be replaced where possible. Should a full window unit require replacement, inserts should

- Match the original materials;
- Maintain the original dimension and profile;
- Feature clear glass. Low-e or reflective coatings are not recommended for replacements;
- Maintain the original appearance of window trim or sill detail.

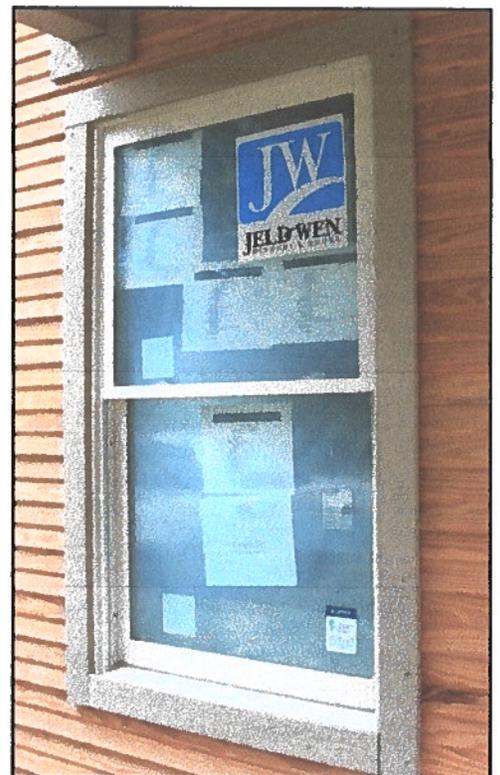
Details to avoid:



- Vinyl product changes the material
- Window is not recessed within frame
- Sash components do not feature traditional



- Track insert alters profile
- Meeting rails thicker than original
- Low-e coating alters hue and reflectivity



- Window trim and sill detail not consistent with original



Office of the Secretary of State

CERTIFICATE OF FILING OF

TX3 Properties LLC
File Number: 802208994

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 05/05/2015

Effective: 05/05/2015



A handwritten signature in black ink, appearing to read "Cascos" followed by a horizontal line.

Carlos H. Cascos
Secretary of State

Form 205
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$300



Certificate of Formation
Limited Liability Company

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
MAY 05 2015
Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

TX3 Properties LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Joseph	M.	Calderoni	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

11 Colonial Row Drive	The Woodlands	TX	77380
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
Joseph	M.	Calderoni		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
PO Box 300037	Austin	TX	USA	78703
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

GOVERNING PERSON 2				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
First Name	M.I.	Last Name	Suffix	
OR				
IF ORGANIZATION				
Organization Name				
ADDRESS				
Street or Mailing Address		City	State	Country Zip Code

GOVERNING PERSON 3				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
First Name	M.I.	Last Name	Suffix	
OR				
IF ORGANIZATION				
Organization Name				
ADDRESS				
Street or Mailing Address		City	State	Country Zip Code

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Joseph M. Calderoni

Name

PO Box 300037

Austin

TX 78703

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

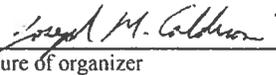
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: May 5, 2015



Signature of organizer

Joseph M. Calderoni

Printed or typed name of organizer

CERTIFICATION OF AUTHORITY
TX3 Properties LLC

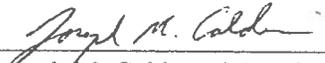
This LLC is managed by a single member. The name and address of the current member as of May 11, 2015 is listed below. This person has managerial authority of the LLC and is empowered to transact business on its behalf.

<u>Name of Member</u>	<u>Address</u>
Joseph M. Calderoni	PO Box 300037 Austin, TX 78703

Further, the following member is specifically authorized to transact the following business on behalf of the LLC:

- Entering into contracts of any agreement to purchase, sell, and/or lease real estate.
- Signing deeds which transfer ownership of real property owned by the LLC.
- Any and all other business which the LLC may engage in.

May 11, 2015

By: 
Joseph M. Calderoni, President

Property

Account

Property ID:	103770	Legal Description:	NCB 399 BLK 27 LOT 11
Geographic ID:	00399-027-0110	Zoning:	R-6
Type:	Real	Agent Code:	3055979
Property Use Code:	001		
Property Use Description:	Single Family		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	615 E EVERGREEN ST SAN ANTONIO, TX 78212	Mapsco:	616F2
Neighborhood:	TOBIN HILL HISTORIC DIST	Map ID:	
Neighborhood CD:	57320		

Owner

Name:	TX3 PROPERTIES LLC	Owner ID:	3063090
Mailing Address:	PO BOX 15824 SAN ANTONIO, TX 78212-9024	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	

(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: TX3 PROPERTIES LLC
% Ownership: 100.0000000000%
Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	N/A	N/A	N/A	N/A

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
GERARD C. RICKHOFF, BEXAR COUNTY CLERK**

Document Number: 20180136765
Recorded Date: July 13, 2018
Recorded Time: 4:10 PM
Total Pages: 3
Total Fees: \$30.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

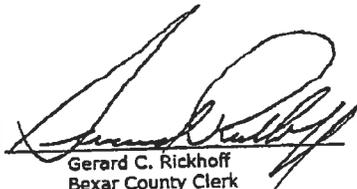
**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 7/13/2018 4:10 PM




Gerard C. Rickhoff
Bexar County Clerk

15 ITC GF# 1825933-AHSA AC; \$30

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

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

Date: July 11, 2018

Grantor: EMMA NUDING GONZALES

Grantor's Mailing Address: 2200 S. Lakeline Blvd, Cedar Park, TX 78613

Grantee: TX3 PROPERTIES LLC, a Texas limited liability company

Grantee's Mailing Address,
and after Recording, Return to: P.O. Box 15824, San Antonio, TX 78212

Consideration:

Cash and a note of even date executed by Grantee and payable to the order of HOUSEMAX FUNDING, LLC in the principal amount of \$165,000.00. The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of HOUSEMAX FUNDING, LLC and by a first-lien deed of trust of even date from Grantee to Levatino Pace PLLC, trustee.

Property (including any improvements):

Lot 11, Block 27, New City Block 399, in the City of San Antonio, Bexar County,
Texas

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

This conveyance, however, is made and accepted subject to the following restrictions, encumbrances, easements, covenants and conditions, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of Bexar County, Texas, to-wit:

1. Standby fees, taxes and assessments by any taxing authority for the year 2018, and subsequent years.
2. Terms, conditions and stipulations of Historical Designation as set out in instrument

recorded in Volume 16817, Page 1967, Real Property Records, Bexar County, Texas.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to 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 heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that such Contract provides for limitations or other agreed matters that will survive the closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute. HOUSEMAX FUNDING, LLC, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of HOUSEMAX FUNDING, LLC and are transferred to HOUSEMAX FUNDING, LLC without recourse against Grantor.

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

Emma Nuding Gonzales

EMMA NUDING GONZALES

STATE OF TEXAS)
COUNTY OF *Williamson* *EX*
EX *7-11-18*

This instrument was acknowledged before me on July 11, 2018, by EMMA NUDING GONZALES.

[Signature]
Notary Public, State of Texas

