



City of Helotes
Development Services
P.O. Box 507
12951 Bandera Road
Helotes, TX 78023
Phone (210) 695.8877
Fax (210) 695.2123

VOLUNTARY ANNEXATION APPLICATION

The City of Helotes is a Type A General Law City and can only annex territory at the request of the property owner. The territory must be contiguous to the City and must meet other criteria (explained herein) before the annexation process can begin. The request for annexation will be considered solely by the City Council, which holds sole discretion in granting or denying a Petition for Annexation.

Purpose of Annexation:

The purpose of the annexation process is to bring property that is located in Bexar County into the corporate limits of the City of Helotes. The procedural requirements for voluntary annexation are governed by Texas Local Government Code Chapter 43 *Municipal Annexation*.

Annexation Process:

1. Landowner submits a petition requesting voluntary annexation.
2. The petition is reviewed and a Staff Report is prepared to determine if the City should annex said property (ies).
3. At a public meeting, the City Council considers the petition for annexation. The City Council decision to grant the petition shall be based, in part, on Staff recommendation. If the City Council accepts the petition for annexation as submitted, the applicant will pay the applicable fees and Staff will move forward with the public hearing proceedings. This includes the publication of the newspaper notice, mailout of a written notice to property owners within 200 feet of the subject property to be annexed, and holding the public hearings. If the City Council denies the petition for annexation, the process ends.

Document Submittal Checklist:

- Letter of Intent** - Describe the purpose of the annexation, proposed zoning designation, future land use, if the property is vacant or occupied, etc.
- Petition** – Complete the included Voluntary Annexation Petition.
- Ownership Documents** – Clean copy of recorded warranty deed or other document(s) conveying ownership of all the property to be annexed.
- Legal Description/Metes and Bounds** – A clear and legible copy of certified field notes (“Metes and Bounds”) describing the boundary of the property that is being petitioned for annexation with a graphic exhibit (map, plat, survey) clearly showing the property. If the property is a subdivided lot, please submit a copy of the recorded subdivision plat.
- Zoning Change Request** – Complete the included Zoning Amendment Application.

OWNER/AGENT NAME: Jon Switzer

SIGNATURE: 

By signing this, I am acknowledging all required documents are provided in this submittal.

Patrick W. Christensen
Attorney At Law

Patrick W. Christensen
Attorney at Law
patrick@christensensatx.com

315 E. Commerce Street, Suite 304
San Antonio, Texas 78205
Telephone: 210.320.2540

November 13, 2024

City Of Helotes
Attn.: Michael Gallardo, Development Services Coordinator
12951 Bandera Road
Helotes, Texas 78023

Re: Letter of Intent for Annexation and Rezoning Application for the 6.714 Acre Property
Located at 11395 Shaenfield Road, Bexar County, Texas; Our File No. 9909.001.

Dear Mr. Gallardo:

Attached please find an application for the annexation and rezoning of the 6.714 Acre tract located at 11395 Shaenfield Road, currently in the ETJ of the City of Helotes. The Developer would like to both have the property annexed into the City limits of Helotes pursuant to a Development Agreement.

The proposed project will be a small shopping center, commercial pad sites and a small self-storage building.

In conclusion, the proposed project is compatible with the surrounding land uses and will bring needed commercial uses to the area and increase the City of Helotes' tax base. This request will not permanently injure the property rights of owner(s) of all real property affected by the proposed zoning change. This request will not adversely affect the health, safety, or welfare of the general public.

If you have any questions regarding this petition, please contact either of the following:

Sincerely,



By: Patrick W. Christensen
Attorney at Law

Enclosures as Stated:

Cc: Frank Garza, City Attorney

Property Identification #: 236169

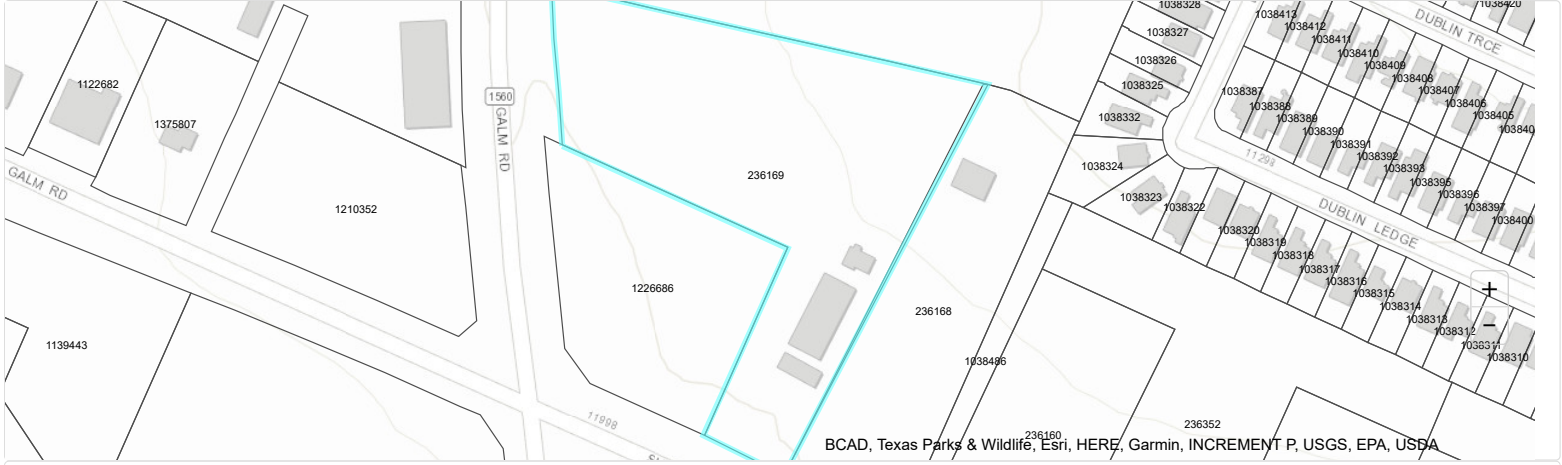
Geo ID: 04450-000-0161
Situs Address: 11395 SHAENFIELD RD SAN ANTONIO, TX 78254
Property Type: Real
State Code: A1

Property Information: 2025

Legal Description: CB 4450 P-16A ABS 467
Abstract: A04450
Neighborhood: NBHD code51200
Appraised Value: N/A
Jurisdictions: 09, CAD, 56, 10, 06, 08, 77, 11

Owner Identification #: 3502206

Name: CSW SHAENFIELD LP
Exemptions:
DBA: HILL COUNTRY NURSERY & LANDSCAPE



BCAD, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USBA

Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

VOLUNTARY ANNEXATION PETITION

TO: THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF HELOTES, TEXAS:

The undersigned owners of the hereinafter described tract of land ("Property"), hereby voluntarily petition the City Council of the City of Helotes, Texas to annex the Property and extend the present city limits so as to include as part of the City of Helotes, Texas, the Property, containing approximately 6.6515 acres of land, described as follows:

Being all that certain tract or parcel of land situated in Abstract No. 80 in the Manuel Musquiz Survey, Tract _____, containing 6.714 acres, more or less, Bexar County, Texas, as more particularly described in Exhibit 1, attached hereto.

I desire to enter into a written agreement for municipal services with the City of Helotes pursuant to Section 43.0672 of the Local Government Code. I certify that the above described Property is contiguous and adjacent to the City of Helotes, Texas and that this petition is signed and duly acknowledged by each and every person, corporation, or entity having ownership interest in said property.

OWNER(S): (If necessary, add page of additional signature lines for each owner.)

Print Name: Jon Switzer

Signature: [Handwritten Signature]

Print Name: _____

Signature: _____

NOTARY ACKNOWLEDGEMENT

STATE OF TEXAS }
COUNTY OF BEXAR }

BEFORE ME, the undersigned authority, on this day personally appeared Jon Switzer, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that she/he executed the same for the purposes and consideration therein expressed on behalf of the Owner.

Given under my hand and seal of office this the 14 day of November, 2024.



[Handwritten Signature]
Notary Public in and for the State of Texas

Stephanie Montemayor
Printed Name

My commission expires: 11/5/27

CHICAGO TITLE GF# 4300112408309-R5

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

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

KNOW ALL PERSONS BY THESE PRESENTS:

THAT **DUNHAM TRUST COMPANY**, as Trustee of the DT Texas Business Trust, a Nevada business trust ("**Grantor**"), whose mailing address is 241 Ridge St., Suite 100, Reno, Nevada, 89501, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid in cash to Grantor by the Grantee herein named, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto **CSW SHAENFIELD, LP**, a Texas limited partnership ("**Grantee**"), whose mailing address is 1703 West 5th Street, Suite 850, Austin, Texas 78703, that certain real property situated in Bexar County, Texas, as more particularly described on **Exhibit A** attached hereto and made a part hereof for all purposes, together with all improvements thereon and appurtenances relating thereto ("**Property**").

This Special Warranty Deed (this "**Deed**") is expressly made subject to taxes and assessments for the current year and subsequent years, all matters of survey, all conditions, restrictions, reservations, encumbrances, easements and other matters of record (collectively, the "**Permitted Exceptions**").

Part of the consideration for the Property was paid by DT Texas Business Trust at the instance and request of Grantee, the receipt of which is hereby acknowledged, as evidence of which consideration Grantee has executed and delivered its one certain promissory note (herein called the "Note") of even date herewith, in the principal sum of \$1,700,000.00, payable to the order of DT Texas Business Trust as therein provided, reference being made to the Note for all relevant purposes. To secure the payment of the Note, Grantor does hereby expressly retain a Vendor's Lien and Superior Title upon and against the Property to the extent that proceeds of the Note are used towards the payment of the purchase price of the Property until said amount of proceeds under the Note is fully paid according to the face, tenor, effect and reading of said Note, whereupon this Deed shall become absolute. The said Vendor's Lien and Superior Title herein retained are hereby transferred, assigned, sold and conveyed to DT Texas Business Trust, its successors and assigns, the payee named in the Note, without recourse. The Note is further and additionally secured by a Deed of Trust of even date herewith to David Osgood, Trustee, executed by Grantee covering the Property, to which reference is here made for all relevant purposes.

TO HAVE AND TO HOLD the Property subject to the Permitted Exceptions listed on **Exhibit B** attached hereto and all improvements located thereon, together with all and singular the rights and appurtenances thereto and in any wise belonging unto the said Grantee, its legal representatives, successors and assigns, forever; and Grantor does hereby bind itself, its legal representatives and successors, to Warrant and Forever Defend all and singular the Property subject to the Permitted Exceptions unto the said Grantee, its legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed to be effective as of the 28 day of June, 2024.

GRANTOR:

DT TEXAS BUSINESS TRUST
a Nevada business trust

By: [Signature]
David Osgood, Trust Officer on behalf of Dunham Trust Company, Trustee

By: _____
Matthew Kindell, Trust Officer on behalf of Dunham Trust Company, Trustee

STATE OF NEVADA)
)
COUNTY OF Washoe)

This instrument was acknowledged and executed before me this 27th day of June, 2024, by David Osgood, the Trust Officer of Trustee..

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27th day of June, 2024.

[Signature]
Notary Public

My commission expires:

08/04/2027



STATE OF NEVADA)
)
COUNTY OF _____)

This instrument was acknowledged and executed before me this _____ day of _____, 2024, by Matthew Kindell, the Trust Officer of Trustee..

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of _____, 2024.

Notary Public

My commission expires:

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed to be effective as of the 28 day of June, 2024.

GRANTOR:

DT TEXAS BUSINESS TRUST
a Nevada business trust

By: _____
David Osgood, Trust Officer on behalf of Dunham
Trust Company, Trustee

By: [Signature]
Matthew Kindell, Trust Officer on behalf of Dunham
Trust Company, Trustee

STATE OF NEVADA)
)
COUNTY OF _____)

This instrument was acknowledged and executed before me this _____ day of _____, 2024, by David Osgood, the Trust Officer of Trustee..

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of _____, 2024.

Notary Public

My commission expires:

STATE OF NEVADA)
)
COUNTY OF CLARK)

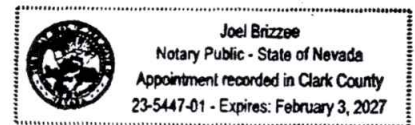
This instrument was acknowledged and executed before me this 27th day of June, 2024, by Matthew Kindell, the Trust Officer of Trustee..

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 27th day of June, 2024.

[Signature]
Notary Public

My commission expires:

02/03/2027



WHEN RECORDED MAIL TO:

CSW Shaenfield, LP
c/o Central Southwest Texas Development, L.L.C.
1703 West 5th Street, Suite 850
Austin, Texas 78703

Exhibit A
Legal Description of Property

EXHIBIT "A"
Legal Description

FIELD NOTES to that certain 6.714 acre tract situated in the Manuel M. Musquiz Survey No. 80, Abstract No. 467, Extra Territorial Jurisdiction of the City of Helotes, Bexar County, Texas, being a portion of the tract described as 2.432 acres (Tract 1) and a portion of the tract described as 4.45 acres (Tract 2) in a Warranty Deed with Vendor's Lien to DAE, LLC, a Texas limited liability company, recorded in Volume 11619, Page 1051, Deed Records of Bexar County, Texas; the subject tract, surveyed by JPH Land Surveying, is more particularly described as follows (bearings are based on the Texas Coordinate System of 1983, South Central Zone):

BEGINNING at a 1/2 inch rebar found in the north right-of-way line of Shaenfield Road (a 96' wide right-of-way as shown in Volume 9684, Page 97, Plat Records of Bexar County, Texas) at the northeast corner of the tract called Parcel 5 and described as 0.0545 of an acre in a Special Warranty Deed to the County of Bexar, recorded under Instrument Number 20060031912, of the Official Public Records of Bexar County, Texas, and being at the southwest corner of a 30-foot wide City Public Service Right-of-Way, *THE HILLS OF SHAENFIELD SUBDIVISION UNIT 3*, an addition to the City of Helotes Extra Territorial Jurisdiction, recorded in Volume 9586, Page 1 of said Plat Records, from which a 1/2 inch rebar found at the southeast corner of said 30-foot wide City Public Service Right-of-Way bears SOUTH 85° 55' 26" EAST, a distance of 30.29 feet;

THENCE NORTH 85° 55' 26" WEST, with the north right-of-way line of said Shaenfield Road, same being the north lines of said Parcel 5 and the tract called Parcel 4 and described as 0.0399 of an acre in a Special Warranty Deed to the County of Bexar, recorded under Instrument Number 20060031911 of said Official Public Records, a distance of 318.08 feet to a 1/2 inch capped rebar stamped "SLS RPLS 5142" found at the southeast corner of Lot 1, Block 1, *CVS/PHARMACY #10750*, an addition to the City of Helotes Extra Territorial Jurisdiction, recorded in Volume 9684, Page 97 of said Plat Records;

THENCE with the common line of said Tract 2 and said Lot 1, the following bearings and distances:

1. NORTH 23° 57' 50" EAST, a distance of 288.89 feet to a 1/2 inch rebar found;
2. NORTH 65° 42' 24" WEST, a distance of 348.81 feet to a 5/8 inch rebar with an aluminum cap stamped Texas Department of Transportation (TXDOT) found (hereinafter referred to as "Type III monument") at the southeast corner of the tract described as 0.1361 of an acre in a Possession and Use Agreement for Transportation Purposes with Additional Payment of Independent Consideration between the State of Texas and DAE, LLC (hereinafter referred to as Parcel 22), recorded under Instrument Number 20220205803 of said Official Public Records, from which a 1/2 inch capped rebar stamped "JPH Land Surveying" set at the southwest corner of said Parcel 22, same being the common west corner of said Tract 2 and said Lot 1 bears NORTH 65° 42' 24" WEST, a distance of 29.89 feet; said Type III monument being at the beginning of a curve to the right (concave east), having a radius of 2,856.80 feet and a chord which bears NORTH 01° 31' 48" WEST, a distance of 214.27 feet;

THENCE Along said curve to the right with the east line of said Parcel 22, an arc length of 214.32 feet to a Type III monument found in the common line of said Tract 2 and the tract described as 20.648 acres in a Special Warranty Deed to GALM ROAD-8 JV (hereinafter referred to as GALM tract), recorded under Instrument Number 20150083819 of said Official Public Records, at the northeast corner of said Parcel 22, from which a 1/2 inch rebar found at the northwest corner of said Parcel 22 bears NORTH 78° 39' 39" WEST, a distance of 30.34 feet;

THENCE with the common line of said Tract 2 and said GALM tract the following bearings and distances:

1. SOUTH 78° 39' 39" EAST, a distance of 159.39 feet to a 1/2 inch rebar with illegible cap found;
2. SOUTH 78° 29' 35" EAST, a distance of 329.09 feet to a 1/2 inch rebar found;

EXHIBIT "A"
Legal Description

- THENCE SOUTH 78° 07' 48" EAST, in part with the common line of said Tract 2 and said GALM tract and continuing with the common line of said Tract 1 and said GALM tract, a distance of 175.21 feet to a 1/2 inch rebar found;
- THENCE SOUTH 65° 50' 54" EAST, continuing with the common line of said Tract 1 and said GALM tract, a distance of 110.23 feet to a 1/2 inch rebar with an illegible cap found in the west line of Lot 46, Block 7 of said *THE HILLS OF SHAENFIELD SUBDIVISION UNIT 3*, at the common east corner of said Tract 1 and said GALM tract
- THENCE SOUTH 24° 06' 54" WEST, with the east line of said Tract 1, distance of 626.54 feet to the POINT OF BEGINNING, enclosing 6.714 acres (±292,476 square feet) of land.

Exhibit B
Permitted Exceptions

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: San Antonio City Public Service Company
Purpose: Electric utility easement
Recording Date: October 23, 1941
Recording No: Volume 1867, Page 68, Deed Records, Bexar County, Texas.

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of San Antonio
Purpose: Electric utility easement
Recording Date: April 30, 1946
Recording No: Volume 2203, Page 98, Deed Records, Bexar County, Texas.

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: San Antonio City Public Service Company
Purpose: Electric utility easement
Recording Date: July 6, 1984
Recording No: Volume 3151, Page 682, Real Property Records, Bexar County, Texas.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of San Antonio
Purpose: Electric utility easement
Recording Date: September 27, 1984
Recording No: Volume 3222, Page 1199, Real Property Records, Bexar County, Texas.

5. On-site sewage facilities as stated in the Affidavits to the Public recorded in Volume 11990, Page 722 and Volume 12002, Page 2317, Real Property Records, Bexar County, Texas.

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20240117717
Recorded Date: June 28, 2024
Recorded Time: 2:33 PM
Total Pages: 10
Total Fees: \$57.00

**** 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: 6/28/2024 2:33 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk

FIELD NOTES to that certain 6.714 acre tract situated in the Manuel M. Musquiz Survey No. 80, Abstract No. 467, Extra Territorial Jurisdiction of the City of Helotes, Bexar County, Texas, being a portion of the tract described as 2.432 acres (Tract 1) and a portion of the tract described as 4.45 acres (Tract 2) in a Warranty Deed with Vendor's Lien to DAE, LLC, a Texas limited liability company, recorded in Volume 11619, Page 1051, Deed Records of Bexar County, Texas; the subject tract, surveyed by JPH Land Surveying, is more particularly described as follows (bearings are based on the Texas Coordinate System of 1983, South Central Zone):

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THENCE NORTH 65° 55' 26" WEST, with the north right-of-way line of said Shaenfield Road, same being the north lines of said Parcel 5 and the tract called Parcel 4 and described as 0.0399 of an acre in a Special Warranty Deed to the County of Bexar, recorded under Instrument Number 20060031911 of said Official Public Records, a distance of 316.08 feet to a 1/2 inch capped rebar stamped "SLS RPLS 5142" found at the southeast corner of Lot 1, Block 1, *CVS/PHARMACY #10750*, an addition to the City of Helotes Extra Territorial Jurisdiction, recorded in Volume 9684, Page 97 of said Plat Records;

THENCE with the common line of said Tract 2 and said Lot 1, the following bearings and distances:

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THENCE SOUTH 24° 06' 54" WEST, with the east line of said Tract 1, distance of 626.54 feet to the **POINT OF BEGINNING**, enclosing 6.714 acres (±292,476 square feet) of land.



City of Helotes
Development Services
Department
P.O. Box 507
12951 Bandera Road
Helotes, TX 78023
Phone (210) 695.8877
Fax (210) 695.2123

ZONING AMENDMENT APPLICATION

CHAPTER 98,

Amendments, Rezoning, and Variances

NAME OF APPLICANT:
CSW Shaenfield, LP

MAILING ADDRESS:
1703 W 5th Street, Suite 850, Austin, Texas 78703

EMAIL ADDRESS:
jon.switzer@jll.com

PHONE #: 512-368-7091

STATUS OF APPLICANT: OWNER: AGENT: (IF AGENT, ATTACH LETTER OF AUTHORIZATION.)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS:
11395 Shaenfield Road

LEGAL DESCRIPTION:
See Attached Field Notes

CURRENT ZONING: Outside City Limits PROPOSED ZONING: C-3 CC

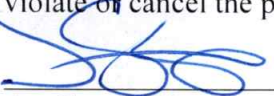
DEED RESTRICTIONS PROHIBITING PROPOSED ZONING: N/A

EXISTING USE: Vacant PROPOSED USE: Shopping Center, Self-Storage

LAND AREA: 6.714 Acres DOES OWNER OWN ADJACENT PROPERTIES? YES No

PURPOSE OF REQUEST:
See attached Letter of Intent

I hereby certify that I have read and examined this application and know the information I have provided to be true and correct. All provision of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of this zoning amendment or change does not presume to give authority to violate or cancel the provisions of any other local law regulating the use of the property.


Applicant's Signature

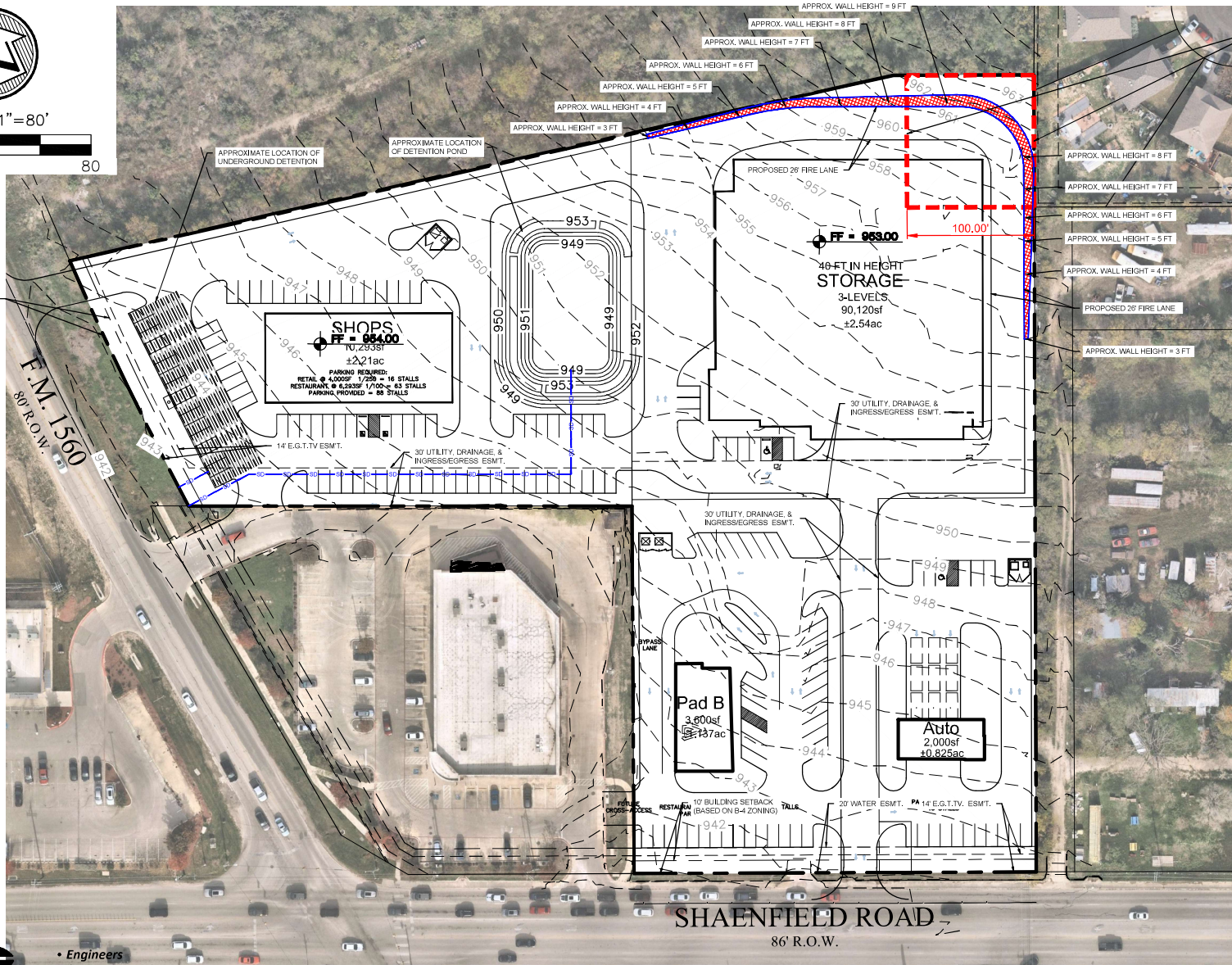
11/14/24
Date



SCALE: 1"=80'



10' BUILDING SETBACK
(BASED ON B-4 ZONING)



100' LANDSCAPE
BUFFER FROM HILLS
OF SHAENFIELD
SUBDIVISION



- Engineers
- Surveyors
- Planners

Moy Tarin Ramirez Engineers, LLC

TBPE F-5297 & TBPLS F-10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

CSW SHAENFIELD, LP
SHAENFIELD COMMERCIAL AT FM 1560

PROJ. #: 24078

NOVEMBER 2024

EXHIBIT 1