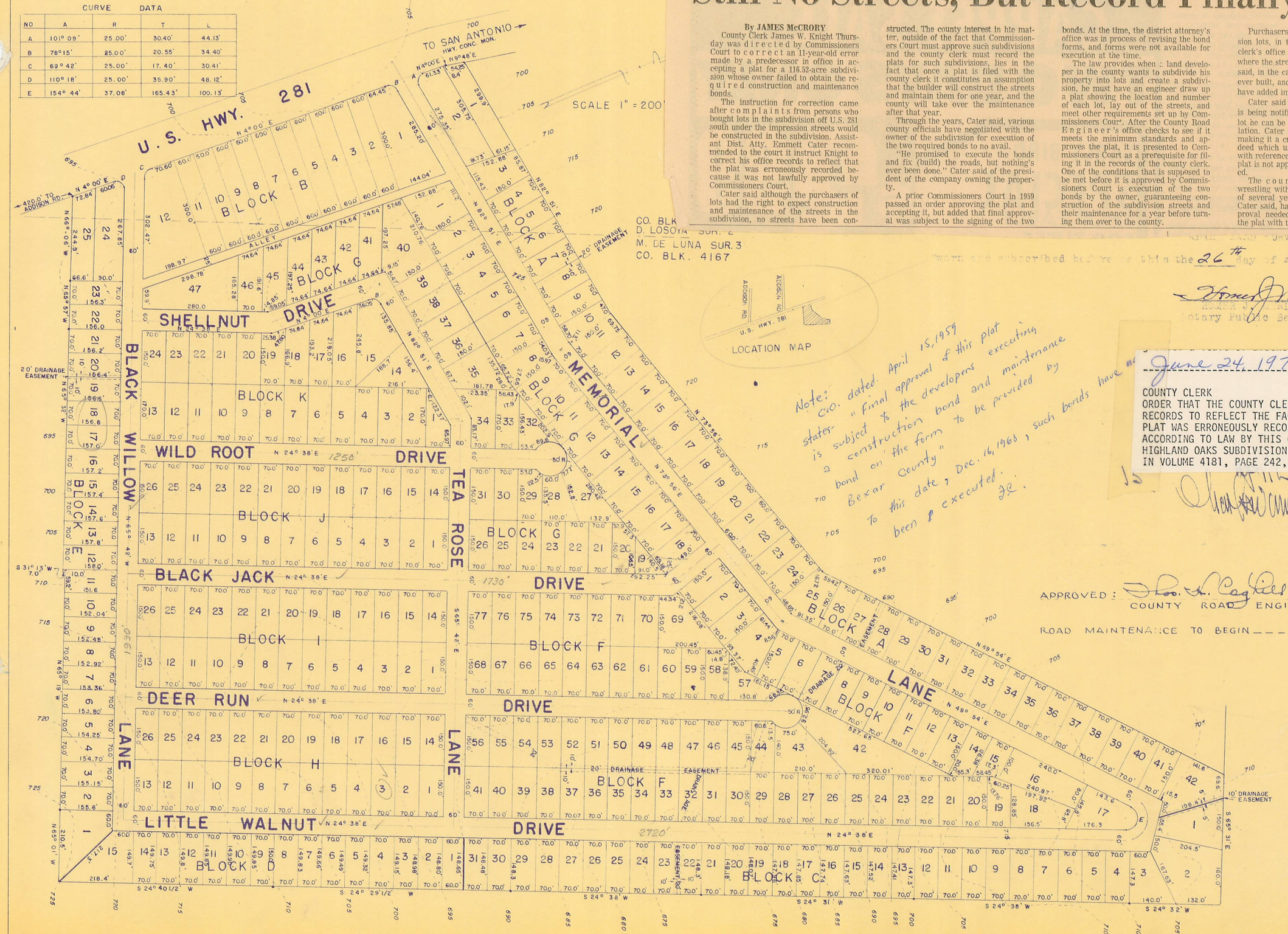
123A

HIGHLAND OAKS SUBDIVISION

CONTAINING 116.52 ACRES, OUT OF DOMINGO LOSOYA SURVEY N° 2, COUNTY BLOCK 4011, AND M. DE LUNA SURVEY N° 3, COUNTY BLOCK 4167, COUNTY OF BEXAR STATE OF TEXAS.

CURVE DATA

NO	A	R	T	L
A	101° 09'	25.00'	30.40'	44.13'
B	78° 15'	25.00'	20.55'	34.40'
C	69° 42'	25.00'	17.40'	30.41'
D	110° 18'	25.00'	35.90'	48.12'
E	154° 44'	37.08'	165.43'	100.13'



STATE OF TEXAS)
COUNTY OF BEXAR) The Owners of the land shown on this plat and whose names are subscribed hereto, and in person or through a duly ...

Page 6-F ★★★ SAN ANTONIO EXPRESS — Friday, June 26, 1970

Suburb Plat Nixed 11 Years After Goof; Still No Streets, But Record Finally OK

By JAMES McCRORY

County Clerk James W. Knight Thursday was directed by Commissioners Court to correct an 11-year-old error made by a predecessor in office in accepting a plat for a 116.52-acre subdivision whose owner failed to obtain the required construction and maintenance bonds.

The instruction for correction came after complaints from persons who bought lots in the subdivision off U.S. 281 south under the impression streets would be constructed in the subdivision. Assistant Dist. Atty. Emmett Cater recommended to the court it instruct Knight to correct his office records to reflect that the plat was erroneously recorded because it was not lawfully approved by Commissioners Court.

Cater said although the purchasers of lots had the right to expect construction and maintenance of the streets in the subdivision, no streets have been constructed. The county interest in hte matter, outside of the fact that Commissioners Court must approve such subdivisions and the county clerk must record the plats for such subdivisions, lies in the fact that once a plat is filed with the county clerk it constitutes an assumption that the builder will construct the streets and maintain them for one year, and the county will take over the maintenance after that year.

Through the years, Cater said, various county officials have negotiated with the owner of the subdivision for execution of the two required bonds to no avail.

"He promised to execute the bonds and fix (build) the roads, but nothing's ever been done." Cater said of the president of the company owning the property.

A prior Commissioners Court in 1959 passed an order approving the plat and accepting it, but added that final approval was subject to the signing of the two bonds. At the time, the district attorney's office was in process of revising the bond forms, and forms were not available for execution at the time.

The law provides when a land developer in the county wants to subdivide his property into lots and create a subdivision, he must have an engineer draw up a plat showing the location and number of each lot, lay out of the streets, and meet other requirements set up by Commissioners Court. After the County Road Engineer's office checks to see if it meets the minimum standards and approves the plat, it is presented to Commissioners Court as a prerequisite for filing it in the records of the county clerk. One of the conditions that is supposed to be met before it is approved by Commissioners Court is execution of the two bonds by the owner, guaranteeing construction of the subdivision streets and their maintenance for a year before turning them over to the county.

Purchasers of the individual subdivision lots, in turn, can go to the county clerk's office and study the plats to see where the streets are going in. But, Cater said, in the case in point no streets were ever built, and none of the lot purchasers have added improvements to their lots.

Cater said the owner of the property is being notified that if he sells another lot he can be filed on for a criminal violation. Cater pointed out there is a law making it a crime to convey property by deed which uses lot and block numbers with reference to a subdivision plat if the plat is not approved and properly recorded.

The county, Cater said, has been wrestling with the roblem over a period of several years. Commissioners Court, Cater said, had never given the final approval needed for official recording of the plat with the county clerk.

...SURVEY COMPANY

Sworn and subscribed before me this the 26th day of February, A.D. 1959.

Homer J. Mendez
HOMER J. MENDEZ
Notary Public Bexar County, Texas.

Note: C.O. dated April 15, 1959 states "Final approval of this plat is subject to the developers executing a construction bond and maintenance bond on the form to be provided by Bexar County" To this date, Dec. 16, 1968, such bonds have not been executed. J.C.

June 24, 1970

COUNTY CLERK
ORDER THAT THE COUNTY CLERK CORRECT THE SUBDIVISION PLAT RECORDS TO REFLECT THE FACT THAT THE FOLLOWING DESCRIBED PLAT WAS ERRONEOUSLY RECORDED SINCE IT WAS NOT APPROVED ACCORDING TO LAW BY THIS COMMISSIONERS' COURT; TO-WIT: HIGHLAND OAKS SUBDIVISION, AS RECORDED ON APRIL 27, 1959, IN VOLUME 4181, PAGE 242, AND NUMBERED 222694.

APPROVED: Thos. K. Coghill
COUNTY ROAD ENGINEER

ROAD MAINTENANCE TO BEGIN _____

2.91 mi. of streets.

266-273

1988919

10-11-90 0528491 2830090 $0.00 Y 23 09570

9522/114

FILED IN MY OFFICE
ROBERT D. GREEN
COUNTY CLERK BEXAR CO
1990 OCT 11 AM 10 16
Adams

HIGHLAND OAKS SUBDIVISION

CONTAINING 116.52 ACRES, OUT OF DOMINGO LOSOYA SURVEY N° 2, COUNTY BLOCK 4011, AND M. DE LUNA SURVEY N° 3, COUNTY BLOCK 4167, COUNTY OF BEXAR, STATE OF TEXAS.

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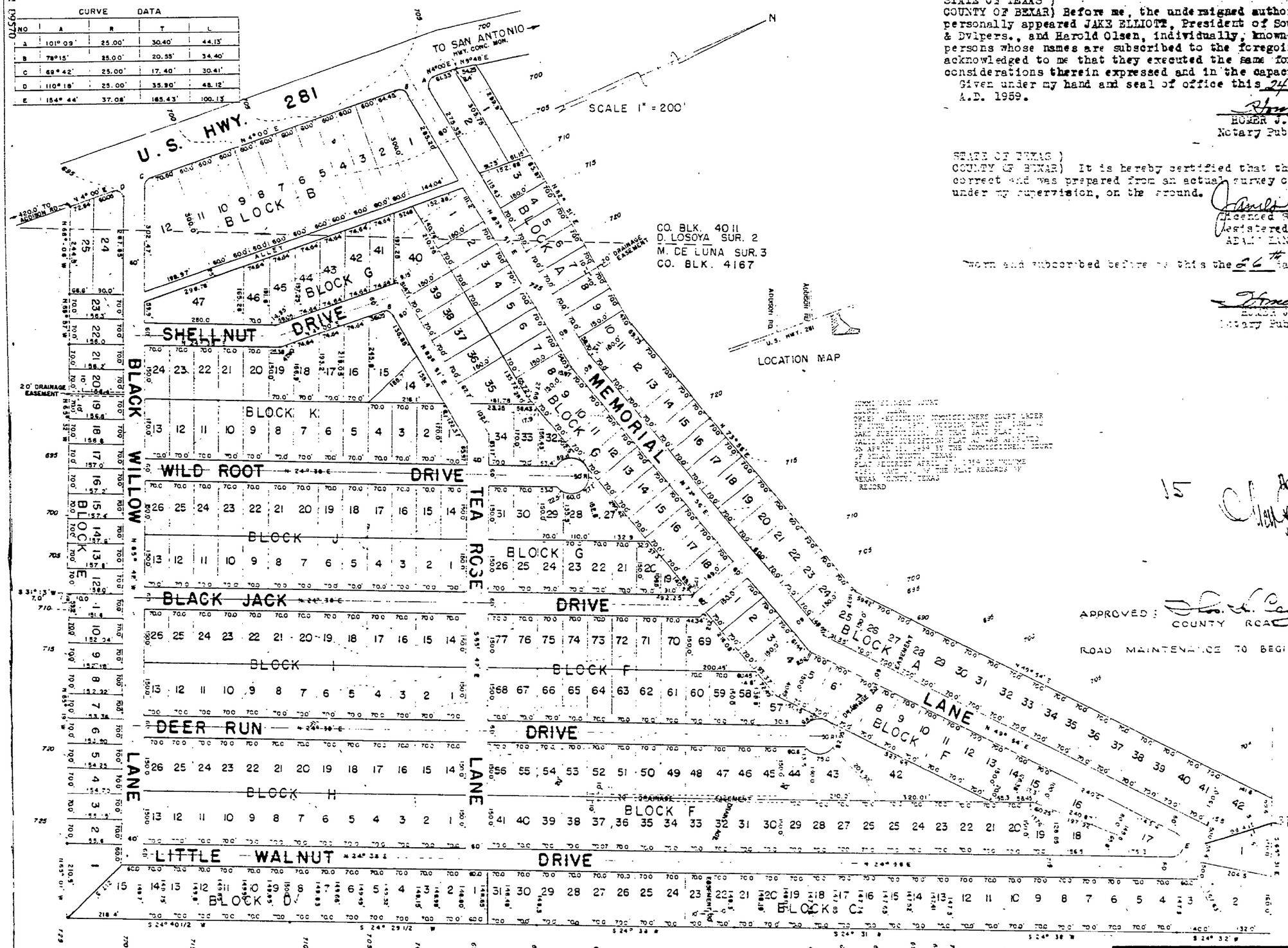

STATE OF TEXAS)
COUNTY OF BEXAR) The owners of the land shown on this plat and whose names are subscribed hereto, and in person or through a duly authorized agent, acknowledged that this plat was made from an actual survey and dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purposes and considerations therein expressed.

SOUTH-TEXAS BUILDERS & DVLPERS. BY: J. E. Elliott
President

Harold Olsen
Individually

STATE OF TEXAS)
COUNTY OF BEXAR) Before me, the undersigned authority, on this day personally appeared JAKE ELLIOTT, President of South-Texas Builders & Dvlpers., and Harold Olsen, individually, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacities therein stated.
Given under my hand and seal of office this 24 day of February, A.D. 1959.

Homer J. Mendez
HOMER J. MENDEZ
Notary Public Bexar County, Texas.

STATE OF TEXAS)
COUNTY OF BEXAR) It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision, on the ground.

James L. Adams
Licensed State Land Surveyor
Registered Public Surveyor No. 2
ADAMS LAND SURVEY COMPANY

Sworn and subscribed before me this the 26th day of February, A.D. 1959.

Homer J. Mendez
HOMER J. MENDEZ
Notary Public Bexar County, Texas.

APPROVED: COUNTY ROAD ENGINEER

ROAD MAINTENANCE TO BEGIN

COUNTY CLERK BEXAR COUNTY, TEXAS

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