

CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING

<https://www.cityofkyle.com/kyletv/kyle-10-live> OR
Spectrum10

SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held by videoconference in order to advance the public health goal of limiting face-to-face meetings (also called 'social distancing') to slow the spread of COVID-19. Planning and Zoning Commission will attend the meeting via videoconferencing. This meeting can be viewed live online at <https://www.cityofkyle.com/kyletv/kyle-10-live> OR Spectrum10.



Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on March 23, 2021, at <https://www.cityofkyle.com/kyletv/kyle-10-live> OR Spectrum10, for the purpose of discussing the following agenda.

NOTE: There may be a quorum of the City Council of Kyle, Texas present at the meeting who may participate in the discussion. No official action will be taken by the City Council members in attendance.

Posted this 19th day of March, 2021, prior to 6:30 PM

-
1. **Call Meeting To Order**
 2. **Roll Call**
 3. **Citizen Comments**

A. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

4. **Consent**

A. Sunset Ridge Manufactured Home Park Establishing Lot 2, Phase 2B- Final Plat (SUB-20-0159) 28.236 acres; 83 lease parcels, 1 private park, 8 drainage easements and 1 private street and utility easement located off of Split Rail Parkway.

Staff Proposal to P&Z: Approve the Final Plat.

B. Sunset Ridge Manufactured Home Park Establishing Lot 2, Phase 2C - Final Plat (SUB-20-0160) 21.343 acres; 91 lease parcels, 4 drainage easements, 1 private street and utility easement located off of Split Rail Parkway and Inspiration Drive.

Staff Proposal to P&Z: Approve the Final Plat.

C. Plum Creek Phase 1, Section 6F, Resub of Lot 3 (SUB-21-0166) 2.4273 acres; 4 commercial lots for property located on the southwest corner of Kohler's Crossing and Benner Road.

Staff Proposal to P&Z: Approve the Plat.

D. Stagecoach Subdivision, Phase 3 - Final Plat (SUB-20-0149) 22.251 acres; 88 single family lots, 1 water line lot and 1 drainage easement lot for property located East of Stagecoach Road and West of Scott Street.

Staff Proposal to P&Z: Approve the Final Plat.

E. Plum Creek Phase 2, Section 2 - Preliminary Plan (SUB-20-0152) 55.028 acres; 201 single family lots and 16 open space lots located within the 400 block of Kohler's Crossing.

Staff Proposal to P&Z: Approve the Preliminary Plan.

F. Brooks Ranch Phase 1 - Final Plat (SUB-20-0113) 21.574 acres; 57 single family lots, 1 private park/amenity lot, 1 open space lot, 1 buffer lot and 2 D.E. & M.U.E. lots located off of Brooks Ranch Drive.

Staff proposal to P&Z: Approve the Final Plat.

5. Consider and Possible Action

A. Consider a request to construct a car wash with associated covered parking areas to detail vehicles, and a dumpster enclosure for property located at 18900 IH-35, approximately 600-feet south of the intersection of IH-35 and Kyle Crossing (in front of Home Depot) within the I-35 overlay district. (Suds Deluxe Car Wash - CUP-21-0028)

6. Zoning

A. Consider a request by FM 158 Land LTD to assign original zoning to approximately 66.245 acres of land from Agriculture 'AG' to Warehouse District 'W' for property located at 24801 IH-35, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

B. Consider a request by WS Live Oak Kyle, LLC (Z-21-0072) to rezone approximately 14.08 acres of land from Single Family-1 'R-1' to Townhome District 'R-1-T' for

property located at the north corner of Live Oak Street and St. Anthony's Drive, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

C. Consider a request by Estate of Evelyn Franke, et al (Z-21-0074) to assign original zoning to approximately 12.9 acres of land from Agriculture 'AG' to Mixed Use District 'MXD' for property located on the northeast corner of Philomena Drive and Bunton Creek Road, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

7. General Discussion

A. Discussion only regarding Planning and Zoning Commission request for future agenda items.

8. Staff Report

A. Staff Report by Howard J. Koontz, Director of Planning and Community Development.

9. Adjournment



CITY OF KYLE, TEXAS

Citizen Comment Information

Meeting Date: 3/23/2021

Date time:6:30 PM

Subject/Recommendation: Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Sunset Ridge Manufactured Home
Park Establishing Lot 2, Phase 2B-
Final Plat (SUB-20-0159)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Sunset Ridge Manufactured Home Park Establishing Lot 2, Phase 2B- Final Plat (SUB-20-0159) 28.236 acres; 83 lease parcels, 1 private park, 8 drainage easements and 1 private street and utility easement located off of Split Rail Parkway.

Staff Proposal to P&Z: Approve the Final Plat.

Other Information: See attachments.

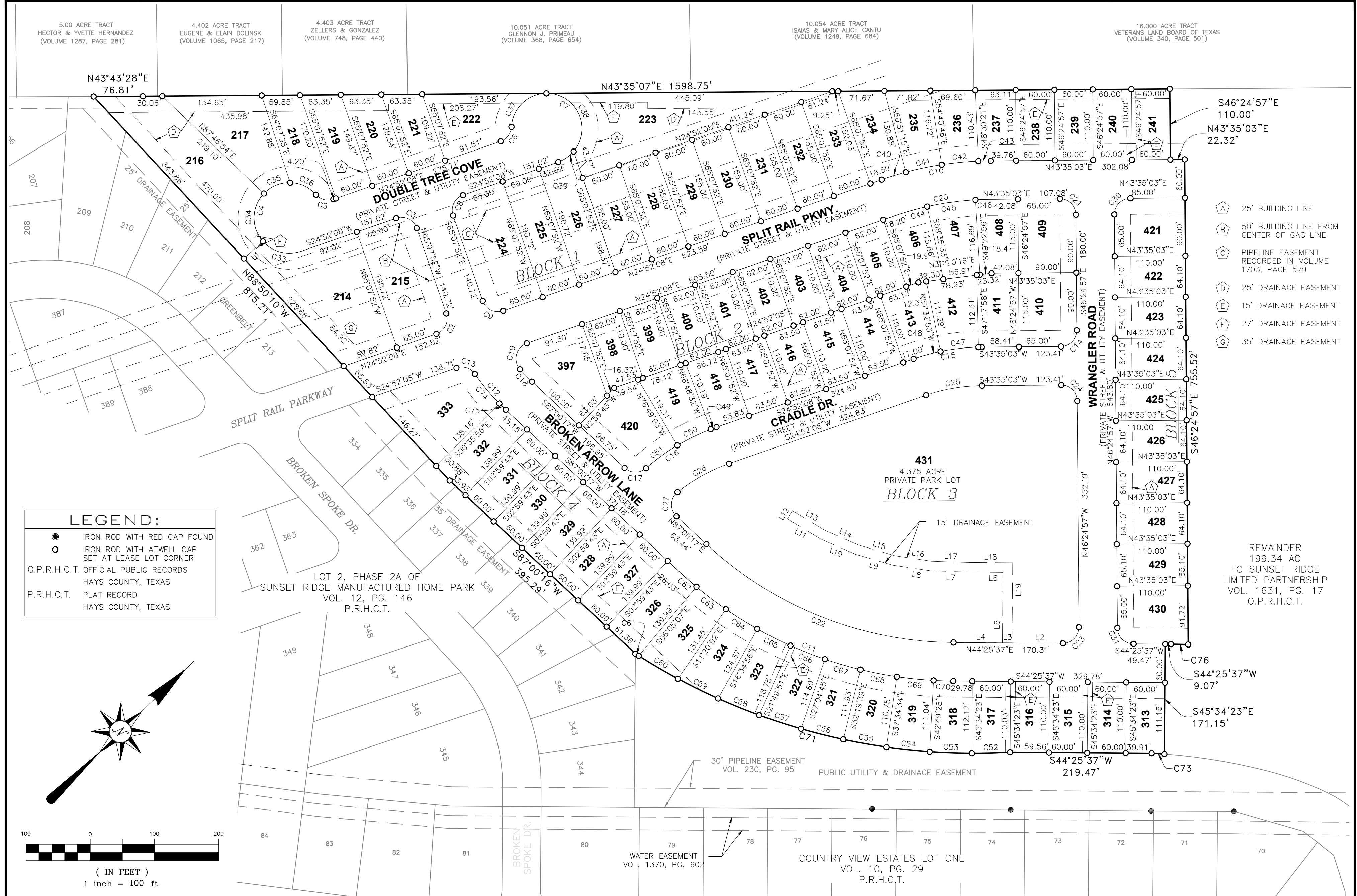
Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

□ Plat



k:\17000667-sun comm. - sunset ridge\dwg\survey\plat\sunset ridge ph2b\plat.dwg S:\dwgdate:3/15/2021 9:43 AM

PROJECT:	Sun Comm Sunset Ridge
JOB NUMBER:	17000667
SURVEY DATE:	OCTOBER 2020
SCALE:	1" = 100'
SURVEYOR:	ROBERT J. GERTSON, RPLS 6367
TECHNICIAN:	AY
DRAWING:	
DESCRIPTION:	
PARTYCHIEF:	
FIELDBOOKS:	



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AUSTIN, TX 78704
512.904.0505

TBPE NO. 12242

**SUBDIVISION PLAT
ESTABLISHING
LOT 2, PHASE 2B OF
SUNSET RIDGE MANUFACTURED HOME PARK**

**SHEET
2
OF 3**

LINE DATA TABLE		
LINE #	DIRECTION	LENGTH
L1	S2°22'08"W	39.96'
L2	N44°25'37"E	78.76'
L3	S44°25'37"W	15.00'
L4	S44°25'37"W	76.55'
L5	S45°34'23"E	109.99'
L6	N44°26'17"E	52.50'
L7	N45°46'11"E	60.00'
L8	N52°30'54"E	60.00'
L9	N60°15'20"E	60.00'
L10	N67°36'08"E	60.00'
L11	N75°04'51"E	60.00'
L12	S14°55'09"E	15.00'
L13	S75°04'51"W	59.02'
L14	S67°36'08"W	58.06'
L15	S60°15'20"W	58.02'
L16	S52°30'54"W	58.10'
L17	S45°46'11"W	58.94'
L18	S44°26'17"W	67.32'
L19	N45°34'23"W	124.99'

CURVE DATA TABLE					
CURVE #	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C2	90°00'00"	25.00'	39.27'	N20°07'52"W	35.36'
C3	90°00'00"	25.00'	39.27'	S69°52'08"W	35.36'
C4	247°58'32"	55.00'	238.04'	N31°08'36"W	91.21'
C5	67°58'32"	25.00'	29.66'	N58°51'24"E	27.95'
C6	67°58'32"	25.00'	29.66'	N9°07'09"W	27.95'
C7	247°58'32"	55.00'	238.04'	N80°52'51"E	91.21'
C8	90°00'00"	25.00'	39.27'	S20°07'52"E	35.36'
C9	90°00'00"	25.00'	39.27'	N69°52'08"E	35.36'
C10	18°42'55"	530.00'	173.12'	N34°13'35"E	172.35'
C11	42°34'40"	630.00'	468.17'	S65°42'57"W	457.47'
C12	12°46'48"	330.00'	73.61'	N86°36'19"W	73.45'
C13	74°54'57"	25.00'	32.69'	S62°19'36"W	30.41'
C14	90°00'00"	25.00'	39.27'	S1°24'57"E	35.36'
C15	18°42'55"	330.00'	107.79'	S34°13'35"W	107.31'
C16	22°10'05"	330.00'	127.68'	S13°47'05"W	126.88'
C17	84°18'14"	25.00'	36.78'	S44°51'10"W	33.55'
C18	5°42'40"	270.00'	26.91'	S89°51'37"W	26.90'
C19	112°09'10"	25.00'	48.94'	N31°12'27"W	41.49'
C20	18°42'55"	470.00'	153.52'	N34°13'35"E	152.84'
C21	90°00'00"	25.00'	39.27'	N88°35'03"E	35.36'
C22	42°34'40"	570.00'	423.58'	N65°42'57"E	413.90'
C23	90°50'34"	25.00'	39.64'	N0°59'40"W	35.61'
C24	90°00'00"	25.00'	39.27'	S88°35'03"W	35.36'
C25	18°42'55"	270.00'	88.19'	S34°13'35"W	87.80'
C26	19°35'43"	270.00'	92.34'	S15°04'16"W	91.89'
C27	98°16'06"	25.00'	42.88'	S43°51'39"E	37.81'
C30	90°00'00"	25.00'	39.27'	N1°24'57"W	35.36'
C31	89°09'26"	25.00'	38.90'	S89°00'20"W	35.09'
C33	67°30'00"	55.00'	64.80'	N58°37'08"E	61.11'
C34	85°24'46"	55.00'	81.99'	S44°55'29"E	74.61'
C35	47°29'11"	55.00'	45.58'	S21°31'29"W	44.29'
C36	47°34'36"	55.00'	45.67'	S69°03'22"W	44.37'
C37	86°41'33"	55.00'	83.22'	S0°14'21"W	75.50'
C38	130°41'45"	55.00'	125.46'	N71°03'51"W	99.98'
C39	30°34'57"	55.00'	29.36'	N9°34'39"E	29.01'
C40	4°16'37"	530.00'	39.56'	S27°00'26"W	39.55'

CURVE DATA TABLE					
CURVE #	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C41	6°10'27"	530.00'	57.11'	S32°13'58"W	57.08'
C42	6°10'27"	530.00'	57.11'	S38°24'25"W	57.08'
C43	2°05'24"	530.00'	19.33'	S42°32'21"W	19.33'
C44	6°31'19"	470.00'	53.50'	S28°07'47"W	53.47'
C45	9°13'37"	470.00'	75.69'	S36°00'15"W	75.61'
C46	2°57'59"	470.00'	24.33'	S42°06'03"W	24.33'
C47	10°14'55"	330.00'	59.03'	S37°34'35"W	58.95'
C48	7°34'59"	330.00'	43.68'	S28°39'37"W	43.64'
C49	1°40'40"	330.00'	9.66'	S24°01'48"W	9.66'
C50	10°00'31"	330.00'	57.64'	S18°11'12"W	57.57'
C51	10°28'54"	330.00'	60.37'	S7°56'30"W	60.29'
C52	3°32'20"	972.13'	60.05'	N42°25'44"E	60.04'
C53	3°51'14"	971.70'	65.36'	N46°07'23"E	65.35'
C54	4°00'06"	971.60'	67.86'	N50°02'50"E	67.84'
C55	4°00'13"	971.84'	67.91'	N54°02'47"E	67.90'
C56	4°00'51"	972.45'	68.13'	N58°03'13"E	68.11'
C57	4°01'58"	973.39'	68.51'	N62°04'43"E	68.50'
C58	4°03'37"	974.61'	69.06'	N66°07'52"E	69.05'
C59	4°05'27"	977.32'	69.78'	N70°13'15"E	69.76'
C60	4°08'15"	978.34'	70.65'	N74°21'27"E	70.63'
C61	0°10'06"	2137.98'	6.28'	N76°39'53"E	6.28'
C62	3°05'24"	630.00'	33.98'	N85°27'35"E	33.97'
C63	5°14'54"	630.00'	57.71'	N81°17'26"E	57.69'
C64	5°14'54"	630.00'	57.71'	N76°02'31"E	57.69'
C65	5°14'54"	630.00'	57.71'	N70°47'37"E	57.69'
C66	5°14'54"	630.00'	57.71'	N65°32'42"E	57.69'
C67	5°14'54"	630.00'	57.71'	N60°17'48"E	57.69'
C68	5°14'54"	630.00'	57.71'	N55°02'53"E	57.69'
C69	5°14'54"	630.00'	57.71'	N49°47'59"E	57.69'
C70	2°44'55"	630.00'	30.22'	N45°48'04"E	30.22'
C71	36°10'33"	972.51'	614.03'	N58°43'19"E	603.88'
C73	1°14'04"	934.06'	20.13'	S47°42'20"W	20.13'
C74	10°23'01"	330.00'	59.80'	S85°24'26"E	59.72'
C75	2°23'47"	330.00'	13.80'	N88°12'10"E	13.80'
C76	1°58'22"	780.00'	26.86'	S45°24'47"W	26.85'

k:\17000667-sun comm. - sunset ridge\dwg\survey\plat\sunset ridge ph2b.plt.dwg Savedate: 3/12/2021 6:38 AM Plotted: 3/15/2021 9:43 AM

PROJECT:	Sun Comm Sunset Ridge
JOB NUMBER:	17000667
SURVEY DATE:	OCTOBER 2020
SCALE:	1" = 100'
SURVEYOR:	ROBERT J. GERTSON, RPLS 6367
TECHNICIAN:	AY
DRAWING:	
DESCRIPTION:	
PARTYCHIEF:	
FIELDBOOKS:	



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TBPE NO. 12242

**SUBDIVISION PLAT
ESTABLISHING
LOT 2, PHASE 2B OF
SUNSET RIDGE MANUFACTURED HOME PARK**

**SHEET
3
OF 3**



CITY OF KYLE, TEXAS

Sunset Ridge Manufactured Home
Park Establishing Lot 2, Phase 2C -
Final Plat (SUB-20-0160)

Meeting Date: 3/23/2021
Date time:6:30 PM

Subject/Recommendation: Sunset Ridge Manufactured Home Park Establishing Lot 2, Phase 2C - Final Plat (SUB-20-0160) 21.343 acres; 91 lease parcels, 4 drainage easements, 1 private street and utility easement located off of Split Rail Parkway and Inspiration Drive.

Staff Proposal to P&Z: Approve the Final Plat.

Other Information: See attachment.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

□ Plat

STATE OF _____ :
COUNTY OF _____ :

KNOW ALL MEN BY THESE PRESENTS:

THAT, FC SUNSET RIDGE LIMITED PARTNERSHIP, OWNER OF 199.34 ACRES OUT OF THE M.B. ATKINSON SURVEY 10, ABSTRACT 21 AND THE ROBERT CARSON SURVEY, ABSTRACT 135 IN HAYS COUNTY, TEXAS, AS CONVEYED BY DEED OF RECORD IN VOLUME 1631, PAGE 17 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 21.343 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT TO BE KNOWN AS:

"SUBDIVISION PLAT ESTABLISHING LOT 2, PHASE 2C OF SUNSET RIDGE MANUFACTURED HOME PARK"

SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC USE OF THE STREETS AND EASEMENTS HEREON.

WITNESS MY HAND THIS THE _____ DAY OF _____, 20__ A.D.

AUSTIN, TEXAS 78746

BY: _____
FC SUNSET RIDGE LIMITED PARTNERSHIP

STATE OF _____ :
COUNTY OF _____ :

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND, THIS THE _____ DAY OF _____, 20__ A.D.

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

FINAL PLAT NOTES:

1. ALL STREETS SHOWN HEREON ARE PRIVATE, BUT ARE HEREBY DEDICATED AS PRIVATE INGRESS/EGRESS, PUBLIC DRAINAGE AND PUBLIC UTILITY EASEMENTS.
2. THIS SUBDIVISION IS A MANUFACTURED HOME RENTAL COMMUNITY, PURSUANT TO ORDINANCE NO. 378, SECTION 35 MANUFACTURED HOME PARK-DISTRICT "M-3" REQUIREMENTS.
3. ALL PARCELS WITH LOT NUMBERS ARE SHOWN FOR RENTAL PURPOSES ONLY AND ARE NOT TO BE CONSIDERED AS-INDIVIDUAL LEGAL LOTS AVAILABLE FOR RESALE.
4. NO OBJECT INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING, WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN ANY DRAINAGE EASEMENT.
5. THE PROPERTY OWNER OF LOT ON WHICH DRAINAGE EASEMENT IS PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND AND EASEMENT AREA FREE OF DEBRIS AND TREE/BUSH REGROWTH.
6. OWNER(S) OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENT(S) SHALL ALLOW ACCESS FOR INSPECTIONS, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
7. PLACEMENT OF FILL MATERIAL, OR STRUCTURES, OR CHANNEL MODIFICATIONS WITHIN 100 YEAR FLOODPLAIN IS PROHIBITED.
8. MAINTENANCE AND UPKEEP OF DETENTION BASINS AND RELATED DRAINAGE APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF TRACT(S) UPON WHICH FACILITIES ARE LOCATED.
9. A 20-FOOT WIDE PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT ABUTTING THE RIGHT-OF WAY OF EACH STREET IS HEREBY PROVIDED. IN ADDITION, A 10-FOOT WIDE PUBLIC UTILITY EASEMENT ALONG ALL INTERIOR/Common LOT LINES (5' ON EACH SIDE) IS HEREBY PROVIDED.

FLOOD NOTE:
NO PORTION OF THE PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL NO. 48209C0405F DATED 09/02/2005.

STATE OF TEXAS:
COUNTY OF HAYS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL PUBLIC SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

BY: ROBERT J. GERTSON
REGISTERED PUBLIC LAND SURVEYOR #6367

STATE OF TEXAS:
COUNTY OF HAYS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

BY: JUDY ANDERSON
REGISTERED PROFESSIONAL ENGINEER #120202

STATE OF TEXAS :
COUNTY OF HAYS :

I, ELAINE HANSON CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20__ A.D. AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN DOCUMENT NO. _____ WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20__ A.D.

ELAINE HANSON CARDENAS
COUNTY CLERK
HAYS COUNTY, TEXAS

LEON BARBA, CITY ENGINEER

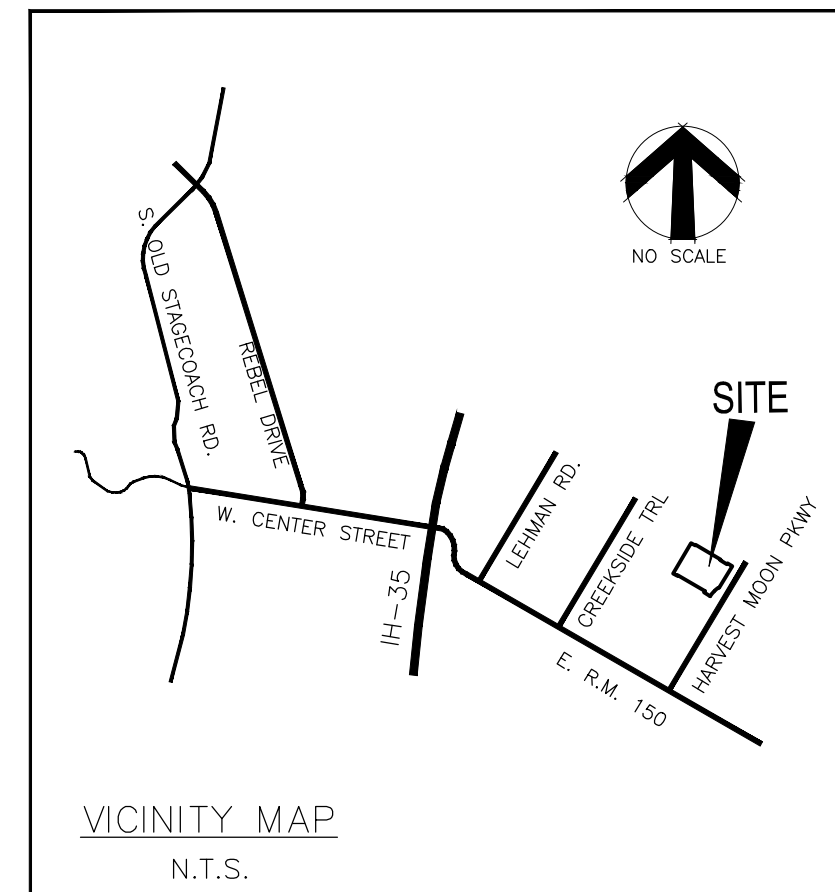
DATE

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

DATE

APPROVED BY: _____
MICHELE CHRISTIE, PLANNING & ZONING COMMISSION CHAIRPERSON

DATE



VICINITY MAP
N.T.S.

k:\17000667-sun comm. - sunset ridge\dwg\sunset_ridge_ph2c_plat.dwg Savedate: 3/15/2021 10:07 AM Platdate: 3/15/2021 10:08 AM

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JOB NUMBER:	17000667
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**SUBDIVISION PLAT
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LOT 2, PHASE 2C OF
SUNSET RIDGE MANUFACTURED HOME PARK**

**SHEET
1
OF 3**

10.054 ACRE TRACT
ISAIAH & MARY ALICE CANTU
(VOLUME 1249, PAGE 684)

16.000 ACRE TRACT
VETERANS LAND BOARD OF TEXAS
(VOLUME 340, PAGE 501)

REMAINDER OF THAT
CALLED 100.82 ACRE TRACT
(VOLUME 321, PAGE 808)

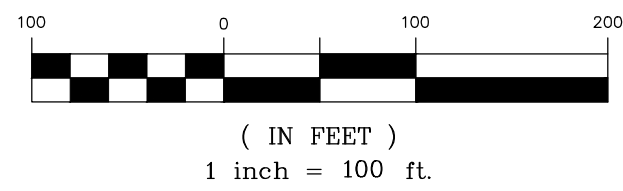
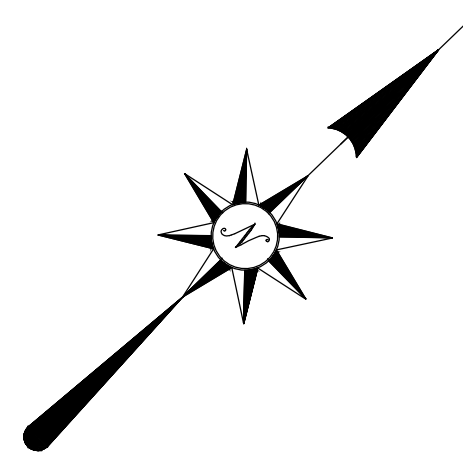


- (A) 25' BUILDING LINE
- (B) 20' DRAINAGE EASEMENT
- (C) 15' DRAINAGE EASEMENT

REMAINDER
199.34 AC
FC SUNSET RIDGE
LIMITED PARTNERSHIP
VOL. 1631, PG. 17
O.P.R.H.C.T.

LEGEND:

●	IRON ROD WITH RED CAP FOUND
○	IRON ROD WITH ATWELL CAP SET AT LEASE LOT CORNER
	O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
	P.R.H.C.T. PLAT RECORD HAYS COUNTY, TEXAS



k:\17000667-sun comm - sunset ridge\dwg\survey\plat\sunset ridge pb2c plat.dwg Savedate: 3/12/2021 6:38 AM Plotted: 3/15/2021 9:47 AM

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**SUBDIVISION PLAT
ESTABLISHING
LOT 2, PHASE 2C OF
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**SHEET
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OF 3**

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C1	9°57'03"	169.99'	29.52'	S74°56'38"W	29.49'
C2	11°35'43"	500.00'	101.19'	S64°09'34"W	101.02'
C3	10°02'20"	934.06'	163.66'	S53°20'32"W	163.45'
C4	1°58'22"	780.00'	26.86'	N45°24'47"E	26.85'
C5	89°13'04"	25.00'	38.93'	S88°58'30"W	35.11'
C6	90°00'00"	25.00'	39.27'	N1°24'57"W	35.36'
C7	90°00'00"	25.00'	39.27'	N1°24'57"W	35.36'
C8	90°00'00"	25.00'	39.27'	N88°35'03"E	35.36'
C9	90°46'56"	25.00'	39.61'	S1°01'30"E	35.60'
C10	89°13'04"	25.00'	38.93'	S88°58'30"W	35.11'
C11	80°00'00"	25.00'	34.91'	S86°24'57"E	32.14'
C12	5°49'02"	720.00'	73.10'	N50°40'31"E	73.07'
C13	94°10'58"	25.00'	41.09'	N0°40'31"E	36.62'
C14	90°00'00"	25.00'	39.27'	S88°35'03"W	35.36'
C15	90°00'00"	25.00'	39.27'	S1°24'57"E	35.36'
C16	90°00'00"	25.00'	39.27'	N88°35'03"E	35.36'
C17	98°48'41"	25.00'	43.11'	S2°59'23"W	37.97'
C18	7°58'07"	780.00'	108.48'	S48°24'40"W	108.40'
C19	8°36'31"	530.00'	79.63'	N53°42'26"W	79.56'
C20	83°27'23"	25.00'	36.41'	S88°52'08"W	33.28'

CURVE DATA TABLE					
CURVE #	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C21	6°26'36"	780.00'	87.72'	S50°21'44"W	87.67'
C22	9°09'26"	720.00'	115.07'	S49°00'20"W	114.95'
C23	7°33'11"	470.00'	61.96'	N54°14'06"W	61.91'
C24	94°49'29"	25.00'	41.38'	N3°02'46"W	36.81'
C25	4°41'30"	720.00'	58.96'	S46°46'21"W	58.94'
C26	4°27'56"	720.00'	56.12'	S51°21'04"W	56.10'
C27	0°57'23"	780.00'	13.02'	N53°06'21"E	13.02'
C28	5°29'13"	780.00'	74.70'	N49°53'03"E	74.67'
C29	9°57'03"	169.99'	29.52'	S74°56'38"W	29.49'
C30	0°43'23"	500.00'	6.31'	S69°35'44"W	6.31'
C31	7°49'53"	500.00'	68.34'	S65°19'06"W	68.29'
C32	3°02'27"	500.00'	26.54'	S59°52'56"W	26.53'
C33	2°42'53"	934.06'	44.26'	S57°00'16"W	44.25'
C34	3°38'35"	934.06'	59.39'	S53°49'32"W	59.38'
C35	3°40'53"	934.06'	60.01'	S50°09'48"W	60.00'

LINE DATA TABLE		
LINE #	DIRECTION	LENGTH
L1	N89°00'29"E	22.10'
L2	S44°25'37"W	9.07'
L3	S44°25'37"W	9.07'
L4	N58°00'41"W	47.79'
L5	N58°00'41"W	34.62'
L6	S36°00'42"E	136.47'
L7	S35°49'14"E	117.03'
L8	N40°39'41"E	60.55'
L9	N49°03'11"E	60.60'
L10	N54°04'28"E	72.02'
L11	N65°31'21"E	66.82'
L12	N72°49'52"E	45.90'

PROJECT:	Sun Comm Sunset Ridge
JOB NUMBER:	17000667
SURVEY DATE:	NOVEMBER 2020
SCALE:	1" = 100'
SURVEYOR:	ROBERT J. GERTSON, RPLS 6367
TECHNICIAN:	AY
DRAWING:	
DESCRIPTION:	
PARTYCHIEF:	
FIELDBOOKS:	



ATWELL
866.850.4200 www.atwell-group.com
3815 S CAPITAL OF TEXAS HIGHWAY, SUITE 300
AUSTIN, TX 78704
512.904.0505
TBPE NO. 12242

**SUBDIVISION PLAT
ESTABLISHING
LOT 2, PHASE 2C OF
SUNSET RIDGE MANUFACTURED HOME PARK**

**SHEET
3
OF 3**



CITY OF KYLE, TEXAS

Plum Creek Phase 1, Section 6F,
Resub of Lot 3 (SUB-21-0166)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Plum Creek Phase 1, Section 6F, Resub of Lot 3 (SUB-21-0166) 2.4273 acres; 4 commercial lots for property located on the southwest corner of Kohler's Crossing and Benner Road.

Staff Proposal to P&Z: Approve the Plat.

Other Information: See attached.

Legal Notes: N/A

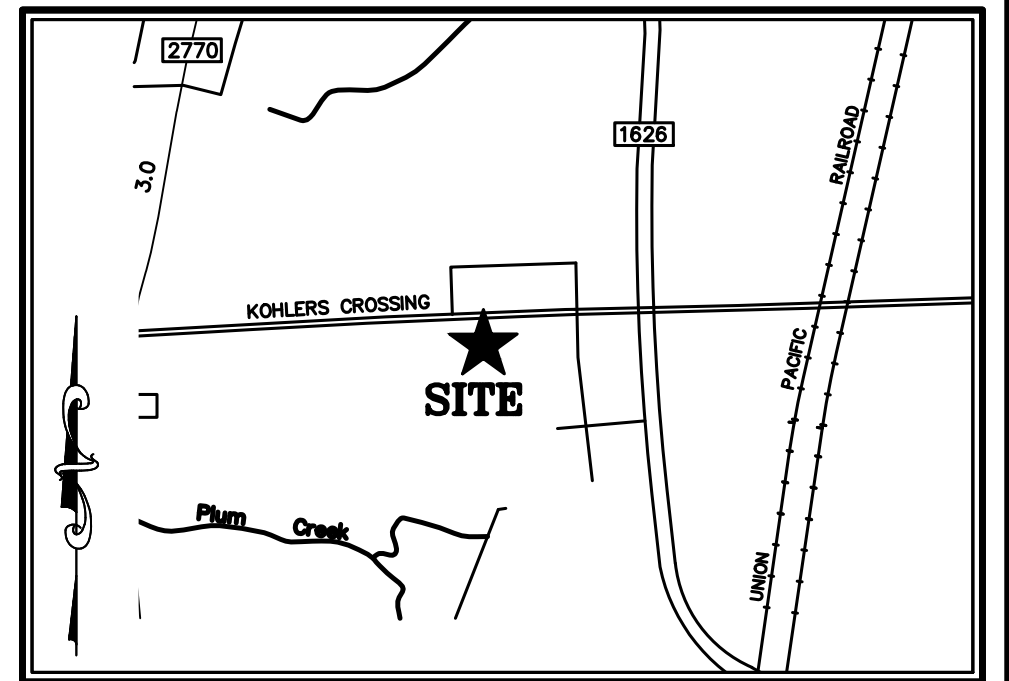
Budget Information: N/A

ATTACHMENTS:

Description

□ Plat

RESUBDIVISION LOT 3, BLOCK "A", PLUM CREEK, PHASE I, SECTION 6F City of Kyle, Hays County, Texas



VICINITY MAP

SCALE: 1" = 2000'

BEARING BASIS:
ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4204), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000101708356.

SURVEY CONTROL:
CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, GRID COORDINATES (STATE PLANE TEXAS SOUTH CENTRAL - 4204) AND ELEVATIONS (NAVD83) SHOWN HEREON WERE COMPUTED FROM NGS O.P.U.S. SOLUTION REPORT DERIVED FROM 4WARD STATIC DATA COLLECTED OCTOBER 7, 2020.

FLOODPLAIN NOTE:
THIS PROPERTY IS LOCATED WITHIN ZONE 'X'. AREAS OF MINIMAL FLOOD HAZARD, AS SHOWN ON F.I.R.M. MAP NO. 48209C0270F, HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED SEPTEMBER 2, 2005.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

OWNERS: WOODBRIDGE ENTERPRISES, LLC
ADDRESS: 4210 BENNER ROAD
KYLE TEXAS, 78640
PHONE: 512-298-1645

ACREAGE: 2.4273 ACRES

SURVEY: LOT 3, PLUM CREEK PHASE I, SECTION 6F

NUMBER OF LOTS AND PROPOSED USE: 4 COMMERCIAL LOTS

SURVEYOR: 4WARD LAND SURVEYING, LLC
PHONE: 512-537-2384

ENGINEER: MILLER GRAY, LLC
PHONE: 512-861-5300

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
C1	240.00'	81.89'	19°32'56"	S08°35'35"W	81.49'
C2	25.00'	22.78'	52°12'28"	S44°28'42"W	22.00'
C3	59.50'	23.75'	22°52'03"	S59°09'14"W	23.59'
C4	59.50'	111.00'	106°53'22"	S05°42'30"E	95.59'

RECORD CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
(C1)	240.00'	81.89'	19°32'56"	S08°35'35"W	81.49'
((C1))	240.00'	81.89'	19°32'56"	S08°35'35"W	81.49'
(C2)	25.00'	22.79'	52°12'28"	S44°28'42"W	22.00'
((C2))	25.00'	22.79'	52°12'28"	S44°28'42"W	22.01'
(C3)	59.50'	23.75'	22°52'03"	S59°09'14"W	23.59'
(C4)	59.50'	110.96'	106°53'22"	S05°42'24"E	95.57'

LOT SUMMARY TABLE

LOT 3A -	0.5589 ACRES (24,347 SQ. FT.)
LOT 3B -	0.6971 ACRES (30,367 SQ. FT.)
LOT 3C -	0.3832 ACRES (16,694 SQ. FT.)
LOT 3D -	0.7881 ACRES (34,327 SQ. FT.)
TOTAL -	2.4273 ACRES (105,735 SQ. FT.)

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N88°48'59"E	31.18'
L2	N02°22'59"W	20.00'
L3	N02°41'57"W	14.98'
L4	N88°48'56"E	70.00'
L5	N01°05'24"W	14.98'
L6	N88°40'18"E	69.76'
L7	N02°18'17"W	100.01'
L8	N87°41'43"E	2.25'
L9	S87°35'24"W	227.22'
L10	N02°49'43"W	49.26'
L11	S87°37'16"W	60.76'
L12	N02°23'48"W	25.00'
L13	N87°37'16"E	85.76'
L14	S02°24'24"E	49.28'
L15	N87°30'27"E	37.98'
L16	N02°25'40"W	44.99'
L17	N87°35'24"E	25.00'
L18	S02°25'37"E	44.72'
L19	N87°35'20"E	103.11'

RECORD LINE TABLE

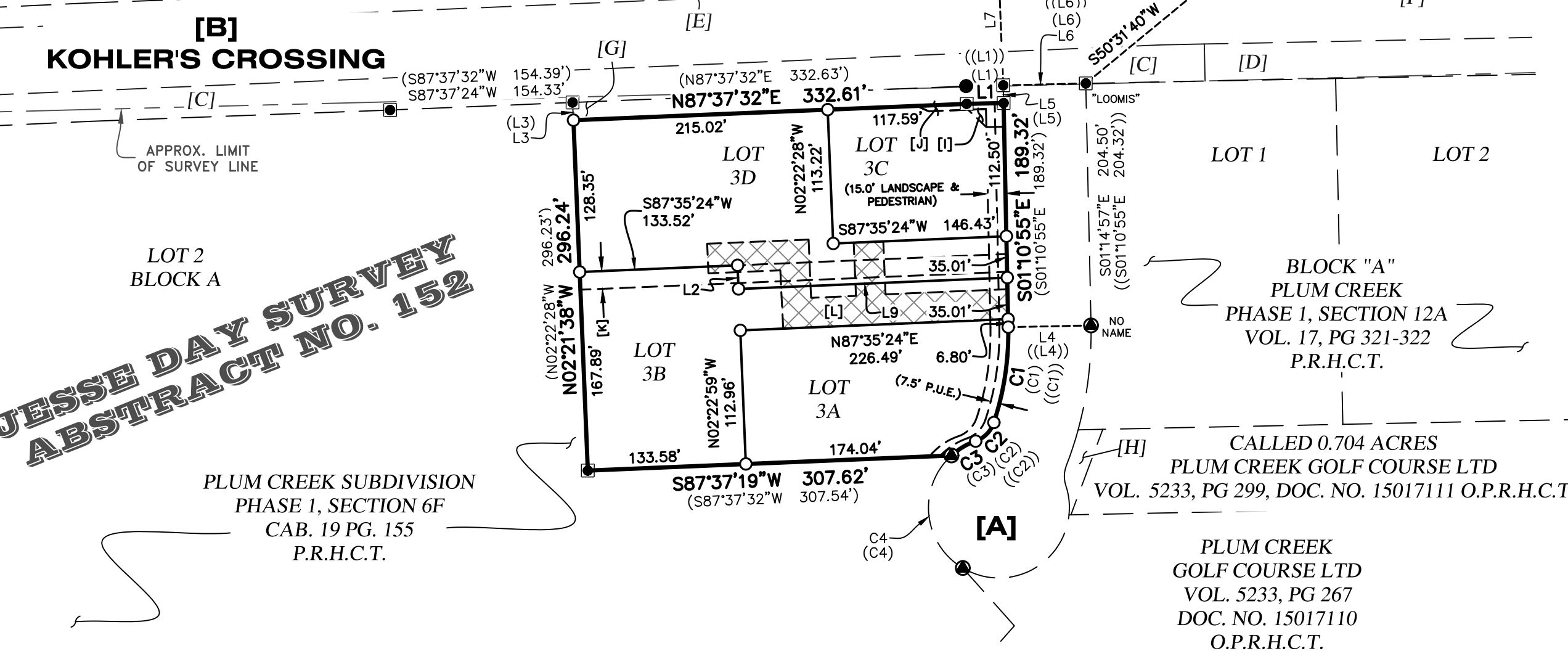
LINE #	DIRECTION	LENGTH
(L1)	N88°49'05"E	31.16'
((L1))	N88°49'05"E	31.32'
(L3)	N02°22'28"W	15.00'
((L4))	N88°49'05"E	70.00'
(L5)	N01°10'55"W	15.00'
(L6)	N88°49'05"E	70.00'
((L6))	N88°49'05"E	70.00'

LEGEND

---	PROPERTY LINE
- - -	EXISTING PROPERTY LINES
- - -	EXISTING EASEMENTS
○	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
●	1/2" IRON ROD FOUND (UNLESS NOTED)
⊙	MAG NAIL WITH WASHER "BCG" FOUND UNLESS NOTED
⊙	IRON ROD WITH "BCG" CAP FOUND UNLESS NOTED
△	CALCULATED POINT
⊙	SURVEY CONTROL POINT
P.U.E.	PUBLIC UTILITY EASEMENT
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.H.C.T.	PLAT RECORDS, HAYS COUNTY, TEXAS
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 19, PG. 155-156
((.....))	RECORD INFORMATION PER PLAT VOL. 17, PG. 321-322

REMAINDER OF A CALLED 983.99 ACRES ("TRACT 2")
MOUNTAIN PLUM, LTD.
VOL. 2297, PG. 139
O.P.R.H.C.T.

JOHN COOPER SURVEY NO. 13 ABSTRACT NO. 100



[A] BENNER ROAD (70' R.O.W.) (VOL. 17, PG. 321-322)
[B] KOHLER'S CROSSING COUNTY ROAD F.M. 171 MOUNTAIN CITY ROAD (R.O.W. VARIES)

[C] CALLED 0.940 ACRES PARCEL NO. 1 ("TRACT 2") CITY OF KYLE VOL. 3218, PG. 860 O.P.R.H.C.T.

[D] CALLED 1.252 ACRES PARCEL NO. 2 ("TRACT 1") CITY OF KYLE VOL. 3218, PG. 838 O.P.R.H.C.T.

[E] CALLED 1.171 ACRES PARCEL NO. 3 ("TRACT 1") VOL. 3220, PG. 508 O.P.R.H.C.T.

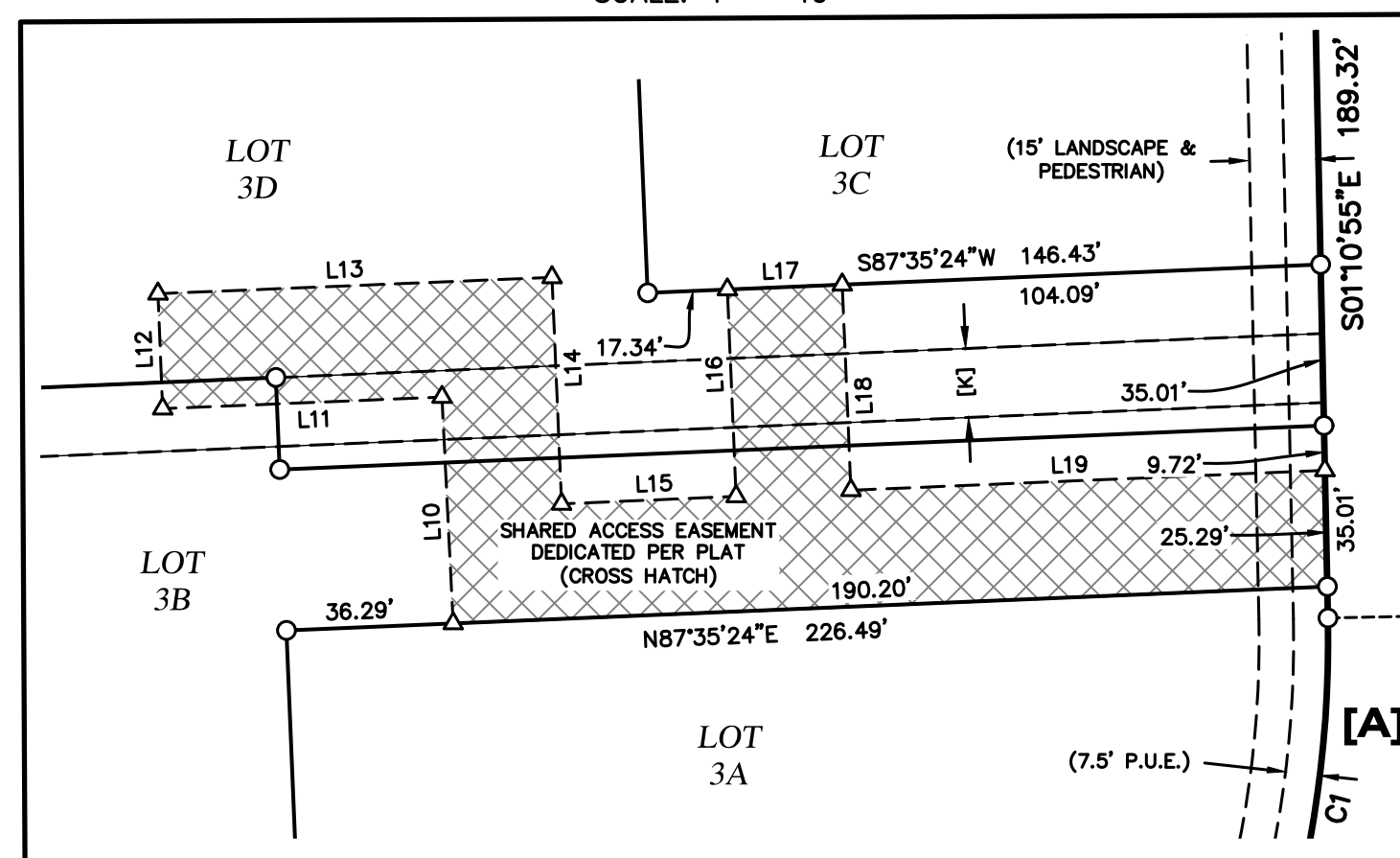
[F] CALLED 0.162 ACRES PARCEL NO. 3 ("TRACT 2") VOL. 3220, PG. 508 O.P.R.H.C.T.

[G] LOT 4, BLOCK "A" PLUM CREEK SUBDIVISION LANDSCAPE & PEDESTRIAN EASEMENT PHASE I SECTION 6F CAB. 19 PG. 155 P.R.H.C.T.

[H] CALLED 0.024 ACRES PLUM CREEK DEVELOPMENT PARTNERS LTD VOL. 2881, PG 599 O.P.R.H.C.T.

[I] SIGN EASEMENT VOL. 19, PG. 156 P.R.H.C.T.
[J] LANDSCAPE EASEMENT VOL. 19, PG. 156 P.R.H.C.T.
[K] WATERLINE EASEMENT DOC. NO. 16014168
[L] SHARED ACCESS EASEMENT DEDICATED PER PLAT (CROSS HATCH) SEE EASEMENT DETAIL

SHARED ACCESS EASEMENT DETAIL SCALE: 1" = 40'



4WARD Land Surveying
A Limited Liability Company
PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	2/9/2021
Project:	01097
Scale:	1" = 100'
Reviewer:	PRB
Tech:	ABW
Field Crew:	WC/JC
Survey Date:	SEP. 2020
Sheet:	1 OF 2

RESUBDIVISION LOT 3, BLOCK "A", PLUM CREEK, PHASE I, SECTION 6F

City of Kyle, Hays County, Texas

STATE OF TEXAS §
CITY OF BUDA §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS THAT ALAN SILBERG REPRESENTATIVE OF WOODBRIDGE ENTERPRISES LLC, OWNER OF LOT 3, PLUM CREEK PHASE 1, SECTION 6F, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 19, PAGES 155-156 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS AND CONVEYED TO WOODBRIDGE ENTERPRISES LLC IN DOCUMENT NO. 16021202 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; DOES HEREBY SUBDIVIDE SAID LOT 3 ACCORDING WITH THE ATTACHED PLAT PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE CITY OF KYLE CODE TO BE KNOWN AS:

RESUBDIVISION LOT 3, BLOCK "A", PLUM CREEK, PHASE I, SECTION 6F

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE _____ DAY OF _____, 20____ A.D.

ALAN SILBERG
4210 BENNER ROAD
KYLE, TEXAS 78740

ALAN SILBERG
4210 BENNER ROAD
KYLE, TEXAS 78740

STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALAN SILBERG, REPRESENTATIVE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND SHE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____ A.D.

NOTARY PUBLIC FOR HARRIS COUNTY, TEXAS

ENGINEER CERTIFICATION:

STATE OF TEXAS §
COUNTY OF HAYS §

I, TRAVIS WILSON, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

TRAVIS WILSON DATE
REGISTERED PROFESSIONAL ENGINEER NO. 97307
MILLER GRAY, LLC
TBPE FIRM NO. 16302
7320 N. MOPAC EXPRESSWAY
SUITE 203
AUSTIN, TEXAS 78731

SURVEYOR'S CERTIFICATION:

STATE OF TEXAS §
COUNTY OF HAYS §

THAT I, JASON WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN HEREON.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. FOR REVIEW PURPOSES ONLY.

JASON WARD, R.P.L.S. DATE
TEXAS REGISTRATION NO. 5811

GENERAL NOTES:

- 1) NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF KYLE WATER AND WASTEWATER SYSTEM.
- 2) WATER AND WASTEWATER SYSTEMS, INCLUDING METERS, SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF KYLE STANDARDS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF KYLE UTILITY DEPARTMENT FOR REVIEW.
- 3) ALL STREETS, DRAINAGE, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OF KYLE STANDARDS.
- 4) NO BUILDING, FENCES, LANDSCAPING OR OTHER SUCH STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY CITY OF KYLE.
- 5) PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AGENCY.
- 6) ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNS.
- 7) BUILDING SETBACK LINES NOT SHOWN ON LOTS SHALL CONFORM WITH THE CITY OF KYLE ZONING ORDINANCES REQUIREMENTS.
- 8) THE OWNER OF THIS SUBDIVISION, AND OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF KYLE. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION, REPLATTING AND/OR DEDICATION OF EASEMENTS BY SEPARATE INSTRUMENT MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
- 9) THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION FOR ELECTRIC UTILITY WORK REQUIRED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT.
- 10) ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT. ELECTRIC SERVICE TO EACH LOT SHALL BE UNDERGROUND.
- 11) THE SUBDIVISION IS SERVED BY THE FOLLOWING UTILITIES:

WATER	CITY OF KYLE
WASTEWATER	CITY OF KYLE
ELECTRIC	PEDERNALES ELECTRIC COMPANY
TELEPHONE	VERIZON
- 12) ALL LOTS CONTAINED IN THIS SUBDIVISION AND USERS THEREOF, SHALL HAVE RECIPROCAL ACCESS FOR INGRESS AND EGRESS THROUGH ALL DRIVE LANES, FIRE LANES, AND DRIVEWAYS.
- 13) PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
- 14) REPAIRS TO SURFACE PAVING DUE TO MAINTENANCE AND/OR REPAIR OF CITY UTILITIES WITHIN PUBLIC UTILITY EASEMENTS INTERIOR TO LOTS SHALL BE THE RESPONSIBILITY OF THE LOT OWNER(S).
- 15) SIDEWALKS SHALL BE INSTALLED ON THE SUBDIVISION SIDE OF BENNER DRIVE AND KOHLER'S CROSSING.
- 16) TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING, WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT-OF-WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS/AND OR PROPERTY OWNERS ASSOCIATIONS.
- 18) SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER AMENITIES TO BE DEDICATED TO THE CITY OF KYLE SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
- 19) THIS PROPERTY IS LOCATED WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- 20) THE FULLY DEVELOPED, CONCENTRATED STORM WATER RUNOFF FOR THE 100 YEAR STORM AND THE 100 YEAR REGULATORY FLOODPLAIN SHALL BE CONTAINED WITHIN DRAINAGE EASEMENTS.
- 21) NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP PANEL NO. 48209C0270F, HAYS COUNTY, TEXAS DATED SEPTEMBER 2, 2005.
- 22) THE EMERGENCY SERVICES PROVIDER IS THE CITY OF KYLE FIRE DEPARTMENT, 150 BUNTON CREEK ROAD, KYLE, TEXAS 78640.
- 23) A SEVEN AND A HALF (7.5) FOOT PUE IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW.

STATE OF TEXAS §
COUNTY OF HAYS §

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF KYLE, TEXAS, AND IS HEREBY APPROVED BY SUCH PLANNING & ZONING COMMISSION.

DATED THIS _____ DAY OF _____, 20____.

MICHELLE CHRISTIE, CHAIRPERSON

REVIEWED BY: _____ DATE _____
LEON BARBA, CITY ENGINEER

HARPER WILDER, DIRECTOR OF PUBLIC WORKS DATE _____

STATE OF TEXAS §
COUNTY OF HAYS §

I, _____, THE CITY SECRETARY OF THE CITY OF KYLE, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE FOREGOING PLAT OF RESUBDIVISION LOT 3, BLOCK "A", PLUM CREEK, PHASE I, SECTION 6F SUBDIVISION, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, ON

THE _____ DAY OF _____, 20____ A.D.
SAID PLAT IS SUBJECT TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KYLE, TEXAS. WITNESS MY HAND AND SEAL OF OFFICE, THIS THE

_____ DAY OF _____, 20____ A.D.

CITY SECRETARY, CITY OF KYLE, TEXAS

STATE OF TEXAS §
COUNTY OF HAYS §

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED

FOR RECORD IN MY OFFICE ON THE ____DAY OF _____, 20____, AT ____O'CLOCK ____M., AND DULY RECORDED ON THE _____ DAY OF _____, 20____ A.D., AT

_____O'CLOCK ____ M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN

VOLUME _____, PAGE _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY OF _____, 20____ A.D.

ELAINE H. CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

<p>4WARD Land Surveying <small>A Limited Liability Company</small></p> <p>PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300</p>	Date: 2/9/2021
	Project: 01097
	Scale: 1" = 100'
	Reviewer: PRB
	Tech: ABW
	Field Crew: WC/JC
	Survey Date: SEP. 2020
Sheet: 2 OF 2	



CITY OF KYLE, TEXAS

Stagecoach Subdivision, Phase 3 - Final Plat (SUB-20-0149)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Stagecoach Subdivision, Phase 3 - Final Plat (SUB-20-0149) 22.251 acres; 88 single family lots, 1 water line lot and 1 drainage easement lot for property located East of Stagecoach Road and West of Scott Street.

Staff Proposal to P&Z: Approve the Final Plat.

Other Information: See attached.

Legal Notes: N/A

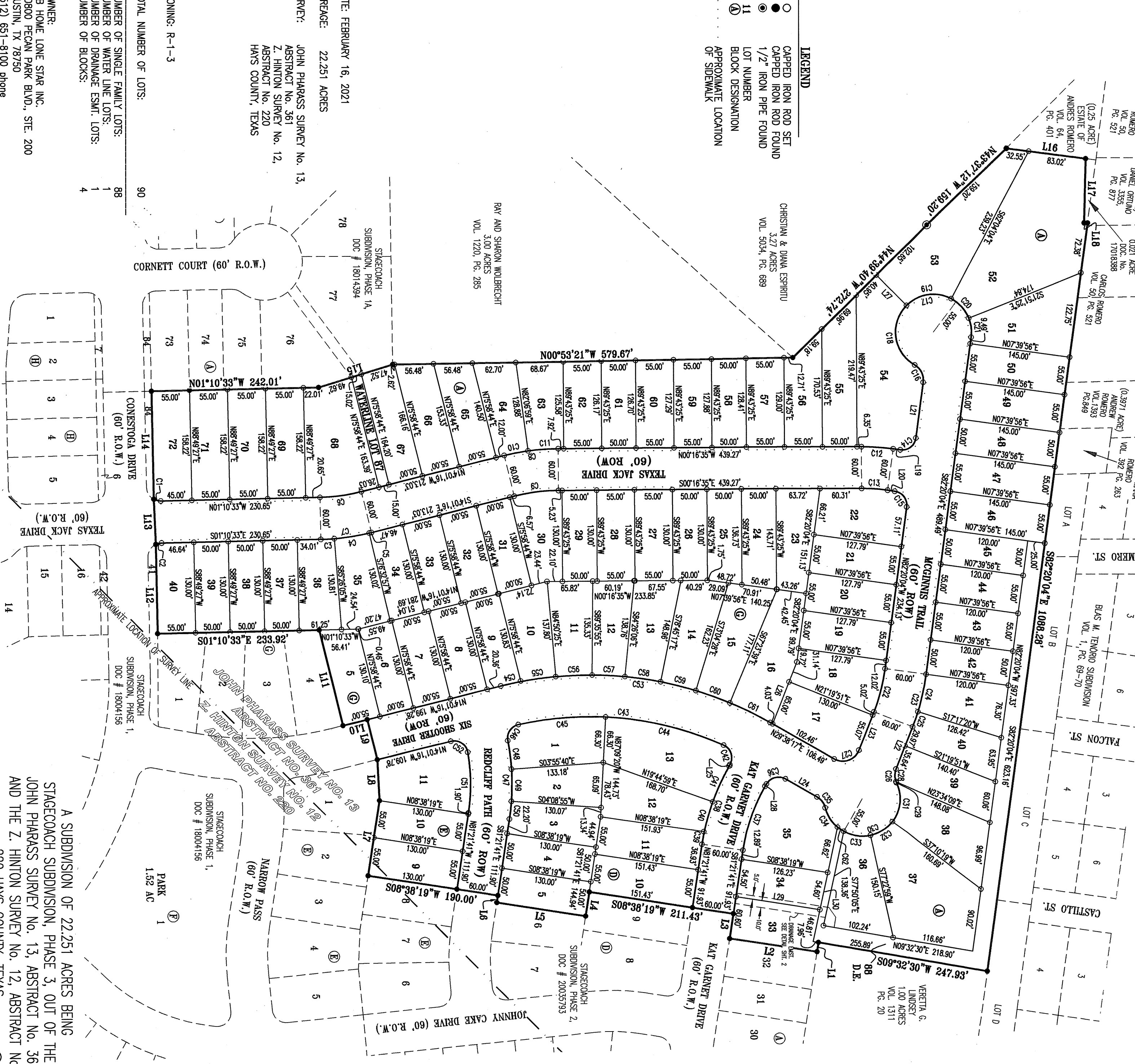
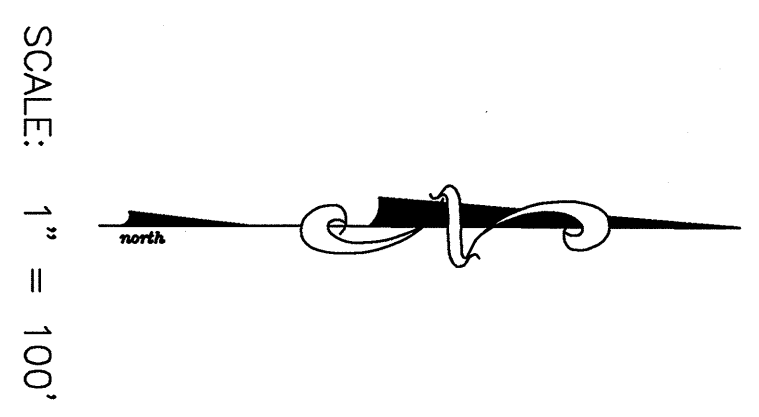
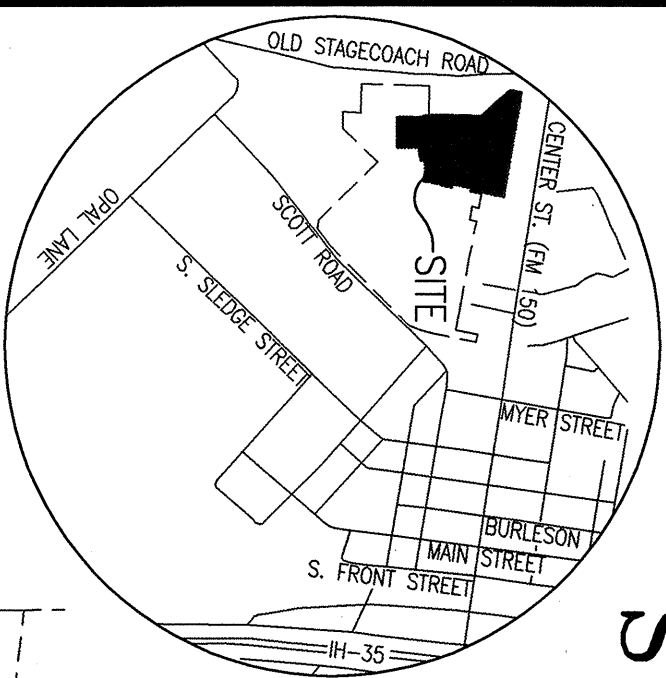
Budget Information: N/A

ATTACHMENTS:

Description

☐ Final Plat

STAGECOACH SUBDIVISION PHASE 3 FINAL PLAT



- LEGEND**
- CAPPED IRON ROD SET
 - CAPPED IRON ROD FOUND
 - 1/2" IRON PIPE FOUND
 - Ⓐ LOT NUMBER
 - Ⓜ BLOCK DESIGNATION
 - Ⓜ APPROXIMATE LOCATION OF SIDEWALK

DATE: FEBRUARY 16, 2021
 ACREAGE: 22.251 ACRES
 SURVEY: JOHN PHARASS SURVEY NO. 13,
 ABSTRACT NO. 361
 Z. HINTON SURVEY NO. 12,
 ABSTRACT NO. 220
 HAYS COUNTY, TEXAS

OWNER:
 KB HOME LONE STAR INC.
 10800 PECAN PARK BLVD., STE. 200
 AUSTIN, TX 78750
 (512) 651-8100 phone
 (512) 795-6181 fax

ENGINEER & SURVEYOR:
 CARLSON, BRIGANCE & DOERING, INC.
 5501 WEST WILLIAM CANNON DRIVE
 AUSTIN, TX 78749
 (512)-280-5160 phone
 (512)-280-5165 fax

A SUBDIVISION OF 22.251 ACRES BEING
 STAGECOACH SUBDIVISION, PHASE 3, OUT OF THE
 JOHN PHARASS SURVEY NO. 13, ABSTRACT NO. 361
 AND THE Z. HINTON SURVEY NO. 12, ABSTRACT NO.
 220 HAYS COUNTY, TEXAS

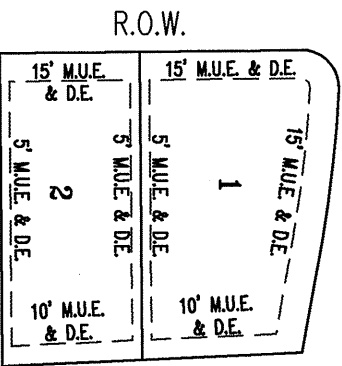
Carlson, Brigrance & Doering, Inc.
 FIRM ID #93791 REG. # 10029000
 Civil Engineering Surveying
 5501 West William Cannon Austin, Texas 78749
 Phone No. (512) 280-5160 Fax No. (512) 280-5165

STAGECOACH SUBDIVISION PHASE 3 FINAL PLAT

Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	10.47	20.00	N1349'27"E	10.35	5.36	300°00"
C2	8.63	20.00	S1331'56"E	8.56	4.38	242°46"
C3	19.52	330.00	S02°52'14"E	19.52	9.76	3°32'22"
C4	51.18	330.00	S09°00'29"E	51.13	25.64	8°53'09"
C5	3.28	330.00	S13°44'10"E	3.28	1.64	0°34'12"
C6	60.53	270.00	N07°35'54"W	60.40	30.39	12°50'42"
C7	73.98	330.00	N07°35'54"W	73.83	37.15	12°50'42"
C8	79.16	330.00	S07°08'55"E	78.97	39.77	13°44'41"
C9	64.77	270.00	S07°08'55"E	64.62	32.54	13°44'41"
C10	35.35	330.00	N10°57'08"W	35.33	17.68	6°08'15"
C11	43.81	330.00	N04°04'48"W	43.78	21.94	7°36'26"
C12	46.27	330.00	S03°44'25"W	46.23	23.17	8°01'59"
C13	37.85	270.00	S03°44'25"W	37.82	18.96	8°01'59"
C14	31.45	20.00	N37°17'20"W	28.31	20.03	90°05'28"
C15	31.38	20.00	S52°42'40"W	28.26	19.97	89°54'32"
C16	29.66	25.00	S63°40'40"W	27.95	16.85	67°58'32"
C17	238.04	55.00	S26°19'20"E	91.21	81.58	247°58'32"
C18	100.91	55.00	S27°14'55"W	87.34	71.83	105°07'03"
C19	70.19	55.00	N08°37'49"W	65.53	40.79	73°07'29"
C20	38.60	55.00	N48°02'15"E	37.81	20.13	40°12'40"
C21	28.34	55.00	N02°54'16"E	28.03	14.49	29°31'21"
C22	64.40	270.00	S73°30'07"E	64.24	32.35	13°39'55"
C23	78.71	330.00	N75°30'07"W	78.52	39.54	13°39'55"
C24	55.43	330.00	S73°31'22"E	55.36	27.78	93°7'24"
C25	23.28	330.00	S70°41'24"E	23.27	11.64	4°02'31"
C26	20.32	25.00	S88°02'49"W	19.76	10.76	46°34'03"
C27	42.89	25.00	N19°30'56"W	37.82	28.92	98°18'26"
C28	18.61	25.00	N66°42'59"E	18.19	9.76	42°39'42"
C29	1.70	25.00	N00°00'00"E	1.70	0.85	3°54'21"
C30	183.77	55.00	N19°30'56"W	109.45	548.99	191°26'31"
C31	59.91	55.00	S44°01'56"E	56.99	33.31	62°24'31"
C32	38.60	55.00	S24°43'21"E	37.81	20.13	40°12'40"
C33	40.17	55.00	S08°18'19"W	39.28	21.03	41°50'41"
C34	34.24	55.00	N88°22'21"E	33.89	17.68	35°39'56"
C35	20.32	25.00	N62°55'18"E	19.76	10.76	46°34'03"
C36	31.42	20.00	S15°21'43"E	28.28	20.00	90°00'00"
C37	98.96	270.00	S70°51'42"E	98.40	50.04	20°59'57"
C38	120.95	330.00	S70°51'42"E	120.27	61.16	20°59'57"
C39	18.08	330.00	N79°47'30"W	18.08	9.04	3°08'22"
C40	45.91	330.00	N74°14'10"W	45.88	22.99	7°58'18"
C41	56.95	330.00	N65°18'22"W	56.88	28.55	9°53'17"
C42	33.23	20.00	S72°02'39"W	29.54	21.90	95°11'16"
C43	304.44	470.00	N05°53'38"E	298.14	157.77	37°08'45"
C44	177.23	470.00	S13°38'50"W	176.19	89.88	21°36'21"
C45	127.20	470.00	S04°54'32"E	126.81	63.99	15°30'24"
C46	30.89	20.00	S56°54'28"E	27.91	19.48	88°29'28"
C47	113.87	330.00	S88°45'13"W	113.30	57.51	19°46'12"
C48	41.49	330.01	N82°28'13"E	41.46	20.77	7°12'12"
C49	46.82	330.00	S89°53'23"E	46.48	23.30	8°04'35"
C50	25.86	330.00	S83°36'23"E	25.85	12.94	4°29'24"
C51	87.85	270.00	S89°19'01"W	87.47	44.32	18°38'36"
C52	32.82	20.00	S22°59'14"W	29.26	21.45	94°00'59"
C53	403.86	530.00	S07°48'30"W	394.16	212.30	43°39'32"
C54	29.66	530.00	N12°25'04"W	29.66	14.83	3°12'23"
C55	51.21	530.00	N08°02'48"W	51.19	25.62	5°32'09"
C56	52.54	530.00	N02°26'20"W	52.52	26.29	5°40'49"
C57	47.76	530.00	N02°38'59"E	47.75	23.90	5°09'49"
C58	52.54	530.00	N08°24'18"E	52.52	26.29	5°40'49"
C59	52.54	530.00	N14°05'07"E	52.52	26.29	5°40'49"
C60	52.54	530.00	N19°45'56"E	52.52	26.29	5°40'49"
C61	65.05	530.00	N26°07'19"E	65.01	32.57	7°01'56"
C62	10.86	55.00	N34°53'02"E	10.84	5.45	11°18'43"

TYPICAL LOT MUNICIPAL UTILITY EASEMENT
AND DRAINAGE EASEMENT DETAIL
NOT TO SCALE



Line Table

Line #	Length	Direction
L1	13.76	S81°22'15"E
L2	127.95	S08°38'19"W
L3	36.06	N81°21'41"W
L4	34.94	S81°21'41"E
L5	130.00	S08°38'19"W
L6	10.29	N81°21'41"W
L7	110.00	N81°21'41"W
L8	58.24	S86°49'16"W
L9	60.00	S73°58'44"W
L10	36.07	S14°01'16"E
L11	142.64	S73°58'44"W
L12	128.17	S88°49'27"W
L13	64.53	S87°22'09"W
L14	155.54	S88°49'27"W
L15	112.17	N17°06'23"W

Line Table

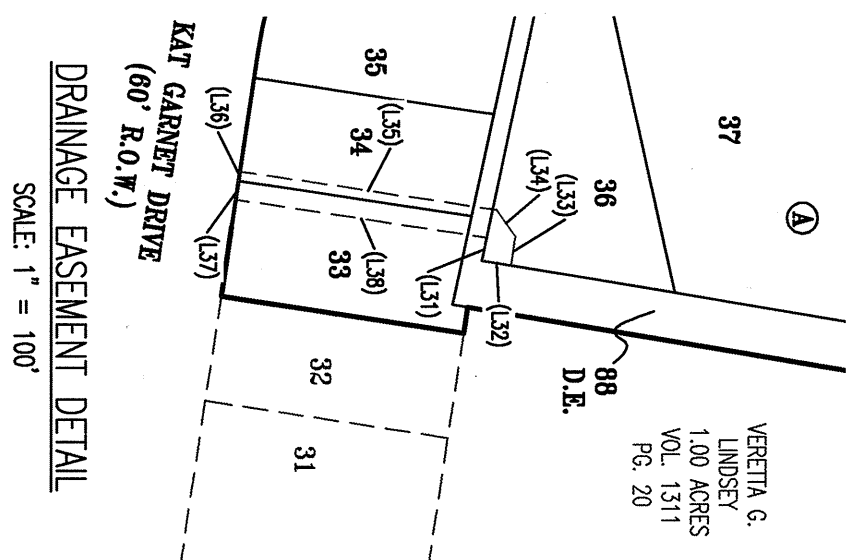
Line #	Length	Direction
L16	115.57	N07°23'48"E
L17	91.94	S86°38'05"E
L18	5.02	N00°55'56"E
L19	10.20	S07°45'24"W
L20	10.36	N07°45'24"E
L21	81.19	N82°20'04"W
L22	65.61	N87°40'09"W
L23	60.09	S88°40'09"E
L24	52.70	S29°38'17"W
L25	2.16	N60°21'43"W
L26	96.14	N88°40'09"W
L27	61.58	S44°48'27"W
L28	4.00	S67°21'43"E
L29	122.67	S08°38'19"W
L30	168.03	N77°50'05"W

AREA TABLE

AREA WITHIN SUBDIVISION	22.251 ACRES	(969,269 SQUARE FEET)
AREA OF SINGLE FAMILY LOTS	17.816 ACRES	(776,080 SQUARE FEET)
AREA WITHIN STREETS	4.378 ACRES	(190,726 SQUARE FEET)

LOT NO.	BLOCK 'A'		BLOCK 'D'	
	ACREAGE	SQ. FT.	ACREAGE	SQ. FT.
33	0.171	7,450	0.212	9,236
34	0.156	6,788	0.167	7,294
35	0.307	13,388	0.159	6,918
36	0.223	9,724	0.149	6,500
37	0.424	18,470	0.149	6,500
38	0.242	10,559	0.191	8,329
39	0.186	8,106	0.191	8,332
40	0.177	7,706	0.224	9,764
41	0.184	8,022	0.329	14,322
42	0.138	6,000		
43	0.152	6,600		
44	0.152	6,600		
45	0.138	6,000		
46	0.183	7,975		
47	0.183	7,975		
48	0.166	7,250		
49	0.183	7,975		
50	0.183	7,975		
51	0.274	11,923		
52	0.640	27,860		
53	0.412	17,963		
54	0.416	18,101		
55	0.224	9,750		
56	0.183	7,975		
57	0.162	7,078		
58	0.147	6,407		
59	0.161	7,017		
60	0.160	6,984		
61	0.145	6,321		
62	0.159	6,923		
63	0.174	7,599		
64	0.168	7,309		
65	0.185	8,080		
66	0.202	8,786		
67	0.190	8,277		
68	0.329	14,327		
69	0.200	8,702		
70	0.200	8,702		
71	0.200	8,702		
72	0.200	8,693		
77	0.056	2,457		
88	0.522	22,720		

LOT NO.	ACREAGE	SQ. FT.
31	0.149	6,500
32	0.164	7,150
33	0.164	7,150
34	0.150	6,552
35	0.185	8,056
36	0.171	7,467
37	0.149	6,500
38	0.149	6,500
39	0.149	6,500
40	0.164	7,145



DRAINAGE EASEMENT DETAIL
SCALE: 1" = 100'

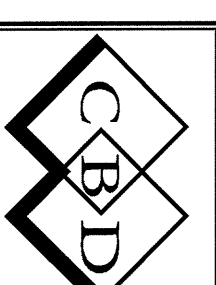
Line #	Length	Direction
(L31)	11.92	S77°50'05"E
(L32)	15.74	N09°32'30"E
(L33)	15.07	N81°21'41"W
(L34)	17.07	S53°38'19"W

Line #	Length	Direction
(L35)	135.20	S08°38'19"W
(L36)	5.00	S81°21'41"E
(L37)	10.00	S81°21'41"E
(L38)	132.27	N08°38'19"W

LOT SIZE	NO.
< 1 ACRE	89
1-2 ACRE	0
2-5 ACRE	0
5-10 ACRE	0
> 10 ACRE	0

MINIMUM LOT SIZE:
0.147 AC (6,407 sq. ft.)
AVERAGE LOT SIZE:
0.203 AC (8,847 sq. ft.)

A SUBDIVISION OF 22.251 ACRES BEING
STAGECOACH SUBDIVISION, PHASE 3, OUT OF THE
JOHN PHARASS SURVEY No. 13, ABSTRACT No. 361
AND THE Z. HINTON SURVEY No. 12, ABSTRACT No.
220 HAYS COUNTY, TEXAS



Carlson, Brigrance & Doering, Inc.
FIRM ID #83791 REG. # 10024900
Civil Engineering
5501 West William Cannon
Phone No. (512) 280-5100
Austin, Texas 78787-49
Surveying
Fax No. (512) 280-5165

STAGECOACH SUBDIVISION PHASE 3 FINAL PLAT

STATE OF TEXAS }
COUNTY OF HAYS }

KNOW ALL MEN BY THESE PRESENTS: ACRES OF LAND OUT OF THE JOHN PHARASS SURVEY NUMBER 13, ABSTRACT NUMBER 361 AND THE Z. HINTON SURVEY NUMBER 12, ABSTRACT NUMBER 220 SITUATED IN HAYS COUNTY, TEXAS, AS CONVEYED BY DEED RECORDED IN DOCUMENT NUMBER _____ OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 22.251 ACRES OF LAND IN ACCORDANCE WITH THIS PLAT, TO BE KNOWN AS:

STAGECOACH SUBDIVISION PHASE 3

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. _____ 20____ A.D.
WITNESS MY HAND, THIS THE _____ DAY OF _____

KB HOME LONE STAR INC.
JOHN ZINSMEYER, VICE PRESIDENT
10800 PECAN PARK BLVD., STE. 200
AUSTIN, TX 78750

STATE OF TEXAS }
COUNTY OF HAYS }

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JOHN ZINSMEYER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS _____

PRINTED NOTARY NAME _____
MY COMMISSION EXPIRES: _____

THIS FINAL PLAT, STAGECOACH SUBDIVISION PHASE 3, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION, DATED THIS _____ DAY OF _____, 20____ A.D.

CHAIRPERSON _____

STATE OF TEXAS }
COUNTY OF HAYS }

REVIEWED BY _____

LEON BARBA, CITY ENGINEER

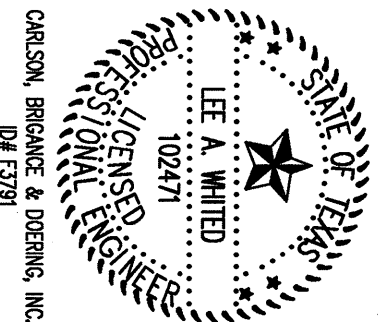
STATE OF TEXAS }
COUNTY OF HAYS }

1. THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

DO HEREBY CERTIFY THAT NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED 100-YEAR FLOOD ZONE AREA, AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANELS 48209C 0385F, DATED SEPTEMBER 2, 2005, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ADDITIONALLY, STORMWATER RUNOFF FROM THE 100 YEAR STORM EVENT SHALL BE CONTAINED WITHIN THE DRAINAGE FACILITIES TO BE LOCATED WITHIN THE RIGHTS-OF-WAY, AND /OR OPEN SPACE AND DRAINAGE EASEMENT LOTS.

LEE A. WHITED, P.E. No. 102471
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON
AUSTIN, TEXAS 78749
(512) 280-5160

3-8-21
DATE



CARLSON, BRIGANCE & DOERING, INC.
D# 13791

STATE OF TEXAS }
COUNTY OF HAYS }

1. AARON V. THOMASON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.

SURVEYED BY: Aaron V. Thomason
AARON V. THOMASON, R.P.L.S. #6214
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON DR.
AUSTIN, TEXAS 78749
aovr@aoddring.com

DATE 08/11/2021



THIS FLOOD STATEMENT, AS DETERMINED BY A HUD-FLA FLOOD INSURANCE RATE MAP, DOES NOT IMPLY THAT THE PROPERTY OR THE IMPROVEMENTS THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR, AND FLOOD HEIGHTS MAY INCREASE BY MAN-MADE OR NATURAL CAUSES.

THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF ENGINEER OR SURVEYOR.

GENERAL NOTES:

1. SIDEWALKS SHALL BE NOT LESS THAN FOUR FEET IN WIDTH (ADA COMPLIANT) AND SHALL BE TWO FEET FROM CURB. SUCH SIDEWALKS SHALL BE INSTALLED AND CONSTRUCTED ON BOTH SIDES OF EACH RESIDENTIAL STREET AND BE SITUATED WHOLLY WITHIN THE DEDICATED RIGHT-OF-WAY.
2. A 15-FOOT WIDE MUNICIPAL UTILITY EASEMENT ABUTTING THE RIGHT-OF-WAY OF EACH STREET IS HEREBY DEDICATED AS AN EASEMENT FOR UTILITIES, DRAINAGE AND EXCAVATION AND/OR EMBANKMENTS.
3. A 10' MUNICIPAL UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE REAR PROPERTY LINES.
4. A 5' MUNICIPAL UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE SIDE PROPERTY LINES.
5. NO OBJECT INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING, WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN ANY DRAINAGE EASEMENT WITHOUT THE PRIOR APPROVAL OF THE CITY OF KYLE.
6. OWNER(S) OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENT(S) SHALL ALLOW ACCESS FOR INSPECTIONS, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
7. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
8. TROPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING, WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY OWNERS ASSOCIATIONS.
9. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES TO BE DEDICATED TO THE CITY OF KYLE SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
10. ADJACENT LAKE MILE FEE NOT REQUIRED FOR STAGECOACH SUBDIVISION. SCOTT STREET IMPROVEMENTS WILL BE CONSTRUCTED IN LEU OF ADJACENT LAKE MILE FEE
11. POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED. THE OWNER OR OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPED SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED ON SITE, SUCH AS AT THE OFFICES OF THE OWNER OR OPERATOR, AND MADE AVAILABLE FOR REVIEW BY THE CITY.
12. THE MAIL KIOSK SERVING STAGECOACH SUBDIVISION, PHASE 3, IS LOCATED ON LOT 38, BLOCK C, STAGECOACH SUBDIVISION, PHASE 1, RECORDED IN DOCUMENT NUMBER 18004156, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
13. LOT 87 & 88, BLOCK A IS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

1. LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ A.D., AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN DOCUMENT NUMBER _____.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20____ A.D.

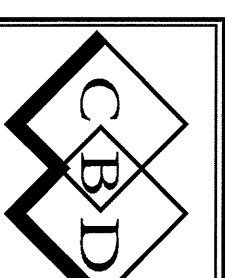
LIZ GONZALEZ, BY: _____
COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS }
COUNTY OF HAYS }

REVIEWED BY _____

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

A SUBDIVISION OF 22.251 ACRES BEING
STAGECOACH SUBDIVISION, PHASE 3, OUT OF THE
JOHN PHARASS SURVEY No. 13, ABSTRACT No. 361
AND THE Z. HINTON SURVEY No. 12, ABSTRACT No.
220 HAYS COUNTY, TEXAS



Carlson, Brigance & Doering, Inc.
FIRM ID #3791 REG. # 10024900
Civil Engineering Surveying
5501 West William Cannon Austin, Texas 78749
Phone No. (512) 280-5160 Fax No. (512) 280-5165



CITY OF KYLE, TEXAS

Plum Creek Phase 2, Section 2 - Preliminary Plan (SUB-20-0152)

Meeting Date: 3/23/2021
Date time:6:30 PM

Subject/Recommendation: Plum Creek Phase 2, Section 2 - Preliminary Plan (SUB-20-0152) 55.028 acres; 201 single family lots and 16 open space lots located within the 400 block of Kohler's Crossing.

Staff Proposal to P&Z: Approve the Preliminary Plan.

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

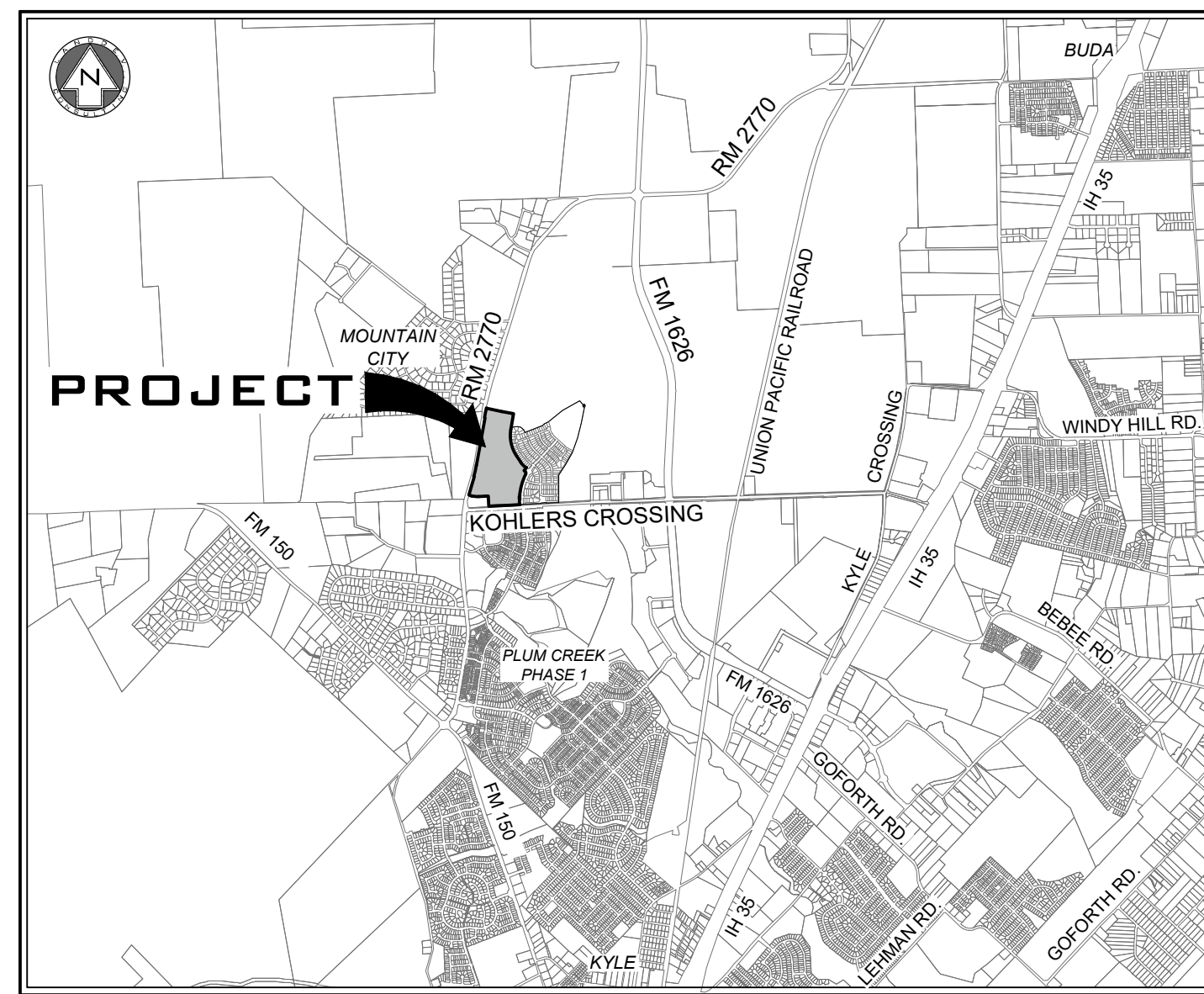
ATTACHMENTS:

Description

- Preliminary Plan

PRELIMINARY PLAT FOR PLUM CREEK PHASE 2 SECTION 2

KYLE, HAYS COUNTY, TEXAS



LOCATION MAP
N.T.S.

THE PROPERTY OWNED BY LENNAR IN PLUM CREEK PHASE 2, IS BOUND BY ORDINANCE NO. 311 AND ADDENDUM NUMBER FIVE TO THE AGREEMENT BETWEEN THE CITY OF KYLE, PLUM CREEK DEVELOPMENT PARTNERS, LTD., AND WILLIAM NEGLEY, TRUSTEE, FOR DEVELOPMENT AND ANNEXATION OF PHASE 1 OF THE PLUM CREEK RANCH PROPERTY.

BENCHMARKS:

BENCHMARK: NAVD 88 - OPUS

BM#1: SQUARE CUT FOUND ON THE TOP OF A CONCRETE INLET, ALONG THE SOUTH LINE OF KOHLERS CROSSING, APPROXIMATELY 50' WEST OF THE INTERSECTION OF KOHLERS CROSSING AND POWELL LANE, AND APPROXIMATELY 625' EAST OF THE INTERSECTION OF KOHLERS CROSSING AND COUNTY ROAD 2770 (JACK C. HAYS TRAIL).
ELEVATION = 797.12'

BM#2: SQUARE CUT FOUND ON THE TOP OF A CONCRETE HEADWALL ALONG THE NORTH LINE OF KOHLERS CROSSING, APPROXIMATELY 1260' WEST OF THE INTERSECTION OF KOHLERS CROSSING AND BENNER ROAD, AND APPROXIMATELY 2050' EAST OF THE INTERSECTION OF KOHLERS CROSSING AND COUNTY ROAD 2770 (JACK C. HAYS TRAIL).
ELEVATION = 773.96'

BM#12: SET MAG NAIL WITH WASHER ON SOUTHWEST CORNER OF DRAINAGE STRUCTURE LOCATED APPROXIMATELY 1086 FEET NORTH OF KOHLERS CROSSING CENTERLINE AND APPROXIMATELY 49 FEET EAST OF JACK C HAYS TRAIL (R.M. 2770) CENTERLINE.
ELEVATION=823.08'

BM#13: SET MAG NAIL WITH WASHER ON NORTHWEST CORNER OF DRAINAGE STRUCTURE LOCATED APPROXIMATELY 1806 FEET NORTH OF KOHLERS CROSSING CENTERLINE AND APPROXIMATELY 47 FEET EAST OF JACK C HAYS TRAIL (R.M. 2770) CENTERLINE.
ELEVATION=823.64'

FLOOD NOTE:

A PORTION OF THIS TRACT LIES WITHIN ZONE "A" (1% ANNUAL CHANCE FLOOD, 100-YEAR FLOOD, NO BASE FLOOD ELEVATIONS DETERMINED), AND A PORTION LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, AS SHOWN ON MAP NO. 48209C0270F, DATED SEPTEMBER 2, 2005.

OWNER: LENNAR
ADDRESS: 12401 RESEARCH BLVD., BUILDING 1 - SUITE 300
AUSTIN, TEXAS 78759
CONTACT: CHASE KOHLHOFF 512 964-5344
ACREAGE: 55.028 ACRES
SURVEY: M.M. McCARVER SURVEY No. 4, A-10
NUMBER OF LOTS AND PROPOSED USE (IF MORE THAN ONE USE IS PLANNED FOR THE LOTS, PROVIDE LAND USE SUMMARY SHOWING # OF LOTS PLANNED FOR EACH USE): 217 TOTAL LOTS (201 SINGLE FAMILY, 16 OPEN SPACE LOTS)
SURVEYOR: LANDDEV CONSULTING, LLC.
PHONE: 512 672-6696 CONTACT: ERNESTO NAVARRETE, R.P.L.S.
ENGINEER: LANDDEV CONSULTING, LLC
PHONE: 512 872-6696 CONTACT: SHERVIN NOOSHIN, P.E.
PROJECT ZONING: PLUM CREEK R-2

OWNER / DEVELOPER:

LENNAR

12401 RESEARCH BLVD. BLDG. 1 - SUITE 300
AUSTIN, TEXAS 78759
512 964-5344
CONTACT: CHASE KOHLHOFF

SURVEYOR / ENGINEER:

LANDDEV

CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16334 / 10194101

SHEET INDEX

Sheet Number	Sheet Title
1	COVER SHEET
2	EXISTING CONDITIONS
3	STREET PLAN
4	PRELIMINARY PLAT A
5	PRELIMINARY PLAT B
6	EXISTING DRAINAGE PLAN
7	PROPOSED DRAINAGE PLAN
8	STORM SEWER PLAN A
9	STORM SEWER PLAN B
10	WATER & WASTEWATER PLAN A
11	WATER & WASTEWATER PLAN B

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS. THE CITY MUST RELY ON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.

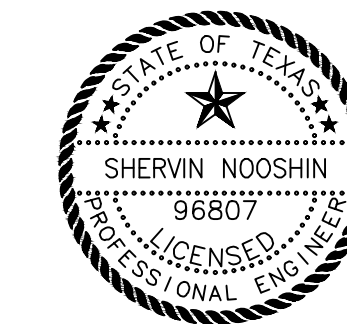
THE MAJORITY OF THE PROPERTY IS LOCATED WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN, AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP PANEL NO. 48209C0270F, EFFECTIVE SEPTEMBER 02, 2005. A SMALL PORTION IS LOCATED WITHIN ZONE 'A', AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN.

Shervin Nooshin

02/10/2021

SHERVIN NOOSHIN, P.E. (TX P.E. #96807)

LANDDEV CONSULTING LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TEXAS 78735
512.872.6696



REVIEWED:

LEON BARBA, P.E. CITY OF KYLE ENGINEER

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

APPROVED BY:

MICHELE CHRISTIE
MADAM CHAIRPERSON, PLANNING & ZONING COMMISSION DATE

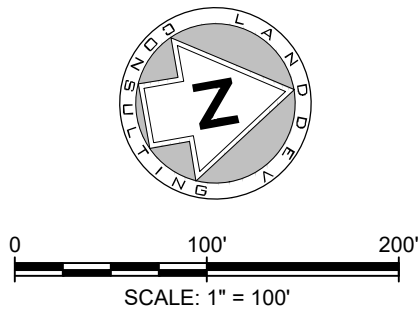
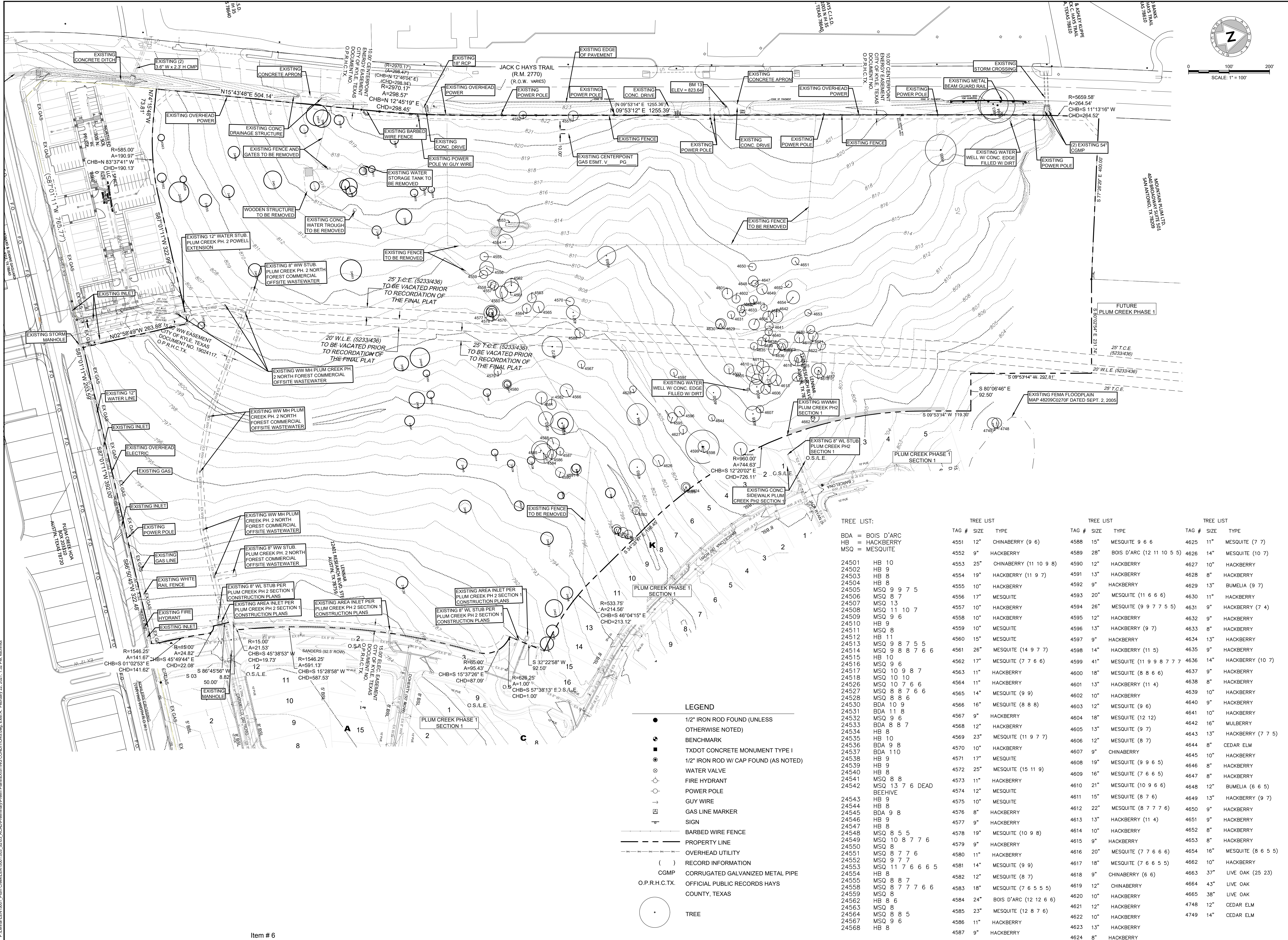


LANDDEV
CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16334

COVER SHEET
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN
SHEET 1 OF 11
SUB-20-0152

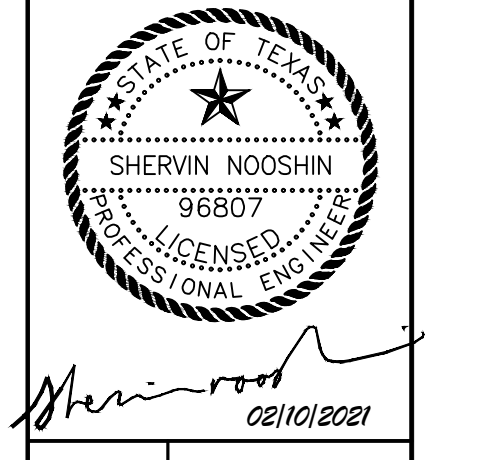
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NO.	REVISION	BY	DATE

811
Know what's below.
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LAND DEV
C O N S U L T I N G L L C
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384



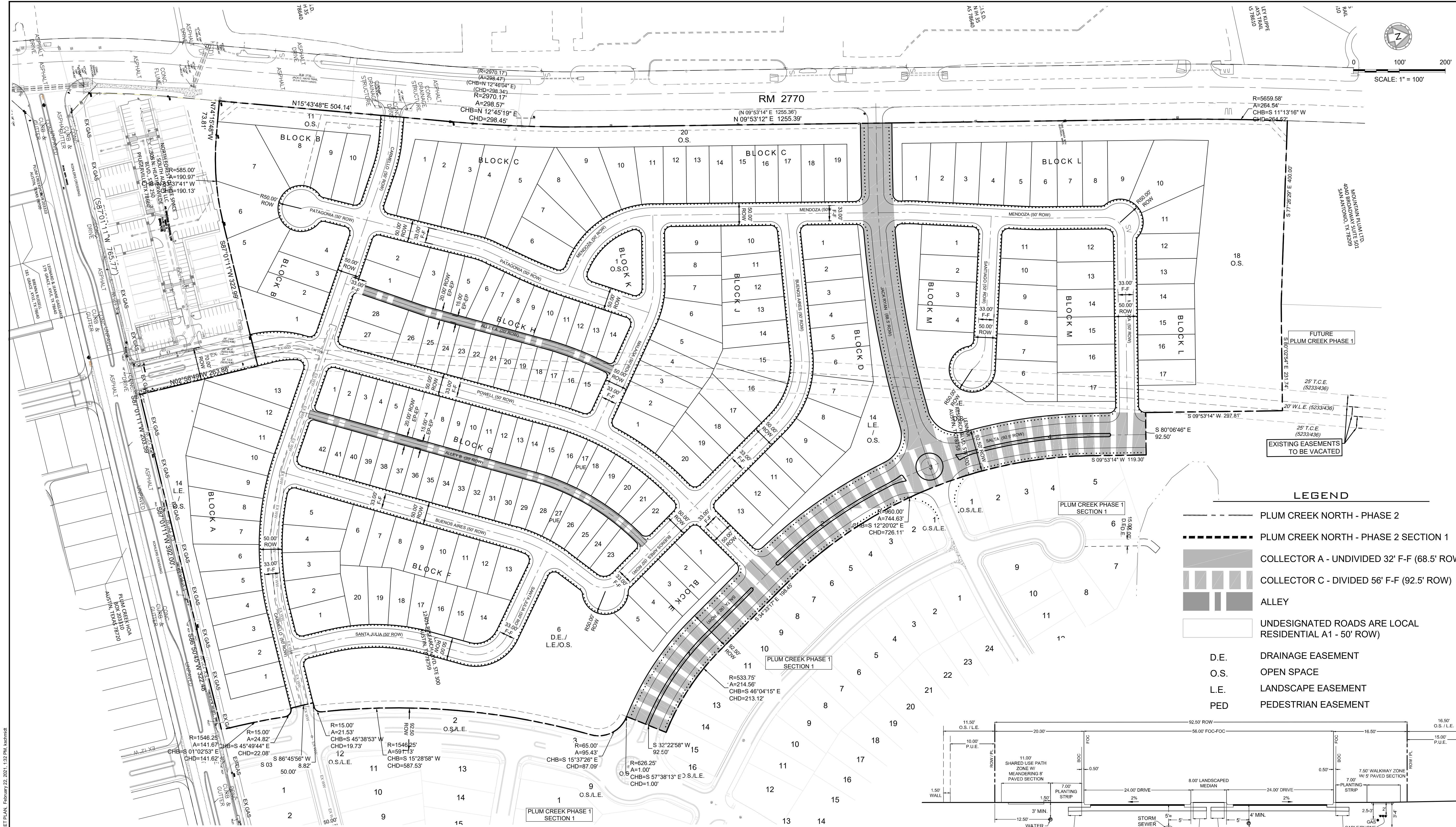
EXISTING CONDITIONS
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN

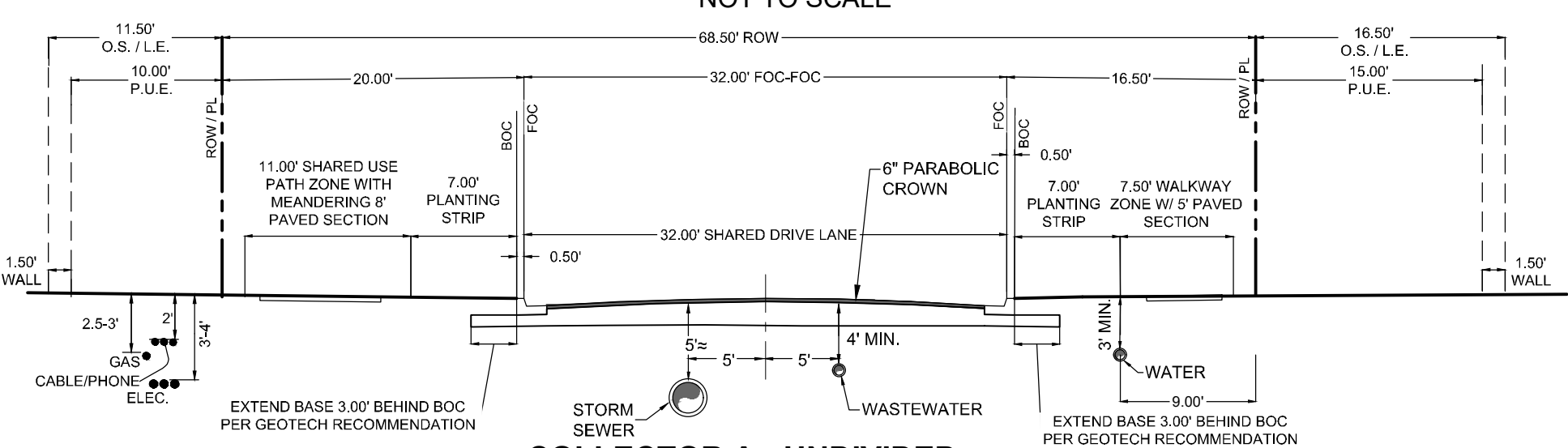
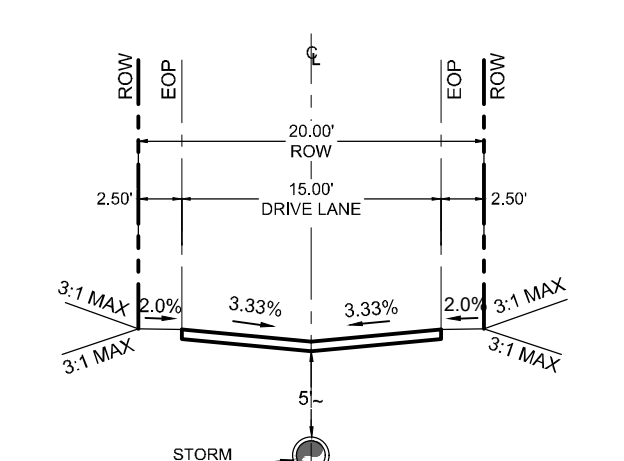
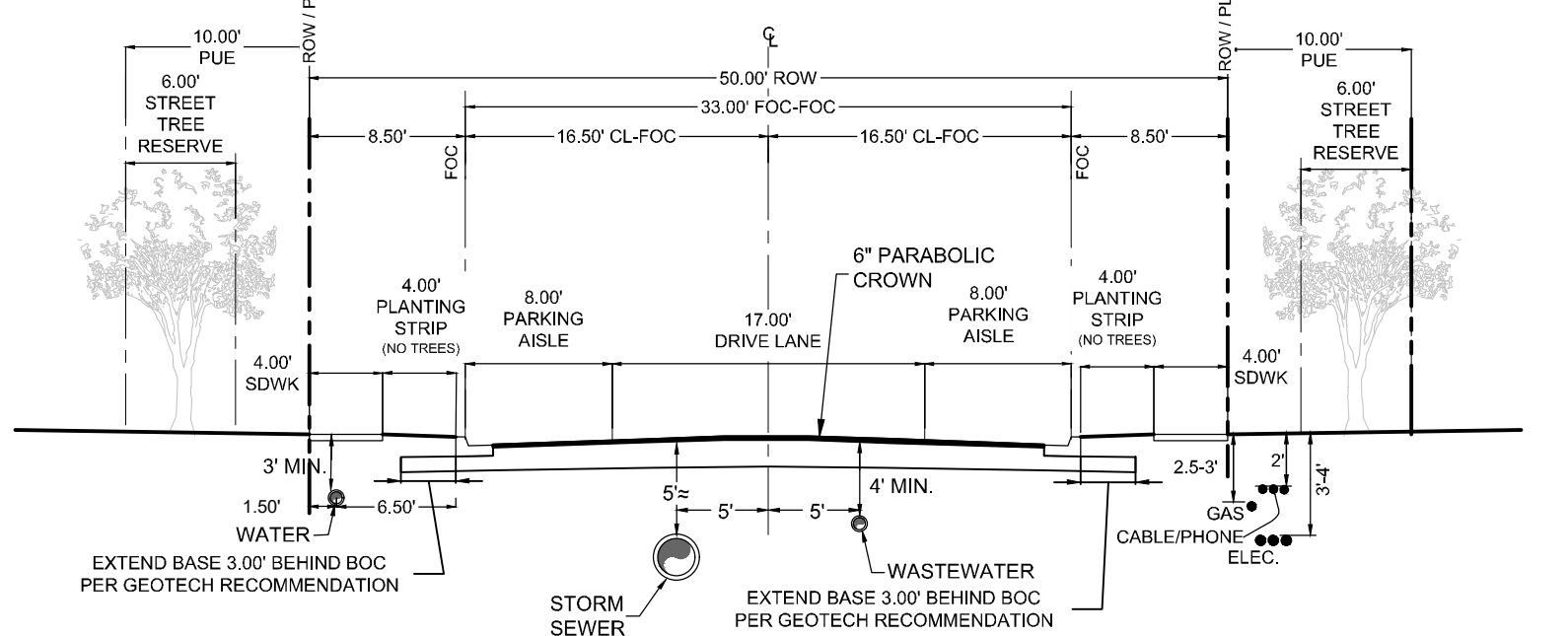
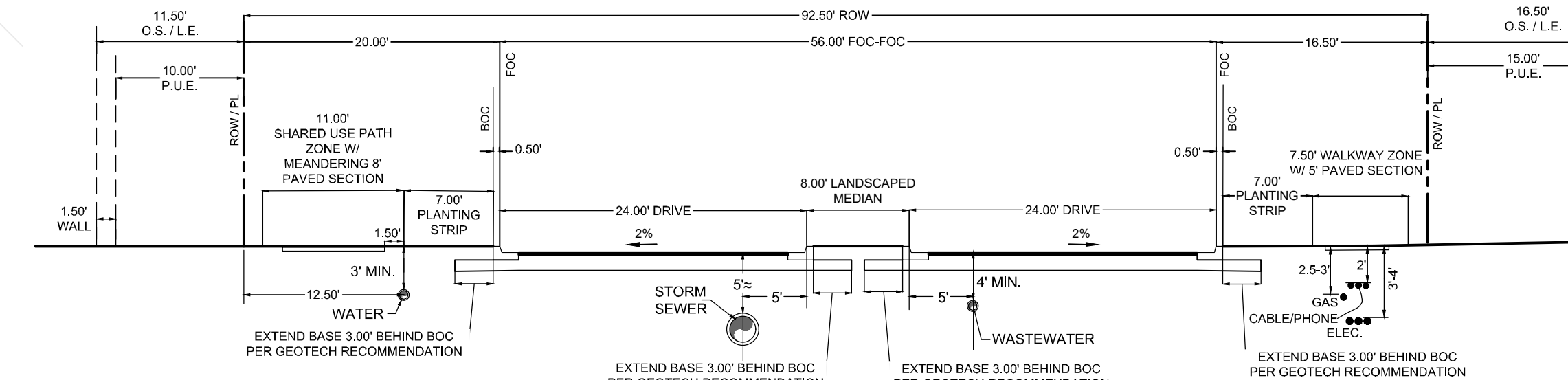
SHEET **2** OF **11**
SUB-20-0152


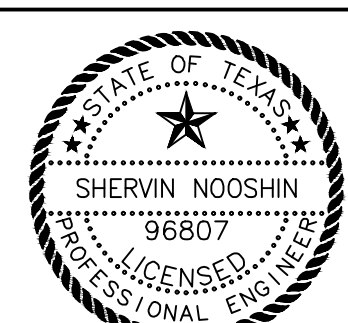
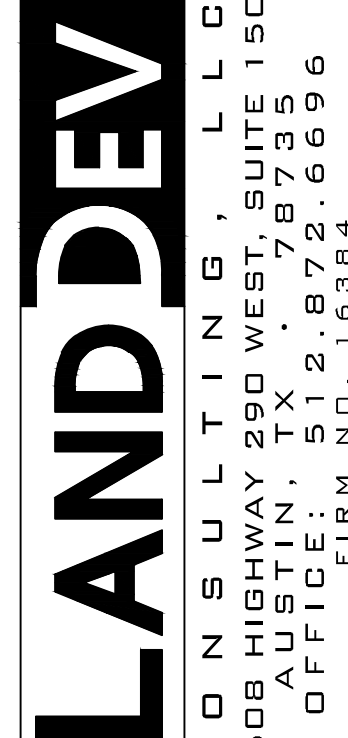
TREE LIST	TREE LIST	TREE LIST	TREE LIST								
TAG #	SIZE	TYPE	TAG #	SIZE	TYPE	TAG #	SIZE	TYPE	TAG #	SIZE	TYPE
BDA	=	BOIS D'ARC	4551	12"	CHINABERRY (9 6)	4588	15"	MESQUITE 9 6 6	4625	11"	MESQUITE (7 7)
HB	=	HACKBERRY	4552	9"	HACKBERRY	4589	28"	BOIS D'ARC (12 11 10 5 5)	4626	14"	MESQUITE (10 7)
MSQ	=	MESQUITE	4553	25"	CHINABERRY (11 10 9 8)	4590	12"	HACKBERRY	4627	10"	HACKBERRY
24501	HB 10		4554	19"	HACKBERRY (11 9 7)	4591	13"	HACKBERRY	4628	8"	HACKBERRY
24502	HB 9		4555	10"	HACKBERRY	4592	9"	HACKBERRY	4629	13"	BUMELIA (9 7)
24503	HB 8		4556	17"	MESQUITE	4593	20"	MESQUITE (11 6 6 6)	4630	11"	HACKBERRY
24504	HB 8		4557	10"	HACKBERRY	4594	26"	MESQUITE (9 9 7 7 5 5)	4631	9"	HACKBERRY (7 4)
24505	MSQ 9 9 7 5		4558	10"	HACKBERRY	4595	12"	HACKBERRY	4632	9"	HACKBERRY
24506	MSQ 8 7		4559	10"	MESQUITE	4596	13"	HACKBERRY (9 7)	4633	8"	HACKBERRY
24507	MSQ 13		4560	15"	MESQUITE	4597	9"	HACKBERRY	4634	13"	HACKBERRY
24508	MSQ 11 10 7		4561	26"	MESQUITE (14 9 7 7)	4598	14"	HACKBERRY (11 5)	4635	9"	HACKBERRY
24509	MSQ 9 6		4562	17"	MESQUITE (7 7 6 6)	4599	41"	MESQUITE (11 9 9 8 7 7 7)	4636	14"	HACKBERRY (10 7)
24510	HB 9		4563	11"	HACKBERRY	4600	18"	MESQUITE (8 8 6 6)	4637	9"	HACKBERRY
24511	MSQ 8		4564	11"	HACKBERRY	4601	13"	HACKBERRY (11 4)	4638	8"	HACKBERRY
24512	HB 11		4565	14"	MESQUITE (9 9)	4602	10"	HACKBERRY	4639	10"	HACKBERRY
24513	MSQ 9 8 7 5 5		4566	16"	MESQUITE (8 8 8)	4603	12"	MESQUITE (9 6)	4640	9"	HACKBERRY
24514	MSQ 9 8 8 7 6 6		4567	9"	HACKBERRY	4604	18"	MESQUITE (12 12)	4641	10"	HACKBERRY
24515	HB 10		4568	12"	HACKBERRY	4605	13"	MESQUITE (9 7)	4642	16"	MULBERRY
24516	MSQ 9 6		4569	23"	MESQUITE (11 9 7 7)	4606	12"	MESQUITE (8 7)	4643	13"	HACKBERRY (7 7 5)
24517	MSQ 10 9 8 7		4570	10"	HACKBERRY	4607	9"	CHINABERRY	4644	8"	CEDAR ELM
24518	MSQ 10 10		4571	17"	MESQUITE	4607	9"	CHINABERRY	4645	10"	HACKBERRY
24519	MSQ 8 7 6 6		4572	25"	MESQUITE (15 11 9)	4608	19"	MESQUITE (9 9 6 5)	4646	8"	HACKBERRY
24520	MSQ 8 8 7 6 6		4573	11"	HACKBERRY	4609	16"	MESQUITE (7 6 6 5)	4647	8"	HACKBERRY
24521	MSQ 8 8 6		4574	12"	MESQUITE	4610	21"	MESQUITE (10 9 6 6)	4648	12"	BUMELIA (6 6 5)
24522	BDA 10 9		4575	10"	MESQUITE	4611	15"	MESQUITE (8 7 6)	4649	13"	HACKBERRY (9 7)
24523	BDA 11 8		4576	8"	HACKBERRY	4612	22"	MESQUITE (8 7 7 6)	4650	9"	HACKBERRY
24524	MSQ 9 6		4577	9"	HACKBERRY	4613	13"	HACKBERRY (11 4)	4651	9"	HACKBERRY
24525	MSQ 10 9 8 7		4578	19"	MESQUITE (10 9 8)	4614	10"	HACKBERRY	4652	8"	HACKBERRY
24526	MSQ 10 10		4579	9"	HACKBERRY	4615	9"	HACKBERRY	4653	8"	HACKBERRY
24527	MSQ 8 8 7 6 6		4580	11"	HACKBERRY	4616	20"	MESQUITE (7 7 6 6 6)	4654	16"	MESQUITE (8 6 5 5)
24528	MSQ 8 8 6		4581	14"	MESQUITE (9 9)	4617	18"	MESQUITE (7 6 6 5 5)	4662	10"	HACKBERRY
24529	BDA 10 9		4582	12"	MESQUITE (8 7)	4618	9"	CHINABERRY (6 6)	4663	37"	LIVE OAK (25 23)
24530	BDA 11 8		4583	18"	MESQUITE (7 6 5 5 5)	4619	12"	CHINABERRY	4664	43"	LIVE OAK
24531	MSQ 9 6		4584	24"	BOIS D'ARC (12 12 6 6)	4620	10"	HACKBERRY	4665	38"	LIVE OAK
24532	MSQ 9 6		4585	23"	MESQUITE (12 8 7 6)	4621	12"	HACKBERRY	4748	12"	CEDAR ELM
24533	BDA 8 8 7		4586	11"	HACKBERRY	4622	10"	HACKBERRY	4749	14"	CEDAR ELM
24534	HB 8		4587	9"	HACKBERRY	4623	13"	HACKBERRY			
24535	HB 10					4624	8"	HACKBERRY			
24536	BDA 9 8										
24537	BDA 110										
24538	HB 9										
24539	HB 9										
24540	HB 8										
24541	MSQ 8 8										
24542	MSQ 13 7 6 DEAD BEEHIVE										
24543	HB 9										
24544	HB 8										
24545	BDA 9 8										
24546	HB 9										
24547	HB 8										
24548	MSQ 8 5 5										
24549	MSQ 10 8 7 7 6										
24550	MSQ 8										
24551	MSQ 8 7 7 6										
24552	MSQ 9 7 7										
24553	MSQ 11 7 6 6 6 5										
24554	HB 8										
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24556	MSQ 8 7 7 6 6										
24557	MSQ 8										
24558	MSQ 8 5 5										
24559	MSQ 8										
24560	HB 8 6										
24561	MSQ 8										
24562	HB 8 6										
24563	MSQ 8										
24564	MSQ 8 8 5										
24565	MSQ 9 6										
24566	MSQ 8										
24567	MSQ 8 8 5										
24568	HB 8										

LEGEND	DESCRIPTION
●	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
○	BENCHMARK
■	TXDOT CONCRETE MONUMENT TYPE I
○	1/2" IRON ROD W/ CAP FOUND (AS NOTED)
⊙	WATER VALVE
⊕	FIRE HYDRANT
○	POWER POLE
○	GUY WIRE
○	GAS LINE MARKER
○	SIGN
—	BARBED WIRE FENCE
—	PROPERTY LINE
—	OVERHEAD UTILITY
()	RECORD INFORMATION
—	CORRUGATED GALVANIZED METAL PIPE
—	OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
○	TREE



- LEGEND**
- PLUM CREEK NORTH - PHASE 2
 - - - PLUM CREEK NORTH - PHASE 2 SECTION 1
 - ▬ COLLECTOR A - UNDIVIDED 32' F-F (68.5' ROW)
 - ▬ COLLECTOR C - DIVIDED 56' F-F (92.5' ROW)
 - ▬ ALLEY
 - ░ UNDESIGNATED ROADS ARE LOCAL RESIDENTIAL A1 - 50' ROW
 - D.E. DRAINAGE EASEMENT
 - O.S. OPEN SPACE
 - L.E. LANDSCAPE EASEMENT
 - PED PEDESTRIAN EASEMENT



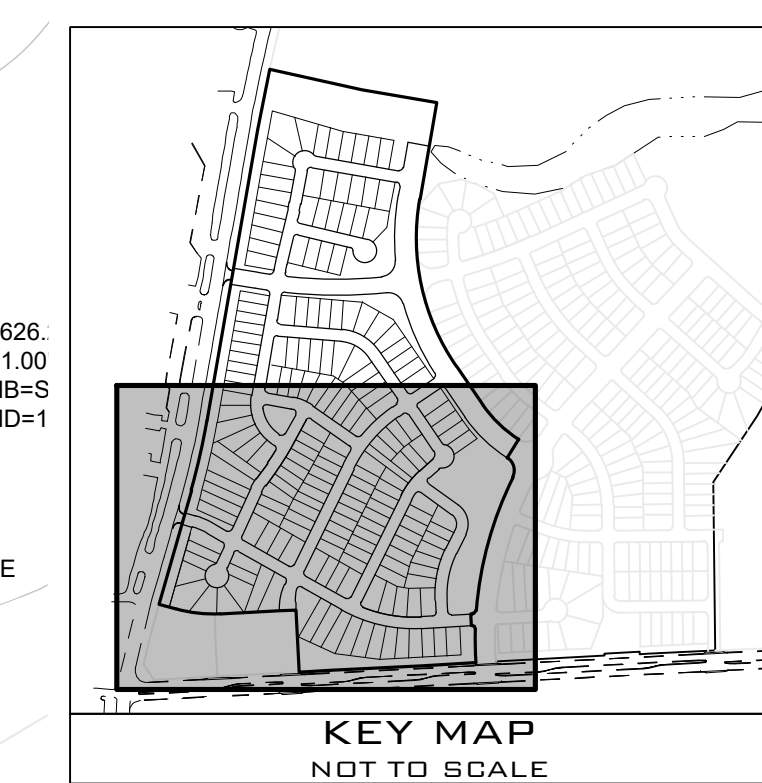
 Know what's below. Call before you dig.	 SHERWIN NOOSHIN LICENSED PROFESSIONAL ENGINEER 96807
 LAND DEV CONSULTING, LLC 5508 HIGHWAY 290 WEST, SUITE 150 AUSTIN, TX 78735 OFFICE: 512.872.6696 FIRM NO. 16384	STREET PLAN PRELIMINARY PLAT PLUM CREEK PHASE 2 SECTION 2 KYLE, HAYS COUNTY, TEXAS
DESIGNED BY: SN DRAWN BY: KAS CHECKED BY: SN APPROVED BY: SN	SHEET 3 OF 11 SUB-20-0152

P:\Internal\15001_Plan\15001_001_S203_A002\Pre\Plat\Plat\Plat\STREET PLAN.dwg, February 22, 2021, 1:32 PM, kschmidt



LEGEND

- X — X — PLUM CREEK NORTH PHASE 2
- E — EXISTING FENCE
- E — EXISTING ELECTRIC LINE EXISTING
- — POWER POLE
- — 1/2" IRON PIN SET
- — SIDEWALK LOCATION
- — 100 YR. FEMA FLOODPLAIN
- — OPEN SPACE
- — DRAINAGE EASEMENT
- — PUBLIC UTILITY EASEMENT
- — STREET TREE RESERVE
- — LANDSCAPE EASEMENT
- — PEDESTRIAN EASEMENT



- PRELIMINARY PLAT NOTES**
- TOTAL ACREAGE: 67.697 ACRES.
 - PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311, PLUM CREEK SUBDIVISION ORDINANCE 308 AND ADDENDUM NO. 5.
 - ALL OPEN SPACE / PARK / DRAINAGE EASEMENT LOTS, PEDESTRIAN EASEMENTS AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA). IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID LOTS, AND LANDSCAPE AND PEDESTRIAN EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL TREE / BRUSH GROWTH.
 - A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL LOCAL RESIDENTIAL PUBLIC STREETS SHALL BE DEDICATED AS SHOWN AND IDENTIFIED ON THE PRELIMINARY PLAT.
 - DRIVEWAYS FOR LOTS 1 THROUGH 4 BLOCK A AND LOTS 20 THROUGH 25 BLOCK A SHALL CONNECT ONLY TO THE INTERNAL PLATTED ROAD AND NOT DIRECTLY TO KOHLERS CROSSING. DRIVEWAY ACCESS TO ALL LOTS FROM SIDE STREETS IS PROHIBITED UNLESS AUTHORIZED PER ADDENDUM NO. 5.
 - 'NO PARKING' SIGNS TO BE INSTALLED ON ONE SIDE OF THE 28' F-F LOCAL RESIDENTIAL STREETS.
 - PUBLIC UTILITY INFORMATION:
 - WATER: CITY OF KYLE 100 W. CENTER STREET KYLE, TEXAS 78640
 - WASTEWATER: CITY OF KYLE 100 W. CENTER STREET KYLE, TEXAS 78640
 - ELECTRIC: PEDERNALES ELECTRIC COOP 1810 FM 150 WEST KYLE, TEXAS 78640
 - GAS: CENTERPOINT ENERGY 328 CHEATHAM STREET SAN MARCOS, TEXAS 78666
 - TELEPHONE: FRONTIER COMMUNICATIONS 6601 FM 3237 WIMBERLEY, TEXAS 78746

PLUM CREEK PHASE 2 - SECTION 2

CURVE TABLE

NUMBER	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	343.26'	600.00'	32.779°	N76° 50' 43"W	338.60'
C2	72.33'	300.00'	13.814°	N67° 21' 47"W	72.16'
C3	32.39'	55.00'	33.741°	N7° 40' 25"E	31.92'
C4	39.36'	200.00'	11.275°	N30° 10' 54"E	39.29'
C5	309.31'	600.00'	29.537°	S40° 40' 37"W	305.89'
C6	90.76'	180.00'	28.889°	S11° 27' 51"W	89.80'
C7	93.76'	800.00'	6.715°	N32° 27' 43"E	93.71'
C8	71.78'	50.00'	82.252°	S6° 34' 15"W	65.77'
C9	118.72'	320.00'	21.257°	S37° 04' 06"W	118.04'
C10	216.17'	425.00'	29.143°	N11° 20' 13"E	213.85'
C11	104.45'	75.00'	79.790°	N13° 59' 11"W	96.21'
C12	79.50'	180.00'	25.305°	S67° 21' 30"E	78.85'
C13	232.45'	578.25'	23.032°	S46° 04' 15"E	230.88'
C14	206.98'	180.00'	65.885°	S22° 57' 12"E	195.77'
C23	117.24'	715.00'	9.395°	S30° 35' 49"W	117.10'
C24	19.72'	310.00'	3.645°	S27° 43' 19"W	19.72'

REVISION BY DATE

811
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LAND DEV
CONSTRUCTION LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384

STATE OF TEXAS
SHERVIN NOSHIN
96807
LICENSED PROFESSIONAL ENGINEER
02/10/2021

PRELIMINARY PLAT A
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN

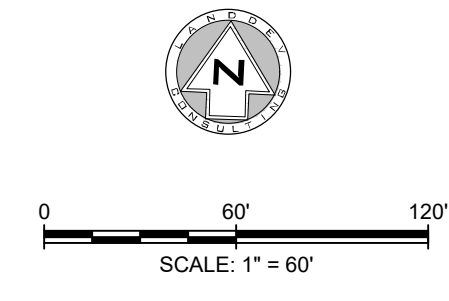
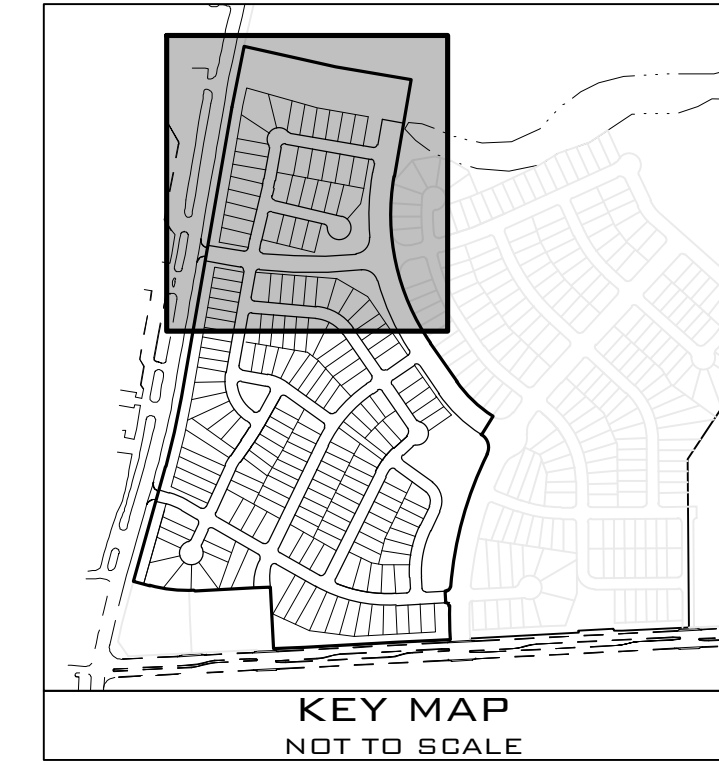
SHEET **4** OF **11**
SUB-20-0152

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DAVID & ASHLEY KLIPPE
4640 JACK C. HAYS TRAIL
BUDA, TEXAS 78610

MOUNTAIN PLUM LTD.
4040 BROADWAY SUITE 501
SAN ANTONIO, TX 78209

LENNAR
12401 RESEARCH BLVD. STE 300
AUSTIN, TX 78759
UNDER CONSTRUCTION



LEGEND

- PLUM CREEK NORTH PHASE 2
- X — X — EXISTING FENCE
- E — EXISTING ELECTRIC LINE EXISTING
- ⊕ — POWER POLE
- — 1/2" IRON PIN SET
- ⋯ — SIDEWALK LOCATION
- — 100 YR. FEMA FLOODPLAIN
- O.S. — OPEN SPACE
- D.E. — DRAINAGE EASEMENT
- P.U.E. — PUBLIC UTILITY EASEMENT
- S.T.R. — STREET TREE RESERVE
- L.E. — LANDSCAPE EASEMENT
- PED — PEDESTRIAN EASEMENT

PRELIMINARY PLAT NOTES

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- 'NO PARKING' SIGNS TO BE INSTALLED ON ONE SIDE OF THE 28' F-F LOCAL RESIDENTIAL STREETS.
- PUBLIC UTILITY INFORMATION:

WATER: CITY OF KYLE
100 W. CENTER STREET
KYLE, TEXAS 78640

WASTEWATER: CITY OF KYLE
100 W. CENTER STREET
KYLE, TEXAS 78640

ELECTRIC: PEDERNALES ELECTRIC COOP
1810 FM 150 WEST
KYLE, TEXAS 78640

GAS: CENTERPOINT ENERGY
326 CHEATHAM STREET
SAN MARCOS, TEXAS 78666

TELEPHONE: FRONTIER COMMUNICATIONS
6801 FM 3237
WIMBERLEY, TEXAS 78746

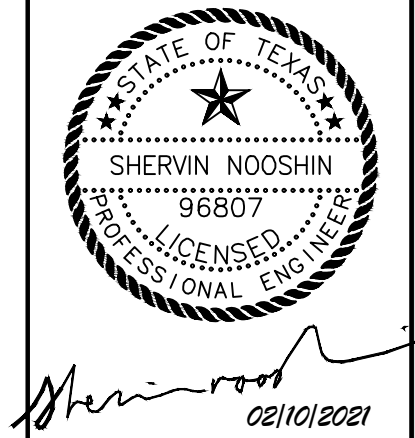
PLUM CREEK PHASE 2 - SECTION 2

CURVE TABLE

NUMBER	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C15	30.12'	500.00'	3.451°	S11° 42' 53"W	30.11'
C16	163.25'	185.00'	50.559°	S59° 50' 04"E	158.00'
C17	779.15'	1004.50'	44.442°	S12° 20' 02"E	759.76'
C18	29.85'	500.00'	3.420°	S11° 43' 49"W	29.84'
C19	701.78'	2005.00'	20.054°	N89° 51' 36"E	698.20'
C20	61.08'	70.00'	49.995°	N51° 33' 44"W	59.16'
C21	65.09'	41.50'	89.867°	S54° 57' 14"W	58.62'



LAND DEV
CONSTRUCTION, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16394



02/10/2021

PRELIMINARY PLAT B
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN

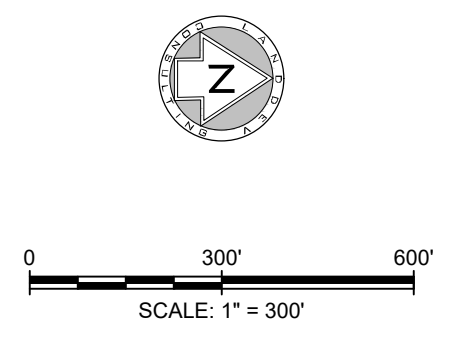
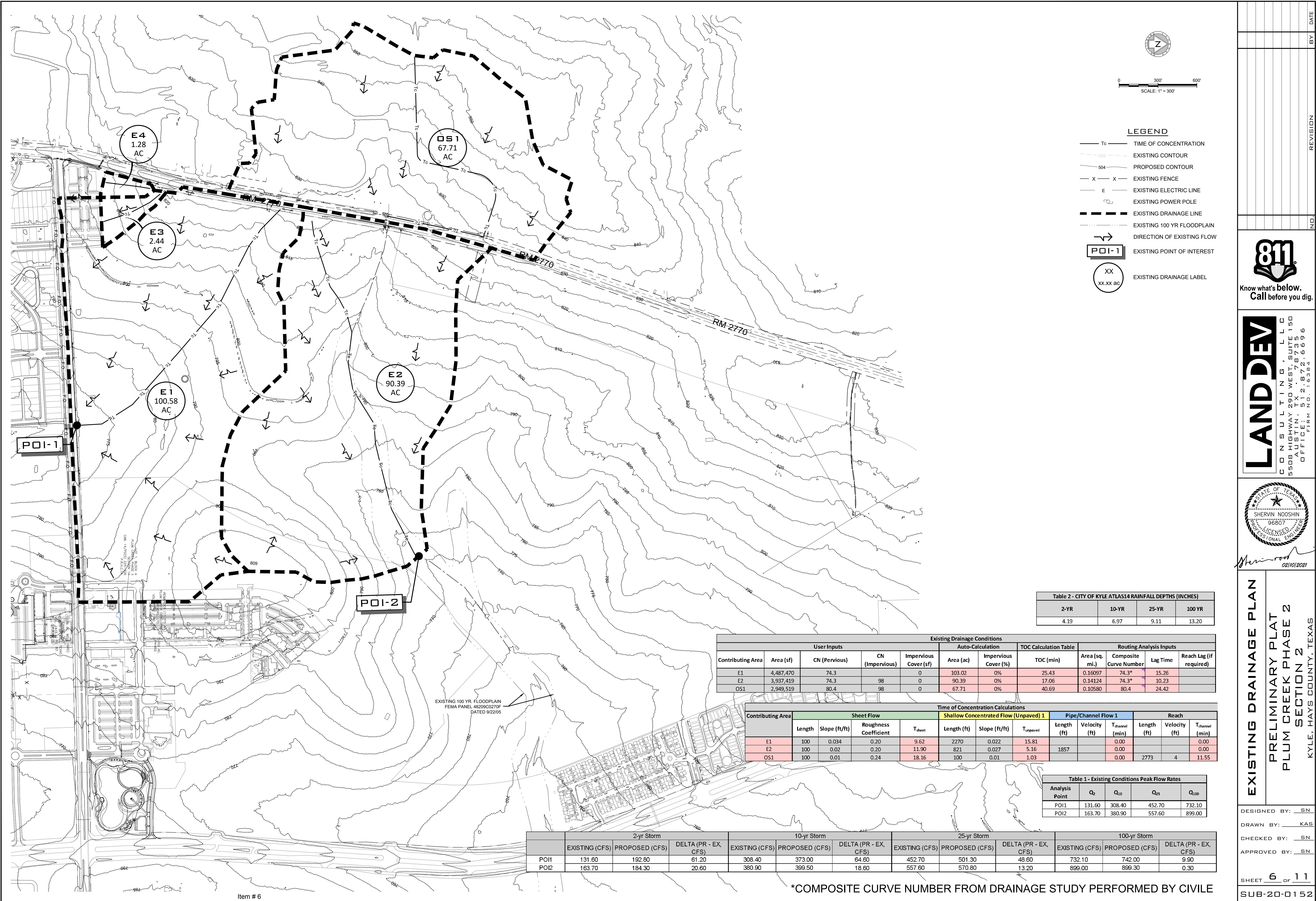
SHEET 5 OF 11
SUB-20-0152

P:\Lennar\LEN1001_Plum Creek\LEN1001_001_S203_LCAD\Pre\Plum Phase\Pre\PRELIMINARY PLAT B.dwg, PRELIMINARY PLAT B, February 22, 2021, 1:34 PM, kschmidt

HAYS C.I.S.D.
21003 N IH 35
KYLE, TEXAS 78640

(N 09° 53' 14" E 1265.36')
(N 09° 53' 12" E 1255.39')

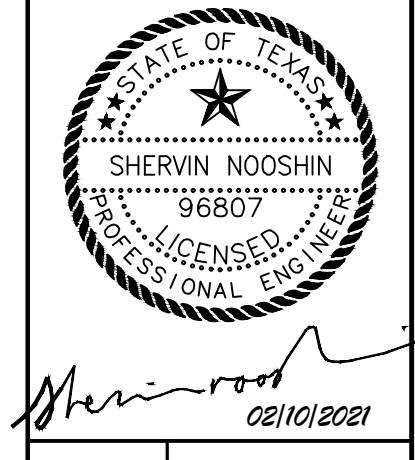
MATCH LINE PLAT A



- LEGEND**
- TIME OF CONCENTRATION
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - EXISTING FENCE
 - EXISTING ELECTRIC LINE
 - EXISTING POWER POLE
 - EXISTING DRAINAGE LINE
 - EXISTING 100 YR FLOODPLAIN
 - DIRECTION OF EXISTING FLOW
 - EXISTING POINT OF INTEREST
 - EXISTING DRAINAGE LABEL



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 CONSULTING, LLC
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 OFFICE: 512.872.6696
 FIRM NO. 16384



EXISTING DRAINAGE PLAN
 PRELIMINARY PLAT
 PLUM CREEK PHASE 2
 SECTION 2
 KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
 DRAWN BY: KAS
 CHECKED BY: SN
 APPROVED BY: SN
 SHEET 6 OF 11
 SUB-20-0152

Table 2 - CITY OF KYLE ATLAS14 RAINFALL DEPTHS (INCHES)

	2-YR	10-YR	25-YR	100 YR
	4.19	6.97	9.11	13.20

Existing Drainage Conditions

Contributing Area	User Inputs				Auto-Calculation			Routing Analysis Inputs			
	Area (sf)	CN (Pervious)	CN (Impervious)	Impervious Cover (sf)	Area (ac)	Impervious Cover (%)	TOC (min)	Area (sq. mi.)	Composite Curve Number	Lag Time	Reach Lag (if required)
E1	4,487,470	74.3		0	103.02	0%	25.43	0.16097	74.3*	15.26	
E2	3,937,419	74.3	98	0	90.39	0%	17.06	0.14124	74.3*	10.23	
OS1	2,949,519	80.4	98	0	67.71	0%	40.69	0.10580	80.4	24.42	

Time of Concentration Calculations

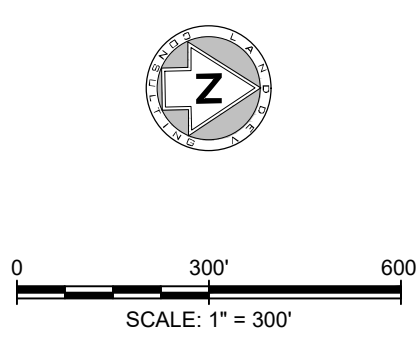
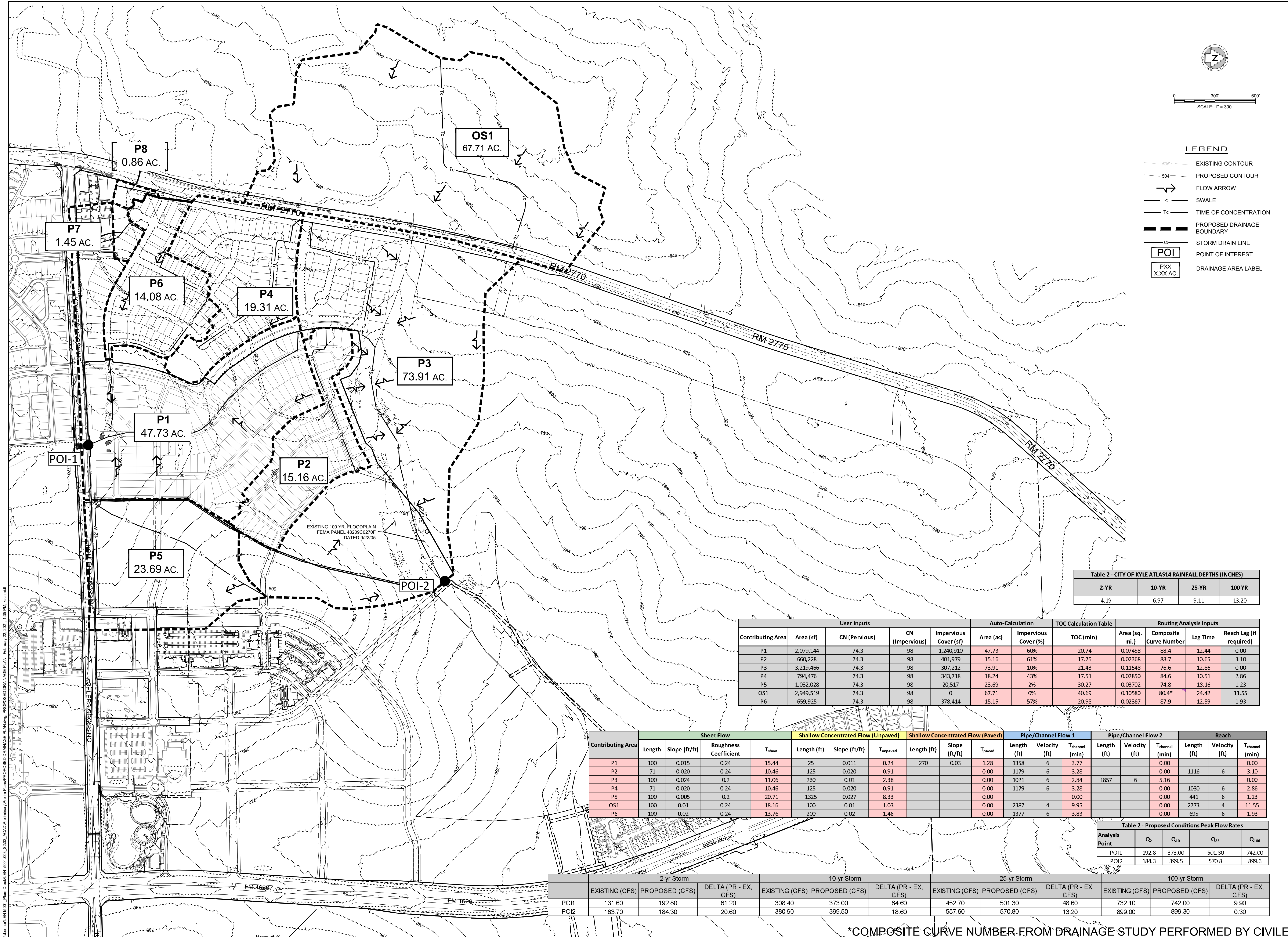
Contributing Area	Sheet Flow				Shallow Concentrated Flow (Unpaved) 1			Pipe/Channel Flow 1			Reach		
	Length	Slope (ft/ft)	Roughness Coefficient	T _{sheet}	Length (ft)	Slope (ft/ft)	T _{unpaved}	Length (ft)	Velocity (ft)	T _{channel} (min)	Length (ft)	Velocity (ft)	T _{channel} (min)
E1	100	0.034	0.20	9.62	2270	0.022	15.81			0.00			0.00
E2	100	0.02	0.20	11.90	821	0.027	5.16	1857		0.00			0.00
OS1	100	0.01	0.24	18.16	100	0.01	1.03			0.00	2773	4	11.55

Table 1 - Existing Conditions Peak Flow Rates

Analysis Point	Q ₂	Q ₁₀	Q ₂₅	Q ₁₀₀
POI1	131.60	308.40	452.70	732.10
POI2	163.70	380.90	557.60	899.00

	2-yr Storm			10-yr Storm			25-yr Storm			100-yr Storm		
	EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)	EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)	EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)	EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)
POI1	131.60	192.80	61.20	308.40	373.00	64.60	452.70	501.30	48.60	732.10	742.00	9.90
POI2	163.70	184.30	20.60	380.90	399.50	18.60	557.60	570.80	13.20	899.00	899.30	0.30

*COMPOSITE CURVE NUMBER FROM DRAINAGE STUDY PERFORMED BY CIVILE



- LEGEND**
- - - - - EXISTING CONTOUR
 - - - - - PROPOSED CONTOUR
 - FLOW ARROW
 - - - - - SWALE
 - T_c TIME OF CONCENTRATION
 - - - - - PROPOSED DRAINAGE BOUNDARY
 - - - - - STORM DRAIN LINE
 - POI POINT OF INTEREST
 - PXX X.XX AC. DRAINAGE AREA LABEL

Table 2 - CITY OF KYLE ATLAS14 RAINFALL DEPTHS (INCHES)

2-YR	10-YR	25-YR	100-YR
4.19	6.97	9.11	13.20

Contributing Area	User Inputs				Auto-Calculation		TOC Calculation Table		Routing Analysis Inputs		
	Area (sf)	CN (Pervious)	CN (Impervious)	Impervious Cover (sf)	Area (ac)	Impervious Cover (%)	TOC (min)	Area (sq. mi.)	Composite Curve Number	Lag Time	Reach Lag (if required)
P1	2,079,144	74.3	98	1,240,910	47.73	60%	20.74	0.07458	88.4	12.44	0.00
P2	660,228	74.3	98	401,979	15.16	61%	17.75	0.02368	88.7	10.65	3.10
P3	3,219,466	74.3	98	307,212	73.91	10%	21.43	0.11548	76.6	12.86	0.00
P4	794,476	74.3	98	343,718	18.24	43%	17.51	0.02850	84.6	10.51	2.86
P5	1,032,028	74.3	98	20,517	23.69	2%	30.27	0.03702	74.8	18.16	1.23
OS1	2,949,519	74.3	98	0	67.71	0%	40.69	0.10580	80.4*	24.42	11.55
P6	659,925	74.3	98	378,414	15.15	57%	20.98	0.02367	87.9	12.59	1.93

Contributing Area	Sheet Flow				Shallow Concentrated Flow (Unpaved)			Shallow Concentrated Flow (Paved)			Pipe/Channel Flow 1		Pipe/Channel Flow 2		Reach				
	Length	Slope (ft/ft)	Roughness Coefficient	T _{sheet}	Length (ft)	Slope (ft/ft)	T _{unpaved}	Length (ft)	Slope (ft/ft)	T _{paved}	Length (ft)	Velocity (ft)	T _{channel} (min)	Length (ft)	Velocity (ft)	T _{channel} (min)	Length (ft)	Velocity (ft)	T _{channel} (min)
P1	100	0.015	0.24	15.44	25	0.011	0.24	270	0.03	1.28	1358	6	3.77			0.00			0.00
P2	71	0.020	0.24	10.46	125	0.020	0.91			0.00	1179	6	3.28			0.00	1116	6	3.10
P3	100	0.024	0.2	11.06	230	0.01	2.38			0.00	1021	6	2.84	1857	6	5.16			0.00
P4	71	0.020	0.24	10.46	125	0.020	0.91			0.00	1179	6	3.28			0.00	1030	6	2.86
P5	100	0.005	0.2	20.71	1325	0.027	8.33			0.00			0.00			0.00	441	6	1.23
OS1	100	0.01	0.24	18.16	100	0.01	1.03			0.00	2387	4	9.95			0.00	2773	4	11.55
P6	100	0.02	0.24	13.76	200	0.02	1.46			0.00	1377	6	3.83			0.00	695	6	1.93

Table 2 - Proposed Conditions Peak Flow Rates

Analysis Point	Q ₂	Q ₁₀	Q ₂₅	Q ₁₀₀
POI1	192.8	373.00	501.30	742.00
POI2	184.3	399.5	570.8	899.3

	2-yr Storm				10-yr Storm				25-yr Storm				100-yr Storm			
	EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)		EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)		EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)		EXISTING (CFS)	PROPOSED (CFS)	DELTA (PR - EX, CFS)	
POI1	131.60	192.80	61.20		308.40	373.00	64.60		452.70	501.30	48.60		732.10	742.00	9.90	
POI2	163.70	184.30	20.60		380.90	399.50	18.60		557.80	570.80	13.20		899.00	899.30	0.30	

*COMPOSITE CURVE NUMBER FROM DRAINAGE STUDY PERFORMED BY CIVILE

BY: _____ DATE: _____

REVISION: _____

Know what's below.
Call before you dig.

LAND DEV

CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384

SHERWIN NOOSHIN
96807
LICENSED PROFESSIONAL ENGINEER

02/10/2021

PROPOSED DRAINAGE PLAN

PRELIMINARY PLAT

PLUM CREEK PHASE 2

SECTION 2

KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN

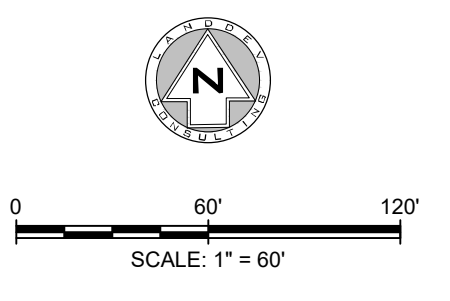
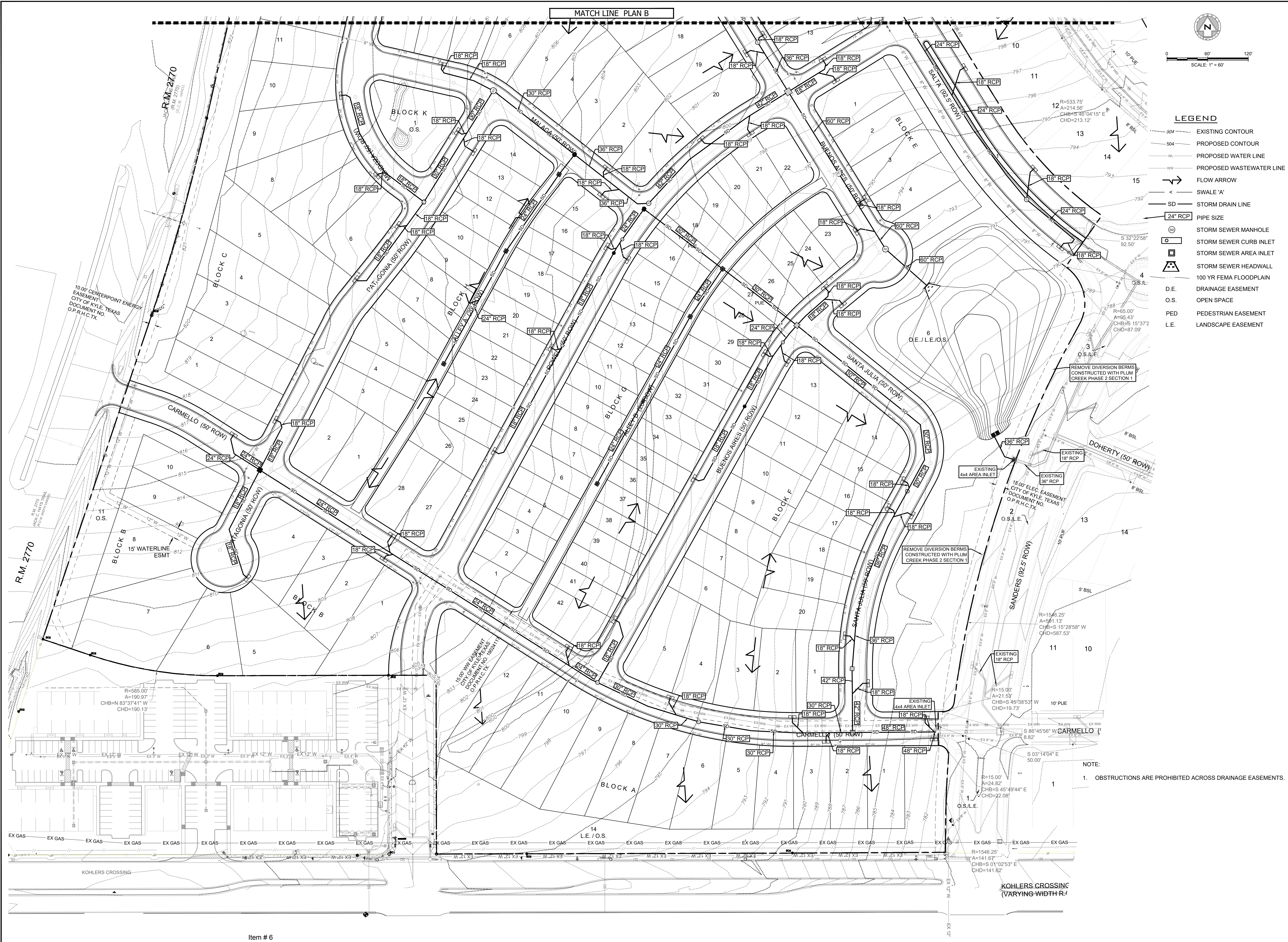
DRAWN BY: KAS

CHECKED BY: SN

APPROVED BY: SN

SHEET 7 OF 11

SUB-20-0152



- LEGEND**
- 804 EXISTING CONTOUR
 - 504 PROPOSED CONTOUR
 - WL- PROPOSED WATER LINE
 - WW- PROPOSED WASTEWATER LINE
 - FLOW ARROW
 - < SWALE 'A'
 - SD- STORM DRAIN LINE
 - 24" RCP PIPE SIZE
 - ⊕ STORM SEWER MANHOLE
 - ⊙ STORM SEWER CURB INLET
 - STORM SEWER AREA INLET
 - ▭ STORM SEWER HEADWALL
 - 100 YR FEMA FLOODPLAIN
 - D.E. DRAINAGE EASEMENT
 - O.S. OPEN SPACE
 - PED PEDESTRIAN EASEMENT
 - L.E. LANDSCAPE EASEMENT

REMOVE DIVERSION BERMS
CONSTRUCTED WITH PLUM
CREEK PHASE 2 SECTION 1

EXISTING
4x4 AREA INLET

EXISTING
36" RCP

EXISTING
18" RCP

EXISTING
18" RCP

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18" RCP

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EXISTING
18" RCP

NOTE:
1. OBSTRUCTIONS ARE PROHIBITED ACROSS DRAINAGE EASEMENTS.

NO.	REVISION	DATE

811
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LAND DEV
CONSTRUCTION, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16394

STATE OF TEXAS
SHERVIN NOOSHIN
96807
LICENSED PROFESSIONAL ENGINEER
02/10/2021

STORM SEWER PLAN A
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN

DAVID & ASHLEY KLIPPE
4640 JACK C. HAYS TRAIL
BUDA, TEXAS 78610

HAYS C.I.S.D.
21003 N IH 35
KYLE, TEXAS 78640

R=5659.58'
A=264.54'
CHB=S 11°13'16" W
CHD=264.52'

S 77°28'29" E 400.00'

S 80°02'54" E 231.74'



0 60 120
SCALE: 1" = 60'

LEGEND

- EXISTING CONTOUR
- - - PROPOSED CONTOUR
- PROPOSED WATER LINE
- PROPOSED WASTEWATER LINE
- FLOW ARROW
- - - SWALE 'A'
- SD STORM DRAIN LINE
- 24" RCP PIPE SIZE
- ⊙ STORM SEWER MANHOLE
- STORM SEWER CURB INLET
- STORM SEWER AREA INLET
- ▒ STORM SEWER HEADWALL
- 100 YR FEMA FLOODPLAIN
- D.E. DRAINAGE EASEMENT
- O.S. OPEN SPACE
- PED PEDESTRIAN EASEMENT
- L.E. LANDSCAPE EASEMENT

NOTE:

1. OBSTRUCTIONS ARE PROHIBITED ACROSS DRAINAGE EASEMENTS.



811
Know what's below.
Call before you dig.

LAND DEV
CONSTRUCTION LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384

STATE OF TEXAS
SHERVIN NOOSHIN
96807
LICENSED PROFESSIONAL ENGINEER

Sherwin Nooshin
02/10/2021

STORM SEWER PLAN B
PRELIMINARY PLAT
PLUM CREEK PHASE 2
SECTION 2
KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
DRAWN BY: KAS
CHECKED BY: SN
APPROVED BY: SN

SHEET **9** OF **11**
SUB-20-0152

P:\Lennar\LEN15001_Plan Creek\LEN15001_000_S203_0402\Preinary\Plan\Storm\STORM SEWER PLAN.dwg, Storm B, February 22, 2021, 1:37 PM, ksdmndt



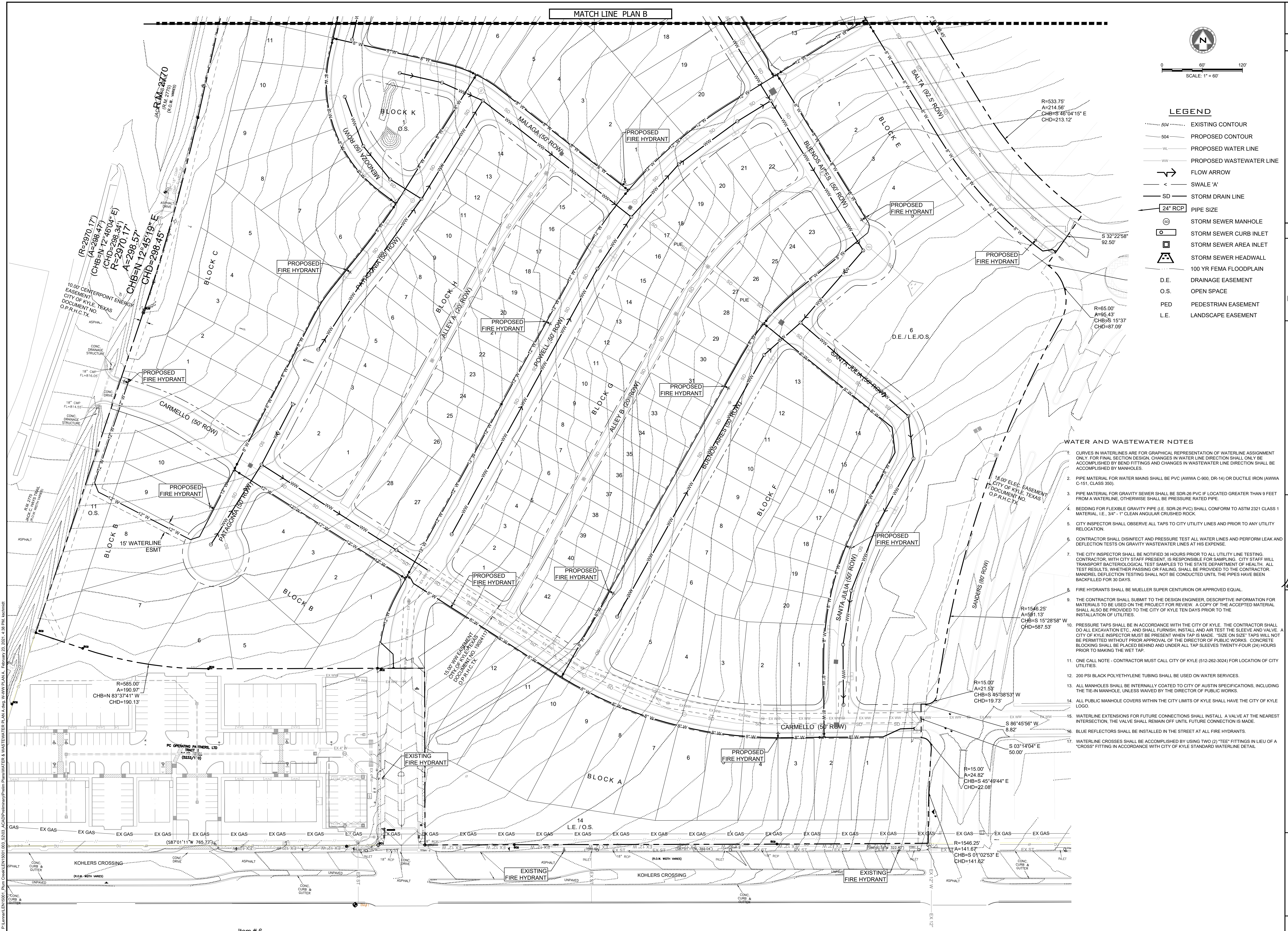
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SCALE: 1" = 60'

LEGEND

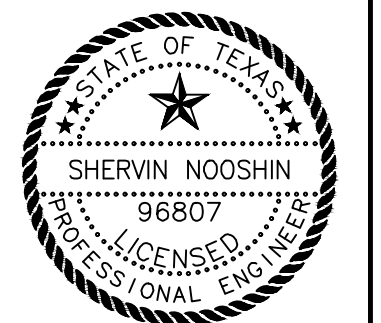
- - - - - EXISTING CONTOUR
- PROPOSED CONTOUR
- WL — PROPOSED WATER LINE
- WW — PROPOSED WASTEWATER LINE
- FLOW ARROW
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- D.E. DRAINAGE EASEMENT
- O.S. OPEN SPACE
- PED PEDESTRIAN EASEMENT
- L.E. LANDSCAPE EASEMENT

WATER AND WASTEWATER NOTES

1. CURVES IN WATERLINES ARE FOR GRAPHICAL REPRESENTATION OF WATERLINE ASSIGNMENT ONLY. FOR FINAL SECTION DESIGN, CHANGES IN WATER LINE DIRECTION SHALL ONLY BE ACCOMPLISHED BY BEND FITTINGS AND CHANGES IN WASTEWATER LINE DIRECTION SHALL BE ACCOMPLISHED BY MANHOLES.
2. PIPE MATERIAL FOR WATER MAINS SHALL BE PVC (AWWA C-900, DR-14) OR DUCTILE IRON (AWWA C-151, CLASS 350).
3. PIPE MATERIAL FOR GRAVITY SEWER SHALL BE SDR-26 PVC IF LOCATED GREATER THAN 9 FEET FROM A WATERLINE, OTHERWISE SHALL BE PRESSURE RATED PIPE.
4. BEDDING FOR FLEXIBLE GRAVITY PIPE (I.E. SDR-26 PVC) SHALL CONFORM TO ASTM 2321 CLASS 1 MATERIAL, I.E. 3/4" - 1" CLEAN ANGULAR CRUSHED ROCK.
5. CITY INSPECTOR SHALL OBSERVE ALL TAPS TO CITY UTILITY LINES AND PRIOR TO ANY UTILITY RELOCATION.
6. CONTRACTOR SHALL DISINFECT AND PRESSURE TEST ALL WATER LINES AND PERFORM LEAK AND DEFLECTION TESTS ON GRAVITY WASTEWATER LINES AT HIS EXPENSE.
7. THE CITY INSPECTOR SHALL BE NOTIFIED 36 HOURS PRIOR TO ALL UTILITY LINE TESTING. CONTRACTOR, WITH CITY STAFF PRESENT, IS RESPONSIBLE FOR SAMPLING. CITY STAFF WILL TRANSPORT BACTERIOLOGICAL TEST SAMPLES TO THE STATE DEPARTMENT OF HEALTH. ALL TEST RESULTS, WHETHER PASSING OR FAILING, SHALL BE PROVIDED TO THE CONTRACTOR. MANHOLE DEFLECTION TESTING SHALL NOT BE CONDUCTED UNTIL THE PIPES HAVE BEEN BACKFILLED FOR 30 DAYS.
8. FIRE HYDRANTS SHALL BE MUELLER SUPER CENTURION OR APPROVED EQUAL.
9. THE CONTRACTOR SHALL SUBMIT TO THE DESIGN ENGINEER, DESCRIPTIVE INFORMATION FOR MATERIALS TO BE USED ON THE PROJECT FOR REVIEW. A COPY OF THE ACCEPTED MATERIAL SHALL ALSO BE PROVIDED TO THE CITY OF KYLE TEN DAYS PRIOR TO THE INSTALLATION OF UTILITIES.
10. PRESSURE TAPS SHALL BE IN ACCORDANCE WITH THE CITY OF KYLE. THE CONTRACTOR SHALL DO ALL EXCAVATION ETC. AND SHALL FURNISH, INSTALL AND AIR TEST THE SLEEVE AND VALVE. A CITY OF KYLE INSPECTOR MUST BE PRESENT WHEN TAP IS MADE. "SIZE ON SIZE" TAPS WILL NOT BE PERMITTED WITHOUT PRIOR APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. CONCRETE BLOCKING SHALL BE PLACED BEHIND AND UNDER ALL TAP SLEEVES TWENTY-FOUR (24) HOURS PRIOR TO MAKING THE WET TAP.
11. ONE CALL NOTE - CONTRACTOR MUST CALL CITY OF KYLE (512-262-3024) FOR LOCATION OF CITY UTILITIES.
12. 200 PSI BLACK POLYETHYLENE TUBING SHALL BE USED ON WATER SERVICES.
13. ALL MANHOLES SHALL BE INTERNALLY COATED TO CITY OF AUSTIN SPECIFICATIONS, INCLUDING THE TIE-IN MANHOLE, UNLESS WAIVED BY THE DIRECTOR OF PUBLIC WORKS.
14. ALL PUBLIC MANHOLE COVERS WITHIN THE CITY LIMITS OF KYLE SHALL HAVE THE CITY OF KYLE LOGO.
15. WATERLINE EXTENSIONS FOR FUTURE CONNECTIONS SHALL INSTALL A VALVE AT THE NEAREST INTERSECTION. THE VALVE SHALL REMAIN OFF UNTIL FUTURE CONNECTION IS MADE.
16. BLUE REFLECTORS SHALL BE INSTALLED IN THE STREET AT ALL FIRE HYDRANTS.
17. WATERLINE CROSSES SHALL BE ACCOMPLISHED BY USING TWO (2) "TEE" FITTINGS IN LIEU OF A "CROSS" FITTING IN ACCORDANCE WITH CITY OF KYLE STANDARD WATERLINE DETAIL.



LAND DEV
 CONSULTING, LLC
 5508 HIGHWAY 290 WEST, SUITE 150
 AUSTIN, TX 78735
 OFFICE: 512.982.6696
 FIRM NO.: 16364

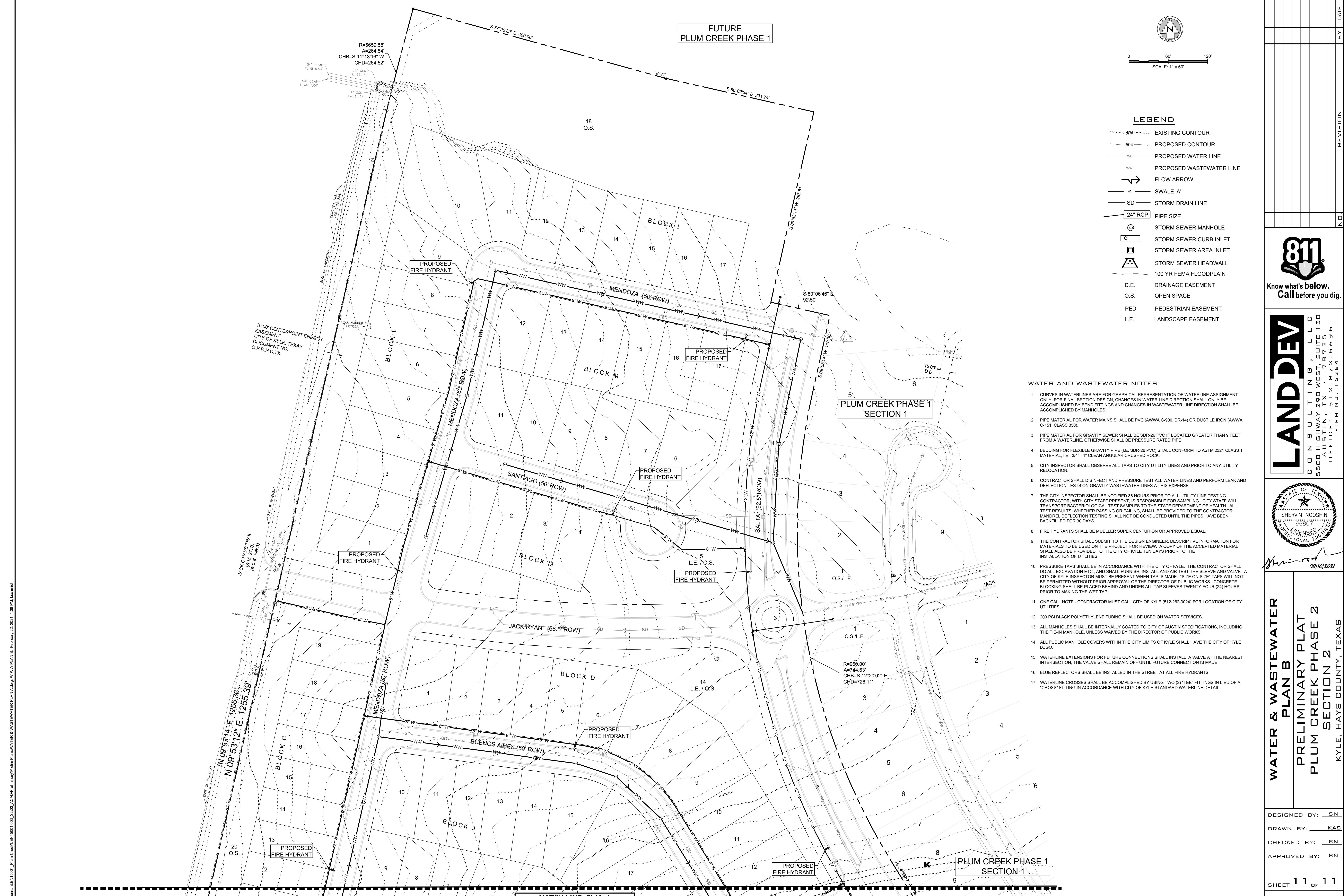


Shervin Nooshin
02/10/2021

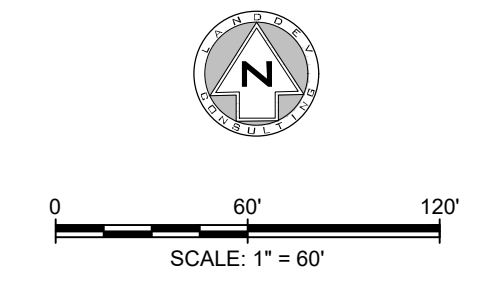
**WATER & WASTEWATER
 PLAN A
 PRELIMINARY PLAT
 PLUM CREEK PHASE 2
 SECTION 2**
 KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
 DRAWN BY: KAS
 CHECKED BY: SN
 APPROVED BY: SN

SHEET 10 OF 11
 SUB-20-0152



FUTURE
PLUM CREEK PHASE 1



LEGEND

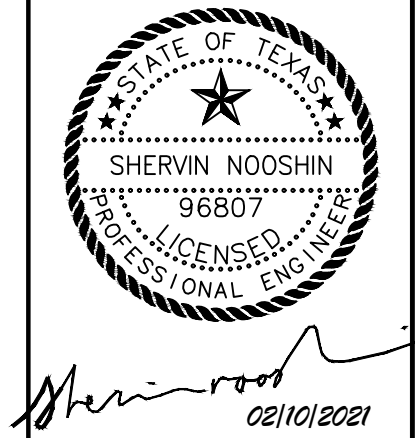
- S04 EXISTING CONTOUR
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8. FIRE HYDRANTS SHALL BE MUELLER SUPER CENTURION OR APPROVED EQUAL.
9. THE CONTRACTOR SHALL SUBMIT TO THE DESIGN ENGINEER, DESCRIPTIVE INFORMATION FOR MATERIALS TO BE USED ON THE PROJECT FOR REVIEW. A COPY OF THE ACCEPTED MATERIAL SHALL ALSO BE PROVIDED TO THE CITY OF KYLE TEN DAYS PRIOR TO THE INSTALLATION OF UTILITIES.
10. PRESSURE TAPS SHALL BE IN ACCORDANCE WITH THE CITY OF KYLE. THE CONTRACTOR SHALL DO ALL EXCAVATION ETC., AND SHALL FURNISH, INSTALL AND AIR TEST THE SLEEVE AND VALVE. CITY OF KYLE INSPECTOR MUST BE PRESENT WHEN TAP IS MADE. "SIZE ON SIZE" TAPS WILL NOT BE PERMITTED WITHOUT PRIOR APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. CONCRETE BLOCKINGS SHALL BE PLACED BEHIND AND UNDER ALL TAP SLEEVES TWENTY-FOUR (24) HOURS PRIOR TO MAKING THE WET TAP.
11. ONE CALL NOTE - CONTRACTOR MUST CALL CITY OF KYLE (512-262-3024) FOR LOCATION OF CITY UTILITIES.
12. 200 PSI BLACK POLYETHYLENE TUBING SHALL BE USED ON WATER SERVICES.
13. ALL MANHOLES SHALL BE INTERNALLY COATED TO CITY OF AUSTIN SPECIFICATIONS, INCLUDING THE TIE-IN MANHOLE, UNLESS WAIVED BY THE DIRECTOR OF PUBLIC WORKS.
14. ALL PUBLIC MANHOLE COVERS WITHIN THE CITY LIMITS OF KYLE SHALL HAVE THE CITY OF KYLE LOGO.
15. WATERLINE EXTENSIONS FOR FUTURE CONNECTIONS SHALL INSTALL A VALVE AT THE NEAREST INTERSECTION, THE VALVE SHALL REMAIN OFF UNTIL FUTURE CONNECTION IS MADE.
16. BLUE REFLECTORS SHALL BE INSTALLED IN THE STREET AT ALL FIRE HYDRANTS.
17. WATERLINE CROSSES SHALL BE ACCOMPLISHED BY USING TWO (2) "TEE" FITTINGS IN LIEU OF A "CROSS" FITTING IN ACCORDANCE WITH CITY OF KYLE STANDARD WATERLINE DETAIL.



LAND DEV
 CONSULTING, LLC
 5508 HIGHWAY 290 WEST, SUITE 150
 AUSTIN, TX 78735
 OFFICE: 512.872.6696
 FIRM NO. 16384



**WATER & WASTEWATER
 PLAN B**
 PRELIMINARY PLAT
 PLUM CREEK PHASE 2
 SECTION 2
 KYLE, HAYS COUNTY, TEXAS

DESIGNED BY: SN
 DRAWN BY: KAS
 CHECKED BY: SN
 APPROVED BY: SN

P:\Lenn\LEN10001_Plum Creek\EN10001_001_S203_JCDD\Pre\Main\Water & Wastewater\PLAN A.dwg, WWP\PLAN B, February 22, 2021, 1:38 PM, Lenn



CITY OF KYLE, TEXAS

Brooks Ranch Phase 1 - Final Plat (SUB-20-0113)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Brooks Ranch Phase 1 - Final Plat (SUB-20-0113) 21.574 acres; 57 single family lots, 1 private park/amenity lot, 1 open space lot, 1 buffer lot and 2 D.E. & M.U.E. lots located off of Brooks Ranch Drive.

Staff proposal to P&Z: Approve the Final Plat.

Other Information: See attachment.

Legal Notes: N/A

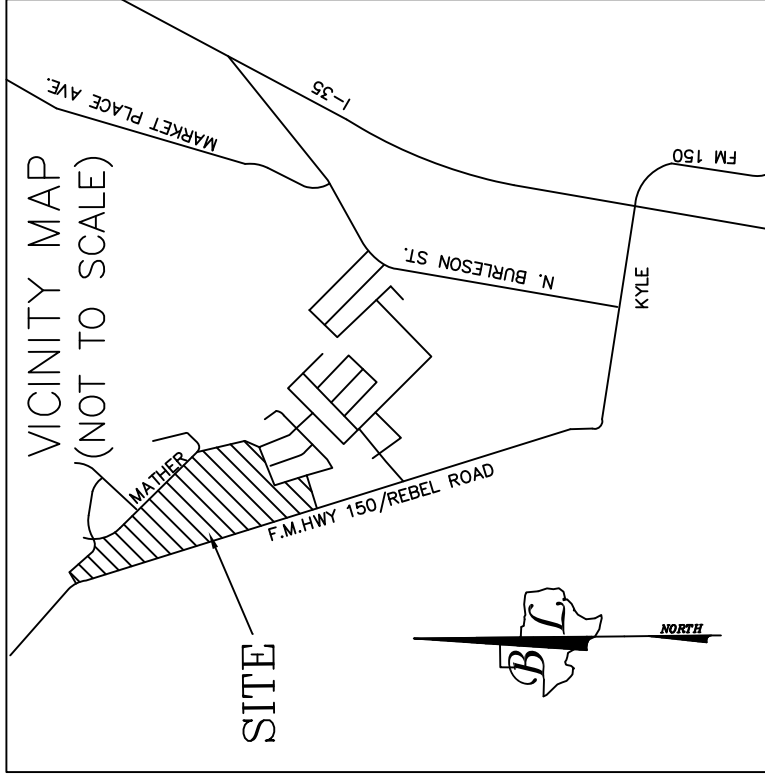
Budget Information: N/A

ATTACHMENTS:

Description

☐ Final Plat

FINAL PLAT BROOKS RANCH PHASE 1



SYMBOL	DESCRIPTION
●	1/2" REBAR FOUND
○	IRON PIPE FOUND
■	CONCRETE MONUMENT FOUND (TYPE 1)
▲	NAIL FOUND
○	1/2" REBAR SET WITH PLASTIC CAP
○	STAMPED "BASELINE INC"
⊕	BENCHMARK
⊕	FEMA 1% ANNUAL CHANCE OF FLOOD PLAIN
M.U.E.	MUNICIPAL UTILITY EASEMENT
W.W.E.	WASTEWATER EASEMENT
R.O.W.	RIGHT-OF-WAY
{ }	RECORD INFORMATION PER TXDOT MAP FOR F.M. HWY 150 DATED JANUARY, 1952
{ }	RECORD INFORMATION PER VOLUME 140, PAGE 255, D.R.H.C.T.
{ }	RECORD INFORMATION PER VOLUME 12, PAGES 31-33, P.R.H.C.T.
{ }	RECORD INFORMATION PER VOLUME 181, PAGES 62-65, P.R.H.C.T.
[]	PLAT RECORDS OF HAYS COUNTY, TEXAS
[]	DEED RECORDS OF HAYS COUNTY, TEXAS
D.R.H.C.T.	OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
O.P.R.H.C.T.	

NOTES:

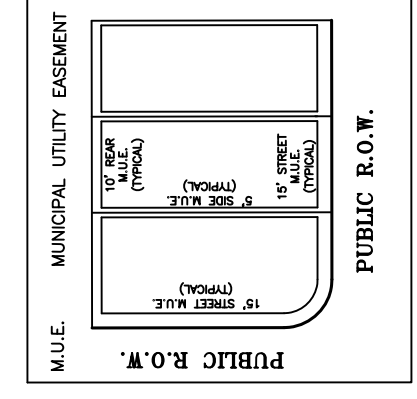
- SETBACKS NOT SHOWN ON LOTS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCE.
- A FIFTEEN (15) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW, A FIVE (5) FOOT M.U.E. IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE, AND A TEN (10) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL REAR LOT LINES ON ALL LOTS.
- BENCHMARKS:
 - I.B.M.# 1
 - CONCRETE MONUMENT FOUND (TYPE 1) IN THE EASTERN RIGHT-OF-WAY LINE OF F.M. 150 AND +/- 70' SOUTHWEST OF THE SOUTHWEST CORNER OF LOT 1 BLOCK B, PLUM CREEK PHASE 1, SECTION F, ELEVATION= 808.00'

LAND USE SUMMARY TABLE

RESIDENTIAL DEVELOPMENT LOTS: 10,279 ACRES
 R.O.W. DEDICATIONS: 5,371 ACRES
 PRIVATE PARK/AMENITY LOTS: 1,862 ACRES
 BUFFER LOT: 0.298 ACRES
 OPEN SPACE LOT: 0.139 ACRES
 D.E. & M.U.E. LOTS: 3,625 ACRES
 TOTAL: 21,574 ACRES

LOT TABLE

RESIDENTIAL DEVELOPMENT LOTS: 57 LOTS
 PRIVATE PARK/AMENITY LOTS: 1 LOT
 OPEN SPACE LOTS: 1 LOT
 BUFFER LOTS: 1 LOT
 D.E. & M.U.E. LOTS: 2 LOTS
 TOTAL: 62 LOTS

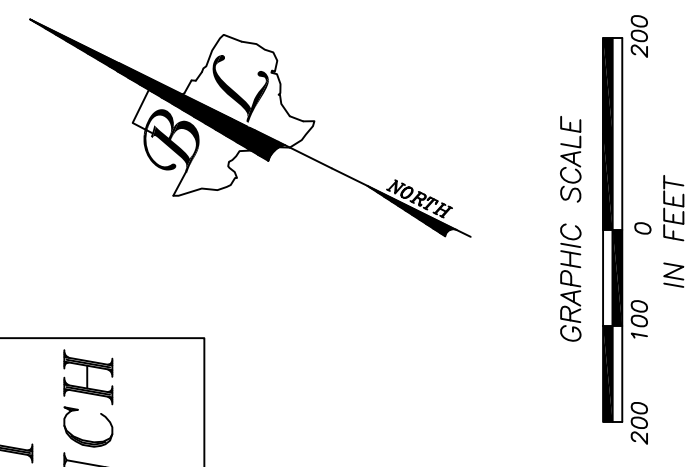


OWNER: BROOKS RANCH AT KYLE LLC.
 2088 OLD TAYLOR ROAD, OXFORD, MS. 38655
 ACREAGE: 21,574 ACRES
 SURVEY: S. PHARASS SURVEY SECTION 14, ABSTRACT NO. 360
 & J. PHARASS SURVEY SECTION 13, ABSTRACT NO. 361
 DATE: 04/17/2020
 SURVEYOR: BASELINE LAND SURVEYORS, INC.
 8000 ANDERSON SQUARE RD, STE 101
 AUSTIN, TX 78757
 ENGINEER: JAMISON CIVIL ENGINEERING LLC.
 13812 RESEARCH BLVD. #B-2
 AUSTIN, TEXAS 78750
 TBPE #F-17756
 (TELE.) 737-484-0880
 LINEAR FEET OF STREET: 1,106.28 LINEAR FEET

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Job No.	Date: 07/28/2020
Scale (Hor.): 1"=200'	Scale (Vert.):
Checked By: RGM	Drawn By: MAM
Revision 1:	
Revision 2:	
Revision 3:	
Revision 4:	

FINAL PLAT BROOKS RANCH PHASE 1

BASELINE LAND SURVEYORS, INC.
 PROFESSIONAL LAND SURVEYING SERVICES
 8000 ANDERSON SQUARE ROAD, SUITE 101
 AUSTIN TEXAS 78757
 OFFICE: (512) 374-9722
 REGISTERED FIRM #10015100
 robert@baselineandsurveyors.net

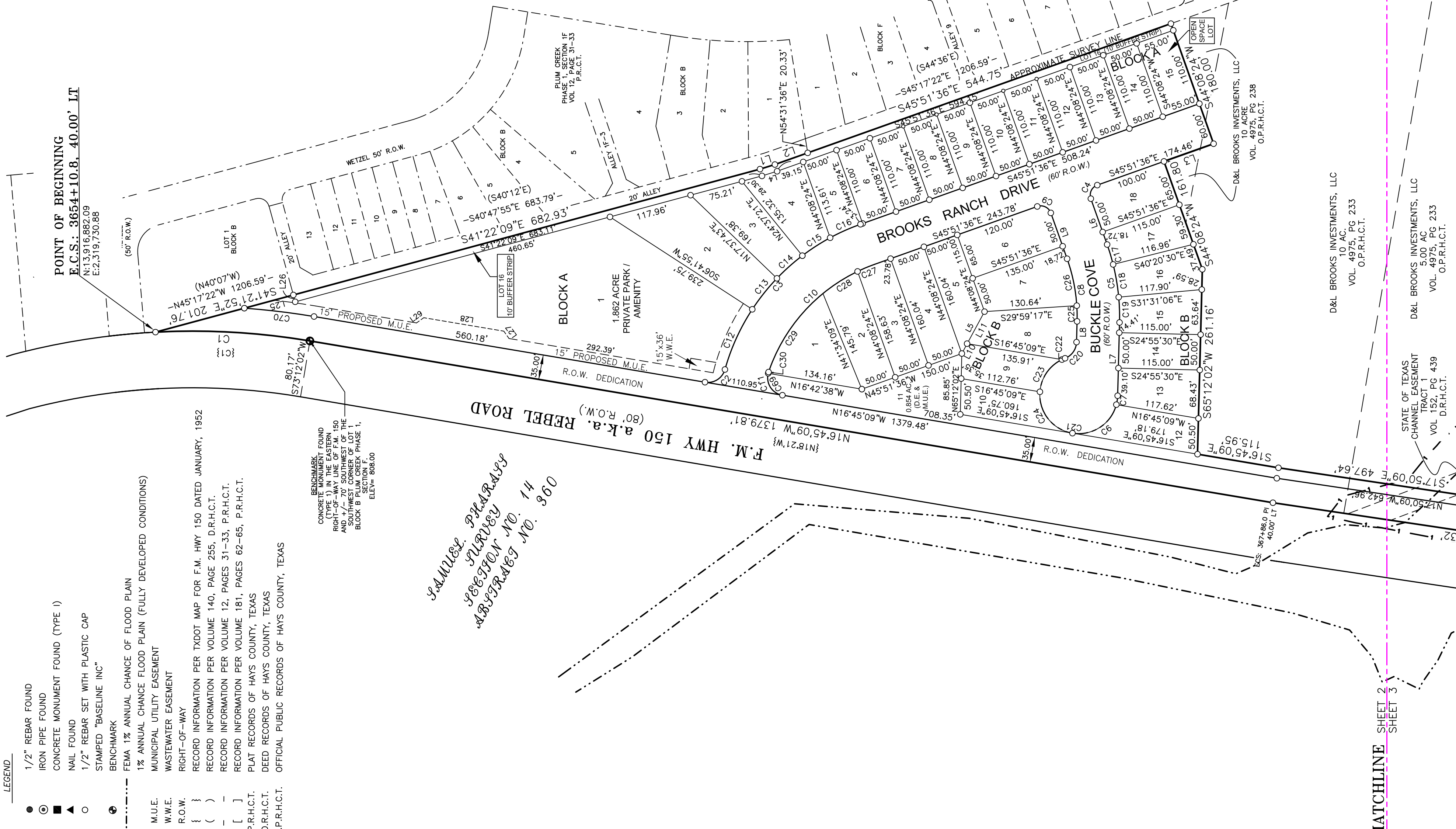
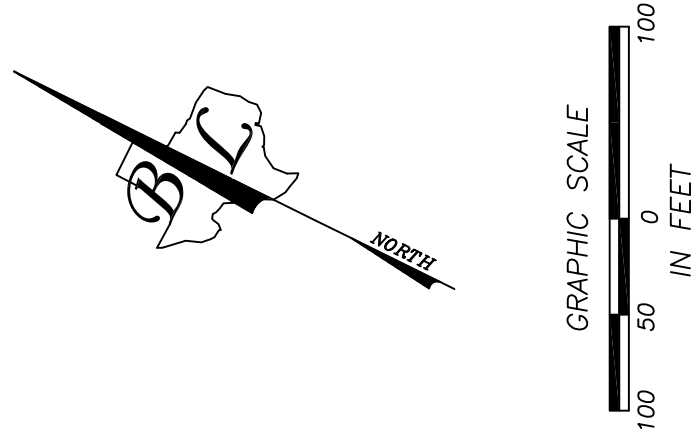


LEGEND

- 1/2" REBAR FOUND
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND (TYPE I)
- ▲ NAIL FOUND
- 1/2" REBAR SET WITH PLASTIC CAP
- STAMPED "BASELINE INC"
- ⊕ BENCHMARK
- FEMA 1% ANNUAL CHANCE OF FLOOD PLAIN
- 1% ANNUAL CHANCE FLOOD PLAIN (FULLY DEVELOPED CONDITIONS)
- M.U.E. MUNICIPAL UTILITY EASEMENT
- W.W.E. WASTEWATER EASEMENT
- R.O.W. RIGHT-OF-WAY
- { } RECORD INFORMATION PER TxDOT MAP FOR F.M. HWY 150 DATED JANUARY, 1952
- () RECORD INFORMATION PER VOLUME 140, PAGE 255, D.R.H.C.T.
- - - RECORD INFORMATION PER VOLUME 12, PAGES 31-33, P.R.H.C.T.
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- P.R.H.C.T. PLAT RECORDS OF HAYS COUNTY, TEXAS
- D.R.H.C.T. DEED RECORDS OF HAYS COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS

BENCHMARK
CONCRETE MONUMENT FOUND
(TYPE I) IN THE EASTERN
RIGHT-OF-WAY LINE OF F.M. 150
AND 1/4 MILE TO THE
SOUTHWEST OF THE
SOUTHWEST CORNER OF
BLOCK B PLUM CREEK PHASE 1,
SECTION F,
ELEV= 806.00

*S. AMULEY SURVEYORS
4869909 NO. 14
ABSTRACT NO. 960*



MATCHLINE SHEET 2
SHEET 3

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Checked By: JSL	Drawn By: RGM
Revision 1:	
Revision 2:	
Revision 3:	
Revision 4:	

SHEET
2 of 5

**BROOKS RANCH
FINAL PLAT
PHASE 1**

BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
8000 ANDERSON SQUARE ROAD, SUITE 101
AUSTIN TEXAS 78757
OFFICE: (512) 374-9722
REGISTERED FIRM #10015100
robert@baselinelandsurveyors.net

PLUM CREEK
PHASE 1, SECTION 1F
VOL. 12, PAGE 31-33
P.R.H.C.T.

D&L BROOKS INVESTMENTS, LLC
10. AC.
VOL. 4975, PG. 238
O.P.R.H.C.T.

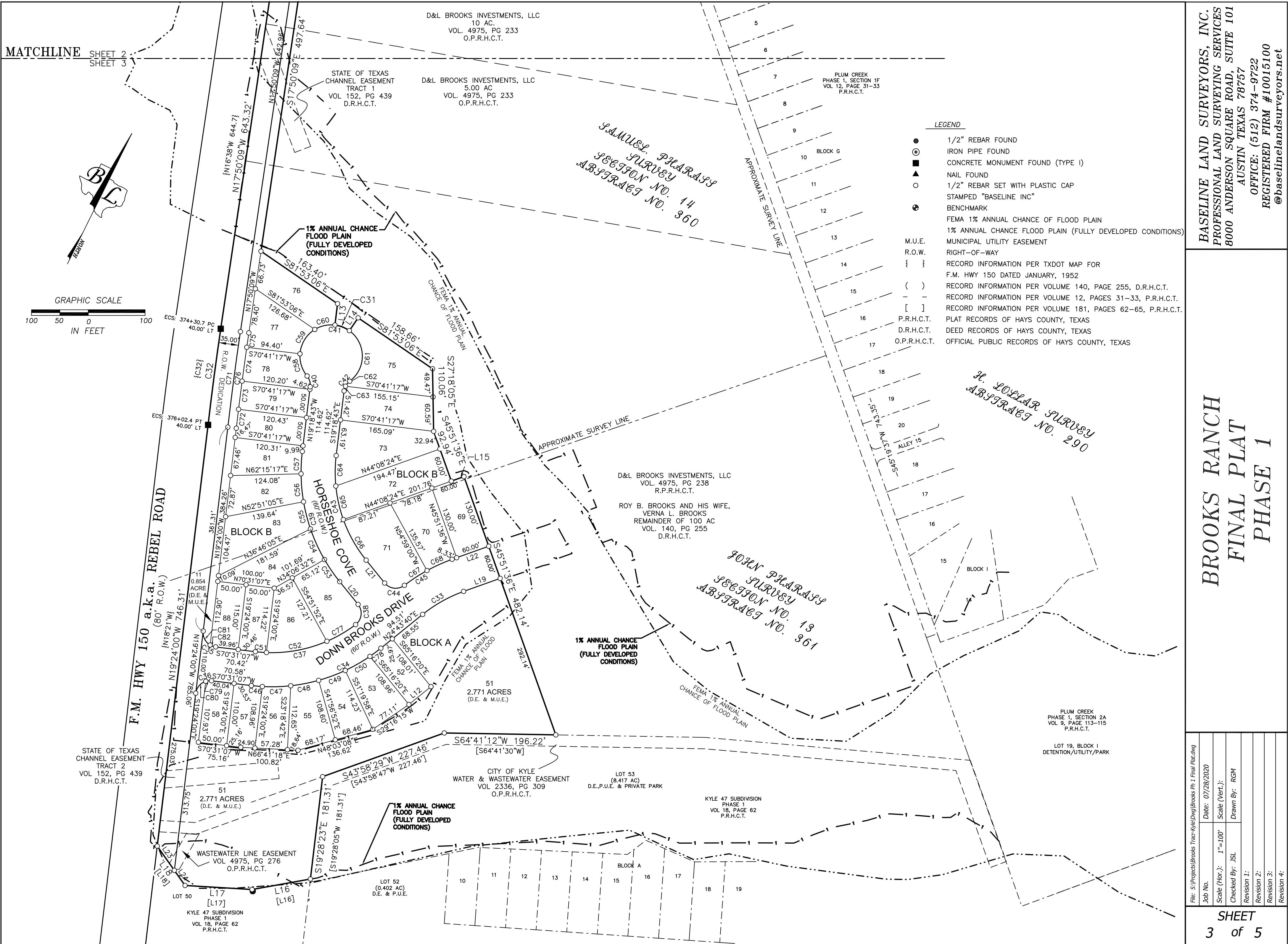
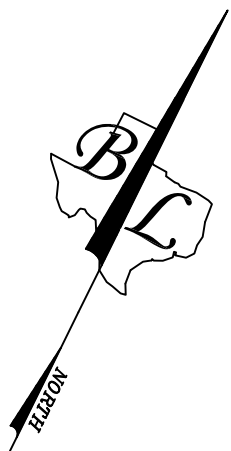
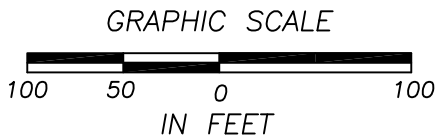
D&L BROOKS INVESTMENTS, LLC
10. AC.
VOL. 4975, PG. 233
O.P.R.H.C.T.

D&L BROOKS INVESTMENTS, LLC
5.00 AC
VOL. 4975, PG. 233
O.P.R.H.C.T.

STATE OF TEXAS
CHANNEL EASEMENT
TRACT 1
VOL. 152, PG. 439
D.R.H.C.T.

*S. AMULEY SURVEYORS
4869909 NO. 14
ABSTRACT NO. 960*

MATCHLINE SHEET 2
SHEET 3



LEGEND

- 1/2" REBAR FOUND
- ⊙ IRON PIPE FOUND
- CONCRETE MONUMENT FOUND (TYPE I)
- ▲ NAIL FOUND
- 1/2" REBAR SET WITH PLASTIC CAP
- ⊕ STAMPED "BASELINE INC"
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- 1% ANNUAL CHANCE FLOOD PLAIN (FULLY DEVELOPED CONDITIONS)
- M.U.E. MUNICIPAL UTILITY EASEMENT
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- - - RECORD INFORMATION PER VOLUME 12, PAGES 31-33, P.R.H.C.T.
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- P.R.H.C.T. PLAT RECORDS OF HAYS COUNTY, TEXAS
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BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
 8000 ANDERSON SQUARE ROAD, SUITE 101
 AUSTIN TEXAS 78757
 OFFICE: (512) 374-9722
 REGISTERED FIRM #10015100
 @baselinelandsurveyors.net

**BROOKS RANCH
 FINAL PLAT
 PHASE 1**

File: S:\Projects\Brooks Ranch-Kyle\Drawings\Brooks Ph. 1 Final Plat.dwg
Job No. _____
Date: 07/28/2020
Scale (Hor.): 1"=100'
Scale (Vert.): _____
Checked By: JSL
Drawn By: RGM
Revision 1: _____
Revision 2: _____
Revision 3: _____
Revision 4: _____

STATE OF TEXAS)(
COUNTY OF HAYS)(

KNOW ALL MEN BY THESE PRESENTS

THAT THE UNDERSIGNED, BROOKS RANCH AT KYLE LLC. OWNER OF 21.574 ACRES OF LAND AS SHOWN ON THIS PLAT, BY VIRTUE OF GENERAL WARRANTY BY DEED OF RECORD IN DOCUMENT NO. 19011311 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS;

OWNER(S) OF THIS PROPERTY, BROOKS RANCH AT KYLE DO HEREBY SUBDIVIDE SAID 21.364 ACRES IN ACCORDANCE WITH THE ATTACHED PLAT TO BE KNOWN AS:

"BROOKS RANCH PHASE 1"

KNOWN ALL MEN BY THESE PRESENTS: THE OWNERS OF THE LAND SHOWN ON THIS PLAT WHOSE NAMES ARE SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER COURSES, DRAINS, MUNICIPAL UTILITY EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

I FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN THE SUBDIVISION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

I FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; I, MY SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT I MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

BROOKS RANCH AT KYLE LLC. DATE
2088 OLD TAYLOR ROAD
OXFORD, MS. 38655

STATE OF TEXAS)(
COUNTY OF HAYS)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE _____ DAY OF _____ A.D., 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS)(
COUNTY OF HAYS)(

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND ABILITY AND THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

THIS TRACT LIES IN ZONE A, AREA WITHIN SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, AND THE TRACT LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOOD PLAIN, AND ZONE A, SPECIAL FLOOD HAZARD REA WITHOUT BASE FLOOD ELEVATION, AS DEPICTED ON FIRM MAP NUMBER 48209C0270F, EFFECTIVE SEPTEMBER 2, 2005, FOR HAYS COUNTY, TEXAS.

BRUCE W. BRYAN DATE
R.P.L.S. NO. 5289 STATE OF TEXAS
8000 ANDERSON SQUARE RD., SUITE 101
AUSTIN, TEXAS 78757

STATE OF TEXAS)(
COUNTY OF HAYS)(

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES, PLANS AND RELEVANT STATE STANDARDS.

P.E., REGISTERED PROFESSIONAL ENGINEER DATE

REGISTERED PROFESSIONAL ENGINEER NO. 86951 STATE OF TEXAS
JAMISON CIVIL ENGINEERING LLC
13812 RESEARCH BLVD. #B-2
AUSTIN, TEXAS 78750
TBPE #F-17756
(TELE.) 737-484-0880

P.E. FIRM REG. NO. _____

STATE OF TEXAS)(
COUNTY OF HAYS)(

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ORDINANCE #439 OF THE CITY CODE OF KYLE AND THAT ALL EASEMENTS OF RECORD AS FOUND ON THE TITLE POLICY OR DISCOVERED WITH A TITLE SEARCH PREPARED IN CONJUNCTION WITH THE MOST RECENT PURCHASE OF PROPERTY.

BRUCE W. BRYAN DATE
R.P.L.S. NO. 5289 STATE OF TEXAS
8000 ANDERSON SQUARE RD., SUITE 101
AUSTIN, TEXAS 78757

GENERAL NOTES:

1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF KYLE, HAYS COUNTY, TEXAS.

2. THIS TRACT LIES IN ZONE A, AREA WITHIN SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, AND THE TRACT LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOOD PLAIN, AND ZONE A, SPECIAL FLOOD HAZARD AREA WITHOUT BASE FLOOD ELEVATION, AS DEPICTED ON FIRM MAP NUMBER 48209C0270F, EFFECTIVE SEPTEMBER 2, 2005, FOR HAYS COUNTY, TEXAS.

3. NO FENCE OR OTHER OBSTRUCTION SHALL BE PLACED OR INSTALLED IN ANY DRAINAGE EASEMENT SHOWN HEREON.

4. BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE CITY OF KYLE, TEXAS CODE OF ORDINANCES.

5. NO LOTS OF THIS SUBDIVISION LIE WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE OR TRANSITION ZONE.

6. THIS TRACT LIES WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.

7. UTILITY SERVICE:
ELECTRIC SERVICE: PEDERNALES ELECTRIC COOPERATIVE, INC.
TELEPHONE SERVICE: VERIZON
WATER: CITY OF KYLE
WASTEWATER: CITY OF KYLE

8. A SITE DEVELOPMENT PERMIT ISSUED BY THE CITY OF KYLE SHALL BE REQUIRED PRIOR TO DEVELOPMENT OF THE LOTS.

9. PEDERNALES ELECTRIC HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY, AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THESE MUNICIPAL UTILITY EASEMENTS CLEAR. PEDERNALES ELECTRIC WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF KYLE UNIFIED DEVELOPMENT CODE.

10. TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING, WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOME OWNERS ASSOCIATION.

11. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES THAT ARE TO BE BUILT WITH THE CITY OF KYLE SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.

12. WITH THE RECENTLY ADOPTED STORMWATER MANAGEMENT ORDINANCE, A GENERAL NOTE NEED TO BE ADD THAT STATES" POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED. THE OWNER OR OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPED SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED ON SITE, SUCH AS AT THE OFFICES OF THE OWNER OR OPERATOR, AND MADE AVAILABLE FOR REVIEW BY THE CITY.

13. SIDEWALKS SHALL BE INSTALLED ON THE SUBDIVISION SIDES OF BROOKS RANCH DRIVE, SAVANNA COVE, HORSESHOE COVE, AND DONN BROOKS DRIVE. THOSE SIDEWALKS NOT ABUTTING A RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL LOT SHALL BE INSTALLED WHEN THE ADJOINING STREET IS CONSTRUCTED. WHERE THERE ARE DOUBLE FRONTAGE LOTS, SIDEWALKS ON THE STREET TO WHICH ACCESS IS PROHIBITED IS REQUIRED ARE ALSO REQUIRED TO BE INSTALLED WHEN THE STREETS IN THE SUBDIVISION ARE CONSTRUCTED.

14. PURSUANT TO THE CITY OF KYLE'S CITY COUNCIL APPROVAL, NOTE #9 IN SEC. 53-33, CHART 1 IS HEREBY ALLOWED. ON APPROVAL BY THE CITY COUNCIL, UP TO 50 PERCENT OF THE LOTS WITHIN A SUBDIVISION MAY HAVE A FRONT SETBACK LINE UP TO 20 PERCENT LESS THAN THE DISTRICT MINIMUM, BUT IN NO CASE LESS THAN 16 FEET; PROVIDED THAT NO MORE THAN THREE CONSECUTIVE AND ABUTTING LOTS SHALL HAVE LESS THAN THE DISTRICT MINIMUM FRONT SETBACK; AND NO MORE THAN 25 PERCENT OF THE LOTS SHALL HAVE A MINIMUM FRONT SETBACK OF TEN PERCENT LESS THAN THE DISTRICT MINIMUM; AND NOT MORE THAN 25 PERCENT OF THE LOTS SHALL HAVE A MINIMUM FRONT SETBACK OF 20 PERCENT LESS THAN THE DISTRICT MINIMUM. IN NO EVENT SHALL A FRONT-FACING/FRONT-LOADING ATTACHED GARAGE HAVE LESS THAN A 21-FOOT SETBACK.

15. AT THE DECEMBER 15, 2020 MEETING, THE CITY COUNCIL GRANTED A REQUEST TO ALLOW REDUCED FRONT SETBACKS PER SEC. 53-33(K)(CHART 1)(9), OF THE CITY OF KYLE CODE OF ORDINANCES.

STATE OF TEXAS)(
COUNTY OF HAYS)(

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF 2020 A.D AT _____ O'CLOCK _____ .M. AND DULY RECORDED ON THE _____ DAY OF _____, 2020, A.D. AT _____ O'CLOCK, .M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN PLAT INSTRUMENT NO. _____ WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE DAY OF _____, 2020, A.D.

COUNTY CLERK HAYS COUNTY, TEXAS

LEON BARBA, CITY ENGINEER DATE

HARPER WILDER, DIRECTOR OF PUBLIC WORKS DATE

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS, AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

DATED THIS _____ DAY OF _____, 2020,

MADAM CHAIRPERSON

BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
8000 ANDERSON SQUARE ROAD, SUITE 101
AUSTIN TEXAS 78757
OFFICE: (512) 374-9722
REGISTERED FIRM #10015100
robert@baselineandsurveyors.net

FINAL PLAT
BROOKS RANCH
PHASE 1

Table with 4 columns: Job No., Date, Scale (Hor.), Scale (Vert.), Checked By, Drawn By, Revision 1, Revision 2, Revision 3, Revision 4.

Table with 6 columns: CURVE#, RADIUS, LENGTH, DELTA, CHORD BEARING, CHORD. Contains curve data for C1 through C50.

Table with 6 columns: CURVE#, RADIUS, LENGTH, DELTA, CHORD BEARING, CHORD. Contains curve data for C51 through C82.

Table with 3 columns: LINE#, DIRECTION, LENGTH. Contains line data for L1 through L29.

METES AND BOUNDS DESCRIPTION

BEING 21.574 ACRES OF LAND, OUT OF THE JOHN PHARASS SURVEY, SECTION NO. 13, ABSTRACT NO. 361 AND THE SAMUEL PHARASS SURVEY 14, ABSTRACT NO. 360, IN HAYS COUNTY, TEXAS, TWO 5.00 ACRE TRACTS OF LAND CONVEYED TO D&L BROOKS INVESTMENTS, LLC BY DEED OF RECORD IN VOLUME 4975, PAGE 233 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND BEING THE REMAINDER OF 100 ACRE TRACT CONVEYED TO D&L BROOKS INVESTMENTS, LLC BY DEED OF RECORD IN VOLUME 4975, PAGE 238 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND SAID 100 ACRES CONVEYED TO ROY B. BROOKS AND HIS WIFE, VERNA L. BROOKS BY DEED OF RECORD IN VOLUME 140, PAGE 255 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar set with plastic cap, stamped "BASELINE INC" at the north corner of said 10.00 acre tract, same being in the west line of Lot 1, Block B, Plum Creek, Phase 1, Section 1F, a subdivision of record in Volume 12, Page 31-33 of the Plat records of Hays County, Texas, said Point of Beginning be 40.00 feet left of and at right angles to Engineers Centerline Station: 354+10.8 of F.M. Highway 150 (80' R.O.W.);

THENCE along the east line of the 10.00 acre tract, and the west line of said Plum Creek, Phase 1, Section 1F the following four (4) courses and distances:

- 1. South 41°21'52" East a distance of 200.95 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC"; from which a 1/2" rebar found in the south line of Lot 1, Block B, Plum Creek, Phase 1, Section 1F and the north line of a 20 foot wide alley bears North 48°23'53" East a distance of 129.99 feet;
2. South 41°22'09" East a distance of 683.74 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC";
3. South 43°24'34" East a distance of 21.99 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC";
4. South 45°51'36" East a distance of 49.19 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC" at the southwest corner Plum Creek Phase 1, Section 1F, said point being the northwest corner of Plum Creek, Phase 1, Section 2B, a subdivision of record in Volume 9, Page 271-273 of the Plat records of Hays County, Texas; from which a nail found for the southwest corner Lot 1, Block B, Plum Creek, Phase 1, Section 1F and the northwest corner of Lot 1, Block F, Phase 1, Section 1F bears North 54°31'36" East a distance of 20.33 feet;

THENCE South 45°51'36" East, continuing along the east line of the 10.00 acre tract, the east line of said 5.00 acre tract described in deed to Donn Patton Brooks and Linton Carvel Brooks, the east line of said 5.00 acre tract conveyed to D&L Brooks Investments, LLC, same being the west line of said Plum Creek, Phase 1, Section 2B, a distance of 544.75 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC";

THENCE crossing through said remainder 100 acre tract the following five (5) courses;

- 1. South 44°08'24" West a distance of 180.00 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";
2. North 45°51'36" West a distance of 74.46 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";
3. South 44°08'24" West a distance of 161.80 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";
4. South 65°12'02" West a distance of 261.16 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";
5. South 16°45'09" East a distance of 115.95 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";

THENCE South 17°50'09" East, continuing through the 10 acre tract and crossing through a 5.00 acre tract conveyed to D&L Brooks Investments, LLC by deed of record in Volume 4975, Page 233, and through the remainder of 100 acre tract a distance of 497.64 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc.";

THENCE crossing through the remainder of 100 acre tract the following nine (9) courses;

- 1. South 81°53'06" East a distance of 183.40 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
2. South 19°18'43" East a distance of 37.78 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc." for a point of curvature;
3. Along a non tangential curve to the right having a radius of 55.00 feet, a length of 27.50 feet, a delta angle of 28°38'49" and a chord which bears North 85°00'42" East a distance of 27.21 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
4. North 08°06'54" East a distance of 27.36 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
5. South 81°53'06" East a distance of 158.66 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
6. South 27°18'05" East a distance of 110.06 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
7. South 45°51'36" East a distance of 92.94 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
8. North 44°08'24" East a distance of 23.63 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
9. South 45°51'36" East a distance of 482.14 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc." in the north line of Lot 53, Block A, Kyle 47 Subdivision Phase 1, a subdivision of record in Volume 18, Page 62 of the Plat records of Hays County, Texas, from which a 1/2" rebar set with plastic cap stamped "Baseline Inc." bears North 64°41'12" East a distance of 262.55 feet;

THENCE along the south line of the remainder of 100-acre tract same being the north line of said Kyle 47 Subdivision, the following six (6) courses:

- 1. South 64°41'12" West (record-South 64°41'30" West) a distance of 196.22 feet to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
2. South 43°58'29" West (record-South 43°58'47" West) a distance of 227.46 feet (record-227.46 feet) to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
3. South 19°28'23" East (record-South 19°28'05" East a distance of 181.31 feet (record-181.31 feet) to a 1/2" rebar set with plastic cap stamped "Baseline Inc."
4. South 53°30'46" West a distance of 104.25 feet (record - South 53°31'01" West a distance of 104.25 feet) to a 1/2" rebar set with plastic cap, stamped "BASELINE INC";
5. South 67°10'11" West a distance of 118.26 feet (record - South 67°10'29" West a distance of 118.26 feet) to a 1/2" rebar set with plastic cap, stamped "BASELINE INC";
6. North 61°32'53" West a distance of 84.77 feet (record - North 61°31'35" West a distance of 85.46 feet) to a 1/2" rebar set with plastic cap, stamped "BASELINE INC" at the southwest corner of the remainder of the 100 acre tract, same being the northwest corner of Kyle 47 Subdivision, and being in the east right-of-way line of said F.M. 150;

THENCE along the west line of the remainder 100 acre tract and the east right-of-way line of F.M. Hwy 150 the following five (5) courses:

- 1. North 19°24'00" West (record - North 18°21' West) a distance of 746.31 to a 1/2" rebar set with plastic cap, stamped "BASELINE INC" at Engineer's Centerline PT Station: 376+02.4, 40.00' Left;
2. Along a curve to the right, having a radius of 5686.92 feet (record - 5686.92 feet), an arc length of 170.62 feet (record - 170.39 feet); a delta angle of 01°43'08", and a chord which bears North 18°47'02" West a distance of 170.61 feet to a 1/2" rebar set with plastic cap, stamped "BASELINE INC" at Engineer's Centerline PC Station: 374+30.7, 40.00' Left;
3. North 17°50'09" East a distance of 643.32' (record - N16°38'W a distance of 644.7 feet) to a 1/2" rebar set with plastic cap stamped "Baseline Inc." at Engineers Centerline PI Station: 367+86.0, 40' Left;
4. North 16°45'09" West (record - North 18°21' West) a distance of 1379.81 to a concrete monument found (type 1), from which a concrete monument found (type 1) bears South 73°12'02" West a distance of 80.17 feet;
5. Along a tangential curve to the left, having a radius of 995.07 feet (record - 995.07 feet), an arc length of 219.01 feet; a delta angle of 12°36'37", and a chord which bears North 23°00'57" West a distance of 218.56 feet to the POINT OF BEGINNING.

This tract contains 21.574 acres of land, more or less, out of the S. Pharass Survey, Section 13, Abstract No. 361, and in the S. Pharass Survey, Section 14, Abstract No. 360, in Hays County, Texas..

Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83\96CORS. 22

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES 8000 ANDERSON SQUARE ROAD, SUITE 101 AUSTIN TEXAS 78757 OFFICE: (512) 374-9722 REGISTERED FIRM #10015100 robert@baselinelandsurveyors.net

FINAL PLAT BROOKS RANCH PHASE 1

Table with 2 columns: Field Name, Value. Fields include Job No., Date, Scale, Checked By, and Revision 1-4.



CITY OF KYLE, TEXAS

Suds Deluxe Car Wash -
Conditional Use Permit (CUP-21-
0028)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Consider a request to construct a car wash with associated covered parking areas to detail vehicles, and a dumpster enclosure for property located at 18900 IH-35, approximately 600-feet south of the intersection of IH-35 and Kyle Crossing (in front of Home Depot) within the I-35 overlay district. (Suds Deluxe Car Wash - CUP-21-0028)

Other Information: See attachments.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- Suds Deluxe Car Wash Elevations
- Suds Deluxe Car Wash Renderings
- Landscape Plan
- Revised Elevations
- Revised Renderings



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Will Atkinson – City Planner

DATE: Tuesday, March 23, 2021

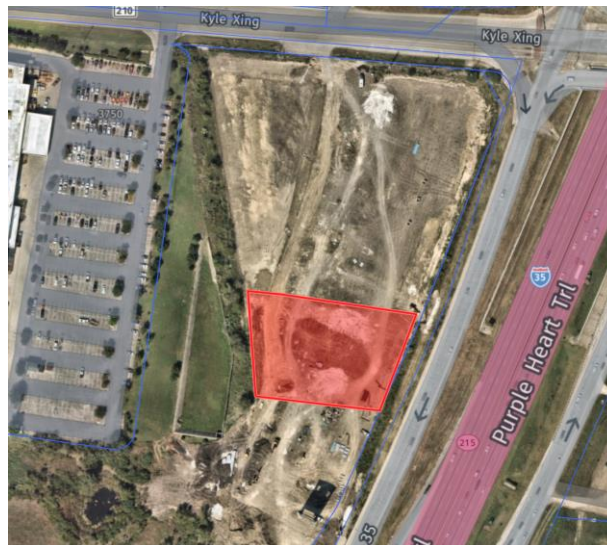
SUBJECT: Suds Deluxe Carwash (CUP-21-0028)

REQUEST

The applicant seeks to construct a car wash with associated covered parking areas (to detail vehicles), and a dumpster enclosure. The structure will consist of an exterior façade comprised of a mix of masonry materials including split-faced Concrete Masonry Units (CMUs) and porcelain tiles, as well as metal accent detailing. The proposed color pallet is primarily a mix of light and dark gray, with teal and bronze as accents.

LOCATION

The property is located at 18900 IH-35, approximately 600-feet south of the intersection of IH-35 and Kyle Crossing (in front of Home Depot).



OVERLAY DISTRICT

The I-35 overlay district. The Interstate Highway 35 corridor conditional use overlay district (the I-35 overlay district) extends from the northernmost city limit boundary at I-35 to the southernmost city limit boundary at I-35, and includes all real property within 1,500 feet of the outer most edge of the highway right-of-way of I-35.

TEXT OF THE ZONING ORDINANCE

Sec. 53-896. - Standards for review.

- (a) The planning and zoning commission shall determine whether the application and project is consistent and compliant with the terms and intent of this division, this chapter, chapter 32, article II, pertaining to the site development plan, and all other codes and ordinances of the city. The planning and zoning commission will determine if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare. In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application, including, but not limited to:
- (1) Height, which shall conform to the requirements of this chapter;
 - (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
 - (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
 - (4) Roof shape, which shall include type, form, and materials;
 - (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
 - (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
 - (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
 - (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
 - (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;
- (b) The planning and zoning commission may request from the applicant such additional information, sketches, and data as it shall reasonably require. It may call upon experts

and specialists for testimony and opinion regarding matters under examination. It may recommend to the applicant changes in the plans it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The planning and zoning commission shall keep a record of its proceedings and shall attach to the application copies of information, sketches, and data needed to clearly describe any amendment to the application.

- (c) If the conditional use permit is granted by the planning and zoning commission, the applicant shall be required to obtain a building permit and/or a development permit, if required, provided all other requirements for a building permit and/or a development permit are met. The building permit and/or a development proposal as approved shall be valid from one year from the date of approval. The planning and zoning commission may grant an extension of the one-year limitation if sufficient documentation can be provided to warrant such an extension.

STAFF ANALYSIS

Staff has reviewed the request and has made the following findings:

1. The proposed building meets the intent of the Retail Services zoning standards for the building and site work;
2. The architecture style of the building meets the requirements in the I-35 Overlay;
3. Materials types and specific colors are available on the elevation sheet.
4. The overall design aesthetic and color palette parallels the current ideals within the I-35 Overlay standard for the preferable appearance of the Kyle I-35 corridor.

The site plan shown as an exhibit is code compliant, and matches the proposed canopy and building improvements for both the Retail Services zoning district and I-35 Overlay. The building meets and exceeds the requirements for a minimum of 90% four sided masonry. The color scheme provides a unique color combination to the City of Kyle's IH-35 corridor.

RECOMMENDATION

Staff has reviewed the color elevations for compliance with the Sec. 53-899 (I-35 Overlay design standards), and the plans are compliant. Staff recommends approval of the conditional use permit (CUP-21-0028).

ATTACHMENTS

1. Exterior elevations
2. Colored Renderings
3. Landscape plan
4. Application submittal

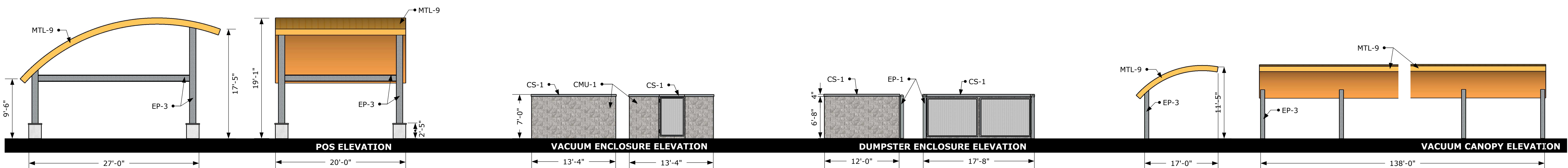
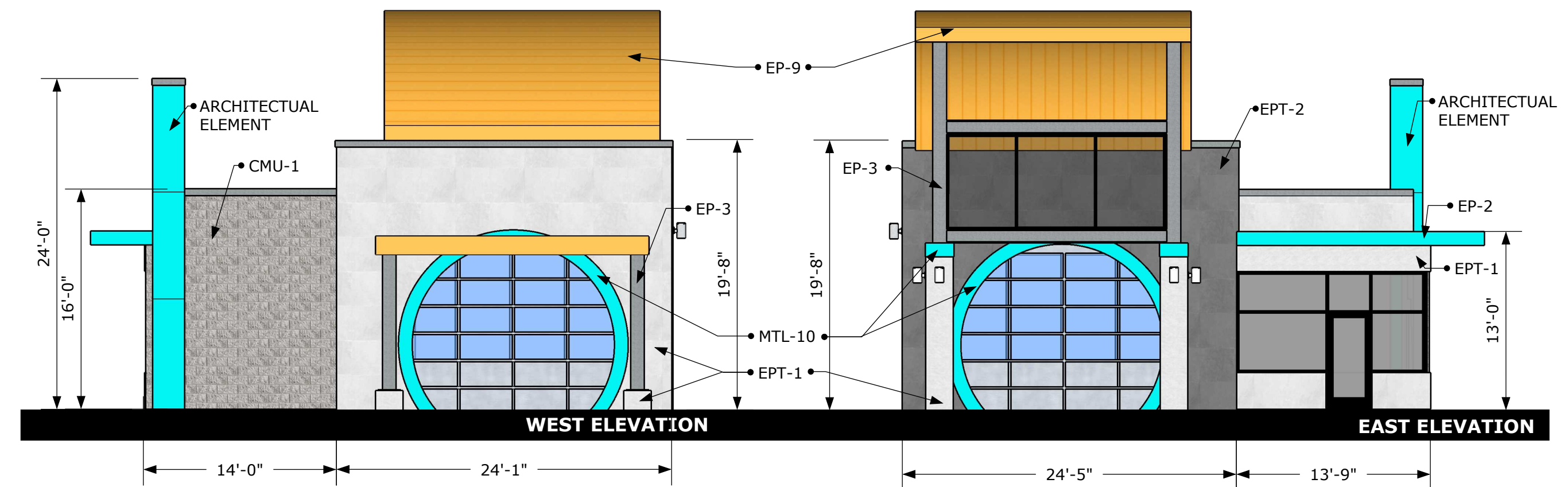
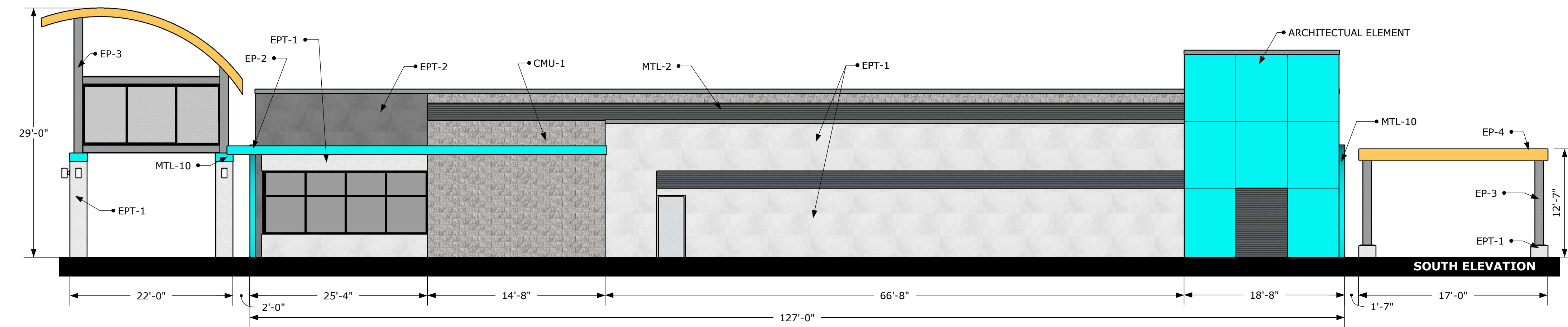
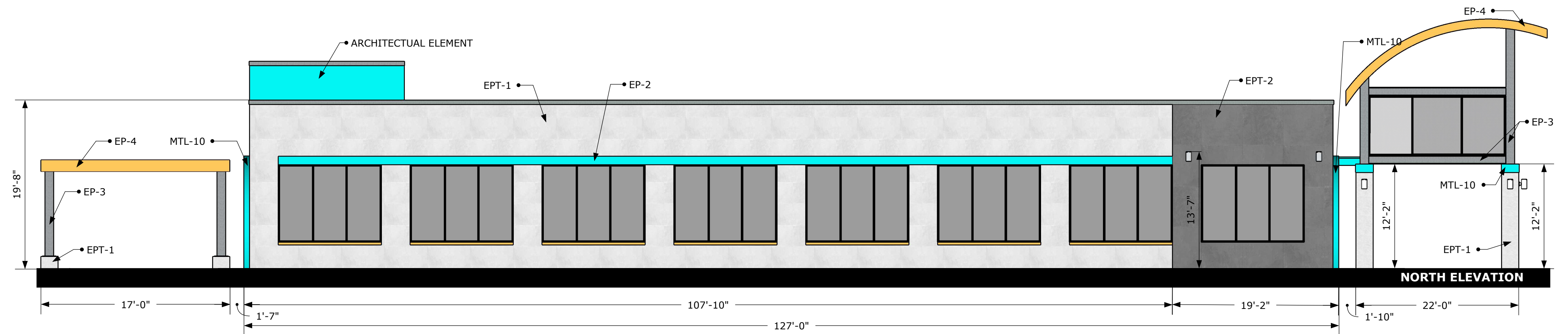
EXTERIOR FINISH MATERIAL SCHEDULE

MATERIAL	DESCRIPTION
MASONRY	CMU-1
EXTERIOR PAINT	EP-2
	EP-3
	EP-4
METAL COMPONENTS	MTL-2
	MTL-10
PORCELAIN TILE	EPT-1
	EPT-2

Materials Square Foot	North	South	East	West
	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Exterior Porcelain Tile	1462.90	1106.73	369.97	281.70
CMU	0.00	416.93	0.00	143.80
Metal Components	10.14	116.91	20.18	20.18
Total	1473	1641	390	445.68

Materials Percentage	North	South	East	West	Total
	Percent	Percent	Percent	Percent	Percent
Exterior Porcelain Tile	99%	67%	95%	63%	82%
CMU	0%	25%	0%	32%	14%
Metal Components	1%	7%	5%	5%	4%
Total SF	1473	1641	390	446	3949.44

NUMBER OF STORIES: ONE



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Trent W. Clark Architect
TX Registration # 17084

PRELIMINARY
NOT FOR
CONSTRUCTION

These Drawings are
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CASE: 20-109

SUDS DELUXE

A NEW FACILITY
FOR:

18900 IH-35
Kyle TX, 78610

Project No. 20-0521
Date 02/05/2021

ELEVATIONS

A3.1



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Suds Deluxe Car Wash Kyle, Texas

Item # 8



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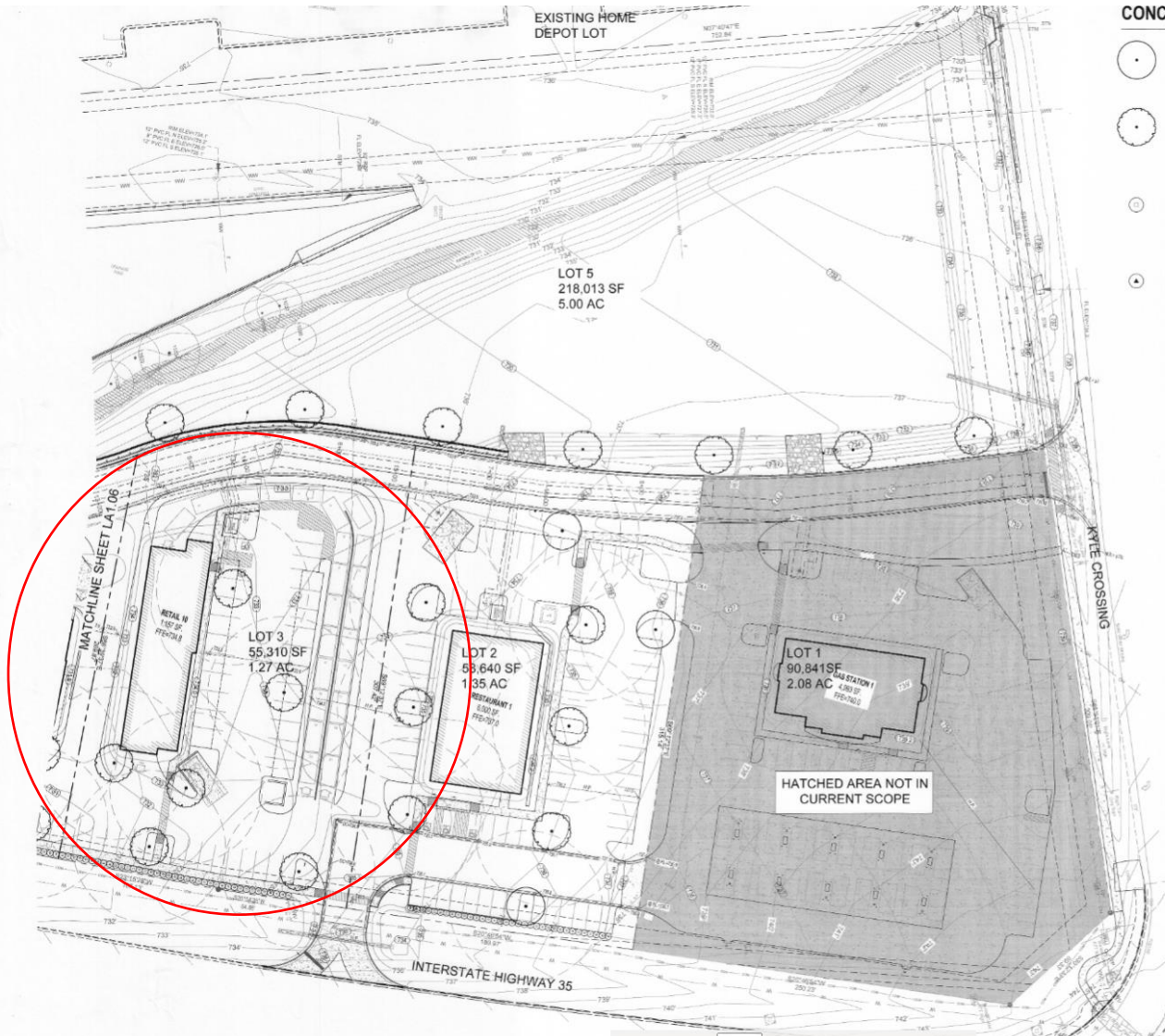
Suds Deluxe Car Wash

Kyle, Texas

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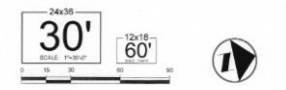


CONCEPT PLANT SCHEDULE

●	TREES - ADDITIONAL (3" CAL.)	180	3" CAL
	PLATANUS MEXICANA / MEXICAN SYCAMORE		3" CAL
	QUERCUS POLYMORPHA / MONTEREY / MONTEREY OAK		3" CAL
	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK		3" CAL
○	TREES - MINIMUM REQUIREMENT (3" CAL.)	140	3" CAL
	MAGNOLIA G. / LITTLE LEAF / DWARF SOUTHERN MAGNOLIA		3" CAL
	PLATANUS MEXICANA / MEXICAN SYCAMORE		3" CAL
	QUERCUS POLYMORPHA / MONTEREY / MONTEREY OAK		3" CAL
○	SCREENING SHRUBS (5 GAL.)	733	5 GAL
	ANISACANTHUS QUADRIFIDUS / WRIGHT / FLAME ACANTHUS		5 GAL
	MISCANTHUS SINENSIS / GRACILLIUS / MAIDEN GRASS		5 GAL
	MUHLENBERGIA CAPILLARIS / GOLF MURLY		5 GAL
	MUHLENBERGIA LINDHEIMER / LINDHEIMER S MURLY		5 GAL
	ROSBARINUS OFFICINALIS / ROSEMARY		5 GAL
●	SHRUBS (1 & 5 GAL.)	150	5 GAL
	AGAVE AMERICANA / CENTURY PLANT		5 GAL
	AGAVE BRACTEOSA / CANCELABRUM AGAVE		5 GAL
	AGAVE PARRY / PARRY'S AGAVE		5 GAL
	DALIA FRUTESCENS / BLACK DALIA		1 GAL
	DASTYDRON TEXANUM / TEXAS SOTO		6 GAL
	HESPERALOE PARVIFLORA / RED YUCCA		5 GAL
	LANTANA MONTIVIDENSIS / PURPLE / TRAILING LANTANA		1 GAL
	LANTANA X NEW GOLD / NEW GOLD LANTANA		1 GAL
	MUHLENBERGIA DUBIA / PINE MURLY		1 GAL
	PENISTEMUM A. / LITTLE BUNNY / LITTLE BUNNY FOUNTAIN GRASS		1 GAL
	STRA. TENNESSEANA / FINESTEM WEEF EGGRASS		1 GAL
	YUCCA RUPICOLA / TEXAS YUCCA		5 GAL

- GENERAL LANDSCAPE NOTES:**
1. A MINIMUM DISTANCE OF 5 FEET BETWEEN AN ABOVE-GROUND FIRE HYDRANT AND TREE IS REQUIRED.
 2. A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF THE FIRE HYDRANTS.

LANDSCAPE CALCULATIONS REF SHEET LA6.01 AND LA6.02



SUBMISSIONS | REVISIONS:

05.20.2019	100% SGP SET
10.02.2019	SGP COMMENT RESPONSE - ROUND 1
02.11.2020	SGP COMMENT RESPONSE - ROUND 2
05.05.2020	SGP UPDATE

This Plan Sheet of Architectural (Contract) P.D. No. 18335, State: Texas 16184-001 at 301 Franklin, Suite 200, Austin, Texas 78701, 01/20/2019. This plan sheet was prepared under the supervision of the Professional Engineer, License No. 16184, State of Texas, 01/20/2019.

studio 1619
 design + architecture + urban + landscape
 1710 W. 35th Street
 Suite 202 Austin, TX 78741
 Phone: 512.451.8810
 Fax: 512.451.8811
 www.studio1619.com

This document is an instrument of service prepared by the undersigned as a duly Licensed Professional Engineer in the State of Texas. It is subject to the rules and regulations of the State Board of Professional Engineers and Surveyors. It is to be used only for the project and location specified on the instrument and is not to be used for any other purpose without the express written consent of the undersigned.

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 cuningham-atkin, inc.
 2710 East 58th Street, Suite 302
 Austin, TX 78758
 Tel: 512.327.2865
 cuningham-atkin.com

architect ::
 studio design studio
 1001 W. Capital Street, Suite 191
 Austin, TX 78702
 Tel: 512.348.8378

owner ::
 Kyle town center, ltd
 500 West 58th Street, Suite 700
 Austin, TX 78751
 Tel: 512.382.2666
 kyletowncenter.com

KYLE CROSSINGS
 18900 IH-35, KYLE, TEXAS 79610

sheet information ::
 project #: 18.519
 date: 05.05.2020
 designed by: bab, jw
 drawn by: jw
 checked by: jw
 approved by: bab

LA1.07
 LANDSCAPE PLAN

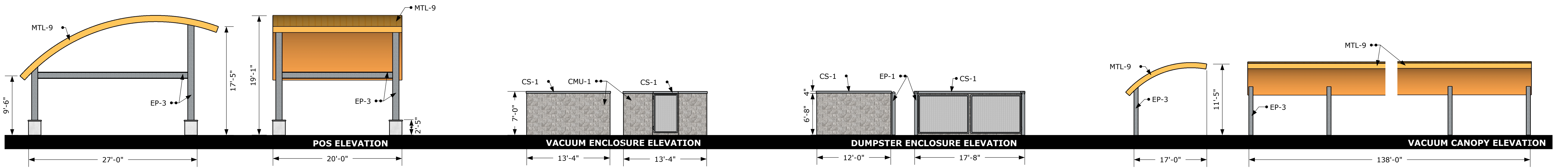
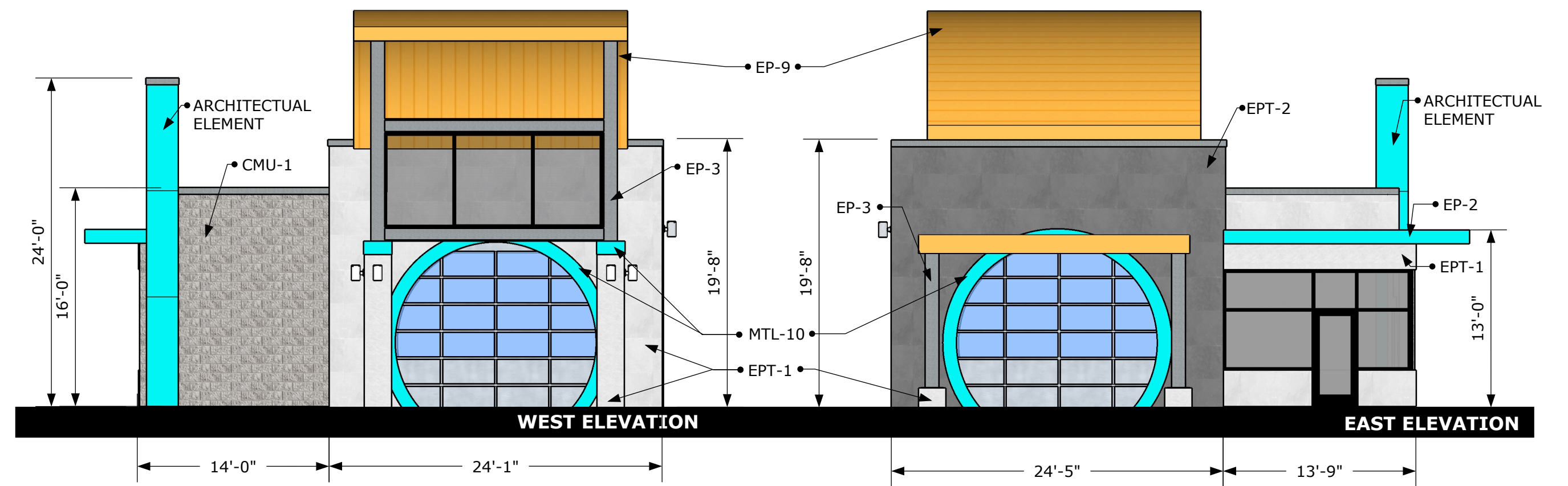
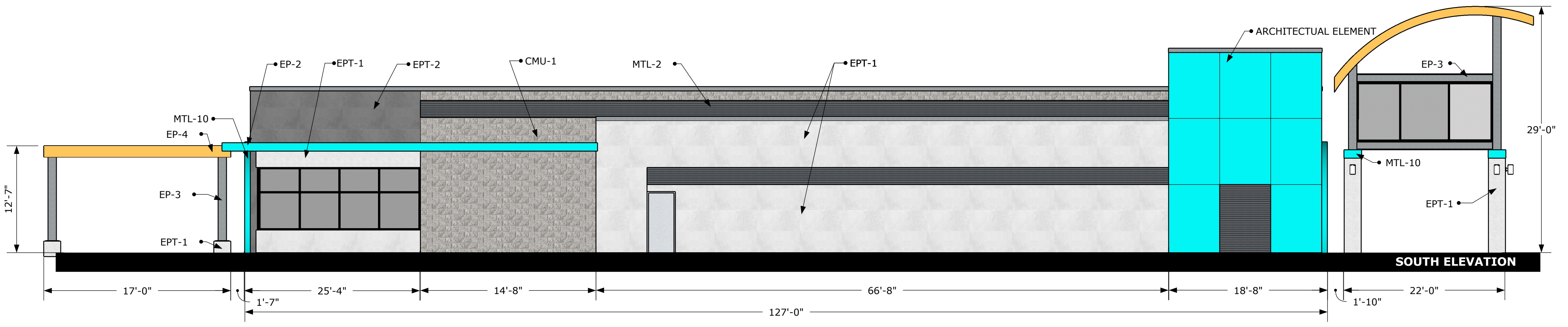
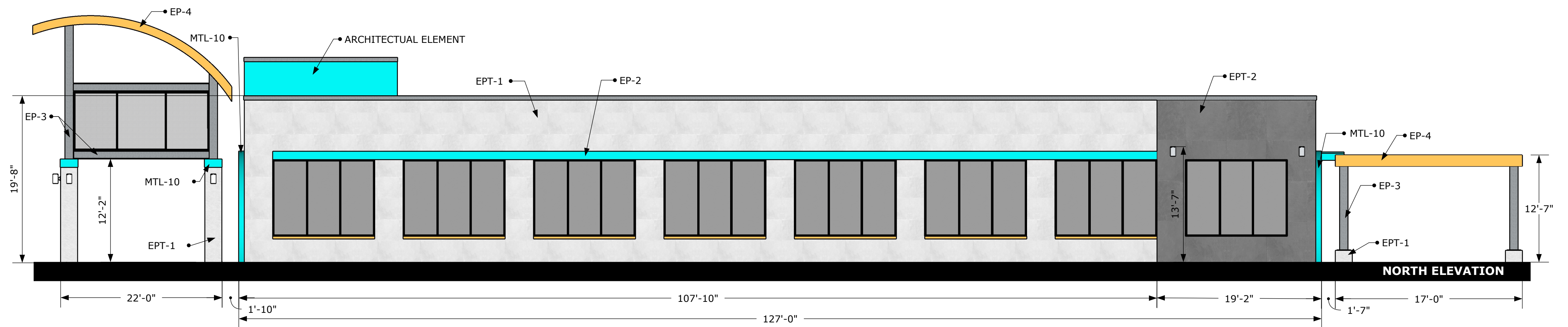
EXTERIOR FINISH MATERIAL SCHEDULE

MATERIAL	DESCRIPTION
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EXTERIOR PAINT	EP-2
	EP-3
	EP-4
METAL COMPONENTS	MTL-2
	MTL-10
PORCELAIN TILE	EPT-1
	EPT-2

Materials Square Foot	North	South	East	West
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			Total		100%

NUMBER OF STORIES: ONE



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CASE: 20-109

SUDS DELUXE

A NEW FACILITY
FOR:

18900 IH-35
Kyle TX, 78610

Project No. 20-0521
Date 02/05/2021

ELEVATIONS

A3.1



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Suds Deluxe Car Wash Kyle, Texas

Item # 8



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and used to estimate uses requested.
This is not to be used for construction,
permitting or purchasing purposes.

Suds Deluxe Car Wash
Kyle, Texas
Item # 8



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Suds Deluxe Car Wash Kyle, Texas

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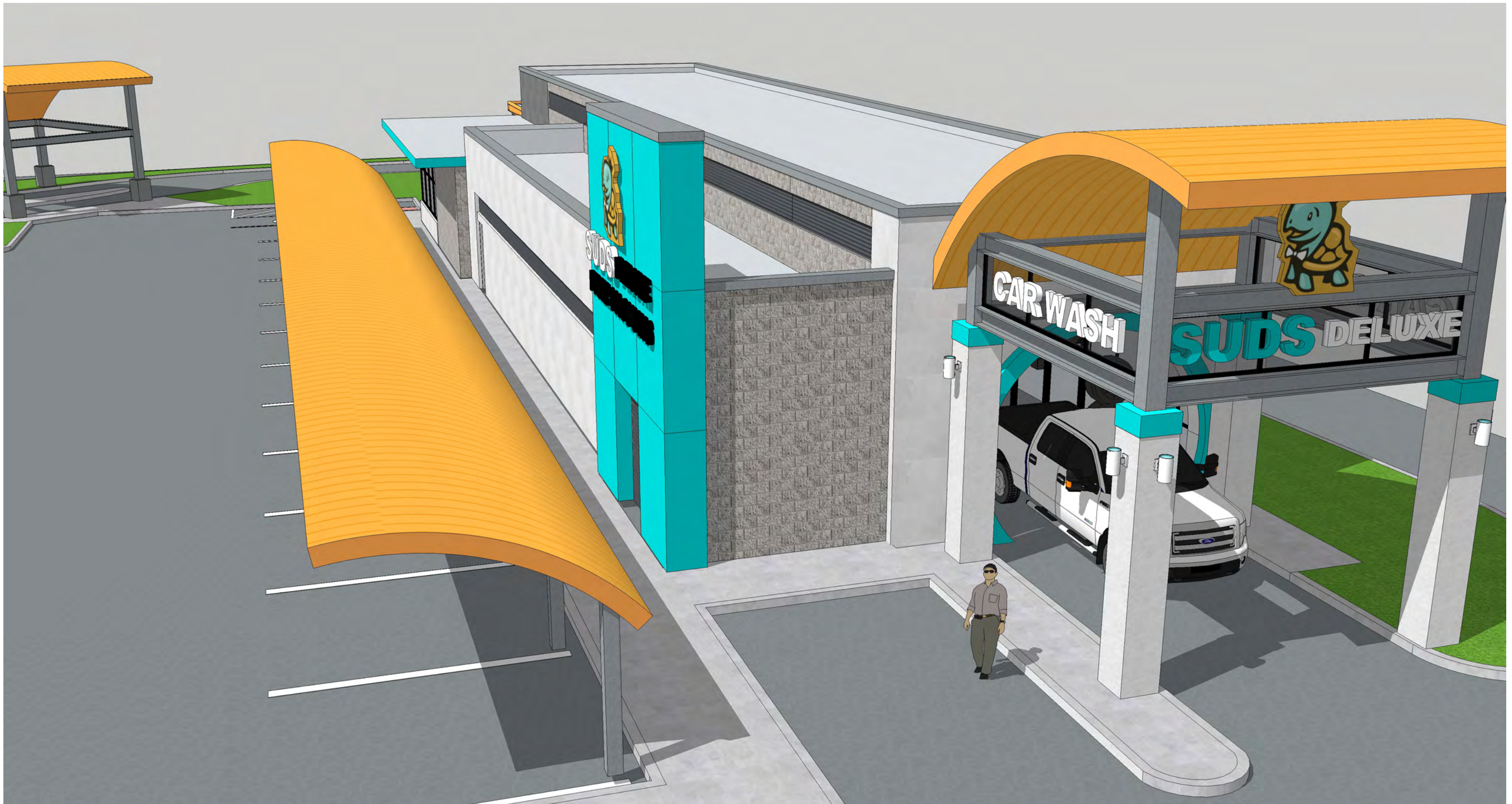
Suds Deluxe Car Wash

Kyle, Texas

Item # 8



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Suds Deluxe Car Wash

Kyle, Texas

Item # 8



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CITY OF KYLE, TEXAS

FM 158 Land LTD (Z-21-0071)

Meeting Date: 3/23/2021

Date time:6:30 PM

Subject/Recommendation: Consider a request by FM 158 Land LTD to assign original zoning to approximately 66.245 acres of land from Agriculture 'AG' to Warehouse District 'W' for property located at 24801 IH-35, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

Other Information: See attachments.

Legal Notes: N/A

Budget Information: N/A

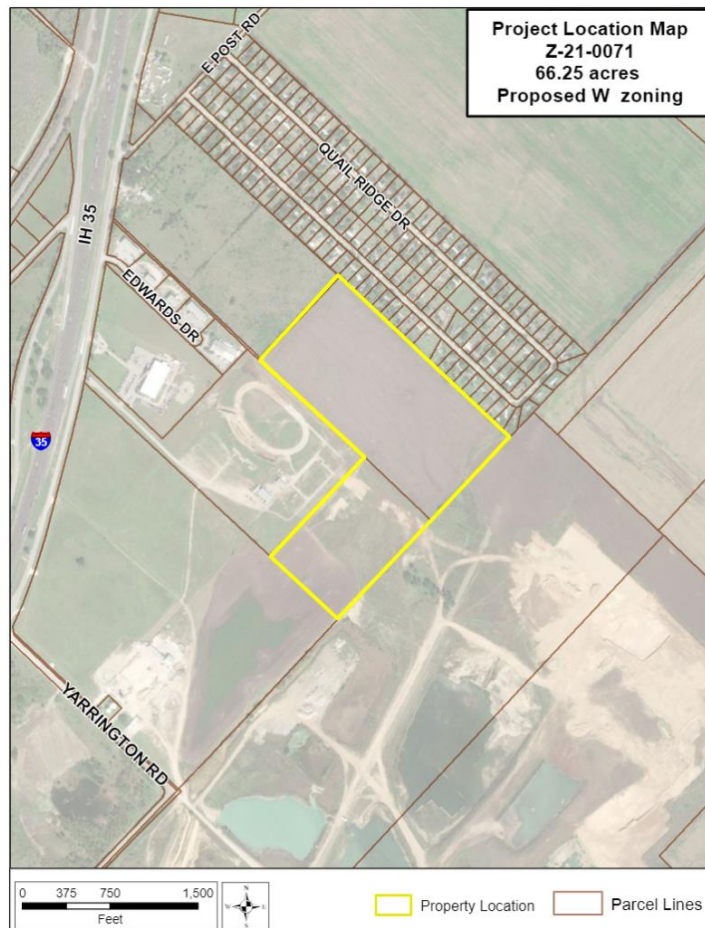
ATTACHMENTS:

Description

- Staff Memo
- Landowner Authorization Letter
- Franchise Tax Account Status
- Deed
- Project Location Map
- Current Zoning Map
- Land Use Districts Map

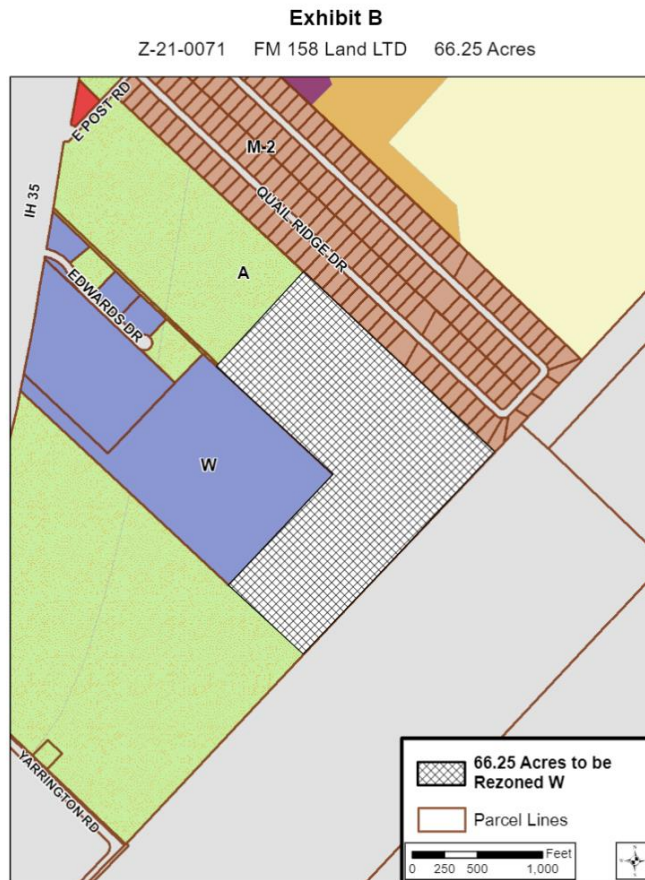
Property Location	Northeast and Southeast of 24801 IH-35
Owner	Edward R. Coleman FM 158 Land, Ltd. P.O. Box 5555 Austin, TX 78723
Agent	Benjamin Green, P.E. 2600 Via Fortuna, Terrace I, Ste. 300 Austin, TX 78746
Request	Rezone 66.25-Acres Agriculture "A" to Warehouse "W"

Vicinity Map



Site Description

The 66.35-acre site owned by FM 158 Land, Ltd., also known as the “Coleman Tract”, is currently vacant and zoned for Agriculture (A). To the northwest is property zoned “A” and has both a residence and shed sales business. To the north is the Quail Ridge manufactured home community (zoned M-2). The land east and southeast of the subject property is in the San Marcos ETJ, and operated as a sand quarry. To the south and southwest is land zoned “A” and largely vacant except for a City of Kyle water facility and ancillary uses to support the adjacent quarry. To the west is property zoned “W” or “Warehouse”, commonly referred to as the racetrack site. Its current user leases and sells construction heavy equipment.



Current Zoning

A (Agriculture)

Sec. 53-36. - Agricultural district A.

The permitted uses in the agricultural district A allow farming, ranching, pasturage, detached single-family residences and related accessory structures, on a minimum one acre tract. Parks, playgrounds, greenbelts and other public recreational facilities, owned and/or operated by the municipality or other public agency are permitted.

Requested Zoning

Warehouse District

Sec. 53-527. - Purpose and permitted uses.

a) The warehouse district W is designed to provide locations for outlets offering goods and services to a targeted segment of the general public as well as industrial users.

(b) The permitted uses include those that primarily serve other commercial and industrial enterprises and do not include any use listed in the construction and manufacturing district CM, in [division 19](#) of this article. No building or land shall be used, and no building hereafter shall be erected, maintained, or structurally altered, except for one or more of the uses hereinafter enumerated.

(c) Any use permitted in district CBD-1, CBD-2, RS and this district as provided in [section 53-1230](#).

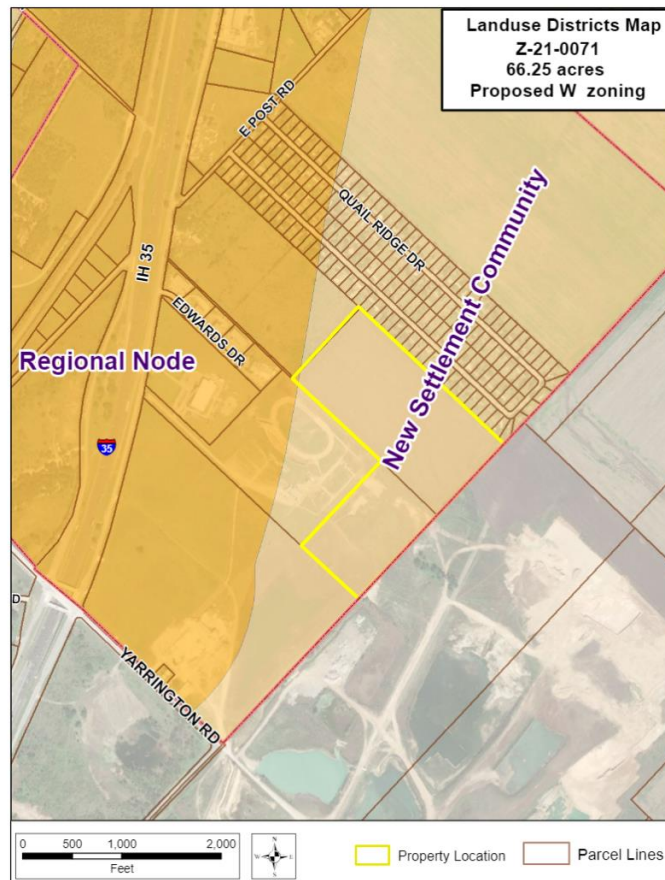
Conditions of the Zoning Ordinance

Sec. 53-1205 Amendments

(d) *Referral of amendment to planning and zoning commission.* Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to

the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

- (e) *Action by the planning and zoning commission.* The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is almost one hundred percent located in the “New Settlement Community” District. The Warehouse or “W” zoning district is considered conditional in the “New Settlement Community” district. The western most corner is within the “Regional Node” district, albeit not applicable to the zoning conversation.

Current Land Use Chart

New Settlement Community

Recommended Zoning Categories: O/I

Conditional Zoning Categories: E, R-1-A, R-1-1, R-1-2, R-1-3, R-1-C, R-1-T, R-2, T/U, UE, NC, CC, MXD, RS, **W**

New Settlement Community

'Character': The New Settlement District is comprised primarily of farm fields, and new residential developments that are being carved out of former farm fields in an area that stretches across the city's southern-most region, from Old Stagecoach Road on the west, across I-35 to the east, to the western border of the Plum Creek Riparian Landscape. The character of the district is as diverse as the district is expansive, as the New Settlement District spans the largest portion of the southern region of Kyle. For this reason, owing to such a diverse cross-section of Kyle's landscape, the character of the district is defined more by the function of the streets and neighborhoods that serve any particular block being examined, and less by the multiple landforms characteristic of the region as a whole. Northwest to southeast roadway patterns are strong, while northeast to southwest connections are lacking. Traditional residential enclaves predominate in the New Settlement District, aggregated in neighborhoods of unique housing forms. Some landscapes are bisected by I-35, others are permeated by feeder creeks and tributaries which should require heightened standards for physical development going forward. The region is dominated by legacy agricultural lands which feature old growth stands of trees and sparse one-family residences. However, there are areas experiencing significant development pressures to fulfill the current need for single family residential, and with few barriers to development, the region is growing in popularity for new housing, held back in the western region by the large portion of the district being under-served by public waste water utilities. Private and public spaces are clearly separate, with the public domain defined by shared neighborhood amenities and private domain defined by privatized landscapes. Acreage tracts abound in the Districts, some of which are uniquely suited for high turnover, high density retail and service uses by their location close to available roadways and water utilities. Other properties are not yet ripe for development for their location along under-performing roadways, or from being so far removed from sewer and/or sufficient water supply. Public space is not encroached on by private

functions. The New Settlement District has a lower density and intensity of development than the adjacent Mid-Town District, and the open character of the landscape removed from the interstate corridor should evoke the agricultural heritage of the District. Physical and visual partitioning and division of land should be avoided where possible in this district.

'Intent': The flat land and large parcel size in the New Settlement District result in a high level of development potential, which is beginning to be realized through market-driven demand for new housing stock. The city of Kyle should seek to capitalize on this "developability", while emphasizing community amenities, enhancing the neighborhood lifestyle through shared spaces, and improving connectivity within and without the District. The unique water features, such as creekways and detention/retention facilities, in the New Settlement District should be utilized as form-giving elements and corridors for connections. Future development will occur along the roadways best suited for access, and in the best proximity to the emerging water and waste water infrastructure expansion planned for in the city's capital improvement plan. Use patterns should be established that compliment residential development and facilitate beneficial land use transitions. In this way, the New Settlement District should serve as a transition between the higher intensity of use within the core Districts and the low intensity of use of the Farm District.

Analysis

The 66.25-acre Coleman tract is currently zoned "A" and vacant. Most of the uses surrounding the property are industrial in nature, with the exception of the Quail Ridge community to the north. At time of site development, the City will require landscaping and fencing buffers between the commercial and residential areas.

From a comprehensive plan standpoint, the Warehouse zoning district can be considered, even though the New Settlement land use district places heavy emphasis on residential uses. As part of the update in 2017, the City allowed the Warehouse district to be considered for the New Settlement district, conditionally. While one is not likely to see warehouse uses west of IH-35 or along most of East FM 150, this portion of the land use district has naturally evolved with uses that are more in keeping with warehousing or light industrial (i.e. quarry, industrial vehicle sales, etc.). The Warehouse zoning district also allows for limited manufacturing uses.

This location is near to the intersection of IH-35 and Yarrington Road, an already significant intersection between the Kyle and San Marcos communities. Recently, TxDOT

finished the ramp reversal projects, upgrading the access roads to modern standards. Establishing logistics/warehouse type commercial properties in proximity to established, high-classification transportation infrastructure, can be mutually beneficial to the use and the city. As part of the development process, the facilities will follow zoning, subdivision, site development and building permit standards, including I-35 Overlay standards where appropriate.

Recommendation

In conclusion, staff supports the rezoning from “A” (Agriculture) to “W” (Warehouse), asks the Planning & Zoning Commission to consider the request favorably and vote in support of the request.

Attachments

- Landowner Authorization Letter
- Franchise Tax Account Status
- Location Map
- Zoning Map
- Land Use Districts Map

Kimley»Horn

February 12, 2021

Planning Department
100 W. Center Street
Kyle, TX 78640

**RE: 66.245 Acres - Zoning Change Application
24800 Block of N IH 35, Kyle, TX 78640**

To whom it may concern:

On behalf of the Owner, FM 158 Land, LTD., please accept this letter with attachments for the referenced zoning application.

The reason for this request is to change the the parcel's base zoning from AG to Warehouse. This zoning is intended to match the adjacent +/-38-acre parcel to the west which is currently zoned Warehouse. This zoning will allow for development that conforms to the best use along the IH-35 corridor.

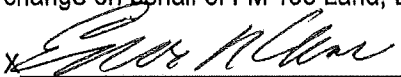
AGENT:

Benjamin Green, P.E.
2600 Via Fortuna, Terrace I, Suite 300
Austin, TX 78746
512-646-2243
Ben.Green@kimley-horn.com

OWNER/AUTHORIZED PERSON (APPLICANT):

Edward R. Coleman
FM 158 Land, Ltd.
P.O. Box 5555
Austin, TX 78723
512-306-7800
edwardrcoleman@gmail.com

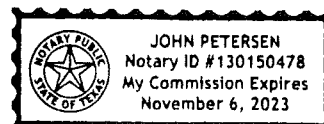
I, Edward R. Coleman, give explicit permission for my agent, Benjamin Green, to apply for this zoning change on behalf of FM 158 Land, Ltd.



Edward R. Coleman

Best Regards,

KIMLEY-HORN AND ASSOCIATES, INC.



Benjamin L. Green, P.E.



Franchise Tax Account Status

As of : 03/11/2021 13:57:20

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

F.M. 158 LAND, LTD.	
Texas Taxpayer Number	32035434292
Mailing Address	PO BOX 50324 AUSTIN, TX 78763-0324
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	03/16/2005
Texas SOS File Number	0800467089
Registered Agent Name	EDWARD R COLEMAN
Registered Office Street Address	PO BOX 50324 - 2705 BEE CAVE RD, #210 AUSTIN, TX 78763

SPECIAL WARRANTY DEED

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

DATE.

June 9th, 2005

GRANTOR:

EDWARD R. COLEMAN and spouse,
HENRIETTA COLEMAN

**GRANTOR'S MAILING ADDRESS:
(INCLUDING COUNTY):**

802 Rock Creek Drive
Austin, Travis County, Texas 78746

GRANTEE:

F.M. 158 LAND, LTD., a Texas limited partnership

**GRANTEE'S MAILING ADDRESS
(INCLUDING COUNTY):**

802 Rock Creek Drive
Austin, Travis County, Texas 78746

CONSIDERATION:

Ten dollars (\$10.00) and other valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged. Grantor assigns to Grantee the casualty insurance policy on the property, all utility deposits for utility service at the property, and all funds held in escrow for payment of taxes and insurance premiums.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

PARCEL 1

TRACT 1: Being 132.101 acres of land, more or less, out of the JAMES W. WILLIAMS SURVEY NO 11, in Hays County, Texas, and being more particularly described by Exhibit "A" attached hereto.

SAVE AND EXCEPT the following tracts of land:

0.640 acre of land out of the JAMES W. WILLIAMS SURVEY NO. 11, in Hays County Texas, and being more particularly described by metes and bounds in Exhibit "D" attached hereto.

10 acres of land out of the JAMES W. WILLIAMS SURVEY NO. 11, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "G" attached hereto.

0.603 acres of land out of the JAMES W. WILLIAMS SURVEY NO. 11, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "H" attached hereto.

TRACT 2: 468.288 acres of land out of the WILLIAM HEMPHILL SURVEY, in Hays County, Texas, being all of that certain (205.005 acre) Tract of land described as "Tract IV" and all of that certain (263.325 acre) tract of land described as "Tract V" as conveyed to Craig C. Johnson and Thomas C. Johnson, III by Partition Deed recorded in Volume 1180, Pages 205-223, Hays County Public Records, and being more particularly described by metes and bounds in Exhibit "B" attached hereto.

SAVE AND EXCEPT the following tracts of land:

10 acres of land out of the WILLIAM HEMPHILL SURVEY, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "C" attached hereto.

1.820 acres of land out of the WILLIAM HEMPHILL SURVEY, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "E" attached hereto.

0.047 acre of land out of the WILLIAM HEMPHILL SURVEY, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "F" attached hereto.

Tracts conveyed to City of Kyle by instruments recorded in Volume 1883, Page 458, and Volume 1894, Page 725, Hays County Official Public Records.

PARCEL 2:

Being 46.07 acres of land, more or less, in the JAMES W. WILLIAMS SURVEY, ABSTRACT NO 473, Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "I" attached hereto.

RESERVATION FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

This conveyance is made subject to, and the Grantee herein does not assume the payment of that certain indebtedness described in and secured by a Deed of Trust and Security Agreement, dated November 5, 2003, executed by Edward R. Coleman and spouse, Henrietta Coleman in favor of Bank of Texas and recorded in Volume 2350, Page 258 of the Official Public Records of Hays County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors,

administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

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

Grantee assumes all ad valorem taxes due on the property for the current year and all subsequent years.

By: Edward R. Coleman
EDWARD R. COLEMAN

Henrietta Coleman
HENRIETTA COLEMAN

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 9th day of June, 2005, by EDWARD R. COLEMAN and HENRIETTA COLEMAN



P. Sharon Pickel
Notary Public - State of Texas

After recording return to:

S. CRAIG HOLLMIG, INC
CONSULTING ENGINEERS - SURVEYOR.

410 N. SQUIN STREET
NEW SPANISH, TEXAS 78120-3004

TEXAS SOCIETY OF PROFESSIONAL ENGINEERS
AMERICAN SOCIETY OF CIVIL ENGINEERS

TEXAS SURVEYORS ASSOCIATION
TELEPHONE: (512) 426-8115 - FAX: (512) 426-8224

WATER SYSTEMS - SEWER SYSTEMS - SUBDIVISIONS - LAND PLANNING - STREETS - SURVEYING

FIELD NOTES
FOR
A 132.101 ACRE TRACT

Being a 132.101 acre tract of land out of the James W. Williams Survey No. 11 in Hays County, Texas, and being all of a tract of land, as now found upon the ground, called 132.101 acres conveyed to Brown Distributing Co., a Texas Corporation, by Warranty Deed recorded in Volume 1258, Page 72 of the Official Public Records of Hays County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of S 43° 51' 12" W between an iron pipe and an iron pin found along the Southeast line of the above referenced 132.101 acre tract, said 132.101 acre tract of land being more particularly described as follows:

BEGINNING: At an iron pipe found at the East fenced corner of the above referenced 132.101 acre tract, lying in the Northwest line of a tract, called Tract Two, called 429.06 acres, described in Volume 149, Pages 547-548 of the Deed Records of Hays County, Texas, for the East corner of this tract;

THENCE: Along the Southeast line of the above referenced 132.101 acre tract, the general direction of a newly built fence and said Northwest line of Tract Two, S 43° 51' 12" W 3165.21 feet to an iron pin found at fence corner lying at a turn of a road, called Hays County Road No. 159, for the South corner of the above referenced 132.101 acre tract, for the South corner of this tract;

THENCE: Along a Northeast line of said Hays County Road No. 159, the general direction of a newly built fence, N 45° 46' 24" W 490.13 feet, an iron pin found, N 45° 43' 16" W 494.91 feet, an iron pin found, and N 45° 48' 04" W 933.35 feet to a concrete highway monument found at the intersection of the Northeast line of Hays County Road No. 159 with the Easterly line of Interstate Highway No. 35, for a corner of the above referenced 132.101 acre tract, for a corner of this tract;

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT A

OFFICIAL PUBLIC RECORD

Page 2: 132.101 Acre Tract

THENCE: Along the Westerly line of the above referenced 132.101 acre tract, the Easterly line of Highway No. 33, as follows:

- N 10° 16' 41" W 81.92 feet, a broken concrete highway monument found
- N 24° 03' 52" E 203.70 feet, an iron pin found
- N 20° 57' 07" E 306.00 feet, an iron pin found
- N 17° 50' 54" E 305.90 feet, an iron pin found
- N 15° 25' 17" E 917.40 feet, an iron pin found
- N 13° 45' 17" E 305.10 feet, an iron pin found
- N 12° 13' 10" E 144.22 feet, an iron pin found at fence

corner in same, for the Northwest corner of the above referenced tract, for the Northwest corner of this tract, said point also being the Southwest corner of a tract of 38.845 acres, previously surveyed in October, 1997;

THENCE: Along a Northeast line of the above referenced 132.101 acre tract, the Southwest line of said 38.845 acre tract, the general direction of a newly built fence, S 46° 03' 01" E 2186.09 feet to an iron pin found at fence corner, for the South corner of said 38.845 acre tract, an interior corner of the above referenced 132.101 acre tract, for an interior corner of this tract;

THENCE: Along the Southeast line of said 38.845 acre tract, the Northwest line of the above referenced 132.101 acre tract, the general direction of a newly built fence, N 43° 51' 12" E 1167.99 feet to an iron pin found at the Northeast corner of the above referenced 132.101 acre tract, the East corner of said 38.845 acre tract, for the Northeast corner of this tract;

THENCE: Along a Northeast line of the above referenced 132.101 acre tract, the Southwest line of a tract called 44.83 acres recorded in Volume 228, Page 46 of the Deed Records of Hays County, Texas, S 46° 02' 29" E 784.42 feet to the Point of Beginning and containing 132.101 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, January 8, 1999. Reference plat prepared this same date of this 132.101 acre tract.



Richard A. Goodwin

Richard A. Goodwin, RPLS #4069

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Job #98665

EXHIBIT A

Oct-21-03 01:37pm From-BANK OF TEXAS

Feb-11-00 03:40P

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 0.640 ACRE

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE JAMES W. WILLIAMS SURVEY NO. 11 IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 132.101 ACRE TRACT OF LAND CONVEYED TO EDWARD R. COLEMAN CONSTRUCTION, INC. BY INSTRUMENT RECORDED IN VOLUME 1495, PAGES 638-642 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60-d nail set at the most Southerly corner of said 132.101 acre tract, being in the Northwest line of that certain 468.288 acre tract of land described in Volume 1495, Pages 229-235 of the Official Public Records of Hays County, Texas, being in the Northerly r.o.w. line of Yarrington Road (County Road 159), for the most Southerly corner and PLACE OF BEGINNING hereof;

THENCE along the Southwest line of said 132.101 acre tract, being along the Northerly r.o.w. line of Yarrington Road for the following courses:

N 45°46'24" W for a distance of 490.13 feet to a 60-d nail set

N 45°43'16" W for a distance of 494.91 feet to a 60-d nail set

N 45°48'04" W for a distance of 953.35 feet to a 60-d nail set at a Westerly corner of said 132.101 acre tract, being at the intersection of the Northerly r.o.w. line of Yarrington Road and the Easterly r.o.w. line of Interstate Hwy No. 35;

THENCE along the Northwest line of said 132.101 acre tract, being along the Easterly r.o.w. line of Interstate Hwy No. 35, N 10°19'59" W for a distance of 25.04 feet to a 1/2 inch capped iron pin set in the proposed Northerly r.o.w. line of Yarrington Road, for a Northerly corner hereof;

THENCE along the proposed Northerly r.o.w. line of Yarrington Road, S 45°46'36" E for a distance of 1448.66 feet to a 1/2 inch capped iron pin set and S 45°49'13" E for a distance of 490.03 feet to a 1/2 inch capped iron pin set in the Southeast line of said 132.101 acre tract, being in the Northwest line of said 468.288 acre tract, for an Easterly corner hereof;

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT D

Oct-21-03 01:38pm From-BANK OF TEXAS

Bk Vol Pg
05016090 OPR 2702 619

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 0.640 ACRE - Page Two

THENCE along the Southeast line of said 132.101 acre tract, being along the Northwest line of said 468.288 acre tract, S 43°50'56" W for a distance of 15.00 feet to the PLACE OF BEGINNING and containing 0.640 acre of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 1094
February 10, 2000



Job No. 2333

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT D

FIELD NOTES
FOR

10.00 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE JAMES W. WILLIAMS SURVEY NO. 11 IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 132.101 ACRE TRACT OF LAND CONVEYED TO EDWARD R. COLEMAN CONSTRUCTION, INC. BY INSTRUMENT RECORDED IN VOLUME 1495, PAGES 638-642 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½ inch capped iron pin found at the Southwesterly corner of said 132.101 acre tract, being at the intersection of the Northerly r.o.w. line of Yarrington Road (Co. Road 159) and the Easterly r.o.w. line of Interstate Hwy No. 35;

THENCE along the Southwest line of said 132.101 acre tract, being along the Northerly r.o.w. line of Yarrington Road, S 45°46'36" E for a distance of 901.53 feet to a ½ inch capped iron pin found for the most Westerly corner and PLACE OF BEGINNING hereof;

THENCE along the Northwest line of the herein described tract, N 44°13'24" E for a distance of 1367.58 feet to a ½ inch capped iron pin set for the most Northerly corner hereof;

THENCE along the Northeast line of the herein described tract, S 45°46'36" E for a distance of 350.00 feet to a ½ inch capped iron pin set for the most Easterly corner hereof;

THENCE along the Southeast line of the herein described tract, S 44°13'24" W for a distance of 1192.58 feet to a ½ inch capped iron pin found for a Southerly corner hereof;

THENCE along the Southwesterly line of the herein described tract, N 45°46'36" W for a distance of 96.00 feet to a ½ inch capped iron pin found and S 44°13'24" W for a distance of 175.00 feet to a ½ inch capped iron pin found in the Southwest line of said 132.101 acre tract, being in the Northerly r.o.w. line of Yarrington Road;

THENCE along the Southwest line of said 132.101 acre tract, being along the Northerly r.o.w. line of Yarrington Road, N 45°46'36" W for a distance of 52.00 feet to a ½ inch capped iron pin found;

THENCE continuing along the Southwest line of the herein described tract for the following courses:

N 44°13'24" E for a distance of 175.00 feet to a ½ inch capped iron pin found

N 45°46'36" W for a distance of 150.00 feet to a ½ inch capped iron pin found

S 44°13'24" W for a distance of 175.00 feet to a ½ inch capped iron pin found in the Southwest line of said 132.101 acre tract, being in the Northerly r.o.w. line of Yarrington Road;

FIELD NOTES
FOR

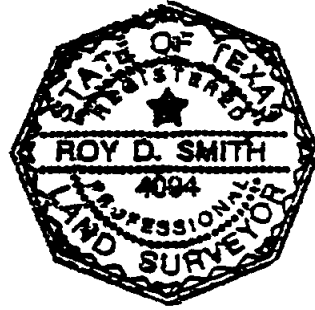
10.00 ACRES OF LAND - Page Two

THENCE along the Southwest line of said 132.101 acre tract, being along the Northerly r.o.w. line of Yarrington Road, N 45°46'36" W for a distance of 52.00 feet to the PLACE OF BEGINNING and containing 10.00 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.



ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094
July 22, 2003



Job No. 2857

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Nov 07, 2003 at 03:17P

Document Number: 03036325
Amount 29.00

Lee Carlisle
County Clerk
By
Rebecca Hall, Deputy
Hays County

Oct-02-01 06:18P Henrietta CO 50742701

Dec Bk Vol Pg
02006464 OPR 1963 222 2702 622

FIELD NOTES
FOR

0.603 ACRE OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE JAMES W. WILLIAMS SURVEY NO. 11 IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 132.101 ACRE TRACT OF LAND CONVEYED TO EDWARD R. COLEMAN AND SPOUSE, HENRIETTA COLEMAN BY INSTRUMENT RECORDED IN DOCUMENT 00005934, VOLUME 1644, PAGES 499-507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/4 inch capped iron pin found in the Northwest line of said 132.101 acre tract, being at the intersection of the East r.o.w. line of Interstate Hwy No. 15 and the North r.o.w. line of Yarrington Road (County Road 159);

THENCE along the North r.o.w. line of Yarrington Road, S 45°46'36" E for a distance of 933.57 feet to a 1/2 inch capped iron pin set for the most Westerly corner and PLACE OF BEGINNING hereof;

THENCE along the Northwest line of the herein described tract, N 44°13'24" E for a distance of 175.00 feet to a 1/2 inch capped iron pin set for the most Northerly corner hereof;

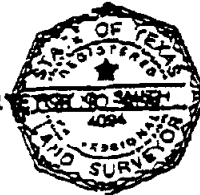
THENCE along the Northeast line of the herein described tract, S 45°46'36" E for a distance of 150.00 feet to a 1/2 inch capped iron pin set for the most Easterly corner hereof;

THENCE along the Southeast line of the herein described tract, S 44°13'24" W for a distance of 175.00 feet to a 1/2 inch capped iron pin set in the North e.o.w. line of Yarrington Road, for the most Southerly corner hereof;

THENCE along the North r.o.w. line of Yarrington Road, N 45°46'36" W for a distance of 150.00 feet to the PLACE OF BEGINNING and containing 0.603 acres of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

Roy D. Smith
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
April 3, 2001



Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE
EXHIBIT "H"

Oct-21-03 01:37pm From-BANK OF TEXAS

FIELD NOTES TO
468.288 ACRES

FIELD NOTES TO 468.288 ACRES OF LAND OUT OF THE WILLIAM HEMPHILL SURVEY IN HAYS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (205.005 ACRE) TRACT OF LAND DESCRIBED AS "TRACT IV" AND ALL OF THAT CERTAIN (263.325 ACRE) TRACT OF LAND DESCRIBED AS "TRACT V" AS CONVEYED TO CRAIG C. JOHNSON AND THOMAS C. JOHNSON, III BY PARTITION DEED RECORDED IN VOLUME 1180 PAGES 205-223 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped 1/2" iron pin found in the approximate southeast line of the James W. Williams Survey, same being the Northwest line of the William Hemphill Survey, same being in the Southeast line of Lot 42, Quail Ridge Subdivision, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 2, Page 337 of the Plat Records of Hays County, Texas, at the most Northerly corner of said (205.005 acre) "Tract IV" for the most Northerly corner and PLACE OF BEGINNING hereof;

THENCE along the northeast line of said "Tract IV", the following two (2) courses:

S 45 deg. 47' 05" E a distance of 1422.55 feet to a post found;

S 45 deg. 47' 35" E for a distance of 101.48 feet to a 1/2 inch pin set for the most Easterly corner of said "Tract IV" same being the most Northerly corner of said (263.325 Acre) "Tract V", for an angle point hereof;

THENCE along the northeast line of said "Tract V", S 45 deg. 43' 57" E, for a distance of 1842.77 feet to a 1/2 inch iron pin set at an Easterly corner of the said "Tract V", for an Easterly corner hereof;

THENCE along a southeast line of said "Tract V", S 43 deg. 31' 36" N for a distance of 2002.17 feet to a 1/4 inch iron pin found at an ELL corner of said "Tract V", for an ELL corner hereof;

THENCE S 45 deg. 21' 27" E for a distance of 240.25 feet to a 1/4 inch iron pin found at the Northerly corner of a (116.550 Acre) tract of land described in Volume 1240 Pg. 582 of the Official Public Records of Hays County, Texas, same being at a corner of said "Tract V", for a corner hereof;

Recorder's Note:
ORIGINAL DOCUMENT FILED

EXHIBIT B

Oct-21-03 01:37pm From-BANK OF TEXAS

FIELD NOTES TO
468.288 ACRES
Page 2 of 4

THENCE along the common dividing line of said (116.550 Acre) tract and said "Tract V", S 44 deg. 15' 36" W for a distance of 3770.26 feet to a 1/2 inch iron pin found in the northeast R.O.W. of County Road No. 159, also known as Yarrington Road, at the Southerly corner of said "Tract V", for the Southerly corner hereof;

THENCE along the northeast R.O.W. line of County Road 159, and the southwest line of said "Tract V", the following three (3) courses:

N 46 deg. 08' 44" W for a distance of 270.66 feet to a 1/2 inch iron pin found;

N 46 deg. 15' 47" W for a distance of 1639.19 feet to a 60D Nail set in paving;

N 43 deg. 34' 58" W for a distance of 124.03 feet to a 1/2 inch iron pin set for the most Westerly corner of said "Tract V", same being the most Southerly corner of said "Tract IV", for an angle point hereof;

THENCE continuing along the northeast R.O.W. line of County Road 159 and the southwest line of said "Tract IV", the following six (6) courses:

N 43 deg. 37' 07" W for a distance of 162.83 feet to a 1/2 inch iron pin set;

N 46 deg. 34' 35" W for a distance of 398.08 feet to a 1/2 inch iron pin set;

N 45 deg. 36' 34" W for a distance of 548.98 feet to a 1/2 inch iron pin set;

N 45 deg. 29' 05" W for a distance of 375.60 feet to a 1/2 inch iron pin set;

N 41 deg. 35' 26" W for a distance of 31.94 feet to a 1/2 inch iron pin set;

N 23 deg. 23' 53" W for a distance of 21.56 feet to a 1/2 inch iron pin found at fence angle in an angle of said County Road 159, for an angle point hereof;

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT B

Oct-21-03 01:37pm From-BANK OF TEXAS

FIELD NOTES TO
468.288 ACRES

Page 3 of 4

THENCE continuing along the Northeast line of County Road 159, as found fenced, the following three (3) courses:

N 02 deg. 02' 39" W for a distance of 19.89 feet to a ½ inch iron pin found at fence angle;

N 02 deg. 32' 09" E for a distance of 17.77 feet to a ½ inch iron pin found at fence angle;

N 23 deg. 39' 24" E for a distance of 14.42 feet to a ½ inch iron pin found at fence angle in a southeast line of said County Road 159, same being in a northwest line of said "Tract IV", for an angle point hereof;

THENCE continuing along the southeast line of County Road 159, and the northwest line of said "Tract IV", the following four (4) courses:

N 43 deg. 39' 07" E for a distance of 248.85 feet to a ½ inch iron pin set;

N 44 deg. 14' 51" E for a distance of 434.75 feet to a ½ inch iron pin set;

N 44 deg. 25' 43" E for a distance of 329.84 feet to a ½ inch iron pin found at fence corner;

N 44 deg. 17' 39" E for a distance of 272.07 feet to a ½ inch iron pin found at steel corner post at an ELL corner of said County Road 159, same being at the most Southerly corner of that certain (132.101 Acre) tract of land conveyed to Brown Distributing Co. by instrument of record in Volume 1258 Page 72 of the Official Public Records of Hays County, same being at an angle point of said "Tract IV", for an angle point hereof;

THENCE along the common dividing line of said (132.101 Acre) tract and said "Tract IV", N 43 deg. 50' 56" E for a distance of 3166.05 feet to a ½ inch iron pin found at the most Easterly corner of said (132.101 Acre) tract, same being at the Southerly corner of that certain (44.83 Acre) tract of land described in Volume 228 Page 406 of the Deed Records of Hays County, Texas, at an angle point of said "Tract IV", for an angle point hereof;

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT B

Item # 9

Oct-21-03 01:37pm From-BANK OF TEXAS

FIELD NOTES TO
468.288 ACRES

Page 4 of 4

THENCE along the common dividing line of said (44.83 Acre) tract and said "Tract IV", N 43 deg. 56' 30" E for a distance of 981.57 feet to a 1/4 inch iron pin found at the Southerly corner of Lot 41, Quail Ridge Subdivision, for an angle point herof;

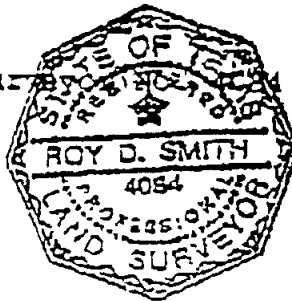
THENCE along the southeast line of Quail Ridge Subdivision, and the northwest line of said "Tract IV", N 43 deg. 58' 16" E for a distance of 298.66 feet to the PLACE OF BEGINNING, containing 468.288 Acres of land.

SURVEYED: January 15, 1999

ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith

ROY D. SMITH
Reg. Professional Land Surveyor
1214 West 5th Street
Austin, Texas 78703



2134.doc

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT B

Oct-21-03 01:37pm From-BANK OF TEXAS

T-309 P.010/021 Pg
BR 0517
05016090 DPR 2702 .627

Feb-11-00 03:42P

FIELD NOTES TO 10.00 ACRES OF LAND OUT OF THE WILLIAM HEMPHILL SURVEY IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 468.288 ACRE TRACT OF LAND AS CONVEYED TO EDWARD R. COLEMAN CONSTRUCTION COMPANY, INC. IN VOLUME 1496, PAGES 229 THROUGH 235 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch capped iron pin set in the North r.o.w. line of Hays County Road No. 159, also known as Yarrington Road for the Southeast corner hereof and from which the most Southeast corner of said 468.288 acre tract bears S 46°08'44" E at a distance of 135.27 feet;

THENCE along the North r.o.w. line of County Road No. 159 and the South line of the herein described tract, N 46°08'44" W for a distance of 135.49 feet to a 1/2 inch capped iron pin set;

THENCE continuing along the North r.o.w. line of said County Road No. 159 and the South line of the herein described tract, N 46°15'47" W for a distance of 1005.82 feet to a 1/2 inch capped iron pin set for the Southwest corner hereof;

THENCE along the West line of the herein described tract, N 46°04'37" E for a distance of 814.34 feet to a 1/2 inch capped iron pin set for the most Northerly corner hereof;

THENCE along the East line of the herein described tract, S 07°48'18" E for a distance of 891.46 feet to a 1/2 inch capped iron pin set;

THENCE continuing along the East line of the herein described tract, S 11°05'55" E for a distance of 196.33 feet to a 1/2 inch capped iron pin set;

THENCE continuing along the East line of the herein described tract, S 20°03'41" E for a distance of 190.79 feet to the PLACE OF BEGINNING and containing 10.00 acres of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Roy D. Smith
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
February 8, 2000

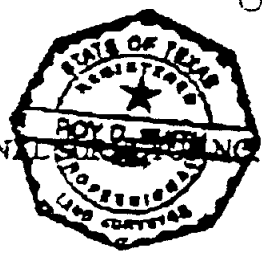


EXHIBIT C

Oct-21-03 01:38pm From=BANK OF TEXAS

T-309 P.013/021 Pg 1
05016090 OPR 2702 - 628

Feb-11-00 03:41P

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 1.820 ACRES

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE WILLIAM HEMPHILL SURVEY IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 468.288 ACRE TRACT OF LAND CONVEYED TO EDWARD R. COLEMAN CONSTRUCTION COMPANY, INC. BY INSTRUMENT RECORDED IN VOLUME 1496, PAGES 229-235 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2 inch iron pin found at the most Southerly corner of said 468.288 acre tract, being in the Northerly r.o.w. line of Yarrington Road (County Road 159):

THENCE along the Southwest line of said 468.288 acre tract, being along the Northerly r.o.w. line of Yarrington Road, N 46°08'44" W for a distance of 270.66 feet to a 1/2 inch iron pin found and N 46°15'47" W for a distance of 1005.82 feet to a 1/2 inch capped iron pin set for the most Southerly corner and PLACE OF BEGINNING hereof.

THENCE continuing along the Southwest line and along the Northwest line of said 468.288 acre tract, being along the Northerly r.o.w. line of Yarrington Road for the following courses:

- N 46°15'47" W for a distance of 633.37 feet to a 60-d nail set
- N 43°34'58" W for a distance of 124.03 feet to a 60-d nail set
- N 43°37'07" W for a distance of 162.83 feet to a 60-d nail set
- N 46°34'35" W for a distance of 398.08 feet to a 60-d nail set
- N 45°36'34" W for a distance of 548.98 feet to a 60-d nail set
- N 45°29'05" W for a distance of 375.60 feet to a 60-d nail set
- N 41°35'26" W for a distance of 31.94 feet to a 60-d nail set
- N 33°23'53" W for a distance of 21.56 feet to a 60-d nail set
- N 02°02'39" W for a distance of 13.89 feet to a 60-d nail set
- N 02°32'09" E for a distance of 17.77 feet to a 60-d nail set

EXHIBIT E

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Feb-11-00 03:41P

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 1.820 ACRES - Page Two

N 23°39'24" E for a distance of 14.42 feet to a 60-d nail set

N 43°39'07" E for a distance of 248.85 feet to a 60-d nail set

N 44°14'51" E for a distance of 434.75 feet to a 60-d nail set

N 44°25'43" E for a distance of 329.84 feet to a 60-d nail set

N 44°17'39" E for a distance of 272.07 feet to a 60-d nail set at the most southerly corner of that certain 132.101 acre tract of land described in Volume 1495, Pages 638-642 of the Official Public Records of Tarrant County, Texas;

THENCE continuing along the Northwest line of said 468.288 acre tract, being along the Southeast line of said 132.101 acre tract, N 43°50'56" E for a distance of 13.00 feet to a 1/2 inch capped iron pin set for the most Northerly corner hereof;

THENCE S 45°49'13" E for a distance of 23.01 feet to a 1/2 inch capped iron pin set in the proposed Northerly r.o.w. line of Yarrington Road;

THENCE along the proposed Northerly r.o.w. line of Yarrington Road for the following courses:

S 44°32'30" W for a distance of 617.00 feet to a 1/2 inch capped iron pin set

S 43°58'52" W for a distance of 645.77 feet to a 1/2 inch capped iron pin set

S 06°59'51" E for a distance of 106.78 feet to a 1/2 inch capped iron pin set

S 45°45'38" E for a distance of 902.31 feet to a 1/2 inch capped iron pin set

S 45°13'45" E for a distance of 678.92 feet to a 1/2 inch capped iron pin set

S 45°24'28" E for a distance of 639.53 feet to a 1/2 inch capped iron pin set for the Southeasterly corner hereof;

Recorder's Note:
OFFICIAL RECORDATION ILLIGIBLE

EXHIBIT E

OCT-23-2003 THU 09:59 AM

FAX NO. Doc Bk Vol P. Pg
07 6410 OPR 2350 282 15

Oct-21-03 01:38pm From-BANK OF TEXAS

T-309 P.015/021 F-517
Bk Vol. Pg
05016090 OPR 2702 630

Feb-11-00 03:41P.

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 1.820 ACRES - Page Three

THENCE S 46°04'37" W for a distance of 13.24 feet to the PLACE OF BEGINNING
and containing 1.820 acres of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
February 10, 2000



Job No. 2333

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

EXHIBIT E

Oct-27-03 01:38on From-BANK OF TEXAS

Feb-11-00 03:42P

FIELD NOTES
FOR

RIGHT-OF-WAY WIDENING - 0.047 ACRE

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE WILLIAM HEMPHILL SURVEY IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 468.288 ACRE TRACT OF LAND CONVEYED TO EDWARD R. COLEMAN CONSTRUCTION COMPANY, INC. BY INSTRUMENT RECORDED IN VOLUME 1486, PAGES 229-235 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found at the most Southerly corner of said 468.288 acre tract, being along the Northerly r.o.w. line of Yarrington Road (County Road 159) for the most Southerly corner and PLACE OF BEGINNING hereof;

THENCE along the Southwest line of said 468.288 acre tract, being along the Northerly r.o.w. line of Yarrington Road, N 46°08'44" W for a distance of 135.17 feet to a 60-d nail set for a Westerly corner hereof;

THENCE N 20°03'41" W for a distance of 30.87 feet to a 1/2 inch capped iron pin set in the proposed Northerly r.o.w. line of Yarrington Road, for the most Northerly corner hereof;

THENCE along the proposed Northerly r.o.w. line of Yarrington Road, S 46°14'19" E for a distance of 163.00 feet to a 1/2 inch capped iron pin set in the Southeast line of said 468.288 acre tract, for the most Easterly corner hereof;

THENCE along the Southeast line of said 468.288 acre tract, S 44°15'36" W for a distance of 13.84 feet to the PLACE OF BEGINNING and containing 0.047 acre of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith

ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR 4094
February 10, 2000



Job No. 2333

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Nov 07, 2003 at 04:12P

Document Number: 03036410

Amount 59.00

Lee Carlisle
County Clerk
By
Patricia Lackey, Deputy
Hays County

EXHIBIT F

Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Oct-21-03 01:39pm From-BANK OF TEXAS

T-308 P.018/021 F-517
05016090 OPR 2702 632

DESCRIPTION OF 46.07 ACRES, MORE OR LESS, OF LAND AREA IN THE JAMES W. WILLIAMS SURVEY ABSTRACT NO. 473, HAYS COUNTY TEXAS, BEING ALL OF THAT TRACT DESCRIBED AS 46.07 ACRES IN A DEED FROM LEROY P. HILL AND WINNER HILL TO HAYS COUNTY LIVESTOCK EXPOSITION, INC. DATED MAY 21, 1999 AND RECORDED AS DOCUMENT NO. 9912163 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 4" iron rod set in 1996 for the common northerly west corner of the Hays County Livestock Exposition (HCLZ) 46.07 acre tract and the southerly west corner of that 44.83 acre tract described in a deed from Eva Murray to David L. Murray dated January 31, 1989 and recorded in Volume 768, Page 355 of the Hays County Real Property Records, from which a TMCOT concrete monument found at the intersection of the east right-of-way line of Interstate Highway No. 35 and the southeast right-of-way line of Hays County Road No. 140 bears N 10° 19' 32" E 464.74 feet;

THENCE leaving the PLACE OF BEGINNING as shown on that plat numbered 24106-02-2-c dated January 17, 2002 as prepared for Hays County Livestock Exposition by Byrn & Associates, Inc. of San Marcos, Texas, with the common southwest line of the Murray 44.83 acre tract and northeast line of the HCLZ 46.07 acre tract, as fenced and used upon the ground, the following two courses:

1. S 45° 02' 54" E 857.94 feet to a 4" cedar fence post at a three-way fence corner, and
2. S 45° 55' 31" E 888.51 feet to a 1 1/2" iron pipe found at a fence corner for the south corner of the Murray 44.83 acre tract and an interior corner of the HCLZ 46.07 acre tract;

THENCE with the southeast line of the Murray 44.83 acre tract and a northwest line of the HCLZ 46.07 acre tract, as fenced and used upon the ground, N 43° 57' 54" E 961.80 feet to an 8" cedar fence corner post in the southwest line of Quail Ridge Subdivision recorded in Volume 2, Page 137 of the Hays County Plat Records for, the easterly north corner of the HCLZ 46.07 acre tract;

THENCE with the remains of a fence for the common southwest line of Quail Ridge Subdivision and the northeast line of the HCLZ 46.07 acre tract, S 45° 16' 38" E 1007.24 feet to a 60d nail found at the base of a leaning 3/4" iron pipe found for the east corner of the HCLZ 46.07 acre tract, the south corner of Lot 41, Quail Ridge Subdivision, and being in a northwest line of that 468.288 acre tract described as Exhibit 3 in a deed from Edward R. Coleman Construction, Inc. to Edward R. Coleman et ux dated March 10, 2000 and recorded in Volume 1644, Page 499 of the Hays County Official Public Records, pass at 1054 feet the approximate centerline of an electric transmission line and the approximate centerline of that 100 foot wide electric easement described in a deed from Will Hill, et ux to L.C.R.A. dated May 3, 1951 and recorded in Volume 150.

Oct-21-03 01:39pm From-BANK OF TEXAS

Page 27 of the Hays County Deed Records.

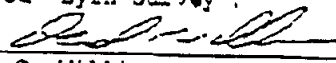
THENCE leaving Lot 41, Quail Ridge Subdivision with the common northwest line of the Coleman 468.288 acre tract and southeast line of the HCLZ 46.07 acre tract, S 44° 01' 08" W 392.46 feet to a 1" iron pipe found for the south corner of the HCLZ 46.07 acre tract and the east corner of that 132.101 acre tract described as Exhibit A in the deed to Edward R. Coleman, pass at 871 feet the approximate location of the Texas-New Mexico pipeline and that pipeline easement described in a deed from C.B. Donalson to The Texas Pipeline Co. dated October, 1930 and recorded in Volume 103, Page 634 of the Hays County Deed Records;

THENCE leaving the Coleman 468.288 acre tract with the southwest line of the HCLZ 46.07 acre tract being partially with the northeast line of the Coleman 132.101 acre tract, N 45° 58' 00" W (this being the Bearing Basis for this description) 2006.45 feet to a 1/2" iron pipe found in the northeast line of that tract described as "Tract One - 38.845 acres" in a deed from Brian Callaway and James Lynch to B Callaway, Inc. dated February 27, 1999 and recorded in Volume 1387, Page 424 of the Hays County Official Public Records, pass at 131 feet the approximate location of the Texas-New Mexico pipeline and pass at 701.5 feet the approximate centerline of an electric transmission line and the approximate centerline of the aforementioned 100 foot wide LCRA electric easement, and pass at 784.22 feet the north corner of the Coleman 132.101 acre tract and east corner of the Callaway 38.845 acre Tract One,

THENCE continuing with the southwest line of the HCLZ 46.07 acre tract being partially with the northeast line of the Callaway 38.845 acre Tract One and with fence remains, N 45° 59' 03" W 1732.75 feet to a 1/2" iron rod set in 1996 in the east right-of-way line of Interstate Highway No. 35 for the southerly west corner of the HCLZ 46.07 acre tract and being the north corner of the Lot 1 of Edwards Business Park recorded in Volume 9, Page 197 of the Hays County Plat Records, from which a TXDOT concrete monument bears S 10° 19' 32" W 971.94 feet, pass on this course at 146.18 feet the north corner of the Callaway 38.845 acre Tract One and east corner of Lot 5 of Edwards Business Park;

THENCE with the common east line of Interstate Highway No. 35 and the east line of the HCLZ 46.07 acre tract, N 10° 19' 32" E 24.52 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 46.07 feet, more or less, of land area as prepared from public records and a survey made on the ground on September 10, 1996 and January 17, 2002 by Byrn & Associates, Inc. of San Marcos, Texas. All 1/2" iron rod set are capped with a plastic cap stamped "Byrn Survey".


David C. Williamson, R 2.2.5 #4190

CLIENT: Hays County Livestock Exposition, Inc.
DATE: January 17, 2002
SURVEY: Williams, James W. A-473
COUNTY: Hays, Texas
JOB NO: 24106-02-2
PND46 07

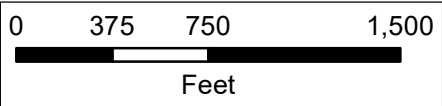
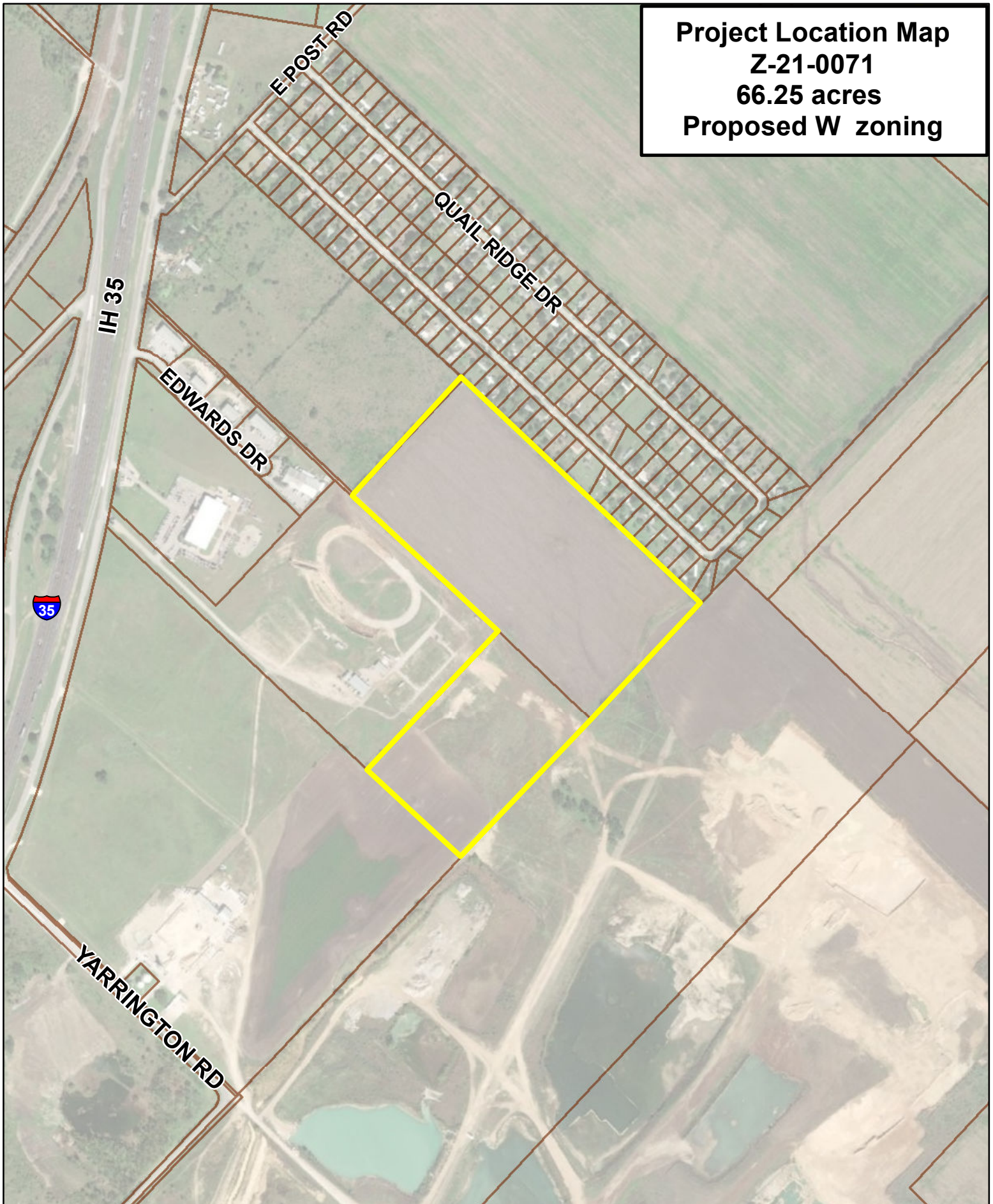
Recorder's Note:
ORIGINAL DOCUMENT ILLEGIBLE

Bk Vol Pg
05016090 DPR 2702 634

Filed for Record in:
Hays County
On: Jun 09, 2005 at 12:28P
Document Number: 05016090
Amount: 56.00
Receipt Number - 126350
By:
Rebecca Hall, Deputy

Lee Carlisle, County Clerk
Hays County

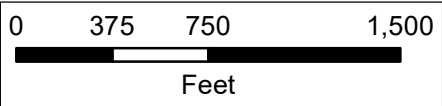
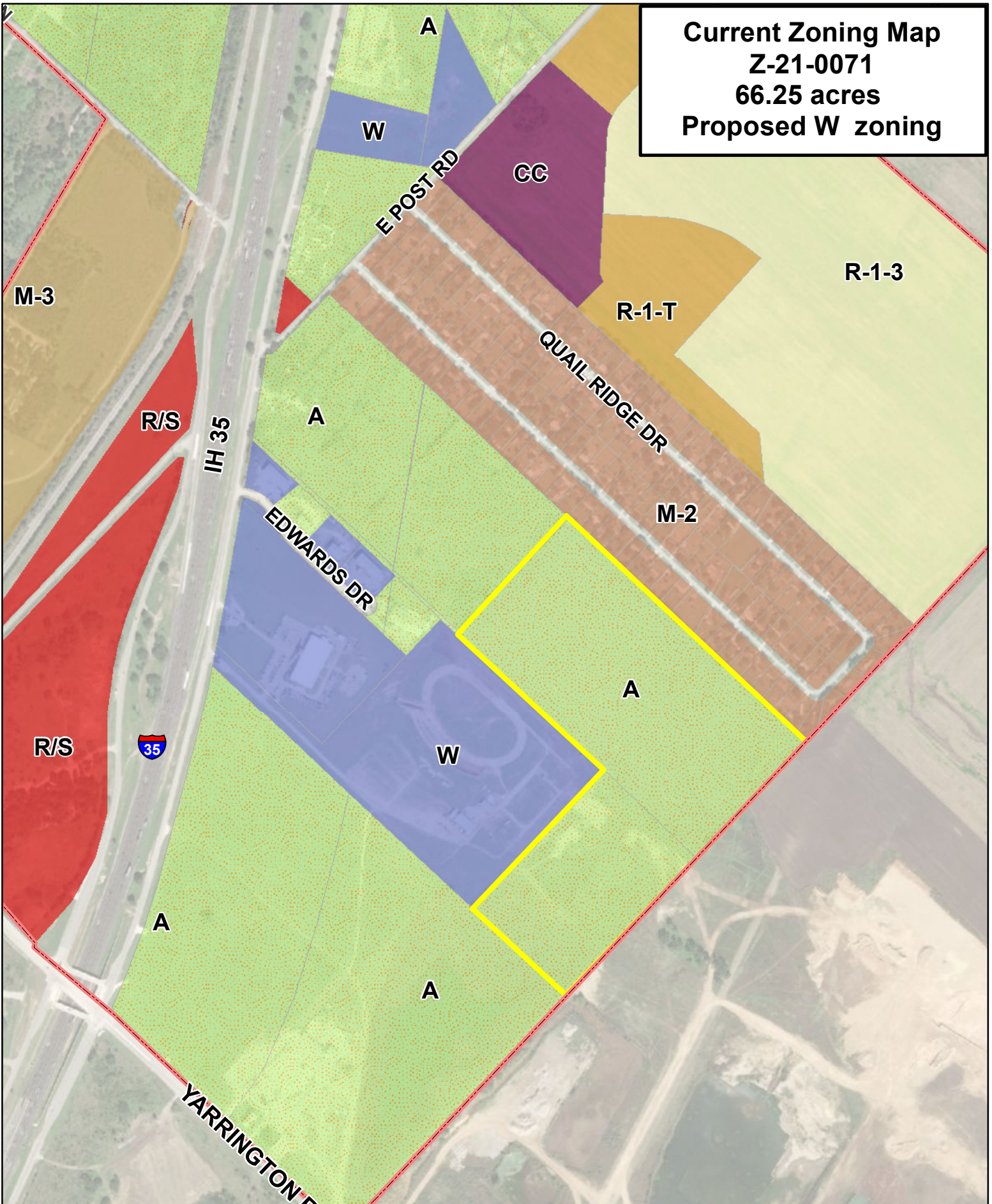
Project Location Map
Z-21-0071
66.25 acres
Proposed W zoning



 Property Location

 Parcel Lines

**Current Zoning Map
Z-21-0071
66.25 acres
Proposed W zoning**



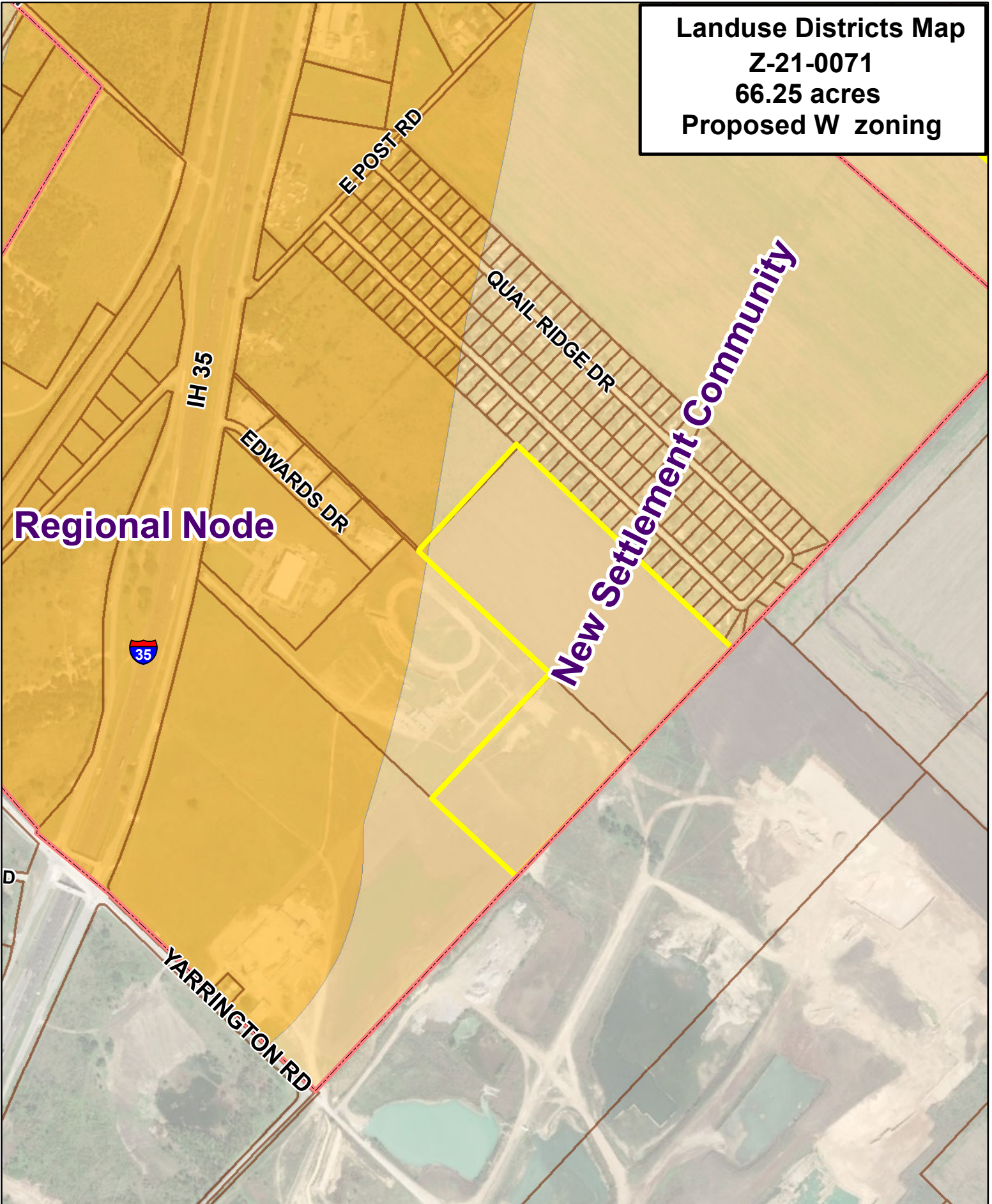
 Property Location

Landuse Districts Map

Z-21-0071

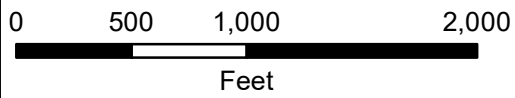
66.25 acres

Proposed W zoning



Regional Node

New Settlement Community



Property Location

Parcel Lines



CITY OF KYLE, TEXAS

WS Live Oak Kyle, LLC (Z-21-0072)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Consider a request by WS Live Oak Kyle, LLC (Z-21-0072) to rezone approximately 14.08 acres of land from Single Family-1 'R-1' to Townhome District 'R-1-T' for property located at the north corner of Live Oak Street and St. Anthony's Drive, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

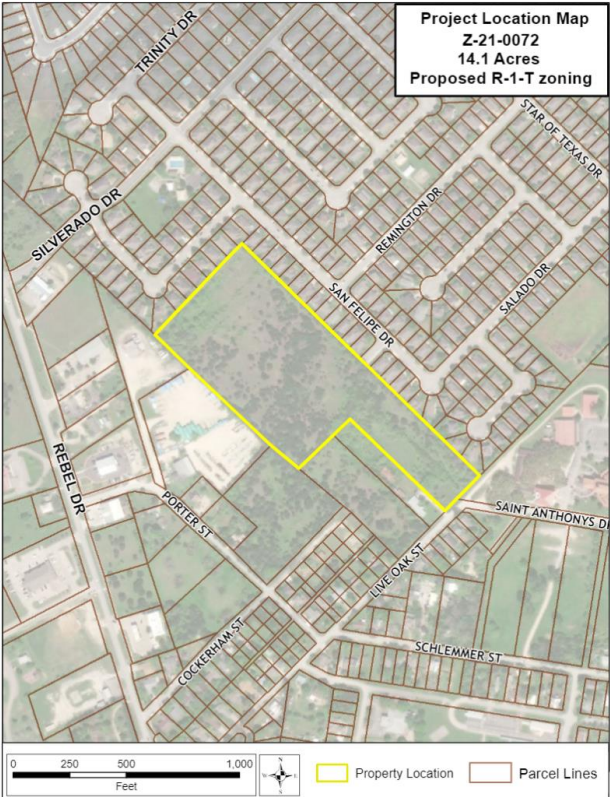
ATTACHMENTS:

Description

- Staff Memo
- Landowner Authorization Letter
- Franchise Tax Account Status
- Deed
- Project Location Map
- Current Zoning Map
- Land Use Districts Map
- Letter of Opposition
- Letter of Opposition

Property Location	Northwest of the intersection of Saint Anthony Drive and Live Oak Street
Owner	Dan Slovak WS Live Oak Kyle, LLC 2206 Hazelfine Lane Austin, TX 78744
Agent	Amar Gulhane 3016 Paseo De Charros Cedar Park, TX 78641 amar@ramendu.com
Request	Rezone 14.1-Acres (R-1) Single Family Residential & 14.1-Acres (R-1-T) Townhomes

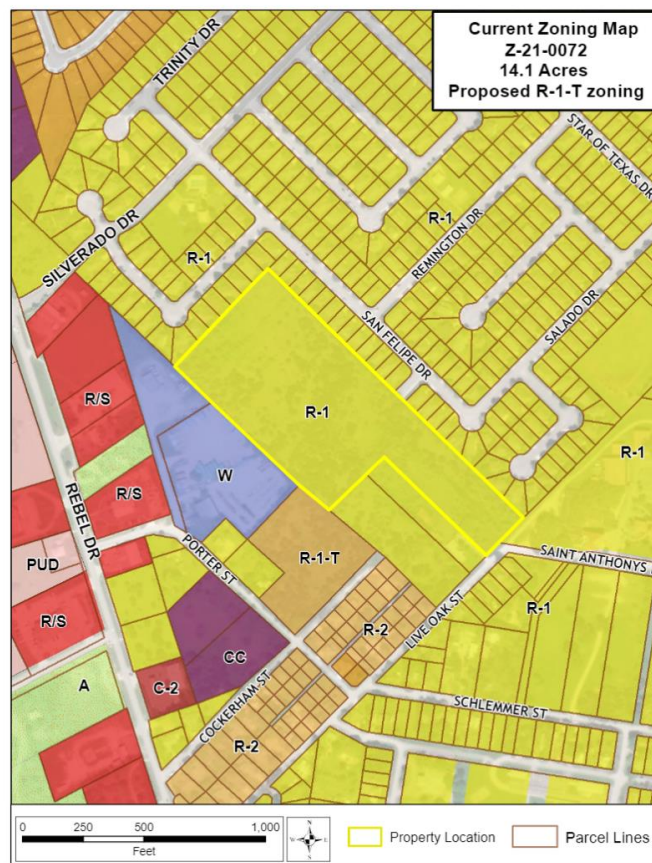
VICINITY MAP



SITE DESCRIPTION

The parcel sits directly northwest of the intersection of Saint Anthony's Drive and Live Oak Street. The site is currently vacant and zoned R-1 (Single Family Residential). To the northwest and north is the Silverado neighborhood (zoned R-1). To the east is Saint Anthony's Catholic Church (zoned R-1) and to the southeast are lots zoned R-1 with single family residences. To the south is land zoned R-1-T (Single Family Residential – Townhomes), however the land is undeveloped. Additionally, there is property zoned "W" (Warehouse) to the south, used as a pipe supply company.

The applicant is requesting the property to be rezoned to R-1-T and used as townhomes.



Existing Zoning

R-1 (Single Family Residential, Ord. No. 92)

5.2 District R-1: Single Family Residential

- 5.2.a. Purpose: This district includes lands which are sub-divided into tracts for residential purposes. The district is designed to protect these areas from the undesirable encroachment of nonresidential uses, dense residential development and other similar uses not compatible with the character of one-family detached home type land use, and provided with necessary services and facilities. Mobile homes are excluded from this district.

Proposed Zoning

Residential Townhouse District R-1-T

Sec. 53-140 – Purpose and Permitted Uses.

The residential townhouse district R-1-T allows attached single-family structures containing four or more dwelling units with a minimum of 1,000 square feet of living area per unit and permitted accessory structures. The single-family residences authorized in this zoning district are those generally referred to as townhouses. There shall be no more than ten units per buildable acre of land within the associated boundary of the premises of the townhouse site.

CONDITIONS OF THE ZONING ORDINANCE

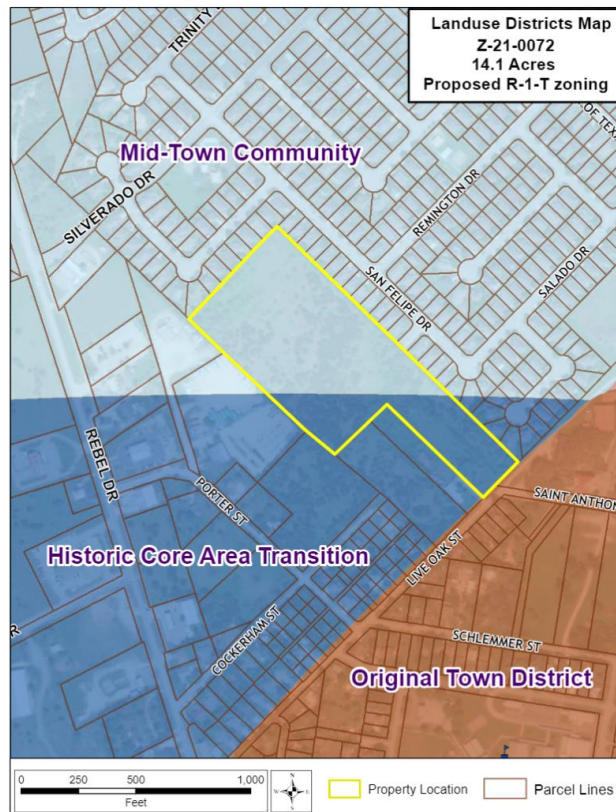
Sec. 53-1205 Amendments

(d)

Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



COMPREHENSIVE PLAN TEXT

The subject site is primarily located in the “Mid-Town Community District”. The remainder of the property is within the “Historic Core Area Transition” District. R-1-T zoning is conditional in both districts.

Mid-Town Community District

Recommended: R-1-1, R-1-2, R-1-3, NC

Conditional: E, R-1-A, **R-1-T**, R-3-1, R-3-2, CC, R/S, MXD, O/I

Historic Core Area Transition District

Recommended: R-1-1, R-1-2, R-1-3, R-1-A

Conditional: A, R-2, R-3-1, **R-1-T**, UE, NC, E, RS, MXD

MID-TOWN COMMUNITY LAND USE DISTRICT

Character: The Mid-Town District contains sites of recent residential development in Kyle and will continue to predominantly feature residential uses. Those residential uses in this District are organized around the curvilinear streets of suburban neighborhood design, rather than the regular, rectilinear grid that characterizes the Old Town District. The Plum Creek waterway flows through and adjacent to the Mid-Town District, offering opportunities for recreation and a responsibility for environmental conservation. This District has a neighborhood-oriented form built around shared spaces such as streets, yards, porches and common areas. Neighborhood legibility and continuity is enhanced through these shared spaces. Distinctive landscape forms, including creekways, vistas, and rolling hills, give identity to this District and should be preserved, protected, and incorporated into development plans.

Intent: The purpose of the Mid-Town District is to maximize the value capture of new residential development in Kyle. This District enjoys unusual proximity to amenities, such as open space, Downtown, commercial nodes, and transit options. The area is therefore well-positioned to define an economic and lifestyle pattern that is unique to Kyle. New development should accommodate low- to mid-density detached residential uses within the unique landscape forms that are present in the District. Higher density residential, attached residential, and non-residential projects like employment and retail sales should be considered based on their proximity to higher classification streets, higher capacity water and waste water availability, and likelihood of compatibility of adjacent uses. Legibility of neighborhood identity, definition, and transportation should be improved within the Mid-Town District through such elements as trails, sidewalks, signage, and interconnected shared spaces.

HISTORIC CORE AREA TRANSITION LAND USE DISTRICT

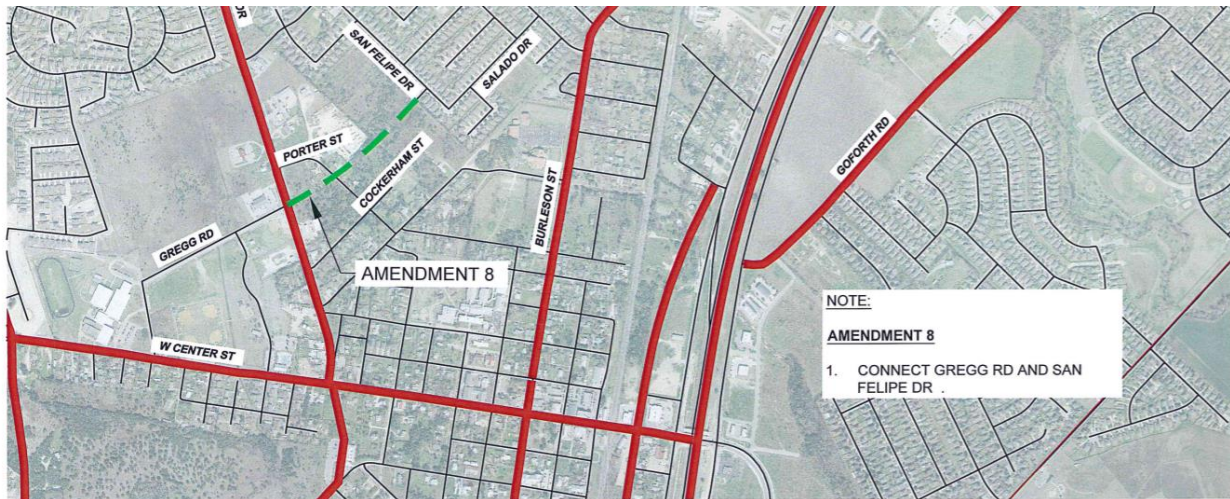
Character: The Historic Core Area Transition serves as a transition between the regular gridded development pattern that characterizes Downtown and the more rural patterns to the south and west, as well as newer development to the north. Significant features of this District include the intersection of Old Stagecoach Road and Center Street, the Gregg Clarke Park, Wallace Middle School, and the emerging commercial corridor along Rebel Road north from Center Street. This District is a “middle landscape” of historic residential

forms that transition to more rural residential forms. The District should embody the historic character of existing uses while anticipating appropriate expansion of Old Town. Development in the Historic Core Area Transition District has historically been on a small, lot-by-lot basis, rather than on a larger, project-by-project basis. Because of this, the street serves as the organizing feature of the District. Therefore, as new development extends into the District from the Old Town District, care should be taken to ensure that the historic street pattern is preserved, as called for in 'Kyle Connected', the city's Transportation Master Plan.

Intent: The purpose of the Historic Core Area Transition District is to accommodate the growth of residential and neighborhood commercial uses around the Old Town District, while preserving the historic rural fabric. The core of Kyle should be allowed to expand into this area as population growth increases in order to strengthen the core of the City. Land use transitions are critical in this District, as are architectural style transitions from traditional Rural Town Center/Old Town Block to curvilinear, rural residential, ensuring the shift from township to rural landscape should be maintained. This can be accomplished by transition in the built form and function from commercial uses to residential uses and finally to rural agricultural residential uses and by establishing transitions in density, decreasing outwardly from the Old Town District. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.

ANALYSIS

The 14-acre site (zoned R-1) is sited between the Silverado neighborhood, Saint Anthony's Catholic Church, and a mix of single-family residential uses & townhome zoning. The parcel is currently vacant, and largely overgrown with nuisance vegetation. Historically the lot has been intermittently used as an illegal dump site for bulky solid waste like construction and landscape debris. The lot takes access from Live Oak Street and Monterra Drive (Silverado neighborhood). Any project on this site will also be required to build the extension of Monterra Drive to the southwest, within in the bounds of the parcel. This will be a road extension that will eventually align with the intersection of W FM 150 and Gregg Drive. This extension will serve the Live Oak tract and another access point for the Silverado neighborhood.



The R-1-T district is a zoning district allowing townhomes. Per Kyle’s Zoning Ordinance, a “townhome” is a minimum of 4-attached single family homes (side by side). They are not “stacked flats”, which is multifamily (apartments). The applicant is requesting this zoning as an alternative to traditional low-density single family housing.

R-1 = 6 residential units per buildable acre, maximum
 R-1-T = 10 residential units per buildable acre, maximum

The allowable increase in density is an important aspect of this request. There are significant costs to upgrading the offsite wastewater line (along Saint Anthony’s Drive) that services this parcel. The existing wastewater line does not perform adequately, and the developer will be required to upgrade the line to service both their property and adjacent properties along the line. This will benefit both existing and future residents of Kyle, and also eliminate a capital improvement project from the city’s responsibility. The additional living units per acre can contribute more to the overall costs of installing the required wastewater infrastructure, reducing the burden on the price of the individual units.

From a comprehensive plan perspective, the site is in both the “Historic Core Area Transition” and “Mid-Town” land use districts. The R-1-T zoning district is considered conditionally in both (conditional upon infrastructure). While the land use districts generally show where certain zoning districts should be, the boundaries frequently cut through the middle of properties. This is a “gray area” for boundary demising lines. While a majority of the property is within the boundaries of the “Mid-Town” district, the existing surrounding “grid” street network lends itself better to the “Historic Core Area Transition” district, and not the intended curvilinear street networks in more suburban or rural neighborhoods. This site is still very much “Central Kyle”, and the historic, grid pattern of streets should be continued, as well as higher density

residential. From a residential building aspect, a city should strive to diversify its housing stock. The R-1-T district is a great “in between” residential product, for those residents wanting to no longer live in rental, multi-family accommodations and instead build personal equity by purchasing property fee simple. In many cases, townhomes offer a price that is less than a typical single family detached product, due to smaller size and economy of scale. This allows a family starting out to incrementally move up to larger homes, when appropriate.

RECOMMENDATION

City staff has reviewed the application and believes the proposed R-1-T district is appropriate. Staff asks the Planning & Zoning Commission to vote to recommend approval of the rezoning.

Attachments

- Landowner Authorization Letter
- Franchise Tax Account Status
- Location map
- Surrounding Zoning Map
- Land Use Districts Map

February 23, 2021

Debbie A Guerra
Planning Technician
City of Kyle
100 West Center Street
Kyle, Texas 78640

RE: Re-zoning for Live Oak St. Kyle TX
Summary and Owner Authorization Letter for Agent Representation

The Live Oak St. Kyle, legal address "ABS 361 John Pharass Survey 14.083 AC" is land in Hays County, TX. This application is a request for review and approval for "R-1-T" zoning.

The applicant information is the following:

Dan Slovak
Ws Live Oak Kyle LLC
2206 Hazelfine Ln
Austin, TX- 78744-1206

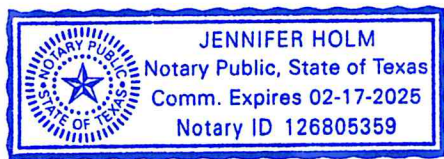
As the owner of "Live Oak St, Kyle TX" property, I hereby grant "Amar Gulhane" the right to act as authorized agent on rezoning application associated with the property. The agent will act in presenting documents, communication with county and city staff.
Please contact me if you have any questions.

Respectfully,
Ws Live Oak Kyle LLC


Dan Slovak
Owner

Before me, the undersigned authority, on this day personally appeared Dan Slovak, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

Given under my hand and seal of office this 23 day of February, 2021



(Personalized Seal)


Notary Public's Signature

Current Owner of Property

WS LIVE OAK KYLE, LLC	
Texas Taxpayer Number	32057879689
Mailing Address	6704 MENCHACA RD UNIT 41 AUSTIN, TX 78745-4944
? Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	07/24/2015
Texas SOS File Number	0802259474
Registered Agent Name	TYLER WILLIAMS
Registered Office Street Address	6704 MANCHACA RD #41 AUSTIN, TX 78745

Amar Gulhane's Business

MANJAL KYLE LLC	
Texas Taxpayer Number	32077617556
Mailing Address	3016 PASEO DE CHARROS CEDAR PARK, TX 78641-2747
? Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	01/31/2021
Texas SOS File Number	0803919801
Registered Agent Name	AMAR GULHANE
Registered Office Street Address	3016 PASEO DE CHARROS CEDAR PARK, TX 78641

**** Electronically Filed Document ****

Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2015-15036224
Recorded As : ELECTRONIC RECORDING

Recorded On: November 12, 2015
Recorded At: 11:31:30 am
Number of Pages: 8
Book-VI/Pg: Bk-OPR VI-5373 Pg-394
Recording Fee: \$50.00

Parties:

Direct- AQUIRRE WILLIAM C
Indirect- WS LIVE OAK KYLE LLC

Receipt Number: 413697
Processed By: Rachel Hatmaker

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez, County Clerk

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

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.

DATE: November 6, 2015

Grantor: William C. Aguirre, Francisco A. Castilleja, Jr. and Hilda Yvonne Castilleja f/k/a Yvonne Cruz

Address: PO Box 2168 Kyle, Texas 78640

Grantee: WS Live Oak Kyle, LLC

Address: 6704 Manchaca Road #41 Austin, Texas 78745

CONSIDERATION:

Ten Dollars (\$10.00) and other valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, and a note of even date that is in the principal amount of Three Hundred Twelve Thousand and No/100 Dollars (\$312,000.00) and is executed by WS Live Oak Kyle, LLC payable to the order of Crockett National Bank. This note is secured by a vendor's lien retained in favor of Crockett National Bank in this deed and by a Deed of Trust of even date from Grantee to Todd E. Huckabee, Trustee.

PROPERTY (including any improvements):

See Exhibit A Attached Hereto

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:


This conveyance is made and accepted subject to all restrictions, covenants, conditions, rights-of-way, assessments, outstanding royalty and mineral reservations and easements, if any, affecting the above described property that are valid, existing and properly of record and subject, further, to taxes for the year 2016 and subsequent years.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.


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 shall become absolute.

Crockett National Bank, 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 vendor's lien against the title to the Property is retained for the benefit of Crockett National Bank and is transferred to Crockett National Bank without recourse against Grantor.

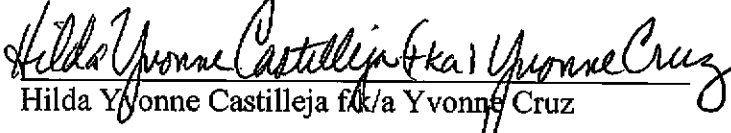
When the context requires, singular nouns and pronouns include the plural.



William C. Aguirre



Francisco A. Castilleja, Jr.

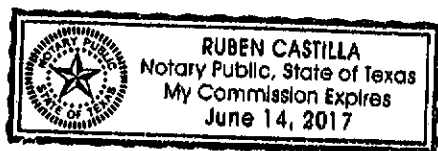


Hilda Yvonne Castilleja fka Yvonne Cruz

Acknowledgement

State of Texas
County of Travis

This instrument was acknowledged before me on the 6th day of November, 2015, by William C. Aguirre, Francisco A. Castilleja, Jr. and Hilda Yvonne Castilleja f/k/a Yvonne Cruz.




Notary Public, State of Texas

After Recording Return To:

Law Offices of T. Alan Ceshker
13413 Galleria Circle, Suite 120
Austin, Texas 78738
(512) 961-7848
(512) 961-7849 (fax)

EXHIBIT "A"

A DESCRIPTION OF A 14.083 ACRE TRACT OF LAND, LOCATED IN THE J. PHARASS SURVEY, ABSTRACT No. 361, OF HAYS COUNTY, TEXAS. SAID 14.083 ACRE TRACT, BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND DESCRIBED AS CONTAINING 13 & $\frac{3}{4}$ ACRES IN A GENERAL WARRANTY DEED, DATED OCTOBER 19, 1999, FROM MACK AGUIRRE TO WILLIAM C. AGUIRRE, RECORDED AS DOCUMENT No. 9924796 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALSO ALL OF THAT CERTAIN SAVE AND EXCEPT TRACT OR PARCEL OF LAND DESCRIBED AS ONE ACRE OF LAND 115 BY 379 FEET OUT OF THE S.E. CORNER OF THE 14 $\frac{3}{4}$ ACRE TRACT DESCRIBED IN A DEED, DATED DECEMBER 19, 1928, FROM MARY HANCOCK, BESSIE CLAYTON, FRED CLAYTON, CORAL LAWSON, U.L. LAWSON, EUGENE LAWSON, LOWELL LAWSON, ALBERT LAWSON, AND NOVELLA BRADLEY TO JUAN MARTINEZ, RECORDED IN VOLUME 97, PAGE 329 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS . SAID 14.083 ACRE TRACT, AS SHOWN ON THE ATTACHED SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1" iron pipe (Grid Coordinates = N 13,910,798.59, E 2,323,011.44) found monumenting the northwest right-of-way of Live Oak Street, a variable width right-of-way, the east corner of Lot 1, Block 2 of the W.R. Simcock Addition, a subdivision plat of record in Volume S, Page 163 of the Deed Records of Hays County, Texas, and the south corner of that certain tract or parcel of land described as containing 3.06 acres (Tract 2) in a General Warranty Deed, dated April 8, 2013, from Jefferson W. Barton and wife, Cyndy Slovak-Barton to Aden Rangel, recorded in Volume 4603, Page 717 of the Official Public Records of Hays County, Texas, from which a $\frac{1}{2}$ inch iron rod found monumenting the west corner of Lot 1, Kimbro Addition II, a subdivision plat of record in Volume 2, Page 379 of the Plat Records of Hays County, Texas, bears S 42° 42' 55" E, a distance of 40.20 feet;

THENCE, N 46° 17' 25" W, departing the northwest right-of-way of said Live Oak Street, with the northeast line of said W.R. Simcock Addition, and the southwest line of said 3.06 acre tract, a distance of 334.55 feet to an iron rod with aluminum cap stamped "PRO TECH ENG 2219" found monumenting the northern most right-of-way corner of Cockerham Street, a right-of-way 40 feet in width, the east corner of that certain tract or parcel of land described as containing 3.67 acres (Tract 2) in a Constable's Tax Deed, dated March 9, 2004, from Lupe Cruz, Constable of Hays County to Alan Dale Lowden and Wife, Sharon Lanette Lowden, recorded in Volume 2425, Pg. 182 of the Official Public Records of Hays County, Texas, and the southwest line of said 3.06 acre tract;

THENCE, N 46° 35' 38" W, continuing with the southwest line of said 3.06 acre tract, and the northeast line of said 3.67 acre tract, a distance of 259.58 feet to a $\frac{1}{2}$ inch iron rod with

cap stamped "GEOMATICS 5516" set for the west corner of said 3.06 acre tract, the northeast line of said 3.67 acre tract, and the POINT OF BEGINNING (Grid Coordinates = N 13,911,208.10, E 2,322,581.07) of the herein described tract;

THENCE, N 46° 35' 38" W, continuing with the northeast line of said 3.67 acre tract, the northeast line of that certain tract or parcel of land described as containing 4.422 acres (Tract I) in a Special Warranty Deed, dated March 24, 2015, from Dale Lowden and Lanette Lowden to H.D. Supply Waterworks, Ltd., recorded in Volume 5176, Page 664 of the Official Public Records of Hays County, Texas, a distance of 655.16 feet to a ½ inch iron rod with cap stamped "BUSH SURVEYING" found monumenting the north corner of said 3.67 acre tract, and the northern most east corner of that certain tract or parcel of land described as containing 2.378 acres in a Warranty Deed with Vendor's Lien, dated August 25, 1999, from Dale Lowden Excavating, Inc. to Blake Brown and Ramona Brown, recorded as Document No. 9920360 of the Official Public Records of Hays County, Texas;

THENCE, N 46° 09' 22" W, with the northeast line of said 2.378 acre tract, a distance of 214.19 feet to an iron rod with cap stamped "RDS RPLS 4094" found monumenting the south corner of Lot 8, Block C, Silverado At Plum Creek, Section 1A, a subdivision plat of record in Volume 10, Page 183 of the Plat Records of Hays County, Texas, and the northeast line of said 2.378 acre tract;

THENCE, N 43° 29' 22" E, with the southeast line of Lots 8 through 10, Block C, of said Silverado at Plum Creek, Section 1A, and Lots 11 through 14, Block C, Silverado at Plum Creek, Section 1B, a subdivision plat of record in Volume 10, Page 185 of the Plat Records of Hays County, Texas, a distance of 500.23 feet to an iron rod with cap stamped "RDS RPLS 4094" found monumenting an angle point in said southeast line;

THENCE, N 45° 57' 47" E, with the southeast line of lots 14 and 15, block C, of said Silverado at Plum Creek, Section 1B, a distance of 56.56 feet to an iron rod with cap stamped "RDS RPLS 4049" found monumenting the west corner of Lot 17, Block C, of said Silverado at Plum Creek, Section 1B, and the southeast line of said lot 15;

THENCE, 45°47'24" E, with the southwest line of Lots 17 through 26, Block C, of said Silverado at Plum Creek, Section 1B, and Lots 27 through 29, Block C, Silverado at Plum Creek, Section 3A, a subdivision of record in Volume 11, Page 128 of the Plat Records of Hays County, Texas, a distance of 723.23 feet to an iron rod with cap stamped "RDS RPLS 4094" found monumenting the south corner of said lot 29 and the west corner of Monterra Drive, a right-of-way 60 feet in width;

THENCE, S 45° 45' 25" E, with the southwest right-of-way of said Monterra Drive, a distance of 59.70 feet to an iron rod with cap stamped "RDS RPLS 4049" found monumenting the west corner of Lot 1, Block L, of said Silverado at Plum Creek, Section 3A, and the south corner of said Monterra Drive;

THENCE, S 45° 36' 57" E, with the southwest line of Lots 1 through 5, Block L, of said Silverado at Plum Creek, Section 3A, a distance of 255.53 feet to an iron rod found monumenting an angle point in said southwest line;

THENCE, S 45° 49' 45" E, with the southwest line of Lots 5, 6, 17, and 18, Block L, of said Silverado at Plum Creek, Section 3A, a passing distance of 50.07 feet, 0.55 feet perpendicular and northeast of line, an iron rod with cap stamped "RPLS 1868" found monumenting the north corner of said one acre 115 by 379 feet, from which an iron rod with cap stamped "RPLS 1868" found monumenting the west corner of said one acre tract 115 by 379 feet, bears S 44° 27' 30" W, a distance of 115.34 feet, in all a total distance of 226.78 feet to an iron rod with cap stamped "RDS RPLS 4094" found monumenting an angle point in said southwest line;

THENCE, S 45° 08' 13" E, with the southwest line of Lot 18 and 19, Block L, of said Silverado at Plum Creek, Section 3A, a distance of 202.10 feet to a 60D nail in and old fence post found monumenting the south corner of said Lot 19, the east corner of said one acre tract 115 by 379 feet, the northwest line of that certain tract or parcel of land described as containing 15-2/15 acres in a deed, dated June 21, 1958, from R.H. Teasley and Myrtle Teasley to Louis J. Reicher, Bishop of Austin, recorded in Volume 174, Page 401 of the Deed Records of Hays County, Texas, and the southeast line of the J. Pharrass Survey, Abstract No. 361;

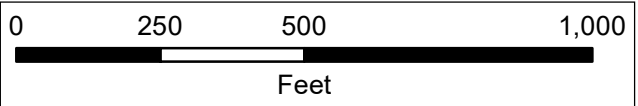
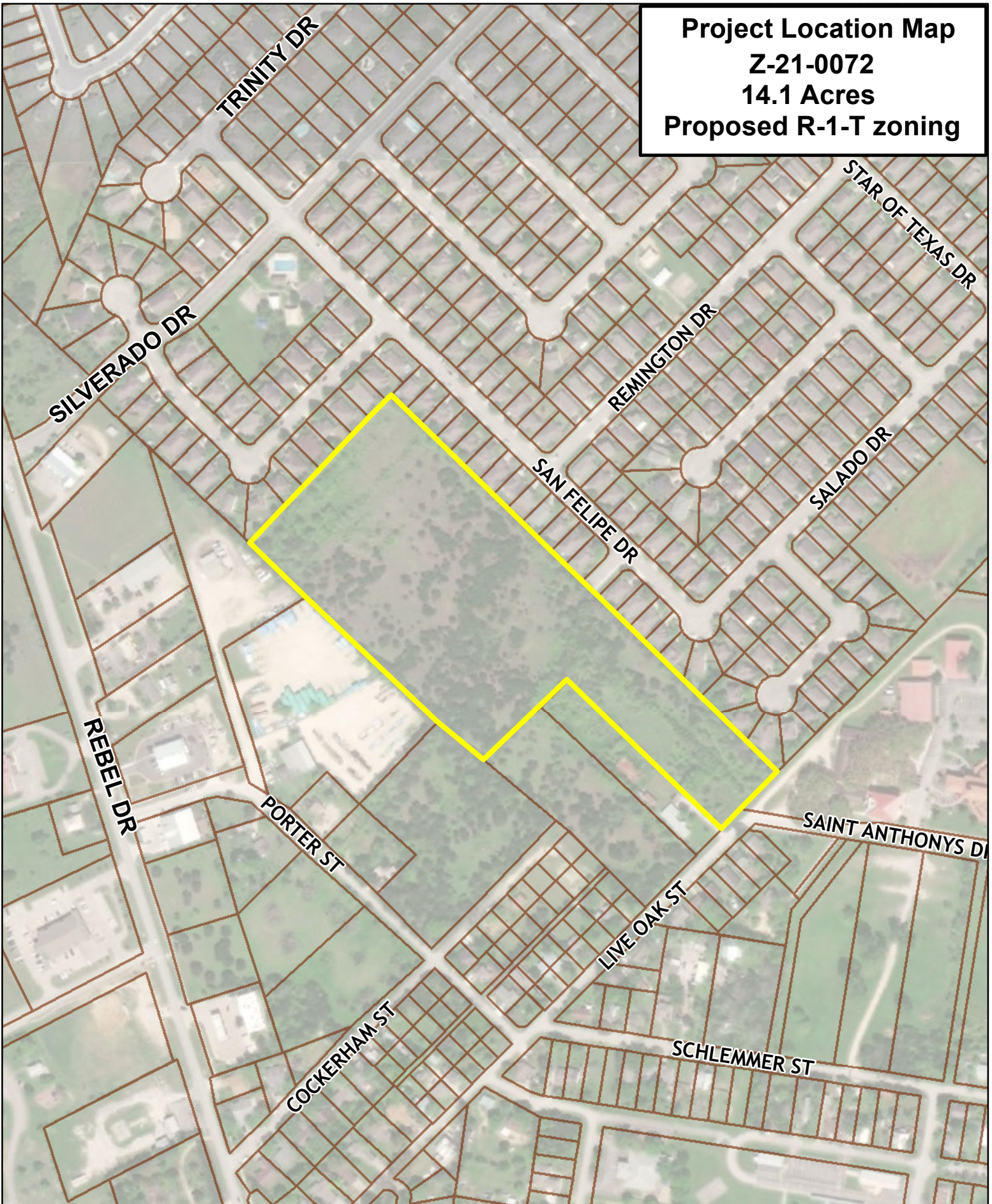
THENCE, S 44° 22' 21" W, with the northwest line of said 15-2/15 acres, the southeast line of said one acre tract 115 by 379 feet, and the southeast line of the J. Pharrass Survey, a passing distance of 114.96 feet to an iron rod with cap stamped "RPLS 1868" found monumenting the south corner of said one acre tract 115 by 379 feet, continuing with the northeast line of said 15-2/15 acres, and the southeast line of said J. Pharrass Survey, a passing distance of 141.85 feet to the west corner of said 15-2/15 acre tract, the north corner of that certain tract or parcel of land described as containing 1.46 acres of land in a Street Deed, dated September 14, 1998, from John McCarthy, Bishop of the Catholic Diocese of Austin to the City of Kyle, Texas, recorded in Volume 1456, Page 789 of the Official Public Records of Hays County, Texas, continuing with the southeast line of said J. Pharrass Survey, the northwest line of said 1.46 acre tract, and the northwest right-of-way of said Live Oak Street, in all a total distance of 215 .62 feet to a ¼ inch iron rod found monumenting the east corner of that certain tract or parcel of land described as containing 1.298 acres in a General Warranty Deed, dated April 15, 2013, from Tracy Forester to Richard Giberson, recorded in Volume 4621, Page 732 of the Official Public Records of Hays County, Texas, and the northwest right-of-way of said Live Oak Street, from which said 1 " iron pipe, point of commencement, bears S 43° 59' 29" W, a distance of 321.02 feet;

THENCE, N 46° 26' 50" W, departing the northwest line of said Live Oak Street, with the northeast line of said 1.298 acres, a distance of 588.81 feet to an iron rod with cap stamped

“RPLS 1868” found monumenting the north corner of said 1.298 acre tract;

THENCE, S 44° 56’ 25” W, with the northwest line of said 1.298 acres, and the northwest line of said 3.06 acres, a distance of 320.86 feet to the POINT OF BEGINNING, and containing 14.083 acres of land, more or less.

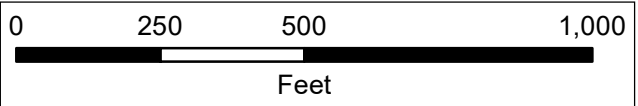
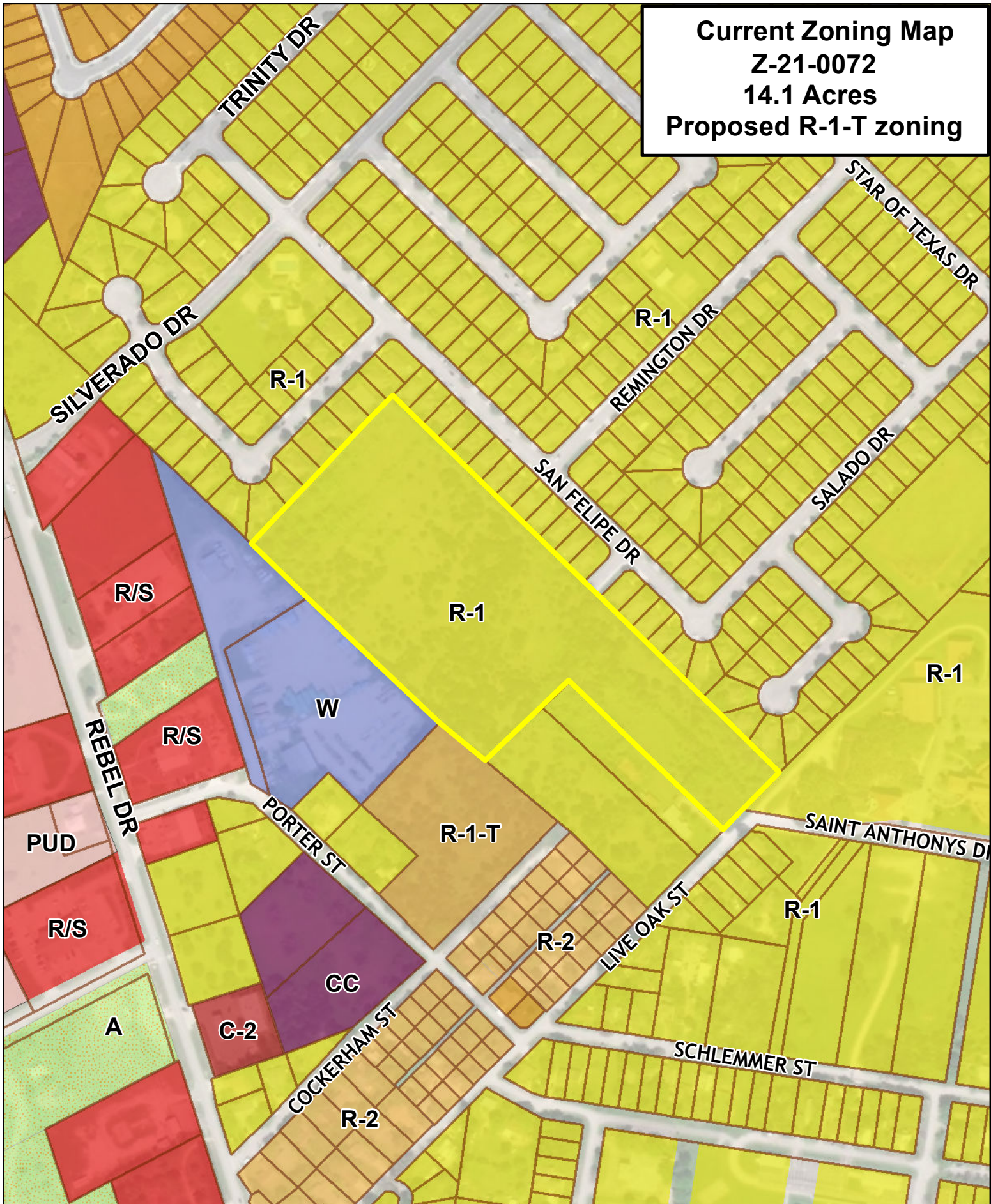
Project Location Map
Z-21-0072
14.1 Acres
Proposed R-1-T zoning



 Property Location

 Parcel Lines

Current Zoning Map
Z-21-0072
14.1 Acres
Proposed R-1-T zoning



 Property Location

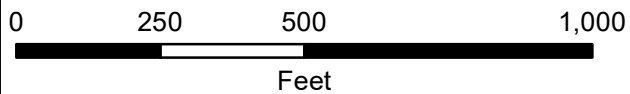
 Parcel Lines

Landuse Districts Map
Z-21-0072
14.1 Acres
Proposed R-1-T zoning

Mid-Town Community

Historic Core Area Transition

Original Town District



 Property Location

 Parcel Lines

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File # Z-21-0072).

Name: Kevin Villaalba Address: 120 Colt Loop, Kyle, Tx. 78640

I am in favor, this is why _____

I am not if favor, and this is why The last time this was proposed there were no plans to show exactly what was going to be built (townhome is very general). Second, the last time this was proposed, there was no infrastructure to support the new buildings (i.e., roads, water, sewer, etc.). Has any of this changed?

----- being held on a request by WS Live Oak Kyle, LLC (Z-21-0072) to

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File # Z-21-0072).

Name: Judy McLaughlin Address: 706 Live Oak

I am in favor, this is why _____

I am not if favor, and this is why We live in a quiet one story home area where owls roost and with an occasional opossum, racoon and deer. Townhouses would cut down the trees and destroy it.

From: Richard Wendt <rwendt1953@outlook.com>
Sent: Friday, March 19, 2021 15:13
To: Howard J. Koontz <hkoontz@cityofkyle.com>
Subject: Proposed Zoning Change (Z-21-0072)

Mr. Koontz,

I am writing to you concerning the re-zoning of property located on Live Oak St. and St. Anthony's Dr. Case#Z-21-0072. My wife and I have been residents of 708 Live Oak St. since 1986.

I have major concerns about how this zoning proposal will impact **TRAFFIC CONGESTION** in this area of Old Town Kyle. We have an opportunity now to review zoning standards to make a difference now and, in the future, by using a total area approach concerning this portion of the town.

EXISTING CONGESTION:

1. The connection from Rebel Rd. to Live Oak St. / Anthony Drive to Burleson Drive has become a "Short Cut" for traffic flow increasing as more people and traffic from development occurring in Plumb Creek area and outlining area's use of this path to IH35 to avoid **the current traffic backups** in the downtown area especially in the early morning and evening. This traffic is also compounded by traffic into the Middle School.
2. Traffic flow caused by St Anthony's Church as it grows. This could add considerable traffic flow into St. Anthony Dr. / Live Oak St. and Schlemmer St. as the area's population increases. As the Church grows and activities increase to include the entire week beyond the Sunday's Mass.

ADDITIONAL POTENTIAL CONGESTION ISSUE:

1. After reading the Code of Ordinance my understanding of a R-1-T is a 2-car garage, 2 cars in an off-street parking area and potential of 2 cars parking on the street for a total of 6 cars maximum per unit? If using the maximum allotted 10 units per acre equals 40 to 60 cars per acre. Using a conservative estimate of developing **only 5 acres or 35%** out of the 14-acre site are used for building units in this development could mean a potential of **200 to 300** cars would be allowed in this development. These cars would be using the St. Anthony / Live Oak St. path as the main access to this development. There will be increase traffic flow in the Silverado Neighborhood also if access is allowed especially along San Felipe Dr.
2. There is an existing R-1-T Zoned lot listed on Porter St adjacent to this property especially if its combined will increase traffic flow also depending on its unit density.
3. Depending on the development and potential zoning changes of the property boarding on Porter Drive and Cockerham St. (Currently for Sale) and land sill **not developed** on Cockerham St. that will increase the traffic flow on Porter Drive , Schlemmer St., Live Oak St. / St. Anthony Dr.
3. Property on Live Oak St. which is **not developed** adjacent to this property which will also impact future traffic load on Live Oak St. / St. Anthony Dr. especially if current zoning is changed to a R-1-T at a future date.

In Conclusion, the road infrastructure in this area is designed for a single home residential area. This zoning change would add an additional **200/ 300 cars** in region now with no idea how many more vehicles the future developments will bring with no economical method of enlarging any of the streets in question especially Live Oak St. / St. Anthony drive?

I am not in favor of this zoning change. This **is not** the answer we should implement if we look at this not as a one isolated case with other options available.

Thank You,
Richard Wendt
708 Live Oak St.



CITY OF KYLE, TEXAS

Estate of Evelyn Franke, et al (Z-21-0074)

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Consider a request by Estate of Evelyn Franke, et al (Z-21-0074) to assign original zoning to approximately 12.9 acres of land from Agriculture 'AG' to Mixed Use District 'MXD' for property located on the northeast corner of Philomena Drive and Bunton Creek Road, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- Landowner Authorization Letter
- Franchise Tax Account Status
- Project Location Map
- Current Zoning Map
- Land Use Districts Map
- letter in Favor
- Deed
- Deed
- Deed
- Deed
- Deed
- Deed
- Deed
- Deed
- Deed

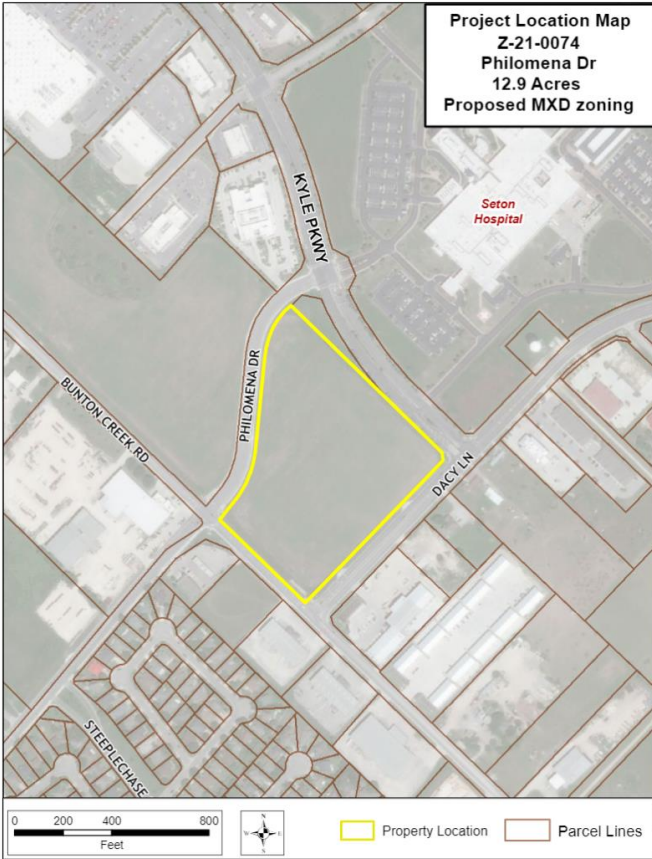
Property Location Northeast Corner of Philomena Drive and Bunton Creek Road

Owner Estate of Evelyn Franke, et al
1259 N. Old Stagecoach Road
Kyle, Texas 78640

Agent Evan Voight - on behalf of
Gardner Capital Investments Fund, LLC
2501 N. Harwood Street
Dallas TX, 75201

Request Rezone 12.893-Acres "A" (Agriculture) to "MXD"
(Vertical Mixed Use)

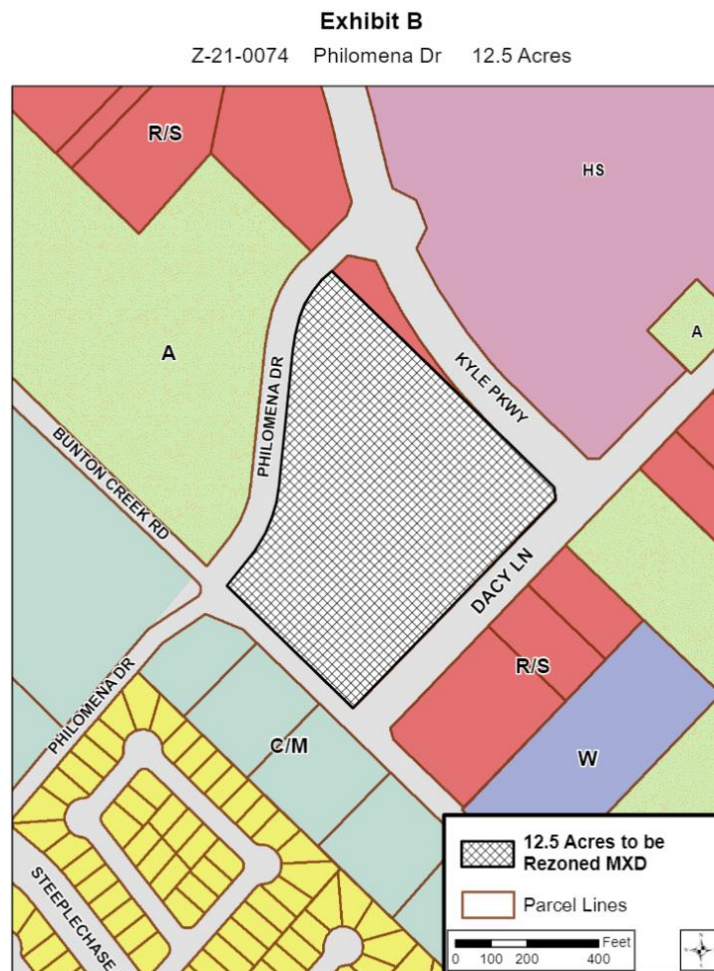
Vicinity Map



Site Description

The site is an undeveloped lot on the northwest corner of Dacy Lane and Bunton Creek Road. It is also bounded on the west by the Philomena Drive extension, and on the north by Kyle Parkway. The parcel is located between the Bread Basket convenience store at the intersection of Philomena and Bunton Creek. All those parcels to the southwest, across Bunton Creek are zoned C/M (Construction/Manufacturing district). Lands to the northwest (across the Philomena extension) are zoned A (Agriculture district), and the land to the southeast (across Dacy Lane) is zoned R/S (Retail Services district). To the northwest, a portion of the area within the development block, but off the subject site itself, is also zoned R/S, and across Kyle Parkway can be found HS zoning, the Hospital Services district.

Zoning Map



Existing Zoning

A (Agriculture)

Sec. 53-36.

The permitted uses in the agricultural district A allow farming, ranching, pasturage, detached single-family residences and related accessory structures, on a minimum one acre tract. Parks, playgrounds, greenbelts and other public recreational facilities, owned and/or operated by the municipality or other public agency are permitted.

Requested Zoning

Mixed Use Zoning District (MXD)

Sec. 53-674. - Purpose and findings

The mixed-use district (MXD) is generally intended to further and promote the tenants of the cities' master plans and comprehensive plan. The district is a commercial zoning classification that requires a vertical mix of commercial and residential uses within the same building(s) on multiple floors. The district is intended to accommodate a physical pattern of development often found in high traffic activity areas, along major streets and especially at intersections of major thoroughfares, and in neighborhood commercial areas of older cities. The district, where appropriately located, will accommodate mixed-use buildings with activity center retail, service, and other commercial uses on the ground and lower floor(s), and residential units above those nonresidential space(s); as well as encourage development that exhibits the physical design characteristics of pedestrian-oriented, store front-style shopping; and promote the health and well-being of residents by encouraging physical activity and greater social interaction.

Conditions of the Zoning Ordinance

Sec. 53-1205 Amendments

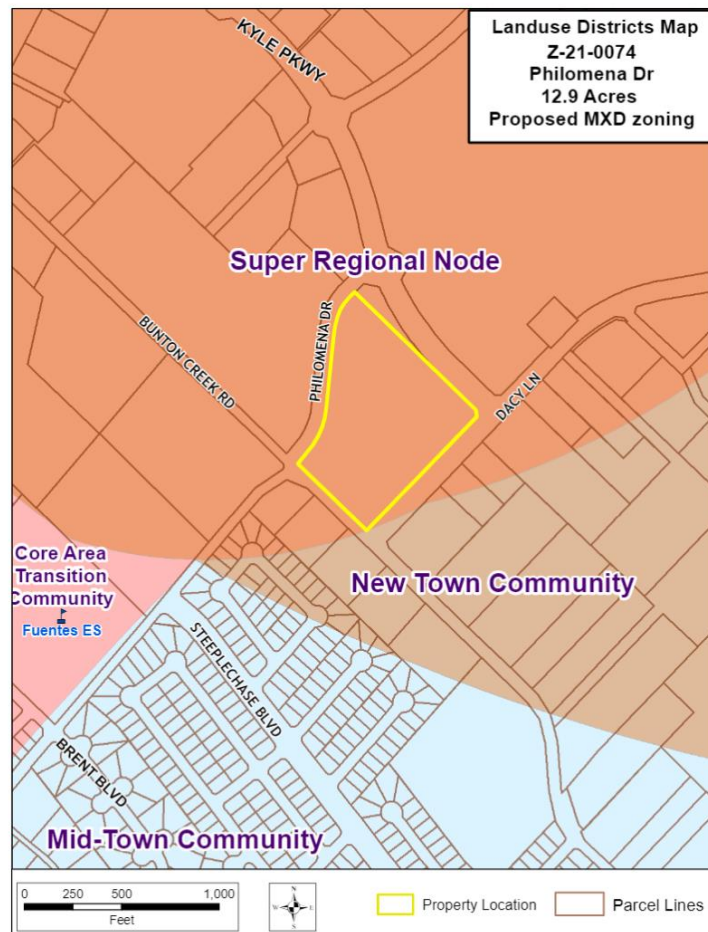
(d)

Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city

council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located within the “Super Regional Node”. The “MXD” zoning district is a recommended district in the “Super Regional Node”.

Recommended: E, HS, R-3-2, R-3-3, R/S, **MXD**, O/I

Conditional: ----

Super Regional Node

'Character': The Super Regional Node should contain large-scale institutional, commercial, retail, and where appropriate, high density multifamily land uses to create the highest classification activity center in Kyle. The Seton Medical Center should serve as the key distinguishing employment component, serving as the primary institutional use in the district upon which support enterprises can base their business locations. The Super Regional Node is in the early stages of development, and care should be taken to ensure that as development processes, it is in keeping with the character and intent outlined below for this Node. Seton Hospital serves as a regional attractor and, in large part, alongside destination retail and business services, defines the Super Regional Node. Associated health providers and goods and service providers should be attracted to this area and encouraged to create a diverse commercial and employment center. The aggregation of commercial square footage in this Node creates a significant commercial destination that will be visible to regional travelers along the I-35 corridor. This proximity to highway infrastructure results in the rare instance of a district primarily designed to be automobile oriented, with patrons arriving and inter-locating primarily by car. The commercial focus of this Node should be on acting as an economic activity center, generating much needed real estate, sales and hotel occupancy tax revenue for the city while fulfilling the retail and service needs of patrons from a targeted distance of no less than 10-15 mile away. Additionally, ancillary entertainment uses, such as movie theaters or bowling alleys, may be appropriate in this Node. This Node should serve as a destination for Kyle, attracting people due to the hospital and/or commercial offerings, and encouraging them to extend their stay due to unique and diverse uses and connections to other areas of Kyle.

'Intent': The purpose of the Super Regional Node is to capture employment opportunities and create a commercial destination within Kyle. Situated at the intersection of I-35 and Texas State Highway 1626, these high classification roadways are best suited to bring in out-of-region patrons with the least impact to Kyle's local street network. This Node should take advantage of the medical center and of I-35 traffic to increase Kyle's competitiveness in the surrounding region. Existing employment opportunities should be referenced when targeting complimentary commercial uses and opportunities for increased value capture. Due to the concentration and diversity of uses in this Node, appropriate land use transitions to adjacent Communities is critical. The anchor of the Super Regional Node should be employment and they daytime population created by those positions, and the Super Regional Node should have the highest level of development intensity of all Nodes.

Analysis

The subject property is located on approximately 12.9-acres, zoned “A” (Agriculture). This site is currently undeveloped and used for agricultural purposes.

The site is entirely within the Super Regional Node, a district within the City of Kyle’s comprehensive plan that envisions dense urban development and a high level of activity (both commercial and residential). As stated in the “Character” portion of the text, “the Super Regional Node should contain large-scale institutional, commercial, retail, and where appropriate, high density multifamily land uses to create the highest classification activity center in Kyle”. The Mixed Use (MXD) zoning district is a mix of the highest density multifamily and commercial zoning districts the City of Kyle has to offer. The ground floor is required to be commercial, with up to 30 units per buildable acre of residential above the ground floor. The MXD zoning district fits into the Super Regional node activity center, from an intensity of use, and is expected to thrive in this portion of the City.

The MXD zoning district is intentionally designed to facilitate a vertical mix of uses, in one building. As previously stated, no residential uses, or those uses directly accessory to associated residential uses, is allowed on the ground floor. Requiring commercial on the ground floor is key, as it helps create and amenitize a pedestrian friendly shopping experience. Residents of the project will also help patronize the commercial spaces. Additionally, street parking is critical to the design of the site, as it allows customers to park adjacent to the store fronts, walk the block to window shop and help sustain associated businesses. Vertical mixed-use developments thrive in urban settings, and this development will be one of the first, large scale projects in the City of Kyle (Uptown at Plum Creek the other).

As previously stated, this site is entirely surrounded by city streets, creating significant vehicular connectivity. This will help provide sufficient customers to the ground floor commercial, in addition to the residents on site. The existing street network is in good condition. From a site development perspective, the project will also create a sidewalk network to help attract pedestrian customers from adjacent, developed areas (Steeplechase neighborhood). From a utilities perspective, water and wastewater is available and has sufficient capacity to serve the site. There is also ample access to employment nearby, with Seton Hospital adjacent to the north and retail outlets located surrounding the I-35/1626 intersection.

Recommendation

The site has sufficient utilities, road infrastructure, helps create a vibrant, urban project and supports the Comprehensive Plan. City staff supports the rezoning to MXD and asks

the Planning & Zoning Commission to vote to recommend approval of the rezoning request.

Attachments

- Landowner Authorization Form
- Franchise Tax Account Status
- Location Map
- Current Zoning Map
- Land Use Districts Map

February 22, 2021

Debbie A Guerra
Planning Technician
City of Kyle
100 West Center Street
Kyle, Texas 78740

RE: Request Change in Zoning
Summary and Owner Authorization for Agent Representation
NE Corner of Philomena Dr & Bunton Creek Rd (CR 130), Kyle, Texas 78640

We are requesting a zoning change from its existing Agricultural (AG) zoning designation to Mixed-Use Zoning District (MXD) zoning for the land located approximately at the NE corner of Philomena Drive and Bunton Creek Road, Kyle, Texas 78640. This change will allow for a more dense, vertical mixed-use development on the 12.893-acre site.

The applicant information is the following:

Estate of Evelyn Franke et al

Members of Estate

Don S. Franke, Independent Co-Executor of Estate of Evelyn Franke

Mary Gregg Kinsala, Agent for MKK Associates, a TX limited partnership,
GAWLS Ltd., a TX limited partnership,
CR Two Investments, Ltd., a TX limited partnership,
Clifton Oswald as Trustee of the Clifton Oswald Trust, and
Evelyn Nicholson as Trustee of the Evelyn Nicholson Trust

1259 N Old Stagecoach Rd, Kyle, Texas 78460
(p) (512) 924-6966
(email) crobinson@robinsonrealtyservices.com or ekathry@aol.com

As the owner of the site, I hereby grant Gardner Capital Investments Fund, LLC the right to act as the Authorized Agent on development applications associated with this property. The agents may act in the preparation of documents, communication with county staff, and presentation to county boards and commissions, conditioned, however, to contract requirements that rezoning not to be finalized until sale to Gardner Capital Investment Fund, LLC is finalized. Agent's Information is listed as follows:

Gardner Capital Investments Fund, LLC
2501 N Harwood St. Dallas, Texas 75201
(p) (314)561.5901
(email) michael@gardnercapital.com

[signature page to follow]

[signature page from letter request]

Respectfully,

Signature: 

Don S. Franke, Independent Co-Executor of Estate of Evelyn Franke
As to the undivided one-third interest in the property

Date: February 25, 2021

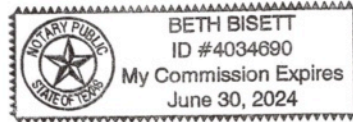
Certified Public Notary:

This document was acknowledged before me on the 25 day of February 2021 by
Don S. Franke (Owner).



Notary Public State of Texas

(Seal)



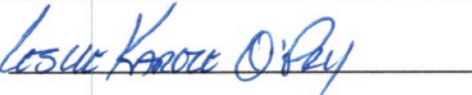
Signature: 

Mary Gregg Kinsala, Agent for MKK Associates, TX limited partnership,
GAWLS Ltd., a TX limited partnership,
CR Two Investments, Ltd., a TX limited partnership,
Clifton Oswald as Trustee of the Clifton Oswald Trust, and
Evelyn Nicholson as Trustee of the Evelyn Nicholson Trust

Date: 25 FEB 2021

Certified Public Notary:

This document was acknowledged before me on the 25th day of FEBRUARY, 2021, by
MARY GREGG KINSALA (Owner).



Notary Public State of Texas

(Seal)



RE: Franchise Tax Account Status

Evan Voight <evan@alderbach.com>

Thu 3/11/2021 2:34 PM

To: William Atkinson <watkinson@cityofkyle.com>

Cc: Debbie Guerra <dguerra@cityofkyle.com>; citrinedev@gmail.com <citrinedev@gmail.com>

📎 1 attachments (11 KB)

EIN-Gardner Capital Investment Fund, LLC.pdf;

Hi Will,

According to my contact at Gardner Capital this is a Missouri entity which hasn't applied for a foreign license in Texas. Legally, they don't believe it's required to enter into a land contract or purchase land. I attached the EIN for the entity for your reference. Please advise how you'd like us to proceed.

Thanks,

Evan Voight

Alderbach Development, LLC

(c) 317.413.0041

evan@alderbach.com



ALDERBACH DEVELOPMENT LLC

From: William Atkinson <watkinson@cityofkyle.com>

Sent: Wednesday, March 10, 2021 1:08 PM

To: Evan Voight <evan@alderbach.com>

Cc: Debbie Guerra <dguerra@cityofkyle.com>

Subject: Franchise Tax Account Status

Evan,

Please upload the appropriate Franchise Tax Account Status for Gardner Capital to Energov as well.

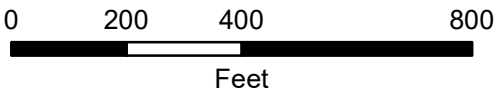
<https://mycpa.cpa.state.tx.us/coa/>

[Taxable Entity Search](#)

Use the 11-digit Comptroller's Taxpayer Number or the 9-digit Federal Employer's Identification Number.

mycpa.cpa.state.tx.us

Project Location Map
Z-21-0074
Philomena Dr
12.9 Acres
Proposed MXD zoning

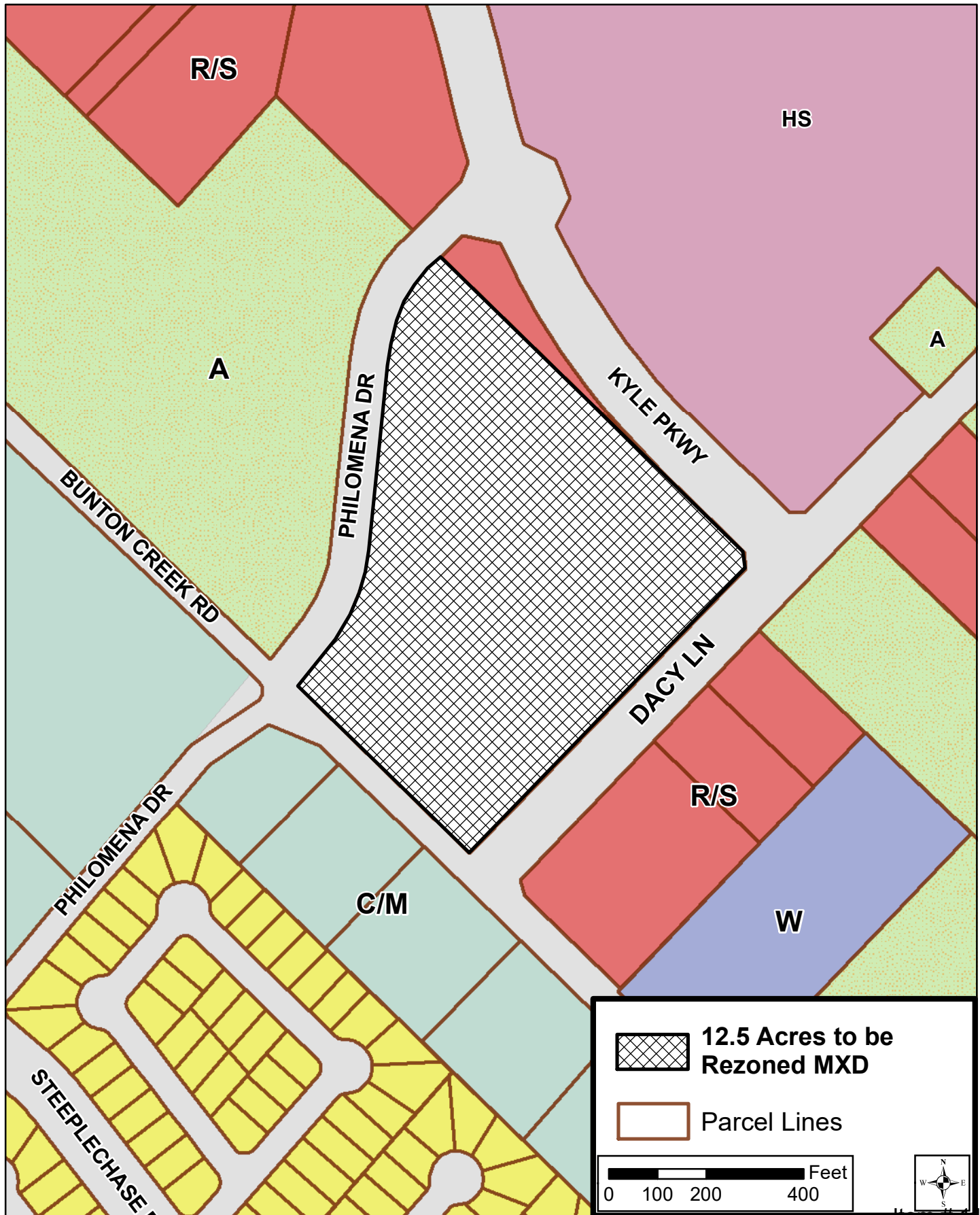


 Property Location

 Parcel Lines

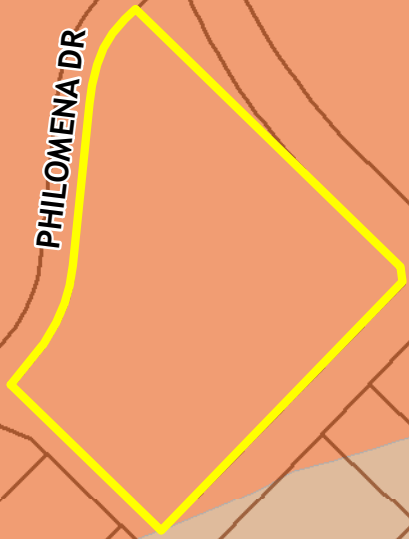
Exhibit B

Z-21-0074 Philomena Dr 12.5 Acres



Landuse Districts Map
Z-21-0074
Philomena Dr
12.9 Acres
Proposed MXD zoning

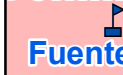
Super Regional Node



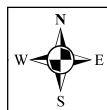
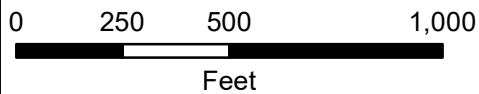
**Core Area
Transition
Community**

New Town Community

Fuentes ES



Mid-Town Community



 Property Location

 Parcel Lines

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File # Z-21-0074).

Name: Estate of Evelyn Franke et al Address: 1259 N. Old Stagecoach Rd Kyle TX 78640

I am in favor, this is why _____

I am not if favor, and this is why _____

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
(Z-21-0074)

**** **Electronically Filed Document** ****

Hays County Texas
Linda C. Fritsche
County Clerk

Document Number: 2009-90032521
Recorded As : ELECTRONIC RECORDING

Recorded On: December 21, 2009
Recorded At: 08:31:15 am
Number of Pages: 7
Book-VI/Pg: Bk-OPR VI-3792 Pg-446
Recording Fee: \$36.00

Parties:

Direct- KINSALA MARY GREGG
Indirect- MKK ASSOCIATES LP

Receipt Number: 235397
Processed By: Christina Rodriguez

***** **THIS PAGE IS PART OF THE INSTRUMENT** *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Linda C. Fritsche

Linda C. Fritsche, County Clerk

SPECIAL WARRANTY CONTRIBUTION DEED

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.

STATE OF TEXAS §
 § KNOWN ALL PERSONS BY THESE PRESENTS
COUNTY OF HAYS §

That **Mary Gregg Kinsala**, an individual residing in Hays County, Texas ("Grantor"), is the sole and separate property of Grantor and Grantor owns, occupies, and claims property other than the Properties (defined below) as the homestead of Grantor, for and in consideration of the receipt of partnership interests in the Grantee (defined below), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, CONTRIBUTED, and CONVEYED, and by these presents does GRANT, CONTRIBUTE, and CONVEY unto **MKK Associates, L.P.**, a Texas limited partnership ("Grantee"), all of Grantor's undivided interest in the Properties in each of the tracts of land located in Hays County, Texas described on Exhibit A (the "Tract One Land"), Exhibit B (the "Tract Two Land"), Exhibit C (the "Tract Three Land"), and Exhibit D (the "Tract Four Land") together, (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties" and respectively "Tract One", "Tract Two", "Tract Three", and "Tract Four"). Grantor has set out his undivided interest in each of the Properties in the table attached hereto as Exhibit E (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of his interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantee and Grantee's successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hayes County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED AND DELIVERED on the 18th day of December, 2009.

GRANTOR:

Mary Gregg Kinsala
Mary Gregg Kinsala

GRANTEE:

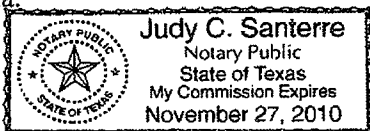
MKK Associates, L.P.
a Texas limited partnership

By: MKK Management, LLC,
a Texas limited liability company,
General Partner

By: Mary Gregg Kinsala
Mary Gregg Kinsala, President

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

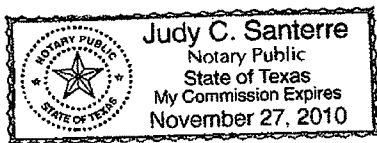
The foregoing instrument was acknowledged before me this 18th day of December, 2009, by Mary Gregg Kinsala.



Judy C. Santerre
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The foregoing instrument was acknowledged before me this 18th day of December, 2009, by Mary Gregg Kinsala, the President of MKK Management, LLC, a limited liability company, the General Partner of MKK Associates, L.P., a Texas limited partnership, for and on behalf of said limited liability company and limited partnership.



Judy C. Santerre
Notary Public, State of Texas

EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

- (1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,
- (2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,
- (3) any portion of said tracts that is within areas used, claimed or held as a public roadway, and
- (4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records

and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Tract Three Land

A DESCRIPTION OF A CERTAIN 54.697 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 54.697 acres of land, more or less, being the remaining portion of a tract comprising 156.35 acres, more or less, called the First Tract in a deed conveyed by Ernest R. Griffin to Earl Gregg dated January 15, 1951, recorded at Volume 148, Page 624, of the Hays County Deed Records; and later conveyed by Frances S. Gregg, widow of Earl Gregg, to A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswald in deed dated June 2, 1979, and recorded at Volume 327, Page 179 of the Hays County Deed Records;

LESS AND EXCEPT all acreage previously conveyed, including but not limited to the following:

(1) Warranty Deed dated October 25, 2004, to RH of Texas Limited Partnership, and recorded in Volume 2567, Page 514, of the Official Public Records of Hays County, Texas;

(2) Warranty Deed dated October 25, 2004, to Pulte Homes of Texas, LP, and recorded in Volume 2567, Page 467, of the Official Public Records of Hays County, Texas.

It is the intention of this property description to include all remaining acreage owned by A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey

Elaine Gregg Oswalt in the First Tract, as described above, located on North Old Stagecoach Road and FM 150, and lying north of the Hometown Kyle Subdivision.

EXHIBIT D

Tract Four Land

A DESCRIPTION OF A CERTAIN 7.373 ACRE TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 7.373 acres of land being a part of that certain 139.46 acre tract of land conveyed by Bernhard Kuhn *et ux* to Franklin Jordan *et ux* by Warranty Deed dated September 26, 1964, recorded in Volume 202 at Page 412 of the Hays County Deed Records;

Said 7.373 acres of land being the same tract designated as "Tract Two" conveyed by Franklin Jordan and Arthur C. Jordan to Ky-Tex Properties, Inc. as described in Warranty Deed dated November 17, 1972 recorded in Volume 254 at Page 848 of the Hays County Deed Records ("Tract Two" having been recited in said deed as containing 7.38 acres of land, but the actual contents of said tract having been found by resurvey to be 7.373 acres); and said 7.373 acres of land being more particularly described by metes and bounds in that certain Warranty Deed dated as of December 31, 2001 from Ky-Tex Properties, Inc. to A. W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt, and recorded at Document No. 02003368, in Volume 1947, Page 42, of the Official Public Records of Hays County, Texas.

EXHIBIT E

Table

Tract	Undivided Interest
One	15%
Two	1/6th
Three	1/4th
Four	1/4th

WHEN RECORDED RETURN TO:

E. Clark Lutz
Graves, Dougherty, Hearon & Moody, P.C.
P.O. Box 98
Austin, Texas 78767

GRANTEE'S ADDRESS:

MKK Associates, L.P.
1301 N. Old Stagecoach Road
Kyle, Texas 78640

**** Electronically Filed Document ****

Hays County Texas
Linda C. Fritsche
County Clerk

Document Number: 2009-90032523
Recorded As : ELECTRONIC RECORDING

Recorded On: December 21, 2009
Recorded At: 08:32:58 am
Number of Pages: 7
Book-VI/Pg: Bk-OPR VI-3792 Pg-460
Recording Fee: \$36.00

Parties:

Direct- ROBINSON ROBIE LYNN
Indirect- CR TWO INVESTMENTS LTD

Receipt Number: 235399
Processed By: Christina Rodriguez

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and
time stamped hereon and was recorded on the volume and page of the named records
of Hays County, Texas

Linda C. Fritsche

Linda C. Fritsche, County Clerk

SPECIAL WARRANTY CONTRIBUTION DEED

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.

STATE OF TEXAS §
 § KNOWN ALL PERSONS BY THESE PRESENTS
COUNTY OF HAYS §

That **Robie Lynn Robinson**, an individual residing in Hays County, Texas ("Grantor"), is the sole and separate property of Grantor and Grantor owns, occupies, and claims property other than the Properties (defined below) as the homestead of Grantor, for and in consideration of the receipt of partnership interests in the Grantee (defined below), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, CONTRIBUTED, and CONVEYED, and by these presents does GRANT, CONTRIBUTE, and CONVEY unto **CR Two Investments, Ltd.**, a Texas limited partnership ("Grantee"), all of Grantor's undivided interest in the Properties in each of the tracts of land located in Hays County, Texas described on Exhibit A (the "Tract One Land"), Exhibit B (the "Tract Two Land"), Exhibit C (the "Tract Three Land"), and Exhibit D (the "Tract Four Land") together, (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties" and respectively "Tract One", "Tract Two", "Tract Three", and "Tract Four"). Grantor has set out his undivided interest in each of the Properties in the table attached hereto as Exhibit E (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of his interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantee and Grantee's successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hayes County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED AND DELIVERED on the 18th day of December, 2009.

GRANTOR:

Robie Lynn Robinson
Robie Lynn Robinson

GRANTEE:

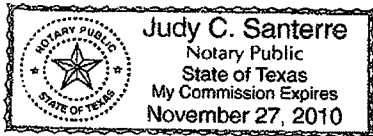
CR Two Investments, Ltd.
a Texas limited partnership

By: CR Two Management, LLC,
a Texas limited liability company,
General Partner

By: Robie Lynn Robinson
Robie Lynn Robinson, President

STATE OF TEXAS §
 §
COUNTY OF HAYS §

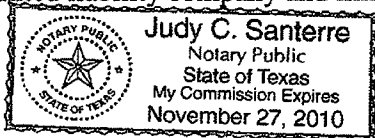
The foregoing instrument was acknowledged before me this 18th day of December, 2009, by Robie Lynn Robinson.



Judy C. Santerre
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

The foregoing instrument was acknowledged before me this 18th day of December, 2009, by Robie Lynn Robinson, the President of CR Two Management, LLC, a limited liability company, the General Partner of CR Two Investments, Ltd., a Texas limited partnership, for and on behalf of said limited liability company and limited partnership.



Judy C. Santerre
Notary Public, State of Texas

EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

- (1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,
- (2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,
- (3) any portion of said tracts that is within areas used, claimed or held as a public roadway, and
- (4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Special

Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Tract Three Land

A DESCRIPTION OF A CERTAIN 54.697 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 54.697 acres of land, more or less, being the remaining portion of a tract comprising 156.35 acres, more or less, called the First Tract in a deed conveyed by Ernest R. Griffin to Earl Gregg dated January 15, 1951, recorded at Volume 148, Page 624, of the Hays County Deed Records; and later conveyed by Frances S. Gregg, widow of Earl Gregg, to A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in deed dated June 2, 1979, and recorded at Volume 327, Page 179 of the Hays County Deed Records;

LESS AND EXCEPT all acreage previously conveyed, including but not limited to the following:

(1) Warranty Deed dated October 25, 2004, to RH of Texas Limited Partnership, and recorded in Volume 2567, Page 514, of the Official Public Records of Hays County, Texas;

(2) Warranty Deed dated October 25, 2004, to Pulte Homes of Texas, LP, and recorded in Volume 2567, Page 467, of the Official Public Records of Hays County, Texas.

It is the intention of this property description to include all remaining acreage owned by A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in the First Tract, as described above, located on North Old Stagecoach Road and FM 150, and lying north of the Hometown Kyle Subdivision.

EXHIBIT D

Tract Four Land

A DESCRIPTION OF A CERTAIN 7.373 ACRE TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 7.373 acres of land being a part of that certain 139.46 acre tract of land conveyed by Bernhard Kuhn *et ux* to Franklin Jordan *et ux* by Warranty Deed dated September 26, 1964, recorded in Volume 202 at Page 412 of the Hays County Deed Records;

Said 7.373 acres of land being the same tract designated as "Tract Two" conveyed by Franklin Jordan and Arthur C. Jordan to Ky-Tex Properties, Inc. as described in Warranty Deed dated November 17, 1972 recorded in Volume 254 at Page 848 of the Hays County Deed Records ("Tract Two" having been recited in said deed as containing 7.38 acres of land, but the actual contents of said tract having been found by resurvey to be 7.373 acres); and said 7.373 acres of land being more particularly described by metes and bounds in that certain Warranty Deed dated as of December 31, 2001 from Ky-Tex Properties, Inc. to A. W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt, and recorded at Document No. 02003368, in Volume 1947, Page 42, of the Official Public Records of Hays County, Texas.

EXHIBIT E

Table

Tract	Undivided Interest
One	15%
Two	1/6th
Three	1/4th
Four	1/4th

WHEN RECORDED RETURN TO:

E. Clark Lutz
 Graves, Dougherty, Hearon & Moody, P.C.
 P.O. Box 98
 Austin, Texas 78767

GRANTEE'S ADDRESS:

CR Two Investments, Ltd.
1251 N. Old Stagecoach Road
Kyle, Texas 78640

**** Electronically Filed Document ****

Hays County Texas
Linda C. Fritsche
County Clerk

Document Number: 2009-90032522
Recorded As : ELECTRONIC RECORDING

Recorded On: December 21, 2009
Recorded At: 08:32:11 am
Number of Pages: 7
Book-VI/Pg: Bk-OPR VI-3792 Pg-453
Recording Fee: \$36.00

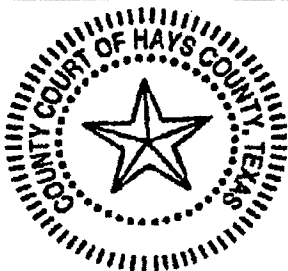
Parties:

Direct- GREGG A WJR
Indirect- GAWLS LTD

Receipt Number: 235398
Processed By: Christina Rodriguez

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Linda C. Fritsche

Linda C. Fritsche, County Clerk

SPECIAL WARRANTY CONTRIBUTION DEED

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.

STATE OF TEXAS §
 § KNOWN ALL PERSONS BY THESE PRESENTS
COUNTY OF HAYS §

That **A. W. Gregg, Jr.**, an individual residing in Hays County, Texas ("Grantor"), is the sole and separate property of Grantor and Grantor owns, occupies, and claims property other than the Properties (defined below) as the homestead of Grantor, for and in consideration of the receipt of partnership interests in the Grantee (defined below), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, CONTRIBUTED, and CONVEYED, and by these presents does GRANT, CONTRIBUTE, and CONVEY unto **GAWLS, LTD.**, a Texas limited partnership ("Grantee"), all of Grantor's undivided interest in the Properties in each of the tracts of land located in Hays County, Texas described on Exhibit A (the "Tract One Land"), Exhibit B (the "Tract Two Land"), Exhibit C (the "Tract Three Land"), and Exhibit D (the "Tract Four Land") together, (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties" and respectively "Tract One", "Tract Two", "Tract Three", and "Tract Four"). Grantor has set out his undivided interest in each of the Properties in the table attached hereto as Exhibit E (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of his interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantee and Grantee's successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hayes County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED AND DELIVERED on the 18th day of December, 2009.

SIGNATURE AND ACKNOWLEDGEMENT PAGE

GRANTOR:

A. W. Gregg, Jr.
A. W. Gregg, Jr.

GRANTEE:

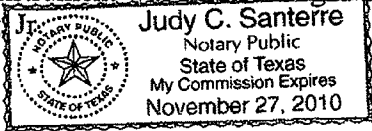
GAWLS, LTD,
a Texas limited partnership

By: GAWLS Management, LLC,
a Texas limited liability company,
General Partner

By: *A. W. Gregg, Jr.*
A. W. Gregg, Jr. President

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

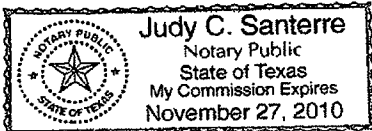
The foregoing instrument was acknowledged before me this 18th day of December, 2009,
by A. W. Gregg, Jr.



Judy C. Santerre
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The foregoing instrument was acknowledged before me this 18th day of December, 2009,
by A. W. Gregg, Jr., the President of GAWLS Management, LLC, a limited liability company, the
General Partner of GAWLS, LTD., a Texas limited partnership, for and on behalf of said limited
liability company and limited partnership.



Judy C. Santerre
Notary Public, State of Texas

EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

(1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,

(2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,

(3) any portion of said tracts that is within areas used, claimed or held as a public roadway, and

(4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records

and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Tract Three Land

A DESCRIPTION OF A CERTAIN 54.697 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 54.697 acres of land, more or less, being the remaining portion of a tract comprising 156.35 acres, more or less, called the First Tract in a deed conveyed by Ernest R. Griffin to Earl Gregg dated January 15, 1951, recorded at Volume 148, Page 624, of the Hays County Deed Records; and later conveyed by Frances S. Gregg, widow of Earl Gregg, to A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in deed dated June 2, 1979, and recorded at Volume 327, Page 179 of the Hays County Deed Records;

LESS AND EXCEPT all acreage previously conveyed, including but not limited to the following:

(1) Warranty Deed dated October 25, 2004, to RH of Texas Limited Partnership, and recorded in Volume 2567, Page 514, of the Official Public Records of Hays County, Texas;

(2) Warranty Deed dated October 25, 2004, to Pulte Homes of Texas, LP, and recorded in Volume 2567, Page 467, of the Official Public Records of Hays County, Texas.

It is the intention of this property description to include all remaining acreage owned by A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey

Elaine Gregg Oswalt in the First Tract, as described above, located on North Old Stagecoach Road and FM 150, and lying north of the Hometown Kyle Subdivision.

EXHIBIT D

Tract Four Land

A DESCRIPTION OF A CERTAIN 7.373 ACRE TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 7.373 acres of land being a part of that certain 139.46 acre tract of land conveyed by Bernhard Kuhn *et ux* to Franklin Jordan *et ux* by Warranty Deed dated September 26, 1964, recorded in Volume 202 at Page 412 of the Hays County Deed Records;

Said 7.373 acres of land being the same tract designated as "Tract Two" conveyed by Franklin Jordan and Arthur C. Jordan to Ky-Tex Properties, Inc. as described in Warranty Deed dated November 17, 1972 recorded in Volume 254 at Page 848 of the Hays County Deed Records ("Tract Two" having been recited in said deed as containing 7.38 acres of land, but the actual contents of said tract having been found by resurvey to be 7.373 acres); and said 7.373 acres of land being more particularly described by metes and bounds in that certain Warranty Deed dated as of December 31, 2001 from Ky-Tex Properties, Inc. to A. W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt, and recorded at Document No. 02003368, in Volume 1947, Page 42, of the Official Public Records of Hays County, Texas.

EXHIBIT E

Table

Tract	Undivided Interest
One	15%
Two	1/6th
Three	1/4th
Four	1/4th

WHEN RECORDED RETURN TO:

E. Clark Lutz
 Graves, Dougherty, Hearon & Moody, P.C.
 P.O. Box 98
 Austin, Texas 78767

GRANTEE'S ADDRESS:

GAWLS, LTD.
1259 N. Old Stagecoach Road
Kyle, Texas 78640

SPECIAL WARRANTY DEED

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.

STATE OF TEXAS

§
§
§

KNOWN ALL PERSONS BY THESE PRESENTS

COUNTY OF HAYS

That **Audrey E. Oswald**, an individual residing in Hays County, Texas ("**Grantor**"), owns, occupies, and claims property other than the Properties (defined below) as the homestead of Grantor, for and in consideration of the receipt of partnership interests in the Grantee (defined below), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, CONTRIBUTED, and CONVEYED, and by these presents does GRANT, CONTRIBUTE, and CONVEY unto **Evelyn E. Nicholson and Clifton Oswald**, as co-trustees of the 2005 Irrevocable Trust For Family of Audrey E. Oswald ("**Grantee**"), all of Grantor's undivided interest in the Properties in each of the tracts of land located in Hays County, Texas described on Exhibit A (the "Tract One Land"), Exhibit B (the "Tract Two Land"), Exhibit C (the "Tract Three Land"), and Exhibit D (the "Tract Four Land") together, (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties" and respectively "Tract One", "Tract Two", "Tract Three", and "Tract Four"). Grantor has set out her undivided interest in each of the Properties in the table attached hereto as Exhibit E (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of her interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantee and Grantee's successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hayes County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED AND DELIVERED on the 19th day of December, 2012.

SIGNATURE AND ACKNOWLEDGEMENT PAGE

GRANTOR:

Audrey E. Oswald
Audrey E. Oswald

GRANTEE:

The 2005 Irrevocable Trust For Family
Of Audrey E. Oswald

By: Evelyn E. Nicholson
Evelyn E. Nicholson, Co-trustee

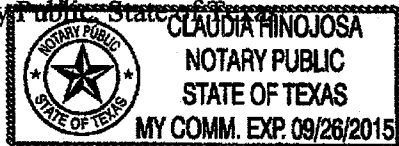
By: Clifton Oswald
Clifton Oswald, Co-trustee

STATE OF TEXAS §

COUNTY OF ~~TRAVIS~~ §
HAYS §

The foregoing instrument was acknowledged before me this 19th day of December, 2012, by Audrey E. Oswald.

Claudia Hinojosa
Notary Public, State of Texas



STATE OF TEXAS §

COUNTY OF ~~TRAVIS~~ §
HAYS §

The foregoing instrument was acknowledged before me this 19th day of December, 2012, by Evelyn E. Nicholson and Clifton Oswald, as co-trustees of the 2005 Irrevocable Trust For Family of Audrey E. Oswald.

Claudia Hinojosa
Notary Public, State of Texas

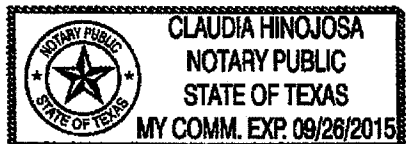


EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

(1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,

(2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,

(3) any portion of said tracts that is within areas used, claimed or held as a public roadway, and

(4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas, and

(5) that certain tract of land stated to contain 0.739 acres conveyed to Hays County in Deed dated December 17, 2010, and recorded at Document No. 2010-10035140 of the Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

SAVE and EXCEPT that certain tract of land stated to contain 0.963 acres conveyed to Hays County by General Warranty Deed dated July 7, 2010 and recorded at Document No. 2010-10023353 of the Official Public Records of Hays County, Texas.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Tract Three Land

A DESCRIPTION OF A CERTAIN 54.697 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 54.697 acres of land, more or less, being the remaining portion of a tract comprising 156.35 acres, more or less, called the First Tract in a deed conveyed by Ernest R. Griffin to Earl Gregg dated January 15, 1951, recorded at Volume 148, Page 624, of the Hays County Deed Records; and later conveyed by Frances S. Gregg, widow of Earl Gregg, to

A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in deed dated June 2, 1979, and recorded at Volume 327, Page 179 of the Hays County Deed Records;

LESS AND EXCEPT all acreage previously conveyed, including but not limited to the following:

(1) Warranty Deed dated October 25, 2004, to RH of Texas Limited Partnership, and recorded in Volume 2567, Page 514, of the Official Public Records of Hays County, Texas;

(2) Warranty Deed dated October 25, 2004, to Pulte Homes of Texas, LP, and recorded in Volume 2567, Page 467, of the Official Public Records of Hays County, Texas.

It is the intention of this property description to include all remaining acreage owned by A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in the First Tract, as described above, located on North Old Stagecoach Road and FM 150, and lying north of the Hometown Kyle Subdivision.

EXHIBIT D

Tract Four Land

A DESCRIPTION OF A CERTAIN 7.373 ACRE TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 7.373 acres of land being a part of that certain 139.46 acre tract of land conveyed by Bernhard Kuhn *et ux* to Franklin Jordan *et ux* by Warranty Deed dated September 26, 1964, recorded in Volume 202 at Page 412 of the Hays County Deed Records;

Said 7.373 acres of land being the same tract designated as "Tract Two" conveyed by Franklin Jordan and Arthur C. Jordan to Ky-Tex Properties, Inc. as described in Warranty Deed dated November 17, 1972 recorded in Volume 254 at Page 848 of the Hays County Deed Records ("Tract Two" having been recited in said deed as containing 7.38 acres of land, but the actual contents of said tract having been found by resurvey to be 7.373 acres);

and said 7.373 acres of land being more particularly described by metes and bounds in that certain Warranty Deed dated as of December 31, 2001 from Ky-Tex Properties, Inc. to A. W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt, and recorded at Document No. 02003368, in Volume 1947, Page 42, of the Official Public Records of Hays County, Texas.

EXHIBIT E

Table

Tract	Undivided Interest
One	15%
Two	1/6th
Three	1/4th
Four	1/4th

GRANTEE'S ADDRESS:

Evelyn E. Nicholson and Clifton Oswald, as
Trustees of the 2005 Irrevocable Trust For
Family of Audrey E. Oswald
P.O. Box 726
Kyle, Texas 78640

WHEN RECORDED RETURN TO:

E. Clark Lutz
Graves, Dougherty, Hearon & Moody, P.C.
P.O. Box 98
Austin, Texas 78767

**** Electronically Filed Document ****

Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2012-12036985
Recorded As : ELECTRONIC RECORDING

Recorded On: December 27, 2012
Recorded At: 11:06:31 am
Number of Pages: 7
Book-VI/Pg: Bk-OPR VI-4515 Pg-533
Recording Fee: \$36.00

Parties:

Direct- OSWALT AUDREY E
Indirect- OSWALT CLIFTON

Receipt Number: 323501
Processed By: Christina Rodriguez

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk

**** Electronically Filed Document ****

Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2012-12036985
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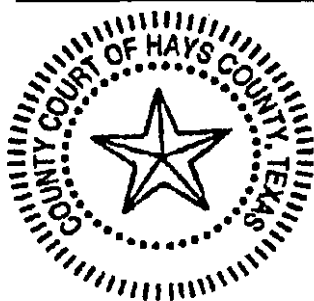
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Indirect- OSWALT CLIFTON

Receipt Number: 323501
Processed By: Christina Rodriguez

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

Liz Q. Gonzalez, County Clerk

SPECIAL WARRANTY DEED

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.

STATE OF TEXAS §
 § KNOWN ALL PERSONS BY THESE PRESENTS
 COUNTY OF HAYS §

That **Audrey E. Oswalt**, an individual residing in Hays County, Texas ("Grantor"), owns, occupies, and claims property other than the Properties (defined below) as the homestead of Grantor, for and in consideration of the receipt of partnership interests in the Grantee (defined below), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, CONTRIBUTED, and CONVEYED, and by these presents does GRANT, CONTRIBUTE, and CONVEY unto **Evelyn E. Nicholson and Clifton Oswalt**, as co-trustees of the **2005 Irrevocable Trust For Family of Audrey E. Oswalt** ("Grantee"), all of Grantor's undivided interest in the Properties in each of the tracts of land located in Hays County, Texas described on Exhibit A (the "Tract One Land"), Exhibit B (the "Tract Two Land"), Exhibit C (the "Tract Three Land"), and Exhibit D (the "Tract Four Land") together, (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties" and respectively "Tract One", "Tract Two", "Tract Three", and "Tract Four"). Grantor has set out her undivided interest in each of the Properties in the table attached hereto as Exhibit E (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of her interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantee and Grantee's successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hayes County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED AND DELIVERED on the 19th day of December, 2012.

SIGNATURE AND ACKNOWLEDGEMENT PAGE

GRANTOR:

Audrey E. Oswald
Audrey E. Oswald

GRANTEE:

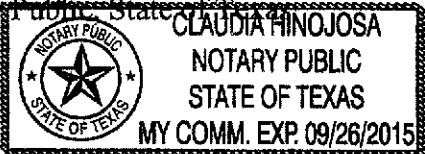
The 2005 Irrevocable Trust For Family
Of Audrey E. Oswald

By: Evelyn E. Nicholson
Evelyn E. Nicholson, Co-trustee

By: Clifton Oswald
Clifton Oswald, Co-trustee

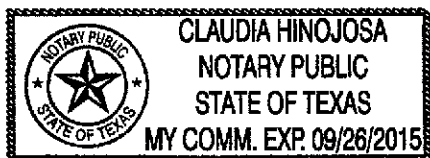
STATE OF TEXAS §
 §
COUNTY OF ~~TRAVIS~~ §
 HAYS

The foregoing instrument was acknowledged before me this 19th day of December, 2012, by Audrey E. Oswald.

Claudia Hinojosa
Notary Public, State of Texas


STATE OF TEXAS §
 §
COUNTY OF ~~TRAVIS~~ §
 HAYS

The foregoing instrument was acknowledged before me this 19th day of December, 2012, by Evelyn E. Nicholson and Clifton Oswald, as co-trustees of the 2005 Irrevocable Trust For Family of Audrey E. Oswald.



Claudia Hinojosa
Notary Public, State of Texas

EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

(1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,

(2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,

(3) any portion of said tracts that is within areas used, claimed or held as a public roadway, and

(4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas, and

(5) that certain tract of land stated to contain 0.739 acres conveyed to Hays County in Deed dated December 17, 2010, and recorded at Document No. 2010-10035140 of the Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

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SAVE and EXCEPT that certain tract of land stated to contain 0.963 acres conveyed to Hays County by General Warranty Deed dated July 7, 2010 and recorded at Document No. 2010-10023353 of the Official Public Records of Hays County, Texas.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Tract Three Land

A DESCRIPTION OF A CERTAIN 54.697 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 54.697 acres of land, more or less, being the remaining portion of a tract comprising 156.35 acres, more or less, called the First Tract in a deed conveyed by Ernest R. Griffin to Earl Gregg dated January 15, 1951, recorded at Volume 148, Page 624, of the Hays County Deed Records; and later conveyed by Frances S. Gregg, widow of Earl Gregg, to

A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in deed dated June 2, 1979, and recorded at Volume 327, Page 179 of the Hays County Deed Records;

LESS AND EXCEPT all acreage previously conveyed, including but not limited to the following:

(1) Warranty Deed dated October 25, 2004, to RH of Texas Limited Partnership, and recorded in Volume 2567, Page 514, of the Official Public Records of Hays County, Texas;

(2) Warranty Deed dated October 25, 2004, to Pulte Homes of Texas, LP, and recorded in Volume 2567, Page 467, of the Official Public Records of Hays County, Texas.

It is the intention of this property description to include all remaining acreage owned by A. W. Gregg Jr., Robie Lynn Gregg Robinson, Mary Evelyn Gregg Kinsala, and Audrey Elaine Gregg Oswalt in the First Tract, as described above, located on North Old Stagecoach Road and FM 150, and lying north of the Hometown Kyle Subdivision.

EXHIBIT D

Tract Four Land

A DESCRIPTION OF A CERTAIN 7.373 ACRE TRACT OF LAND SITUATED IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT 361 IN HAYS COUNTY, TEXAS:

Said 7.373 acres of land being a part of that certain 139.46 acre tract of land conveyed by Bernhard Kuhn *et ux* to Franklin Jordan *et ux* by Warranty Deed dated September 26, 1964, recorded in Volume 202 at Page 412 of the Hays County Deed Records;

Said 7.373 acres of land being the same tract designated as "Tract Two" conveyed by Franklin Jordan and Arthur C. Jordan to Ky-Tex Properties, Inc. as described in Warranty Deed dated November 17, 1972 recorded in Volume 254 at Page 848 of the Hays County Deed Records ("Tract Two" having been recited in said deed as containing 7.38 acres of land, but the actual contents of said tract having been found by resurvey to be 7.373 acres);

and said 7.373 acres of land being more particularly described by metes and bounds in that certain Warranty Deed dated as of December 31, 2001 from Ky-Tex Properties, Inc. to A. W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt, and recorded at Document No. 02003368, in Volume 1947, Page 42, of the Official Public Records of Hays County, Texas.

EXHIBIT E

Table

Tract	Undivided Interest
One	15%
Two	1/6th
Three	1/4th
Four	1/4th

GRANTEE'S ADDRESS:

Evelyn E. Nicholson and Clifton Oswald, as
Trustees of the 2005 Irrevocable Trust For
Family of Audrey E. Oswald
P.O. Box 726
Kyle, Texas 78640

WHEN RECORDED RETURN TO:

E. Clark Lutz
Graves, Dougherty, Hearon & Moody, P.C.
P.O. Box 98
Austin, Texas 78767

TRUSTEES' DISTRIBUTION DEED

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.

STATE OF TEXAS §
 § KNOWN ALL PERSONS BY THESE PRESENTS
COUNTY OF HAYS §

That Evelyn E. Nicholson and Clifton Oswalt, as Co-trustees of the 2005 Irrevocable Trust For Family of Audrey E. Oswalt ("Grantor"), as a distribution from such trust and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, DISTRIBUTED, and CONVEYED, and by these presents does GRANT, DISTRIBUTE and CONVEY, in equal undivided shares, unto Clifton Oswalt, Trustee of the Clifton Oswalt Trust under 2005 Trust Agreement, and Evelyn E. Nicholson, Trustee of the Evelyn E. Nicholson Trust under 2005 Trust Agreement ("Grantees"), all of Grantor's undivided interest in the Properties located in Hays County, Texas as described on the attached Exhibit A (the "Tract One Land") and Exhibit B (the "Tract Two Land"), together with (a) any and all improvements, rights and appurtenances belonging or pertaining thereto, (b) all rights, title interests of Grantor in and to any easements, leases, rights-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the respective tract of Land, and (c) all rights, title and interests of Grantor in and to all utilities, sewage treatment capacity and water rights and capacity, if any, to serve or which will serve the Land (collectively the "Properties").

Grantor has set out its undivided interest in each of the Properties in the table attached hereto as Exhibit C (the "Table"); however, if Grantor owns a greater undivided interest, then it is the intent hereof to convey all of Grantor's interest and not limit it to the interest set out.

TO HAVE AND TO HOLD, Grantor's undivided interest in the Properties unto Grantees and Grantees' successors and assigns forever, subject to the exceptions, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the undivided interest in the Properties unto Grantees and Grantees' successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise, and subject to any and all easements, covenants, leases, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Properties, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Hays County, Texas, or apparent on the Properties. Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED this 21 day of MAY, 2019.

SIGNATURE AND ACKNOWLEDGEMENT PAGE

GRANTOR:

Evelyn E. Nicholson
Evelyn E. Nicholson, Co-trustee of The 2005
Irrevocable Trust For Family of Audrey E. Oswalt

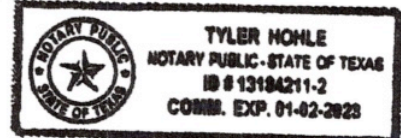
Clifton Oswalt
Clifton Oswalt, Co-trustee of The 2005
Irrevocable Trust For Family of Audrey E. Oswalt

STATE OF TEXAS §
§
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me this 28 day of MAY, 2019, by Evelyn E. Nicholson, as Co-trustee of The 2005 Irrevocable Trust For Family of Audrey E. Oswalt.

Tyler H. Mohle
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HAYS §



The foregoing instrument was acknowledged before me this 21st day of MAY, 2019, by Clifton Oswalt, as Co-trustee of The 2005 Irrevocable Trust For Family of Audrey E. Oswalt.

Garrett W. Grady
Notary Public, State of Texas



EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A. W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THERE FROM

(1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,

(2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,

(3) any portion of said tracts that is within areas used, claimed or held as a public roadway,

(4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas, and

(5) that certain tract of land stated to contain 0.739 acres conveyed to Hays County in Deed dated December 17, 2010, and recorded at Document No. 2010-10035140 of the Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

It is the intention of the parties hereto that the property conveyed hereby as the Tract Two Land consists of all of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J. M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

SAVE and EXCEPT that certain tract of land stated to contain 0.963 acres conveyed to Hays County by General Warranty Deed dated July 7, 2010 and recorded at Document No. 2010-10023353 of the Official Public Records of Hays County, Texas.

SAVE and EXCEPT that certain tract of land stated to contain 1.902 acres conveyed to the City of Kyle by Special Warranty Deed dated July 14, 2016 and recorded s Instrument No. 16023063 of the Official Public Records of Hays County, Texas.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.

EXHIBIT C

Table

Tract	Undivided Interest
One	15%
Two	1/6 th

Exhibit "C"

3472836.v1

GRANTEES' ADDRESSES:

Evelyn E. Nicholson, Trustee of the Evelyn E. Nicholson
Trust under 2005 Trust Agreement
7601 Hwy 71 W.
Austin, TX 78735

Clifton Oswalt, Trustee of the Clifton Oswalt Trust
under 2005 Trust Agreement
2637 Black Bear Drive
New Braunfels, TX 78132

WHEN RECORDED RETURN TO:

Patricia A. Campbell
Graves, Dougherty, Hearon & Moody, P.C.
P.O. Box 98
Austin, Texas 78767

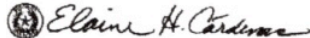
3472836.v1

THE STATE OF TEXAS

COUNTY OF HAYS

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

20006326 DEED
02/20/2020 01:33:14 PM Total Fees: \$47.00

 Elaine H. Cardenas

Elaine H. Cardenas, MBA, PhD, County Clerk
Hays County, Texas

**** Electronically Filed Document ****

Hays County Texas
Linda C. Fritsche
County Clerk

Document Number: 2009-90032469
Recorded As : ELECTRONIC RECORDING

Recorded On: December 18, 2009
Recorded At: 01:45:03 pm
Number of Pages: 5
Book-VI/Pg: Bk-OPR VI-3792 Pg-124
Recording Fee: \$29.25

Parties:
Direct- GREGG AUBREY WJR
Indirect- GREGG AUBREY WJR

Receipt Number: 235342
Processed By: Christina Rodriguez

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Linda C. Fritsche, County Clerk

AGREEMENT AS TO INTEREST IN REAL PROPERTY

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF HAYS §

This AGREEMENT dated the 17th day of December, 2009, by and between, EVELYN B. FRANKE, *a feme sole*, ROBIE LYNN GREGG ROBINSON, AUDREY ELAINE GREGG OSWALT, AUBREY W. GREGG, JR., and MARY EVELYN GREGG KINSALA of the County of Hays, State of Texas, hereinafter referred to as Owners, as follows:

RECITALS:

1. **WHEREAS**, Owners are the joint owners of approximately 37.234 acres of land, more or less, located in Hays County, Texas, being two tracts of land, as follows:

Tract 1: Being 10.274 acres of land, more or less, out of the John Jones Survey and the Walter M. Green Survey, Hays County, Texas and being a portion of that 47.52 acre tract of land formerly conveyed by W. A. Word to Aurel W. Franke as described in Warranty Deed dated November 1, 1962 recorded in Vol. 194 at Page 423, Hays County Deed Records.

Tract 2: Being 26.96 acres of land, more or less, being Lots 1 through 48 of the Woodridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Book 1, Page 271 of the Hays County Real Property Records.

together with all improvements, rights and appurtenances belonging or pertaining thereto (the "Property");

2. **WHEREAS**, a portion of the title to the Property is being currently shown in the Official Public Records of Hays County, Texas, as being in A.W. GREGG, who is now deceased;

3. **WHEREAS**, Owners desire to declare and confirm their agreement as to the proportionate undivided interest of each owner in the Property;

4. **WHEREAS**, each Owner owns, occupies, and claims property other than the Property as the respective homestead of such Owner. The undivided interest of each of the Owners in the Property is the sole and separate property and estate of each respective Owner.

NOW, THEREFORE, for and in consideration of confirming the property interests described herein and other and other valuable consideration, the Owners hereto agree as follows:

1. **THAT** Owners' respective undivided interests in the Property are as follows:

EVELYN B. FRANKE undivided 1/3rd interest
P. O. Box 236
Kyle, Texas 78640

ROBIE LYNN GREGG ROBINSON undivided 1/6th interest
1251 N. Old Stagecoach Rd.
Kyle, Texas 78640

AUDREY ELAINE GREGG OSWALT undivided 1/6th interest
P. O. Box 726
Kyle, Texas 78640-0726

AUBREY W. GREGG, JR. undivided 1/6th interest
1259 N. Old Stagecoach Rd.
Kyle, Texas 78640

MARY EVELYN GREGG KINSALA undivided 1/6th interest
P. O. Box 1600
Kyle, Texas 78640

2. That it is the intention of the Owners that the Property described as Tract 1 and Tract 2 herein consist of all of the Owners' interest in the remainder of the property originally described in deed recorded in Volume 194, Page 423 of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Agreement and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

This Agreement may be executed in multiple original counterparts and each of such counterparts with the respective acknowledgments, shall, for all purposes, be deemed to be an original, and, as such, be binding upon each person or party executing any counterpart, and the combined executed signature pages of the counterparts, when attached to one original counterpart, shall constitute the fully executed Agreement.

[Signature Page Follows]

EXECUTED this 9th day of December, 2009.

Evelyn B. Franke
EVELYN B. FRANKE

Robie Lynn Gregg Robinson
ROBIE LYNN GREGG ROBINSON

Audrey Elaine Gregg Goswalt
AUDREY ELAINE GREGG GOSWALT

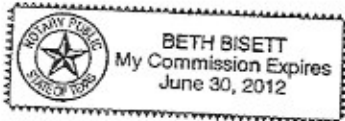
Aubrey W. Gregg, Jr.
AUBREY W. GREGG, JR.

Mary Evelyn Gregg Kinsala
MARY EVELYN GREGG KINSALA

THE STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on the 9th day of December, 2009 by EVELYN B. FRANKE.

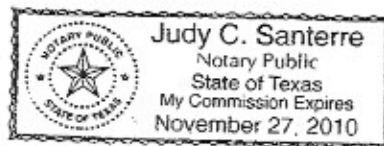


Beth Bisett
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 18th day of December, 2009, by ROBIE LYNN GREGG ROBINSON.

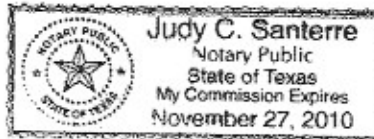
Judy C. Santerre
Notary Public, State of Texas



STATE OF TEXAS §
§
COUNTY OF HAYS §

This instrument was acknowledged before me on the 18th day of December, 2009, by AUDREY ELAINE GREGG OSWALT.

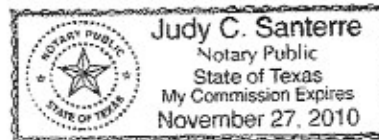
Judy C. Santerre
Notary Public, State of Texas



STATE OF TEXAS §
§
COUNTY OF HAYS §

This instrument was acknowledged before me on the 18th day of December, 2009, by AUBREY W. GREGG, JR.

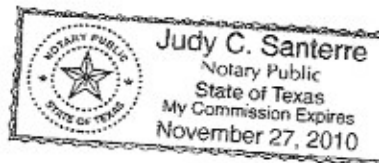
Judy C. Santerre
Notary Public, State of Texas



STATE OF TEXAS §
§
COUNTY OF HAYS §

This instrument was acknowledged before me on the 18th day of December, 2009, by MARY EVELYN GREGG KINSALA.

Judy C. Santerre
Notary Public, State of Texas



**AMENDED AND RESTATED
LIMITED AGENCY AGREEMENT**

This Limited Agency Agreement (this "Agreement") is entered into by and among Mary Gregg Kinsala ("Agent"), Kathryn Kinsala ("Co-Agent"), GAWLS Ltd., a Texas limited partnership, CR TWO Investments, Ltd., a Texas limited partnership, MKK Associates LP, a Texas limited partnership, Clifton Oswalt as Trustee of the Clifton Oswalt Trust, and Evelyn Nicholson as Trustee of the Evelyn Nicholson Trust (collectively, "Principals") on this 2nd day of August, 2020 (the "Effective Date").

RECITALS:

WHEREAS, the Agent and Principals, entered into that certain Limited Agency Agreement (the "Original Agreement"), effective as of August 2, 2019, under which Agent was appointed to perform the Agent Duties (as defined herein) until August 2, 2020; and

WHEREAS, Principals desire to amend and restate the Original Agreement in order to extend the duration of Agent's appointment and appoint a co-agent to serve if Agent is medically unable to carry out the Agent Duties.

NOW, THEREFORE, in consideration of the premises and the mutual agreements herein, the parties hereto agree to amend and restate the Original Agreement in its entirety as follows:

1. Agency.

(a) Principals hereby appoint Agent, and Agent hereby agrees, to carry out the Agent Duties (as defined below), subject to the terms, conditions and limitations set forth in this Agreement. Agent is hereby granted a power of attorney to perform on Principals' behalf the Agent Duties. This power of attorney is not affected by the subsequent disability, bankruptcy or incapacity of Principals.

(b) Principals hereby delegate as the duties of the Agent the negotiation and execution of listing agreements, contracts, addenda, and other documents routinely involved in the sale of property or entering into agricultural leases regarding those certain tracts of real property as described on Exhibits A and B attached hereto (the "Properties") SAVE AND EXCEPT the ability or duty to sign a conveyance or deed of any of the Properties, subject to the terms, conditions and limitations set forth in this Agreement (the "Agent Duties"). Agent shall have the following powers with respect to the Agent Duties:

(i) To manage the process of hiring independent brokers or realtors on an as-needed project basis for the listing and sale of the Properties.

(ii) To negotiate and enter into contracts, letters of intent, or other documentation, on behalf of Principals, pertaining to the sale of any of the Properties.

(iii) To negotiate and enter into contracts, leases or other

documentation, on behalf of the Principals, pertaining to agricultural leases of the Properties.

(iv) Agent may obtain assistance of accountants, appraisers, attorneys, technical experts, and other advisors for carrying out its duties hereunder.

(c) In carrying out the Agent Duties, Agent is authorized:

(i) To execute any instrument necessary to carry out the purposes of this Agreement;

(ii) To employ the professional services of accountants, attorneys, appraisers, managers, technical experts or real estate consultants and/or experts, and to delegate its duties hereunder to such third parties, subject to Agent's supervision and control.

(d) Notwithstanding anything to the contrary herein, Agent shall not, without prior written consent of the Principals or any Principal, as applicable to the ownership of the Properties:

(i) Execute any deed or other conveyance conveying any of Principals' interest in the Properties;

(ii) Lease or rent any Properties other than agricultural leases; or

(iii) Mortgage or otherwise encumber all or any part of the Properties or incur any indebtedness for borrowed money on behalf of Principals.

2. Income, Expenses. Agent shall not receive or collect any revenues from the Properties in Agent's accounts. Agent shall not pay any expenses in connection with collection of such revenue or the preservation of the Properties from Agent's accounts. The revenues from and expenses of the Properties shall be collected and paid directly to and from Principals' accounts, as applicable.

3. Term; Revocation:

(a) Unless otherwise revoked or terminated as addressed herein, this Agreement shall automatically terminate and be of no further force or effect on the date that is three (3) years from the Effective Date.

(b) This Agreement may be revoked, in whole or in part, at any time delivering to Agent a written revocation instrument signed by the Principals or any individual Principal as to their ownership in the Properties. The revocation instrument shall state whether the revocation is in full or in part, and if in part, shall specify the Agent Duties as to which this Agreement is partially revoked.

(c) Upon receipt of notice of revocation, the Agent's powers and duties as to the Agent Duties covered by the revocation instrument shall cease, and Agent shall convey and deliver all such Principal's property to the applicable Principal, and Agent shall execute and deliver any instruments necessary remove Agent from all accounts, contracts or contact lists related to the Agent Duties.

4. Resignation. Agent shall have the right to resign, effective as of the date of such resignation, by giving written notice to that effect to the Principals (or any individual Principal as to their applicable ownership in the Properties). Upon delivery of such notice of resignation, the Agent's powers and duties as to the Agent Duties covered by the resignation shall cease, and Agent shall convey and deliver all such Principal's property to the applicable Principal, and Agent shall execute and deliver any instruments necessary remove Agent from all accounts, contracts or contact lists related to the Agent Duties.

5. Third Parties Dealing With Agent.

(a) Any third parties dealing with Agent shall conclusively presume that this Agreement is in effect, unrevoked and unterminated by any of the events provided for in Section 3 above, and shall not be put on inquiry as to the continued existence of this Agreement, except by (a) actual written notice from Agent, Principals, or other source, or (b) constructive notice by instrument filed in the Public Records of Hays County, Texas.

(b) The purpose of this Section 5 is to avoid inconvenience and any expense to Principals by virtue of third parties requiring Principals' ratifications of this Agreement from time to time by virtue of the revocation and termination provisions in Section 3.

6. Co-Agent. Principals hereby appoint Kathryn Kinsala, and she hereby agrees, to serve as "Agent" subject to the terms, conditions and limitations set forth in this Agreement, in the event that Mary Gregg Kinsala becomes legally disabled or is otherwise medically unable to act (a "Medical Disability"). In accordance with the foregoing, the parties hereby agree that Co-Agent shall be deemed the Agent for any and all purposes under this Agreement in the event of any such Medical Disability. Any third party dealing with Co-Agent shall conclusively presume that Co-Agent is the Agent for purposes of this Agreement based solely on Co-Agent's representation of such.

7. Compliance with Laws. Agent shall comply with all laws, rules and ordinances of the United States and any applicable state or other governmental agency while performing the Agent Duties.

8. Binding Effect; Assignment. This Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors and assigns; provided, that Agent may not assign or otherwise transfer this Agreement, or any rights or obligations hereunder (including any of the Agent Duties), without the prior written consent of the Principals.

9. Notice of Agreement. A copy of this Agreement may be provided to any third party dealing with Agent in connection with the Agent Duties.

10. Counterparts. This Agreement may be executed electronically and in multiple counterparts, each of which shall be deemed an original and together shall constitute the same document.

11. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Texas without regard to conflicts of law provisions. The venue for any dispute, arising out of or related to this Agreement, shall be the state or federal courts located in Hays County, Texas.

12. No Waiver. No waiver, express or implied, by any party of any breach of any term, condition, or obligation of this Agreement shall be construed as a waiver of any subsequent breach of any term, condition or obligation of this Agreement of the same or similar nature.

13. Complete Understanding; Modification. This Agreement constitutes the complete and exclusive understanding and agreement of the parties hereto and supersedes all prior understandings and agreements, whether written or oral, with respect to the subject matter hereof. Any waiver, modification or amendment of any provision of this Agreement will be effective only if in writing and signed by the parties hereto.

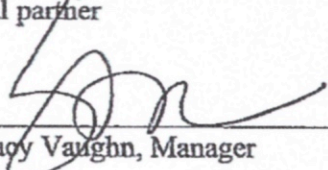
[Signature Page Follows.]

IN WITNESS WHEREOF, I have hereunto set my hand this the 24th day of July, 2020.

PRINCIPALS:

GAWLS Ltd., a Texas limited partnership

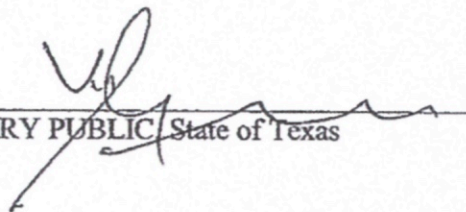
By: GAWLS Management LLC,
its general partner

By: 
Stacy Vaughn, Manager

STATE OF TEXAS §
 §
COUNTY OF Williamson §

This instrument was acknowledged before me by Stacy Vaughn in her capacity as Manager of GAWLS Management LLC, the general partner of GAWLS Ltd., on this the 24th day of July, 2020.




NOTARY PUBLIC State of Texas

IN WITNESS WHEREOF, I have hereunto set my hand this the 23RD day of July, 2020.

CR TWO Investments, Ltd., a Texas limited partnership

By: CR TWO Management, LLC,
its general partner

By: *Robin Robinson*
Robin Robinson, Manager

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Robin Robinson in her capacity as Manager of CR TWO Management, LLC, the general partner of CR TWO Investments, Ltd., on this the 23RD day of July, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



IN WITNESS WHEREOF, I have hereunto set my hand this the 23RD day of JULY, 2020.

MKK Associates LP, a Texas limited partnership

By: MKK Management LLC,
its general partner

By: Mary Gregg Kinsala, Manager
Mary Gregg Kinsala, Manager

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Mary Gregg Kinsala in her capacity as Manager of MKK Management LLC, the general partner of MKK Associates LP on this the 23RD day of JULY, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



IN WITNESS WHEREOF, I have hereunto set my hand this the 24th day of JULY, 2020.

Clifton Oswald Trust

By: *Clifton Oswald*
Clifton Oswald, Trustee

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Clifton Oswald in his capacity as trustee of the Clifton Oswald Trust on this the 24th day of JULY, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



IN WITNESS WHEREOF, I have hereunto set my hand this the 24th day of JULY, 2020.

Evelyn Nicholson Trust

By: Evelyn Nicholson
Evelyn Nicholson, Trustee

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Evelyn Nicholson in her capacity as trustee of the Evelyn Nicholson Trust on this the 24th day of JULY, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



IN WITNESS WHEREOF, I have hereunto set my hand this the 23RD day of JULY, 2020.

AGENT:

Mary Gregg Kinsala
Mary Gregg Kinsala

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Mary Gregg Kinsala, an individual, on this the 23RD day of JULY, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



IN WITNESS WHEREOF, I have hereunto set my hand this the 23rd day of JULY, 2020.

CO-AGENT:

Kathryn Kinsala
Kathryn Kinsala

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me by Kathryn Kinsala, an individual, on this the 23rd day of JULY, 2020.

Leslie Karole O'Pry
NOTARY PUBLIC, State of Texas



EXHIBIT A

Tract One Land

Being those two certain tracts of land referenced and described in deed to Alton Franke and A.W. Gregg dated October 3, 1974 recorded in Vol. 271 Page 300, Deed Records, Hays County, Texas as Tract One being 46.44 acres in the D. Downer Survey No. 22, Tract Two being 7.703 acres partially in the D. Downer Survey No. 22 and partially in the John King Survey No. 20, as corrected by Correction Deed recorded in Volume 371, Page 677 of the Deed Records of Hays County, Texas, both of said tracts being located in Hays County, Texas, reference to said deeds being made hereby for all purposes,

SAVE AND EXCEPT THEREFROM

- (1) that certain tract described as Lot 1 of North Branch Subdivision, Hays County, Texas according to the plat thereof recorded in Vol. 4 Page 51, Plat Records, Hays County, Texas and being the same property conveyed to Jerome P. Faskas in deed dated January 2, 1986 recorded in Vol. 572 Page 733 Deed Records, Hays County, Texas,
- (2) that certain tract of land stated to contain 0.783 acres in deed to the County of Hays dated March 7, 1996 recorded in Vol. 1214 Page 353 Deed Records, Hays County, Texas,
- (3) any portion of said tracts that is within areas used, claimed or held as a public roadway,
- (4) any portion of said tracts that have been conveyed to third parties by deed recorded on or before October 1, 2009 in the Deed Records or Official Public Records of Hays County, Texas, and
- (5) that certain tract of land stated to contain 0.739 acres conveyed to Hays County in Deed dated December 17, 2010, and recorded at Document No. 2010-10035140 of the Official Public Records of Hays County, Texas.

It is the intention of the parties hereto that the property conveyed hereby consist of all of Grantor's interest in the remainder of the property originally described in deed recorded in Volume 271, Page 300 as corrected in Volume 371, Page 677, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tracts parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways.

EXHIBIT B

Tract Two Land

All of Grantor's interest in the remainder of the 47.52 acre tract originally described in deeds recorded in Volume 194, Page 423, and subsequently in Volume 241, Page 813, of the Deed Records of Hays County, Texas, after there is excluded from the originally described tract those parcels that have been conveyed to third parties by deeds filed of record in the Deed Records and/or the Official Public Records of Hays County, Texas on or before the date of this Special Warranty Deed and excluding portions of the originally described property that are now within areas used, held or claimed as public roadways. The Tract Two Land is those two tracts of land described as being 11.21 acres in the John Jones Survey, Hays County, Texas and 36.31 acres in the J.M. Green Survey, Hays County, Texas as further described and referenced in deed to Alton Franke, Trustee dated February 1, 1971 recorded in Volume 241, Page 813 of the Deed Records of Hays County, Texas,

SAVE AND EXCEPT that certain 9.159 acre tract conveyed to Sac-N-Pac Stores, Inc. in Warranty Deed With Vendor's Lien dated May 20, 1999, and recorded at Document No. 9911898 of the Official Public Records of Hays County, Texas, and

SAVE AND EXCEPT any portions of said property lying within areas used, claimed or held as a public roadway.

SAVE and EXCEPT that certain tract of land stated to contain 0.963 acres conveyed to Hays County by General Warranty Deed dated July 7, 2010 and recorded at Document No. 2010-10023353 of the Official Public Records of Hays County, Texas.

SAVE and EXCEPT that certain tract of land stated to contain 1.902 acres conveyed to the City of Kyle by Special Warranty Deed dated July 14, 2016 and recorded s Instrument No. 16023063 of the Official Public Records of Hays County, Texas.

A portion of this Tract Two Land is sometimes called Lots 1 through 48 of the Wood Ridge Subdivision, Hays County, Texas, together with all interest in easements and roadways according to plat recorded in Volume 1, Page 271, of the Hays County Plat Records.



CITY OF KYLE, TEXAS

Discussion only regarding Planning and Zoning Commission request for future agenda items.

Meeting Date: 3/23/2021
Date time:6:30 PM

Subject/Recommendation: Discussion only regarding Planning and Zoning Commission request for future agenda items.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Staff Report

Meeting Date: 3/23/2021
Date time: 6:30 PM

Subject/Recommendation: Staff Report by Howard J. Koontz, Director of Planning and Community Development.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available