

CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING

Kyle City Hall, 100 W. Center Street, Kyle, TX 78640;
Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>

SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held in-person and 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. Some Planning and Zoning Commissioner's will be present in the chamber while others 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 August 10, 2021, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640; Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>, 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 6th day of August, 2021, prior to 6:30pm

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1. **Call Meeting To Order**
 2. **Roll Call**
 3. **Minutes**

A.Planning and Zoning Commission Meeting Minutes for June 22, 2021 (Special Called Meeting and Workshop).

4. Citizen Comments

A. Members of the public that wish to provide citizen comment have the following options:

1. In-Person at Kyle City Hall
2. Virtual Attendance - Submit the online registration form found at: <https://www.cityofkyle.com/bc/citizen-comment-sign>. Registration must be received by 12 p.m. on the day of the meeting.

5. Public Hearing

A. The Planning and Zoning Commission of the City of Kyle, Texas, will hold two public hearings for the purpose of receiving testimony, comments, and written evidence from the public regarding a comprehensive plan amendment to add Warehouse 'W' and Construction Manufacturing 'CM' Zoning Districts to the 'Regional Node' Land Use District in the Comprehensive Plan, in the City of Kyle, Texas. (Caraway Cattle Co. Family Partnership – Z-21-0087)

- Public Hearing (First of Two Public Hearings)

6. Consent

A.6 Creeks Phase 1, Section 8A - Final Plat (SUB-20-0144) 25.702 acres; 94 residential lots and 5 open space lots for property located west of N. Old Stagecoach Road, in Six Creeks Subdivision.

Staff Proposal to P&Z: Approve

B. Philomena Commercial - Final Plat - (SUB-21-0178) 36.40 acres; 3 commercial lots for property located at 601 Philomena Drive.

Staff Proposal to P&Z: Approve

C. Brookside Subdivision Phase 5A - Final Plat (SUB-21-0179) 1.942 acres; 18 residential lots, 1 drainage & access easement, 1 private park, PUSE & access easement located northeast of Ferrule Drive.

Staff Proposal to P&Z: Approved.

D. Opal Point at Kyle - Final Plat (SUB-21-0198) 16.1416 acres; 1 multi-family lot for property located at 141 Opal Lane.

Staff Proposal to P&Z: Approve

7. Consider and Possible Action

A. (Postponed on 6/8/21, 6/22/21 & 7/27/21) Consideration of Exception to Sec. 41-10(b)(c), City of Kyle Subdivision Code (Exception to requiring platting for 400, 402, 404 S. Burleson).

8. General Discussion

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

items.

9. Staff Report

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

10. Adjournment



CITY OF KYLE, TEXAS

Minutes

Meeting Date: 8/10/2021
Date time:6:30 PM

Subject/Recommendation: Planning and Zoning Commission Meeting Minutes for June 22, 2021 (Special Called Meeting and Workshop).

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- 2021 0622 - Special Called Minutes
- 2021 0622 - Workshop Minutes

SPECIAL CALLED MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a special called meeting on June 22, 2021, at 6:30 P.M. in a hybrid meeting with the following persons present:

Madam Chair, Michele Christie
Vice-Chair, Alex Guerra
Commissioner, Paul Scheibmeir
Commissioner, Megan McCall
Commissioner, Patricia Snidow
Commissioner, Brandon James
Commissioner, Matthew Chase
Planning Director, Howard J. Koontz
City Planner, William Atkinson
Planning Technician, Debbie A. Guerra

CALL MEETING TO ORDER

Madam Chair Christie called the meeting to order at 6:30 P.M.

ROLL CALL OF COMMISSION

Madam Chair Christie called for roll call. No one was absent.

CITIZENS COMMENTS

Madam Chair Christie opened the citizens comment period at 6:30 P.M. and called for comments on items not on the agenda or posted for public hearing. There were no comments. Madam Chair Christie closed the public hearing at 6:30 P.M.

CONSENT

6 CREEKS PHASE 1, SECTION 4A – FINAL PLAT (SUB-20-0133) 17.359 ACRES; 57 RESIDENTIAL LOTS; 2 OPEN SPACE LOTS FOR PROPERTY LOCATED WEST OF N. OLD STAGECOACH ROAD IN 6 CREEKS SUBDIVISION.

KYLE TOWNE CENTER REPLAT OF LOTS 2,8, 9, 10, 11 & 12 (SUB-21-0190) 6.837 ACRES; 7 COMMERCIAL LOTS LOCATED AT 18900 IH-35.

Commissioner Chase moved to approve the consent agenda. Vice-Chair Guerra seconds the motion. All votes aye. Motion carried.

CONSIDER AND POSSIBLE ACTION

CONSIDERATION OF EXCEPTION TO SECTION 41-10(B)(C), CITY OF KYLE SUBDIVISION CODE (EXCEPTION TO REQUIRING PLATTING FOR 400,402,404 S. BURLESON)

Madam Chair Christie moved to postpone this item until the July 27th meeting. Commissioner Snidow seconds the motion. All votes aye. Motion carried.

ADJOURN

With no further business to discuss, Commissioner Scheibmeir moved to adjourn. Commissioner McCall seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission regular called meeting adjourned at 6:34 P.M.

Prepared by Debbie A. Guerra

Madam Chair Michele Christie

WORKSHOP MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a workshop meeting on April 27, 2021, at 6:40 P.M. virtually with the following persons present:

Madam Chair, Michele Christie
Vice-Chair, Alex Guerra
Commissioner, Paul Scheibmeir
Commissioner, Megan McCall
Commissioner, Brandon James
Commissioner, Patricia Snidow
Commissioner, Matthew Chase
Planning Director, Howard J. Koontz
City Planner, William Atkinson
Planning Technician, Debbie A. Guerra

CALL MEETING TO ORDER

Madam Chair Christie called the meeting to order at 6:35 P.M.

ROLL CALL OF COMMISSION

Madam Chair Christie called for roll call. No one was absent.

CITIZENS COMMENTS

Madam Chair Christie opened the citizens comment period at 6:35 P.M. and called for comments on items not on the agenda or posted for public hearing. There were no comments. Madam Chair Christie closed the public hearing at 6:35 P.M.

GENERAL DISCUSSION

CONTINUED DISCUSSION REGARDING AMENDMENTS TO SECTION 41-146 (STREET LIGHTS).

Discussion only.

DISCUSSION OF PROPOSED SUBDIVISION, ZONING AND LANDSCAPE CODE AMENDMENTS.

- **SECTION 41-136 LOTS** - No edits.
- **SECTION 41-142 WATER AND WASTEWATER, (F) SEPTIC TANKS** - No edits.
- **SECTION 53-5 – DEFINITIONS** – No edits.
- **BUILDING ACRE** - No edits
- **MULTI-FAMILY RESIDENTIAL RESTRICTED** - Commissioner Snidow stated that the unit has to comply with FHA (Fair Housing Act), strike reference to FHA
- **TOWNHOUSE** - No edits.
- **SECTION 53-443 – PERMITTED USES** – No edits.

- **SECTION 54-5, NOTE 1** - No edits.
- **HEIGHT EXCEPTIONS AMENDMENT IN PLUM CREEK PUD AND SECTION 53-1047 (OUTSIDE PLUM CREEK PUD)** - Plum Creek PUD (f) remove “human consumption” and replace with occupation.

ADJOURN

With no further business to discuss, Commissioner Scheibmeir moved to adjourn. Vice-Chair Guerra seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission workshop meeting adjourned at 7:55 P.M.

Prepared by Debbie A. Guerra

Madam Chair Michele Christie



CITY OF KYLE, TEXAS

Citizen Comment Information

Meeting Date: 8/10/2021

Date time:6:30 PM

Subject/Recommendation: Members of the public that wish to provide citizen comment have the following options:

1. In-Person at Kyle City Hall
2. Virtual Attendance - Submit the online registration form found at:
<https://www.cityofkyle.com/bc/citizen-comment-sign>. 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

Comprehensive Plan Amendment
(Caraway Cattle Co. Family
Partnership – Z-21-0087)

Meeting Date: 8/10/2021
Date time: 6:30 PM

Subject/Recommendation: The Planning and Zoning Commission of the City of Kyle, Texas, will hold two public hearings for the purpose of receiving testimony, comments, and written evidence from the public regarding a comprehensive plan amendment to add Warehouse 'W' and Construction Manufacturing 'CM' Zoning Districts to the 'Regional Node' Land Use District in the Comprehensive Plan, in the City of Kyle, Texas. (Caraway Cattle Co. Family Partnership – Z-21-0087)

- Public Hearing (First of Two Public Hearings)

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- Ordinance
- Ordinance Exhibit Redlined
- Summary Letter
- Landowner Authorization Letter
- Deed Except .25-Acre Homestead
- Deed of .25-Acre Homestead
- Land Use Districts Map



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Will Atkinson – City Planner

DATE: Tuesday, August 10, 2021

SUBJECT: Comprehensive Plan Amendment – Regional Node Land Use District (Z-21-0087)

Request

A client has come forward to the city with a request to include both the “Warehouse (W) and “Construction/Manufacturing” (C/M) zoning districts to the “Regional Node” land use district. This request is for both zoning districts to be “Recommended” in the “Regional Node” as shown on the 2010 Comprehensive Plan (as amended) and would apply to all “Regional Nodes” across the city. The applicant does have a parcel under contract that would partially fall into the “Regional Node”. The client has made a request of staff to initiate a text amendment to the Comprehensive Plan to allow the city to consider the assignment of the “W” and “C/M” zoning districts in the “Regional Node, to be able to request applicable zoning as the following step in development of the site. This will also coincide with the City initiated city-wide amendments to the 2010 Comprehensive Plan, and support a similar proposed amendment by staff and the Planning & Zoning Commission.

City Charter Comprehensive Plan Ordinance

Sec. 10.03. - Comprehensive Plan Adoption and Amendment.

“The comprehensive plan, or elements or portions thereof, shall be initially prepared and drafted by personnel and/or consultants authorized by the council, under the supervision of the city manager who shall coordinate development of the plan with the planning commission and the council. A draft of the comprehensive plan shall be submitted to the planning commission which shall hold a minimum of two public hearings on such plan and make recommendations for the approval of the plan, with or without amendments. The planning commission shall then forward the proposed comprehensive plan or element or portion thereof to the city manager, who shall thereupon submit such plan, or element or portion thereof, to the council with the planning commission's and the city

manager's recommendations thereon. If the proposed comprehensive plan has not been adopted within two years from the effective date of this charter, the proposed plan as it then exists will automatically become the City's comprehensive plan.

“The council may adopt, or adopt with changes or amendments, the proposed comprehensive plan or any element or portion thereof, after one or more public hearings. The council shall act on such plan, element or portion thereof, within ninety (90) days following its submission. If such plan or element or portion thereof is not adopted by the council, the council shall, with policy direction, return such plan or element thereof to the planning commission, which may modify such plan or element or portion thereof, and again forward it to the city manager for submission in like manner to the council. Amendments to the comprehensive plan may be initiated by the council, the planning commission, or the city manager; provided that all amendments shall be reviewed, considered and recommended for adoption in the same manner as for the original adoption of the comprehensive plan.

“Upon the adoption of a comprehensive plan or element or portion thereof by the council, all land development regulations including zoning and map, subdivision regulations, roadway plan, all public improvements, public facilities, public utilities projects and all city regulatory actions relating to land use, subdivision and development approval shall be consistent with the comprehensive plan, element or portion thereof as adopted, except to the extent, if any, as provided by law. For purposes of clarity, consistency and facilitation of comprehensive planning and land development process, the various types of local regulations or laws concerning the alteration, development and use of land may be combined in their totality in a single ordinance or code.”

Comprehensive Plan Text

Regional Node

“Recommended: R-1-C, R-3-2, R-3-3, CC, NC, R/S, MXD

“Conditional: CBD-1, CBD-2, E, HS, R-3-1, O/I

Regional Node

‘Character’: Regional Nodes should have regional scale retail and commercial activity complimented by regional scale residential uses. These Nodes should represent the character and identity of Kyle, and signal these traits to the surrounding community. Regional Nodes have a radius of approximately 1/3 of a mile so that they are walkable, but are able to contain a greater range of uses at a larger scale than those found in Local Nodes. Appropriate uses may include grocery stores, retail shopping centers, multi-family housing, and municipal services, such as libraries and recreation centers. Regional Nodes are scaled and designed as activity centers where users not only secure goods and services, but also congregate and remain for extended periods, unlike Local Nodes which are designed around quick turnaround convenience retail. The

Regional Nodes located along I-35 at the northern and southern boundaries of Kyle should be designed as entryways into Kyle with elements that are symbolic of Kyle and serve to attract I-35 travelers into Kyle. Transitions between Regional Nodes and surrounding districts must be carefully constructed to avoid abrupt shifts in land uses. Trails and sidewalks should be present throughout all Regional Nodes and should connect to surrounding neighborhoods.

'Intent': The primary goal of the Regional Nodes is to capture commercial opportunities necessary to close Kyle's tax gap. To achieve this goal, these Nodes should draw down upon anticipated regional growth and aggregate density to enhance value and activity levels in a concentrated and visible location. Regional Nodes should provide a mixture of uses that compliments regional commercial activity, as well as encourage high density residential development. These Nodes should respond to other regional areas of growth, specifically along I-35 and FM 1626, and to grow toward Hwy 21, SH 45 and SH 130. The anchor of each Regional Node should be regional commercial uses, and Regional Nodes should have a high level of development intensity.

Analysis

Earlier this year, interested parties approached development staff to construct warehouse and light industrial facilities on a specific property along IH-35. Staff informed them they could not yet request such a rezoning, as the zoning districts of both "Warehouse" and "Construction/Manufacturing" could not be built along IH-35 or in the "Regional Node" land use district. Both zoning districts were removed in the 2017 update to the 2010 Comprehensive Plan. Staff, with coordination of the Planning & Zoning Commission, are now recommending adding both zoning district back into the "Regional Node", though to be considered "conditionally".

Staff let the applicant know the city-wide update to the comprehensive plan would be in the fall of 2021. Due to contractual deadlines between the applicant and the property owner, the applicant asked staff if they could request this amendment to separately, to speed up the process. Staff agreed, and we present this request to you as written.

Within the last two or three years, there's been significant interest in developing large scale logistics, warehousing and light industrial space. This is happening across the region and the City of Kyle is no exception.

The "Regional Node" is found at major intersections and flanks both sides of IH-35 within most of the city limits. This also happens to coincide with developers wanting to construct warehousing/logistics centers, primarily due to the high capacity roads and better infrastructure typically found within the Regional Nodes.

Over the last year Planning staff and the Planning & Zoning Commission have worked together to draft recommend updates to the 2010 Comprehensive Plan. One such update, was to include the "Warehouse" and "Construction/Manufacturing" zoning districts into the "Regional Node". Staff generally supports this change, especially given the soaring demand for logistics and warehousing, but the City of Kyle should not necessarily place

both zoning district under “Recommended”. City leaders should be able to consider rezoning applications for both zoning districts; however, it is incumbent upon the city to be somewhat judicious where they are allowed. It is not always appropriate to have a large-scale logistics or light industrial facility at a major intersection.

Staff believes allowing the “Warehouse” and “Construction/Manufacturing” zoning districts as “Conditional” is a better amendment to the comprehensive plan, verses the applicant’s request to be “Recommended”.

***The first meeting considering this amendment, on August 10, 2021, will be a public hearing only, with no presentations or discussion on the amendment.**

RECOMMENDATION

Staff has reviewed the request and supports including both the “W” and “C/M” zoning districts as “Conditional” in the “Regional Node”. Staff further suggests the Planning & Zoning Commission vote to recommend the change to the Mayor & City Council.

ATTACHMENTS

1. Ordinance
2. Ordinance Exhibit - Redlined
3. Summary Request Letter
4. Landowner Authorization Letter
5. Deed Except .25-Acre Homestead
6. Deed of .25-Acre Homestead
7. Current Land Use District Map

ORDINANCE _____

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ADOPTING AN AMENDMENT TO THE CITY’S 2010 COMPREHENSIVE PLAN; PROVIDING FOR THE AMENDMENT OF THE PLAN BY INCLUDING THE WAREHOUSE - “W” AND CONSTRUCTION/MANUFACTURING - “C/M” ZONING DISTRICTS IN THE REGIONAL NODE LAND USE DISTRICT; PROVIDING FOR RELATED MATTERS

WHEREAS, it is necessary and reasonable for the City of Kyle, Texas, a Texas home rule municipality, (herein the “City”) to provide for, modify and amend a Comprehensive Plan for the City in accordance with Chapters 211 and 213 of the Texas Local Government Code and the City Charter;

WHEREAS, the City in anticipation of growth and expansion desires to plan for the orderly and efficient growth of the City;

WHEREAS, the City desires to facilitate the lessening of congestion in the streets; the securing of its citizens and visitors from fire, panic and other dangers; the promotion of the general health and welfare; the provision of adequate light and air, the prevention of the overcrowding of property and undue concentration of populations; and the adequate provision of transportation, water, sewers, schools, parks and other public requirements;

WHEREAS, the City recognizes that the existing Comprehensive Plan contains data that needs to be reviewed and updated where appropriate, commiserate with the City’s growth and expansion in both population and land area;

WHEREAS, the Planning and Zoning Commission, after conducting two (2) Public Hearings, recommended adoption of an update to the existing Comprehensive Plan; and,

WHEREAS, after and additional Public Hearing, review, inquiry and the opportunity for the public to give testimony and present written evidence at Public Hearings, and after review and recommendation by the Planning and Zoning Commission, the City Council has found the amendment of the Comprehensive Plan hereinafter set forth and listed in this ordinance is reasonable and necessary for the public health, safety, morals and welfare;

WHEREAS, the City Council has determined adding both the Warehouse – “W” and Construction/Manufacturing – “C/M” zoning districts to the Regional Node Land Use District, as a conditional zoning district, to be correct (Exhibit “A”).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Comprehensive Plan. Having held a Public Hearing and after receiving a recommendation from the Planning and Zoning Commission, the City Council hereby adopts and approves this Amendment to the Comprehensive Plan spread upon the minutes of this meeting. The

Comprehensive Plan shall be kept in the office of the City Secretary and shall be available for public inspection during normal office hours. Zoning uses, as amended from time to time at the request of the landowner or on motion of the City, shall be amended to be made consistent with the Comprehensive Plan. The City may further amend the Comprehensive Plan at the discretion of the City Council to plan for the changing plans of the City.

Section 3. Repeal of Comprehensive Plan. Portions of the existing Comprehensive Plan are repealed, to be replaced with text and renderings as indicated in Attachment 'A'.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this ____ day of _____, 20 __.

ATTEST:

**THE CITY OF KYLE,
TEXAS**

Jennifer Holm, City Secretary

Travis Mitchell, Mayor

Exhibit A

Landuse Recommendations from the 2017 Comp Plan

With updates from Ordinances #654, #794, #950 & 2019 & 2021

Farm Landscape	Recommended: A, UE Conditional: R-1-1, NC <u>Conditional by Development Agreement</u> <ul style="list-style-type: none">Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Ranch Landscape	Recommended: A, UE Conditional: R-1-1, NC <u>Conditional by Development Agreement</u> <ul style="list-style-type: none">Blanco North: R-1-1, R-3-3, R/SBlanco Central/West: R-1-2, R-3-3, R/SBlanco South: R-1-2, R-3-3, R/S
Riparian Landscape	Recommended: A, UE Conditional: R-1-1 <u>Conditional by Development Agreement</u> <ul style="list-style-type: none">Blanco North: R-1-1, R-3-3, R/SBlanco Central/West: R-1-2, R-3-3, R/SBlanco South: R-1-2, R-3-3, R/SPecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Original Town District	Recommended: CBD-1, CBD-2, R-1-T, NC, CC E, MXD Conditional: R-1-A, R-1-3, R-1, R-2, R-3-2, R-3-3, R/S
Core Area Transition	Recommended: E, R/S, CC, NC, MXD, O/I, Conditional: HS, R-1-A, R-1-T, R-1-C, R-3-2, R-3-3
East Settlement	Recommended: R-1-1, R-1-2, UE Conditional: R-1-3, R-2, R-1-C, R-1-A, NC, CC, R-1-T, M-1, M-2, M-3, T/U, MXD, R/S
Historic Core Area	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, R/S, MXD <u>Conditional by Development Agreement</u> <ul style="list-style-type: none">Blanco South: R-1-2, R-3-3, R/S

Mid-Town District	<p>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</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-3-3, R/S
New Settlement	<p>Recommended: O/I Conditional: 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, R/S, W</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco South: R-1-2, R-3-3, R/S • Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
New Town District	<p>Recommended: R-1-1, R-1-2, R-1-3, R-1-C, R-1-T, R-2, R-3-2, R-3-3, CC, NC, R/S, MXD, O/I Conditional: E, A, C/M, R-1-A, R-3-1, RV, T/U, UE, HS, W, M-2, M-3</p>
Transitional Settlement District	<p>Recommended: R-1-1, A, C/M, UE Conditional: R-1-2, R-1-3, R-1-A, R-1-C, R-1-T, R-2, R-3-1, R-3-2, R-3-3, W, NC, CC, HS, E, M-2, M-3, R/S, RV, T/U</p>
Sensitive/Sustainable Development	<p>Recommended: A, UE Conditional: R-1-1, R-1-2, R-1-A, R-2, R-1-T, R-3-3, T/U, NC, R/S</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-1-2, R/S • Blanco Central/West: R-1-2, R-3-3, R/S • Blanco South: R-1-2, R-3-3, R/S
Heritage District:	<p>Recommended: A, R-1-1, R-1-2, UE, NC Conditional: C/M, E, M-2, M-3, R-1-3, R-1-A, R-1-T, R-2, R-3-1, R/S, RV, T/U, W, CC</p>
Local Node	<p>Recommended: R-1-C, R-3-2, R-3-3, CC, NC, MXD Conditional: R-1-T, R-3-1, R/S</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-1-2, R/S • Blanco Central/West: R-1-2, R-3-3, R/S
Regional Node	<p>Recommended: R-1-C, R-3-2, R-3-3, CC, NC, R/5, MXD Conditional: CBD-1, CBD-2, E, HS, R-3-1, O/I, W, C/M</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Super Regional Node	<p>Recommended: E, HS, R-3-2, R-3-3, R/S, MXD, O/I Conditional:</p>

Exhibit A

Landuse Recommendations from the 2017 Comp Plan

With updates from Ordinances #654, #794, #950 & 2019 & 2021

Farm Landscape	Recommended: A, UE Conditional: R-1-1, NC
	<u>Conditional by Development Agreement</u> <ul style="list-style-type: none">• Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Ranch Landscape	Recommended: A, UE Conditional: R-1-1, NC
	<u>Conditional by Development Agreement</u> <ul style="list-style-type: none">• Blanco North: R-1-1, R-3-3, R/S• Blanco Central/West: R-1-2, R-3-3, R/S• Blanco South: R-1-2, R-3-3, R/S
Riparian Landscape	Recommended: A, UE Conditional: R-1-1
	<u>Conditional by Development Agreement</u> <ul style="list-style-type: none">• Blanco North: R-1-1, R-3-3, R/S• Blanco Central/West: R-1-2, R-3-3, R/S• Blanco South: R-1-2, R-3-3, R/S• Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Original District	Town Recommended: CBD-1, CBD-2, R-1-T, NC, CC E, MXD Conditional: R-1-A, R-1-3, R-1- R-2, R-3-2, R-3-3, R/S
Core Area Transition	Recommended: E, R/S, CC, NC, MXD, O/I, Conditional: HS, R-1-A, R-1-T, R-1-C, R-3-2, R-3-3
East Settlement	Recommended: R-1-1, R-1-2, UE Conditional: R-1-3, R-2, R-1-C, R-1-A, NC, CC, R-1-T, M-1, M-2, M-3, T/U, MXD, R/S
Historic Core Area	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, R/S, MXD
	<u>Conditional by Development Agreement</u> <ul style="list-style-type: none">• Blanco South: R-1-2, R-3-3, R/S

Mid-Town District	<p>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</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-3-3, R/S
New Settlement	<p>Recommended: O/I Conditional: 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, R/S, W</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco South: R-1-2, R-3-3, R/S • Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
New Town District	<p>Recommended: R-1-1, R-1-2, R-1-3, R-1-C, R-1-T, R-2, R-3-2, R-3-3, CC, NC, R/S, MXD, O/I Conditional: E, A, C/M, R-1-A, R-3-1, RV, T/U, UE, HS, W, M-2, M-3</p>
Transitional Settlement District	<p>Recommended: R-1-1, A, C/M, UE Conditional: R-1-2, R-1-3, R-1-A, R-1-C, R-1-T, R-2, R-3-1, R-3-2, R-3-3, W, NC, CC, HS, E, M-2, M-3, R/S, RV, T/U</p>
Sensitive/Sustainable Development	<p>Recommended: A, UE Conditional: R-1-1, R-1-2, R-1-A, R-2, R-1-T, R-3-3, T/U, NC, R/S</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-1-2, R/S • Blanco Central/West: R-1-2, R-3-3, R/S • Blanco South: R-1-2, R-3-3, R/S
Heritage District:	<p>Recommended: A, R-1-1, R-1-2, UE, NC Conditional: C/M, E, M-2, M-3, R-1-3, R-1-A, R-1-T, R-2, R-3-1, R/S, RV, T/U, W, CC</p>
Local Node	<p>Recommended: R-1-C, R-3-2, R-3-3, CC, NC, MXD Conditional: R-1-T, R-3-1, R/S</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Blanco North: R-1-1, R-1-2, R/S • Blanco Central/West: R-1-2, R-3-3, R/S
Regional Node	<p>Recommended: R-1-C, R-3-2, R-3-3, CC, NC, R/5, MXD Conditional: CBD-1, CBD-2, E, HS, R-3-1, O/I, W, C/M</p> <p><u>Conditional by Development Agreement</u></p> <ul style="list-style-type: none"> • Pecan Woods: R-1-1, R-1-2, R-1-A, R-1-T, R-1-C, R-2, R-3-1, R-3-2, R-3-3, MXD, R/S, NC, CC
Super Regional Node	<p>Recommended: E, HS, R-3-2, R-3-3, R/S, MXD, O/I Conditional:</p>

DRENNER GROUP

Amanda Swor
direct dial: (512) 807-2904
aswor@drennergroupp.com

July 15, 2021

Mr. Howard J. Koontz
City of Kyle
100 W. Center Street
Kyle, TX 78640

Via Electronic Delivery

Re: Alliance – Caraway Tract Comprehensive Plan Amendment – Comprehensive Plan Amendment application City-wide, for the 101.84-acre piece of property located at the northeast corner of Interstate Highway 35 and Bebee Road in the City of Kyle, Hays County, Texas (the “Property”)

Dear Mr. Koontz:

As representatives of the owner of the Property, we respectfully submit the enclosed Comprehensive Plan Amendment application package. In anticipation of our project, titled Alliance – Caraway Tract, which consists of 101.84 acres, and is located at the northeast corner of Interstate Highway 35 and Bebee Road, this Comprehensive Plan Amendment requests the Use Qualification as either Conditional or Recommended for both Zoning Categories Warehouse (W) and Construction/Manufacturing (C/M) within the Regional Node. Please note, this request would not be limited to the Property, but in fact would be applicable City-wide for any Regional Node.

See table below with proposed change for reference.

Zoning Category	Abbreviation	Use Qualification
Agricultural District	A	Not Recommended
Central Business District 1	CBD-1	Conditional
Central Business District 2	CBD-2	Conditional
Construction/Manufacturing	C/M	Not Recommended
Entertainment	E	Conditional
Hospital Services	HS	Conditional
Manufactured Home	M-1	Not Recommended
Manufactured Home Subdivision	M-2	Not Recommended
Manufactured Home Park	M-3	Not Recommended
Single-family Residential 1	R-1-1	Not Recommended
Single-family Residential 2	R-1-2	Not Recommended
Single-family Attached	R-1-A	Not Recommended
Residential Condominium	R-1-C	Recommended
Residential Townhouse	R-1-T	Not Recommended
Residential Two-family	R-2	Not Recommended
Multi-family Residential 1	R-3-1	Conditional
Multi-family Residential 2	R-3-2	Recommended
Apartments Residential	R-3-3	Recommended
Retail/Service	R/S	Recommended
Recreational Vehicle Park	RV	Not Recommended
Transportation/Utilities	T/U	Not Recommended
Urban Estate District	UE	Not Recommended
Warehouse	W	Not Recommended

If this application is approved, the Developer for the Project, Alliance Industrial Company and Alliance Residential Company will move forward with an Annexation Application, a Zoning Application, and all following permits to ensure a quality development that meets a need in the City of Kyle.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

Amanda Swor

cc: William A. Atkinson, City Planner (via electronic delivery)
Debbie A. Guerra, Planning Technician (via electronic delivery)

Representative Name: Amanda Swor, Drenner Group

Representative Address: 200 Lee Barton Drive, Suite 100, Austin, Texas 78704

Representative Phone: 512-807-2904

Representative Email: aswor@drennergroupp.com

Representative's Signature:  Date: 06/29/2021

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2012 12037123

Instrument Number: 2012-12037123

As

Recorded On: December 28, 2012

OPR RECORDINGS

Parties: CARAWAY JACK W

Billable Pages: 7

To CARAWAY CATTLE COMPANY FAMILY PARTNERSHIP

Number of Pages: 8

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

OPR RECORDINGS	40.00
Total Recording:	40.00

***** DO NOT REMOVE. 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.

File Information:

Document Number: 2012-12037123
Receipt Number: 323620
Recorded Date/Time: December 28, 2012 08:33:40A
Book-Vol/Pg: BK-OPR VL-4516 PG-661
User / Station: L Curry - Cashering #1

Record and Return To:

LUANNE CARAWAY
301 BEBEE RD
KYLE TX 78640



State of Texas |
County of Hays

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

SPECIAL WARRANTY DEED

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

§

COUNTY OF HAYS

§

That **JACK W. CARAWAY and LUANNE CARAWAY**, married individuals (jointly referred to herein as "Grantor"), 301 Bebee Road, Kyle, Texas 78640, in consideration of the sum of ten dollars and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, DOES HEREBY GIVE, ASSIGN, TRANSFER and CONVEY unto the **CARAWAY CATTLE COMPANY FAMILY PARTNERSHIP LLLP** ("Grantee"), 301 Bebee Road, Kyle, Texas 78640, all of Grantor's right, title and interest in and to all that certain land situated in Hays County, Texas, and described on the attached **Exhibit "A"**, together with all appurtenances thereon or in anywise appertaining thereto and all buildings, structures, and fixtures and improvements located thereon (said land, improvements and appurtenances being herein together referred to as the "Property"), save and except (i) that certain house and surrounding .25 acres described in the Hays Central Appraisal District Records as being located at 301 BeBee Road, Kyle Texas (A0026 Thomas G. Allen Survey (.25 AC HS)); and (ii) that portion of land conveyed by Grantor to the County of Hays by Deed dated and filed in the Hays County records on February 12, 1996, attached hereto as **Exhibit "B"**.

This conveyance is made subject to (a) validly existing and enforceable rights, interests and estates of third parties in connection with any item of record in the office of the County Clerk of Hays County, Texas, if any do in fact exist, and only to the extent that same do in fact exist, and are applicable to the Property; (b) the rights of parties in possession of the Property; (c) any discrepancies, conflicts or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements; (d) ad valorem taxes assessed against the Property for the calendar year in which this conveyance becomes effective; (e) any existing debts and encumbrances against the Property; and (f) any existing easements or outstanding mineral or royalty interests.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's heirs, legal representatives, successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's heirs, legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's heirs, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through or under Grantor, but not otherwise, and subject, however, as aforesaid.

For the same consideration, Grantor hereby GIVES, ASSIGNS, TRANSFERS and CONVEYS, without warranty, express or implied, all interest, if any, of Grantor in (a) strips or gores, if any, between the Property and abutting properties, and (b) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Property

Jack W. Caraway
Jack W. Caraway

Luanne Caraway
Luanne Caraway

STATE OF TEXAS
COUNTY OF HAYS

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BEFORE ME, the undersigned a Notary Public, in and for said County and State, on this 28 day of December, 2012, personally appeared JACK W. CARAWAY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such instrument was executed for the purposes and consideration therein expressed.

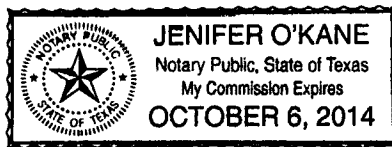


Jenifer O'Kane
Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

STATE OF TEXAS
COUNTY OF HAYS

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BEFORE ME, the undersigned a Notary Public, in and for said County and State, on this 28 day of December, 2012, personally appeared LUANNE CARAWAY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such instrument was executed for the purposes and consideration therein expressed.



Jenifer O'Kane
Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

EXHIBIT "A"

BEING 31.5 acres out of the Thomas G. Allen Survey and 72.58 acres out of the Dan Downer Survey, Hays County, Texas, being a portion of that tract of land conveyed to Cleo T. Caraway et ux. by E. B. Moore et ux. by deed dated January 27, 1942, and recorded in Volume 123, Page 494, Hays County Deed Records.

BEGINNING at an iron stake set at the intersection of the East right-of-way line of Interstate Highway #35 with the North line of a County Road, as fenced and used upon the ground, and from which a concrete monument bears S. 32° 10' W. 1723.84 feet, said iron stake being the most Westerly corner of the tract herein described;

THENCE leaving the North line of the said County Road, with the East right-of-way line of the said Interstate Highway #35, the following courses numbered (1) through (3):

- (1) N. 32° 10' E., at about 1777.5 feet passing the Northeast line of the said Downer Survey, same being the Southwest line of the said Allen Survey, and continuing on in all 3091.85 feet to a concrete monument found for angle point,
- (2) N. 53° 17' E. 106.67 feet,
- (3) N. 33° 17' E, 280.10 feet to an iron stake found at base of corner fence post for the most Northerly corner of the tract herein described, same being a Southwest corner of that tract of 204.5 acres of land conveyed to Ida Hill, widow, by Adolf Hill et al. by deed dated August 16, 1957, and recorded in Volume 171, Page 636, Hays County Deed Records;

THENCE leaving Interstate Highway #35, with fence and the West line of the said Hill 204.5 acre tract, the following courses numbered (4) through (10):

- (4) S. 16° 10' E. 746.28 feet to an iron stake found at base of fence post,
- (5) S. 17° 47' W. 610.42 feet to an iron stake found at base of fence post,
- (6) S. 00° 56' W. 567.95 feet to an iron stake found at base of fence post,
- (7) S. 23° 39' E., at about 958 feet passing the said Southwest line of the Allen Survey and the North line of the said Downer Survey and continuing on in all 1009.54 feet to an iron stake found at base of fence post,
- (8) S. 17° 47' E. 1004.15 feet to an iron stake found at base of fence post,
- (9) S. 24° 17' W. 238.01 feet to a fence post,
- (10) S. 73° 39' W. 24.92 feet to an iron stake found at base of corner fence post in the North line of the aforementioned County Road for the Southeast corner of the tract herein described;

THENCE leaving the said Hill 204.5 acre tract, with the North line of the said County Road, as fenced and used upon the ground, N. 67° 00' W. 2702.27 feet to the place of beginning, containing 104.08 acres of land.

Exhibit "B"

DEED DOCH 394612

12037123 Bk Vol Pg
OPR 4516 665

1206,472

THE STATE OF TEXAS)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HAYS

THAT JACK W. CARAWAY and wife, LUANNE CARAWAY

of the County of HAYS State of Texas, hereinafter referred to as Grantors, whether one or more, for and consideration of the sum of EIGHTEEN THOUSAND, FOUR HUNDRED AND FORTY AND NO/100 DOLLARS - - - - - (\$18,440.00) to Grantors in hand paid by the County of Hays, acting by and through the Hays County Commissioners Court, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day sold and by these presents do grant, bargain, sell and convey unto the County of Hays all that certain tract or parcel of land in Hays County, Texas more particularly described in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the property described in said Exhibit "A" to-wit:

one fence

Grantors covenant and agree to remove the above-described improvements from said land by March 31, 1996, subject, however, to such extensions of time as may be granted by the County in writing; and if, for any reason, grantors fail or refuse to remove same within said period of time prescribed, then without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the County of Hays forever.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the Title and rights of the County to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging unto the County of Hays and its assigns forever; and Grantors do hereby bind ourselves, our heirs and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the said premises conveyed herein unto the County of Hays and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 12th day of February, 1996.

Jack W. Caraway Luanne Caraway

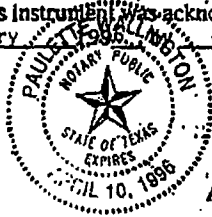
OFFICIAL PUBLIC RECORDS
Hays County, Texas

1206 472
ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF HAYS

Bk Vol Pg
12037123 OPR 4516 666

This instrument was acknowledged before me on the _____ th day of
February 1995 by Jack W. Caraway and Luanne Caraway



Paul E. Wallington
NOTARY PUBLIC - STATE OF TEXAS

ACKNOWLEDGEMENT

STATE OF
COUNTY OF

This instrument was acknowledged before me on the _____ th day of
1995 by _____

NOTARY PUBLIC - STATE OF

CORPORATE ACKNOWLEDGMENT

THE STATE OF
COUNTY OF

This instrument was acknowledged before me on the _____ day of _____
1995, by _____ of
_____ a _____ corporation, on behalf of said corporation.

NOTARY PUBLIC - STATE OF

144 Eric Moerbe
136 E. San Antonio
San Marcos, TX 78666

Doc# 394612
Pages 1
Date: 02-12-1996
Time: 11:25 AM
Filed & Recorded in
Official Records in
of Hays County, TX.
MORRIS T. VILLALBA
COUNTY CLERK
REC-100

1206.474

MAY 1, 1995 JOB NO. 67145.309 FIELD NOTE NO. 67145-40R1
 CLIENT NO.: 50864 CLIENT NAME: HAYS COUNTY PROJECT NAME: HAYS
 COUNTY ROAD NO. 122, JACK W. CARAWAY - HAYS COUNTY

FIELD NOTES

A DESCRIPTION OF 2.305 ACRES OF LAND SITUATED IN THE DAN DOWNER SURVEY, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 104.08 ACRE TRACT OF LAND CONVEYED TO JACK W. CARAWAY AND WIFE, LUANNE CARAWAY BY DEED RECORDED IN VOLUME 279, PAGE 828 OF THE DEED RECORDS OF SAID COUNTY, SAID 2.305 ACRES OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod in concrete found at the southwest corner of the said 104.08 acre tract being the intersection of the occupied north line of Hays County Road No. 122 and the east right-of-way (R.O.W.) line of Interstate Highway No. 35 (I.H. 35);

THENCE along the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35 as fenced, N 28°14'54" E, 24.94 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set from which a fence post on the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35 bears N 28°14'54" E, 894.32 feet;

THENCE, departing the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35, crossing the said 104.08 acre tract the following two (2) courses:

1. S 70°54'30" E, 2282.21 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set at a point of curvature, and
2. a distance of 522.42 feet along the arc of a curve to the left whose radius is 418.37 feet, central angle is 71°32'43" and whose chord bears N 73°19'09" E, 489.13 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set on the northeast line of the said 104.08 acre tract and the southwest line of that certain 39.968 acre tract of land conveyed to John Carl Daywood by deed recorded in Volume 753, Page 356 of the said Deed Records;

THENCE along the northeast line of the said 104.08 acre tract and the southwest line of the said 39.968 acre tract as fenced, S 21°47'31" E, 67.38 feet to a 1/2 inch iron rod found at the most easterly corner of the said 104.08 acre tract and the southeast corner of the said 39.968 acre tract on the occupied westerly line of said Hays County Road No. 122;

1206.475

FIELD NOTE NO. 67145-40R1

THENCE, departing the southwest line of the said 39.968 acre tract, along the east and south lines of the said 104.08 acre tract and the occupied west and north lines of said Hays County Road No. 122 as fenced, the following three (3) courses:

1. S 20°20'49" W, 238.06 feet to an iron fence post,
2. S 67°33'14" W, 24.04 feet to an iron fence post, and
3. N 71°01'42" W, 2703.93 feet to the POINT OF BEGINNING containing 2.305 acres of land more or less.

THE STATE OF TEXAS

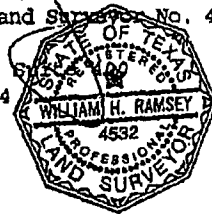
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, William H. Ramsey, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL AT Austin, Travis County, Texas this the 1st day of May, 1995 A.D.

William H. Ramsey
 Registered Professional Land Surveyor No. 4532
 Rust Lichliter/Jameson
 811 Barton Springs Road,
 Austin, Texas 78704-1164



*Luanne Caraway
 301 Beebe Rd
 Kyle, Tx 78640*

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2012 12037123

Instrument Number: 2012-12037123

Recorded On: December 28, 2012

As
OPR RECORDINGS

Parties: CARAWAY JACK W

Billable Pages: 7

To CARAWAY CATTLE COMPANY FAMILY PARTNERSHIP

Number of Pages: 8

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

OPR RECORDINGS	40.00
Total Recording:	40.00

***** DO NOT REMOVE. 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.

File Information:

Document Number: 2012-12037123
Receipt Number: 323620
Recorded Date/Time: December 28, 2012 08:33:40A
Book-Vol/Pg: BK-OPR VL-4516 PG-661
User / Station: L Curry - Cashering #1

Record and Return To:

LUANNE CARAWAY
301 BEBEE RD
KYLE TX 78640



State of Texas |
County of Hays

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

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF HAYS §

That **JACK W. CARAWAY and LUANNE CARAWAY**, married individuals (jointly referred to herein as "Grantor"), 301 Bebee Road, Kyle, Texas 78640, in consideration of the sum of ten dollars and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, DOES HEREBY GIVE, ASSIGN, TRANSFER and CONVEY unto the **CARAWAY CATTLE COMPANY FAMILY PARTNERSHIP LLLP** ("Grantee"), 301 Bebee Road, Kyle, Texas 78640, all of Grantor's right, title and interest in and to all that certain land situated in Hays County, Texas, and described on the attached **Exhibit "A"**, together with all appurtenances thereon or in anywise appertaining thereto and all buildings, structures, and fixtures and improvements located thereon (said land, improvements and appurtenances being herein together referred to as the "Property"), save and except (i) that certain house and surrounding .25 acres described in the Hays Central Appraisal District Records as being located at 301 BeBee Road, Kyle Texas (A0026 Thomas G. Allen Survey (.25 AC HS)); and (ii) that portion of land conveyed by Grantor to the County of Hays by Deed dated and filed in the Hays County records on February 12, 1996, attached hereto as **Exhibit "B"**.

This conveyance is made subject to (a) validly existing and enforceable rights, interests and estates of third parties in connection with any item of record in the office of the County Clerk of Hays County, Texas, if any do in fact exist, and only to the extent that same do in fact exist, and are applicable to the Property; (b) the rights of parties in possession of the Property; (c) any discrepancies, conflicts or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements; (d) ad valorem taxes assessed against the Property for the calendar year in which this conveyance becomes effective; (e) any existing debts and encumbrances against the Property; and (f) any existing easements or outstanding mineral or royalty interests.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's heirs, legal representatives, successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's heirs, legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's heirs, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through or under Grantor, but not otherwise, and subject, however, as aforesaid.

For the same consideration, Grantor hereby GIVES, ASSIGNS, TRANSFERS and CONVEYS, without warranty, express or implied, all interest, if any, of Grantor in (a) strips or gores, if any, between the Property and abutting properties, and (b) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Property

Jack W. Caraway
Jack W. Caraway

Luanne Caraway
Luanne Caraway

STATE OF TEXAS
COUNTY OF HAYS

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§

BEFORE ME, the undersigned a Notary Public, in and for said County and State, on this 28 day of December, 2012, personally appeared JACK W. CARAWAY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such instrument was executed for the purposes and consideration therein expressed.

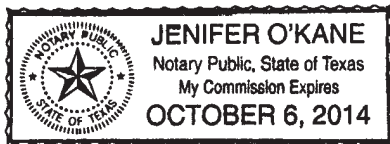


Jenifer O'Kane
Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

STATE OF TEXAS
COUNTY OF HAYS

§
§
§

BEFORE ME, the undersigned a Notary Public, in and for said County and State, on this 28 day of December, 2012, personally appeared LUANNE CARAWAY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such instrument was executed for the purposes and consideration therein expressed.



Jenifer O'Kane
Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

EXHIBIT "A"

BEING 31.5 acres out of the Thomas G. Allen Survey and 72.58 acres out of the Dan Downer Survey, Hays County, Texas, being a portion of that tract of land conveyed to Cleo T. Caraway et ux. by E. B. Moore et ux. by deed dated January 27, 1942, and recorded in Volume 123, Page 494, Hays County Deed Records.

BEGINNING at an iron stake set at the intersection of the East right-of-way line of Interstate Highway #35 with the North line of a County Road, as fenced and used upon the ground, and from which a concrete monument bears S. 32° 10' W. 1723.84 feet, said iron stake being the most Westerly corner of the tract herein described;
THENCE leaving the North line of the said County Road, with the East right-of-way line of the said Interstate Highway #35, the following courses numbered (1) through (3):

- (1) N. 32° 10' E., at about 1777.5 feet passing the Northeast line of the said Downer Survey, same being the Southwest line of the said Allen Survey, and continuing on in all 3091.85 feet to a concrete monument found for angle point,
- (2) N. 53° 17' E. 106.67 feet,
- (3) N. 33° 17' E. 280.10 feet to an iron stake found at base of corner fence post for the most Northerly corner of the tract herein described, same being a Southwest corner of that tract of 204.5 acres of land conveyed to Ida Hill, widow, by Adolf Hill et al. by deed dated August 16, 1957, and recorded in Volume 171, Page 636, Hays County Deed Records;

THENCE leaving Interstate Highway #35, with fence and the West line of the said Hill 204.5 acre tract, the following courses numbered (4) through (10):

- (4) S. 16° 10' E. 746.28 feet to an iron stake found at base of fence post,
- (5) S. 17° 47' W. 610.42 feet to an iron stake found at base of fence post,
- (6) S. 00° 56' W. 567.96 feet to an iron stake found at base of fence post,
- (7) S. 23° 39' E., at about 958 feet passing the said Southwest line of the Allen Survey and the North line of the said Downer Survey and continuing on in all 1009.54 feet to an iron stake found at base of fence post,
- (8) S. 17° 47' E. 1004.15 feet to an iron stake found at base of fence post,
- (9) S. 24° 17' W. 238.01 feet to a fence post,
- (10) S. 73° 39' W. 24.92 feet to an iron stake found at base of corner fence post in the North line of the aforementioned County Road for the Southeast corner of the tract herein described;

THENCE leaving the said Hill 204.5 acre tract, with the North line of the said County Road, as fenced and used upon the ground, N. 67° 00' W. 2702.27 feet to the place of beginning, containing 104.08 acres of land.

Exhibit "B"

DEED DOCH 394612

Bk Vol Pg
12037123 OFR 4516 665

1206,472

THE STATE OF TEXAS }
COUNTY OF HAYS }

KNOW ALL MEN BY THESE PRESENTS:

THAT: JACK W. CARAWAY and wife, LUANNE CARAWAY

of the County of HAYS State of Texas, hereinafter referred to as Grantors, whether one or more, for and consideration of the sum of EIGHTEEN THOUSAND, FOUR HUNDRED AND FORTY AND NO/100 DOLLARS - - - - - (\$18,440.00) to Grantors in hand paid by the County of Hays, acting by and through the Hays County Commissioners Court, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day sold and by these presents do grant, bargain, sell and convey unto the County of Hays all that certain tract or parcel of land in Hays County, Texas more particularly described in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the property described in said Exhibit "A" to-wit:

One fence

Grantors covenant and agree to remove the above-described improvements from said land by March 31, 1996, subject, however, to such extensions of time as may be granted by the County in writing; and if, for any reason, grantors fail or refuse to remove same within said period of time prescribed, then without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the County of Hays forever.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the Title and rights of the County to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging unto the County of Hays and its assigns forever; and Grantors do hereby bind ourselves, our heirs and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the said premises conveyed herein unto the County of Hays and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 12th day of February, 1996.

Jack W. Caraway Luanne Caraway

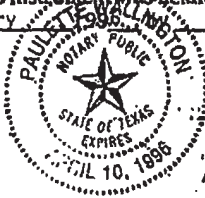
OFFICIAL PUBLIC RECORDS
Hays County, Texas

1206, 47th ACKNOWLEDGEMENT

Bk Vol Pg
12037123 OPR 4516 666

STATE OF TEXAS
COUNTY OF HAYS

This instrument was acknowledged before me on the _____ th day of
February, 1995, by Jack W. Caraway and Luanne Caraway



Paulette Wallington
NOTARY PUBLIC - STATE OF TEXAS

ACKNOWLEDGEMENT

STATE OF
COUNTY OF

This instrument was acknowledged before me on the _____ th day of
1995, by _____

NOTARY PUBLIC - STATE OF

CORPORATE ACKNOWLEDGMENT

THE STATE OF
COUNTY OF

This instrument was acknowledged before me on the _____ day of _____
1995, by _____ of
_____ a _____ corporation, on behalf of said corporation.

NOTARY PUBLIC - STATE OF

144 Eric Moerbe
106 E. San Antonio
San Marcos, TX 78666

Doc# 394612
Pages 1
Date 02-12-1996
Time 11:25 A.M.
Filed & Recorded in
Official Records in
of Hays County, TX
MARGIE TULLIPANDU
COUNTY CLERK
REC-00

1206,474

MAY 1, 1995 JOB NO. 67145.309 FIELD NOTE NO. 67145-40R1
 CLIENT NO.: 50864 CLIENT NAME: HAYS COUNTY PROJECT NAME: HAYS
 COUNTY ROAD NO. 122, JACK W. CARAWAY - HAYS COUNTY

FIELD NOTES

A DESCRIPTION OF 2.305 ACRES OF LAND SITUATED IN THE DAN DOWNER SURVEY, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 104.08 ACRE TRACT OF LAND CONVEYED TO JACK W. CARAWAY AND WIFE, LUANNE CARAWAY BY DEED RECORDED IN VOLUME 279, PAGE 828 OF THE DEED RECORDS OF SAID COUNTY, SAID 2.305 ACRES OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING: MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod in concrete found at the southwest corner of the said 104.08 acre tract being the intersection of the occupied north line of Hays County Road No. 122 and the east right-of-way (R.O.W.) line of Interstate Highway No. 35 (I.H. 35);

THENCE along the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35 as fenced, N 28°14'54" E, 24.94 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set from which a fence post on the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35 bears N 28°14'54" E, 894.32 feet;

THENCE, departing the west line of the said 104.08 acre tract and the east R.O.W. line of said I.H. 35, crossing the said 104.08 acre tract the following two (2) courses:

1. S 70°54'30" E, 2282.21 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set at a point of curvature, and
2. a distance of 522.42 feet along the arc of a curve to the left whose radius is 418.37 feet, central angle is 71°32'43" and whose chord bears N 73°19'09" E, 489.13 feet to a 5/8 inch iron rod with plastic cap marked "RUST E&I RPLS 4532" set on the northeast line of the said 104.08 acre tract and the southwest line of that certain 39.968 acre tract of land conveyed to John Carl Daywood by deed recorded in Volume 753, Page 356 of the said Deed Records;

THENCE along the northeast line of the said 104.08 acre tract and the southwest line of the said 39.968 acre tract as fenced, S 21°47'31" E, 67.38 feet to a 1/2 inch iron rod found at the most easterly corner of the said 104.08 acre tract and the southeast corner of the said 39.968 acre tract on the occupied westerly line of said Hays County Road No. 122;

1206.475

FIELD NOTE NO. 67145-40R1

THENCE, departing the southwest line of the said 39.968 acre tract, along the east and south lines of the said 104.08 acre tract and the occupied west and north lines of said Hays County Road No. 122 as fenced, the following three (3) courses:

1. S 20°20'49" W, 238.06 feet to an iron fence post,
2. S 67°33'14" W, 24.04 feet to an iron fence post, and
3. N 71°01'42" W, 2703.93 feet to the POINT OF BEGINNING containing 2.305 acres of land more or less.

THE STATE OF TEXAS :

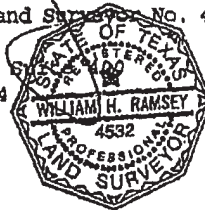
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS :

That I, William H. Ramsey, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL AT Austin, Travis County, Texas this the 1st day of May, 1995 A.D.

William H. Ramsey
 Registered Professional Land Surveyor No. 4532
 Rust Lichliter/Jameson
 811 Barton Springs Road,
 Austin, Texas 78704-1164



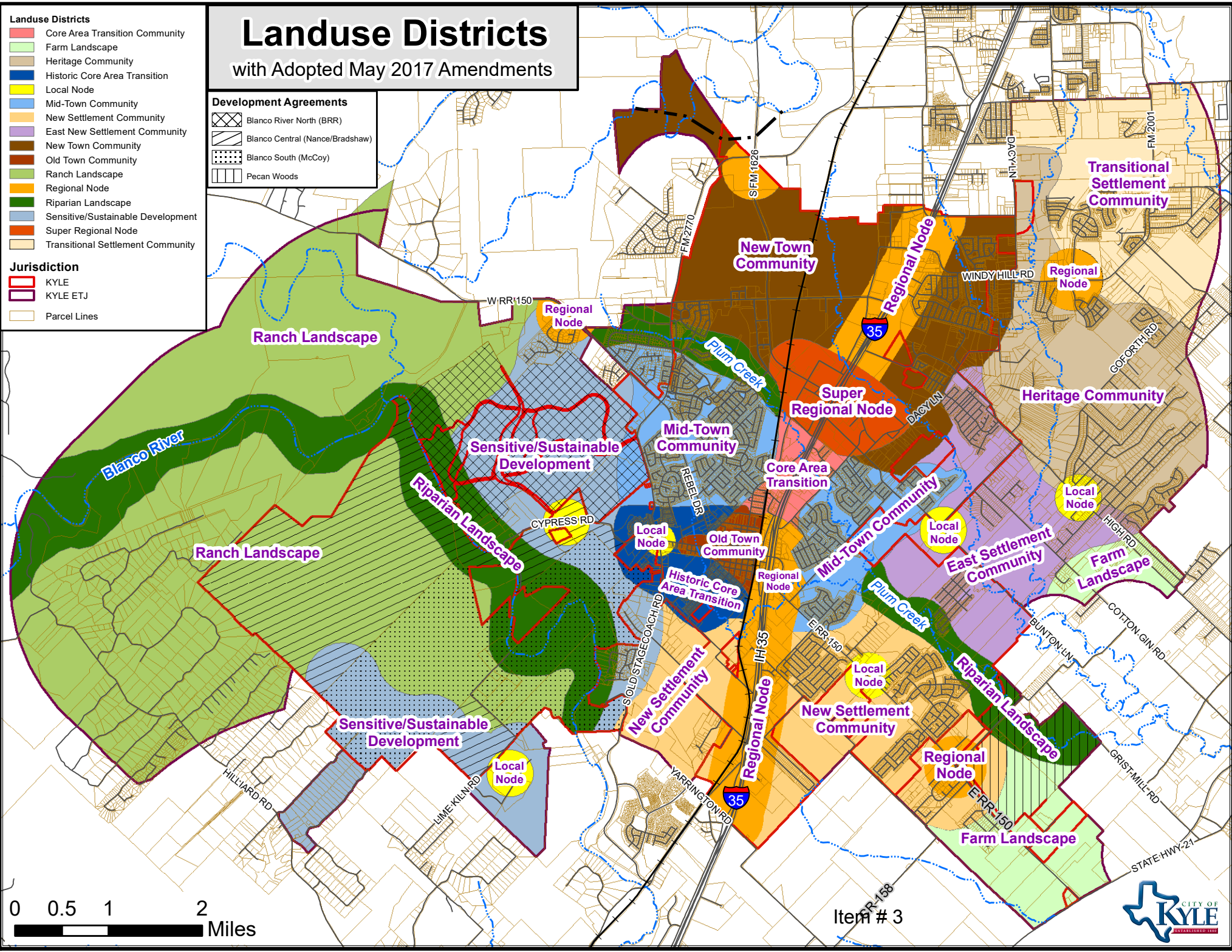
Luanne Caraway
301 Beebe Rd
Ryle, TX 78640

Landuse Districts

with Adopted May 2017 Amendments

- Landuse Districts**
- Core Area Transition Community
 - Farm Landscape
 - Heritage Community
 - Historic Core Area Transition
 - Local Node
 - Mid-Town Community
 - New Settlement Community
 - East New Settlement Community
 - New Town Community
 - Old Town Community
 - Ranch Landscape
 - Regional Node
 - Riparian Landscape
 - Sensitive/Sustainable Development
 - Super Regional Node
 - Transitional Settlement Community
- Jurisdiction**
- KYLE
 - KYLE ETJ
 - Parcel Lines

- Development Agreements**
- Blanco River North (BRR)
 - Blanco Central (Nance/Bradshaw)
 - Blanco South (McCoy)
 - Pecan Woods



Item # 3





CITY OF KYLE, TEXAS

6 Creeks Phase 1, Section 8A - Final Plat (SUB-20-0144)

Meeting Date: 8/10/2021
Date time:6:30 PM

Subject/Recommendation: 6 Creeks Phase 1, Section 8A - Final Plat (SUB-20-0144) 25.702 acres; 94 residential lots and 5 open space lots for property located west of N. Old Stagecoach Road, in Six Creeks Subdivision.

Staff Proposal to P&Z: Approve

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

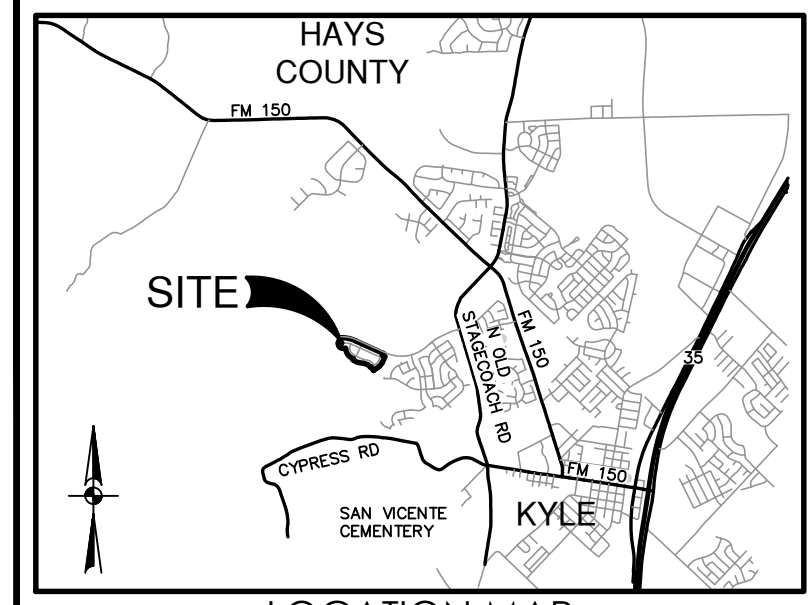
- Final Plat
- 1445 Approval Letter from Hays County

LEGEND

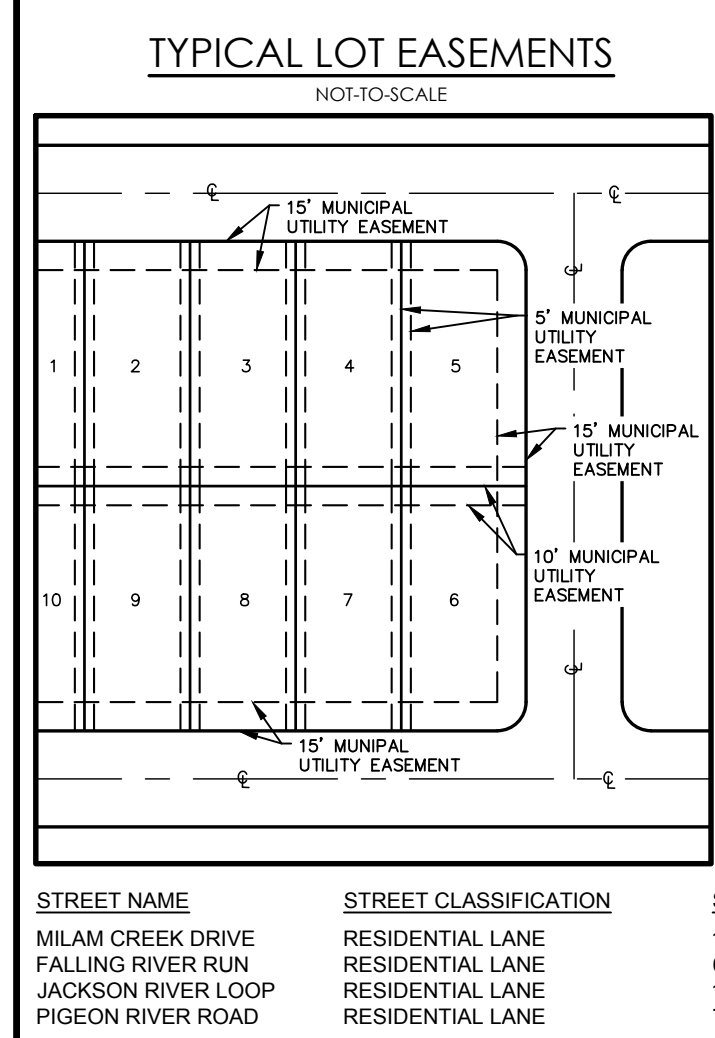
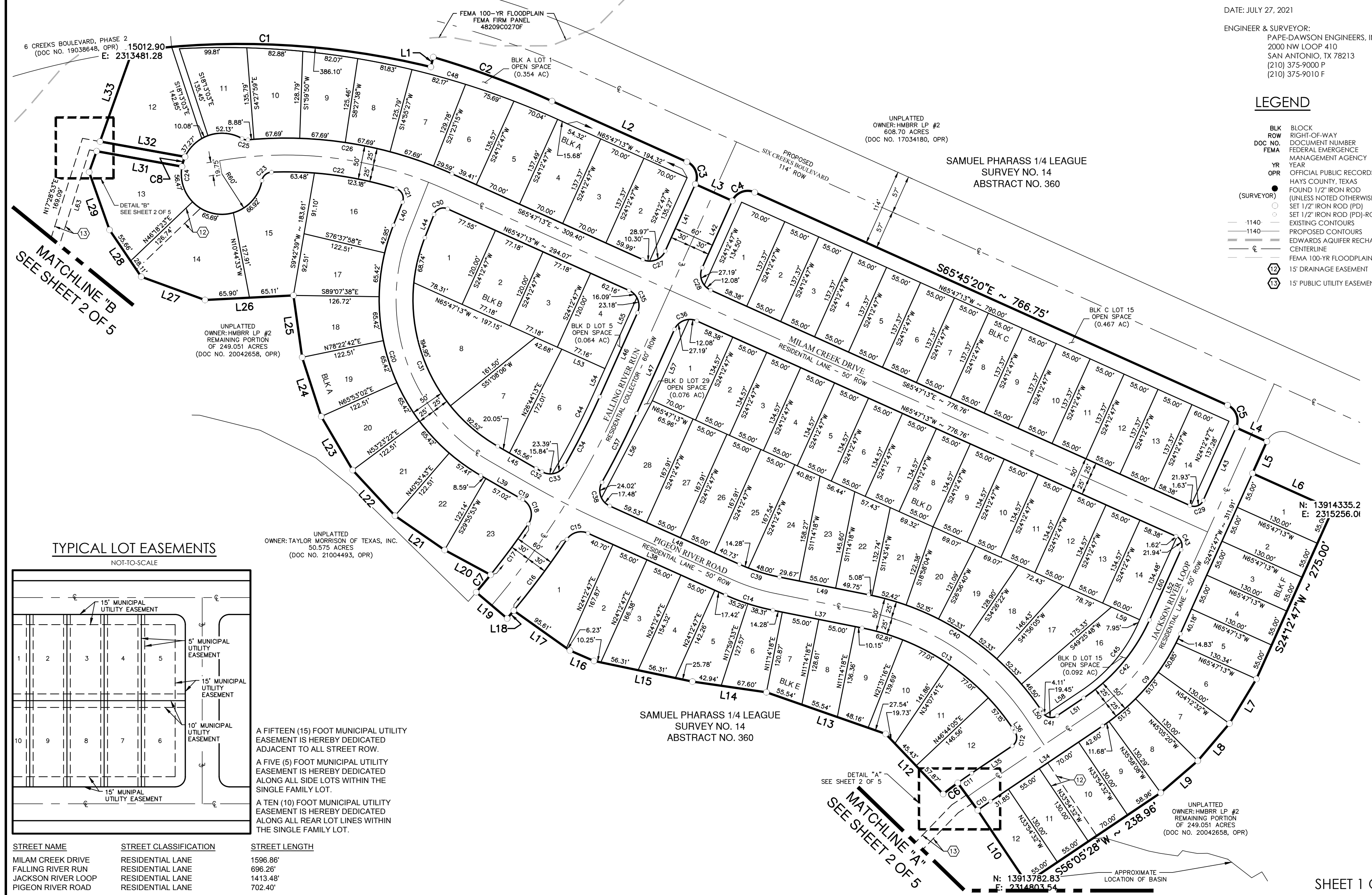
- BLK BLOCK
- ROW RIGHT-OF-WAY
- DOC NO. DOCUMENT NUMBER
- FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY
- YR YEAR
- OPR OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- (SURVEYOR) FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
- SET 1/2" IRON ROD (PD)
- SET 1/2" IRON ROD (PD)-ROW
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EDWARDS AQUIFER RECHARGE CENTERLINE
- FEMA 100-YR FLOODPLAIN
- 15' DRAINAGE EASEMENT
- 15' PUBLIC UTILITY EASEMENT

FINAL PLAT
 OF
6 CREEKS-PHASE 1, SECTION 8A

A 25.702 ACRE TRACT OF LAND BEING COMPRISED OF A PORTION OF A 50.575 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 21004493 IN THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN THE SAMUEL PHARASS 1/4 LEAGUE NO. 14, ABSTRACT 360, HAYS COUNTY, TEXAS.



LOCATION MAP
 NOT-TO-SCALE



A FIFTEEN (15) FOOT MUNICIPAL UTILITY EASEMENT IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW.
 A FIVE (5) FOOT MUNICIPAL UTILITY EASEMENT IS HEREBY DEDICATED ALONG ALL SIDE LOTS WITHIN THE SINGLE FAMILY LOT.
 A TEN (10) FOOT MUNICIPAL UTILITY EASEMENT IS HEREBY DEDICATED ALONG ALL REAR LOT LINES WITHIN THE SINGLE FAMILY LOT.

STREET NAME	STREET CLASSIFICATION	STREET LENGTH
MILAM CREEK DRIVE	RESIDENTIAL LANE	1596.86'
FALLING RIVER RUN	RESIDENTIAL LANE	696.26'
JACKSON RIVER LOOP	RESIDENTIAL LANE	1413.48'
PIGEON RIVER ROAD	RESIDENTIAL LANE	702.40'

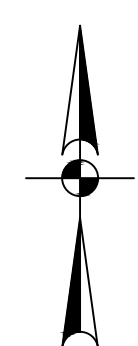
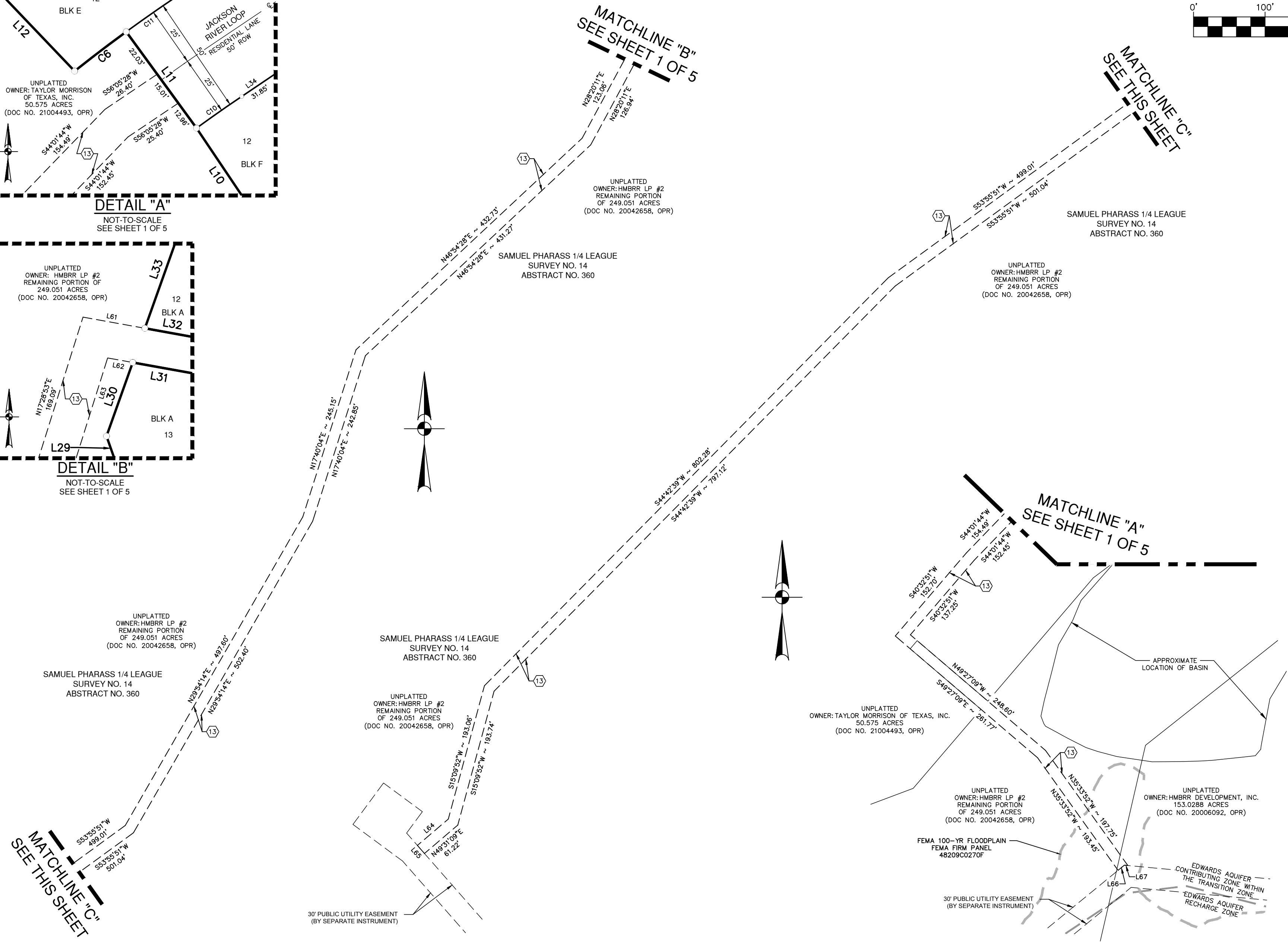
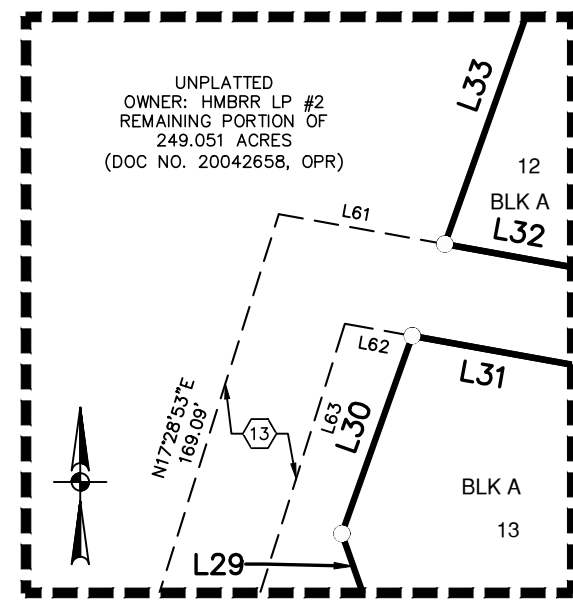
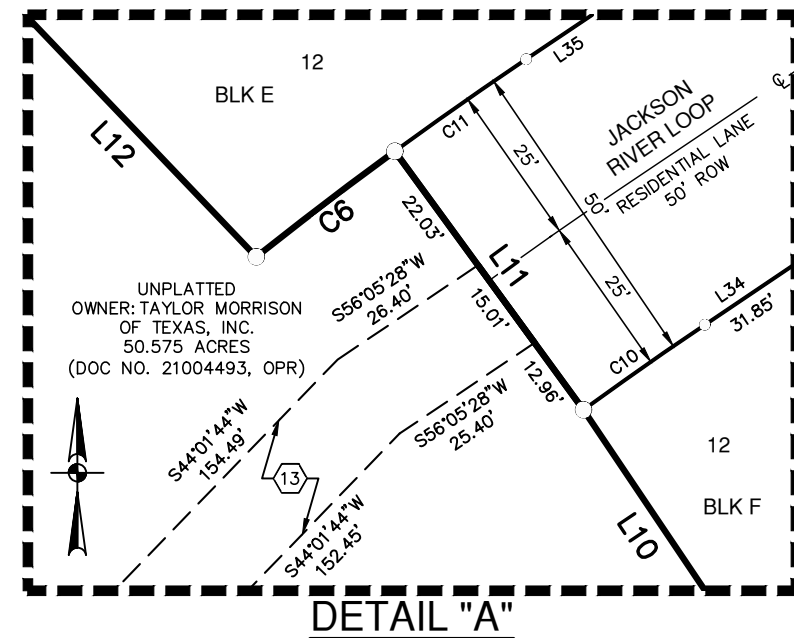
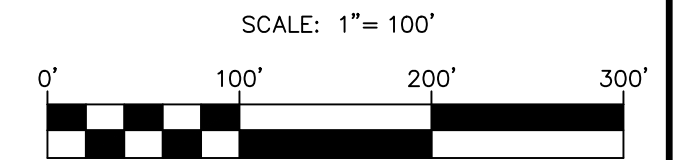
APPROXIMATE LOCATION OF BASIN
 N: 13913782.83
 E: 2314803.54

FINAL PLAT
OF
6 CREEKS-PHASE 1, SECTION 8A

A 25.702 ACRE TRACT OF LAND BEING COMPRISED OF A PORTION OF A 50.575 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 21004493 IN THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN THE SAMUEL PHARASS 1/4 LEAGUE NO. 14, ABSTRACT 360, HAYS COUNTY, TEXAS.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800
DATE OF PREPARATION: August 03, 2021



Civil Job No. 8141-16; Survey Job No. 8141-08

**FINAL PLAT
OF
6 CREEKS-PHASE 1, SECTION 8A**

A 25.702 ACRE TRACT OF LAND BEING COMPRISED OF A PORTION OF A
50.575 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 21004493 IN THE
OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN THE SAMUEL
PHARASS 1/4 LEAGUE NO. 14, ABSTRACT 360, HAYS COUNTY, TEXAS.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: August 03, 2021

* LOT WIDTHS ARE MEASURED AT A 20' SETBACK FROM THE RIGHT OF WAY.

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N14°04'37"E	15.06'
L2	S65°45'20"E	218.66'
L3	S65°43'50"E	60.01'
L4	S65°45'51"E	50.01'
L5	S24°12'47"W	51.73'
L6	S65°47'13"E	130.00'
L7	S31°06'49"W	77.06'
L8	S40°21'04"W	72.35'
L9	S49°14'20"W	72.37'
L10	N33°54'32"W	129.55'
L11	N36°07'13"W	50.00'
L12	N43°40'06"W	123.03'
L13	N70°45'00"W	186.78'
L14	N81°46'51"W	110.54'
L15	N78°09'15"W	148.64'
L16	N66°32'09"W	38.88'
L17	N54°34'21"W	101.84'
L18	S39°59'04"W	15.23'
L19	N49°40'29"W	60.00'
L20	N61°39'11"W	77.24'
L21	N55°21'07"W	89.24'
L22	N42°51'27"W	91.95'
L23	N30°21'48"W	91.95'
L24	N17°52'08"W	91.95'
L25	N7°57'55"W	92.51'
L26	S87°01'52"W	131.01'
L27	N69°58'02"W	100.32'
L28	N34°06'11"W	83.77'
L29	N19°22'02"W	90.56'
L30	N19°34'30"E	32.81'
L31	S79°46'04"E	128.26'
L32	N79°46'04"W	127.70'
L33	N19°34'30"E	141.79'
L34	S56°05'28"W	199.44'

LINE TABLE		
LINE #	BEARING	LENGTH
L35	N56°05'28"E	72.21'
L36	N33°54'32"W	6.86'
L37	N78°45'42"W	134.42'
L38	N65°47'13"W	223.12'
L39	N60°04'07"W	65.60'
L40	N21°34'10"E	36.75'
L41	N24°12'47"E	108.58'
L42	S24°12'47"W	108.52'
L43	N24°12'47"E	118.07'
L44	S21°34'10"W	36.97'
L45	S60°04'07"E	65.60'
L46	N24°12'47"E	136.20'
L47	S24°12'47"W	136.20'
L48	S65°47'13"E	210.26'
L49	S78°45'42"E	134.42'
L50	S33°54'32"E	6.86'
L51	N56°05'28"E	47.23'
L52	N24°12'47"E	113.86'
L53	N65°47'13"W	70.00'
L54	S24°12'47"W	41.20'
L55	S24°12'47"W	115.00'
L56	S27°37'29"W	162.34'
L57	S24°12'47"W	131.70'
L58	S56°05'28"W	66.78'
L59	N65°47'13"W	45.65'
L60	S24°12'47"W	142.43'
L61	S79°46'04"E	26.37'
L62	S79°46'04"E	10.69'
L63	N17°28'53"E	157.30'
L64	N49°31'09"E	56.78'
L65	S41°15'39"E	15.00'
L66	N50°39'29"E	11.31'
L67	S84°38'09"E	4.91'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1184.66'	21°30'36"	S86°58'35"E	442.14'	444.75'
C2	1351.23'	7°56'47"	S69°38'47"E	187.25'	187.40'
C3	25.00'	89°56'26"	S20°45'26"E	35.34'	39.25'
C4	25.00'	90°02'22"	N69°13'39"E	35.37'	39.29'
C5	25.00'	90°02'54"	S20°43'53"E	35.37'	39.30'
C6	650.00'	2°23'55"	S52°40'49"W	27.21'	27.21'
C7	1220.00'	1°34'08"	N39°32'27"E	33.41'	33.41'
C8	60.00'	14°28'39"	N17°28'15"E	15.12'	15.16'
C9	325.00'	31°52'40"	S40°09'07"W	178.50'	180.82'
C10	600.00'	2°12'41"	S54°59'07"W	23.16'	23.16'
C11	650.00'	2°12'41"	N54°59'07"E	25.09'	25.09'
C12	15.00'	90°00'00"	N11°05'28"E	21.21'	23.56'
C13	350.00'	44°51'17"	N56°20'08"W	267.05'	273.99'
C14	325.00'	12°58'30"	N72°16'28"W	73.44'	73.60'
C15	25.00'	80°27'36"	S73°58'59"W	32.29'	35.11'
C16	1280.00'	5°53'25"	S36°41'54"W	131.53'	131.59'
C17	1220.00'	4°24'08"	N36°33'19"E	93.71'	93.73'
C18	25.00'	94°41'27"	N12°59'28"W	36.77'	41.32'
C19	1275.00'	0°16'04"	N60°12'09"W	5.96'	5.96'
C20	300.00'	81°38'36"	N19°14'59"W	392.20'	427.46'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C21	15.00'	94°17'16"	N25°34'28"W	21.99'	24.68'
C22	550.00'	19°26'43"	N82°26'27"W	185.77'	186.66'
C23	15.00'	78°10'00"	S48°45'11"W	18.91'	20.46'
C24	60.00'	290°02'28"	N25°18'35"W	68.79'	303.73'
C25	15.00'	35°01'30"	S77°48'06"E	9.03'	9.17'
C26	600.00'	29°31'39"	S80°33'02"E	305.80'	309.21'
C27	25.00'	90°00'00"	N69°12'47"E	35.36'	39.27'
C28	25.00'	90°00'00"	S20°47'13"E	35.36'	39.27'
C29	15.00'	89°58'18"	N69°12'47"E	21.21'	23.56'
C30	15.00'	92°38'37"	S67°53'29"W	21.70'	24.25'
C31	250.00'	81°38'19"	S19°14'59"E	326.84'	356.21'
C32	1225.00'	0°27'32"	S60°17'53"E	9.81'	9.81'
C33	25.00'	89°55'06"	N74°30'48"E	35.33'	39.23'
C34	1220.00'	5°20'28"	N26°53'01"E	113.68'	113.73'
C35	25.00'	90°00'00"	N20°47'13"W	35.36'	39.27'
C36	25.00'	90°00'00"	S69°12'47"W	35.36'	39.27'
C37	1280.00'	5°06'44"	S26°46'09"W	114.17'	114.21'
C38	25.00'	95°06'44"	S18°13'51"E	36.90'	41.50'
C39	275.00'	12°58'30"	S72°16'28"E	62.14'	62.28'
C40	400.00'	44°51'10"	S56°20'08"E	305.20'	313.13'

LOT SUMMARY			
LOT	BLK	LOT WIDTH	LOT AREA
1	A	N/A	15428 SF
2	A	70.00'	9609 SF
3	A	70.00'	9616 SF
4	A	70.00'	9617 SF
5	A	70.00'	9581 SF
6	A	70.01'	9595 SF
7	A	70.02'	9545 SF
8	A	70.02'	9369 SF
9	A	70.02'	9491 SF
10	A	70.02'	9916 SF
11	A	72.66'	10925 SF
12	A	71.73'	15983 SF
13	A	81.39'	14824 SF
14	A	94.65'	16321 SF
15	A	108.21'	15763 SF
16	A	96.66'	12391 SF
17	A	70.06'	9689 SF
18	A	70.06'	9689 SF
19	A	70.06'	9497 SF
20	A	70.06'	9497 SF
21	A	70.06'	9497 SF
22	A	70.05'	9367 SF
23	A	87.59'	10066 SF
1	B	91.57'	10596 SF
2	B	77.18'	9262 SF
3	B	77.18'	9262 SF
4	B	77.16'	9235 SF
5	B	N/A	2775 SF
6	B	71.30'	12594 SF
7	B	103.30'	12910 SF
8	B	168.64'	16591 SF
1	C	70.00'	9605 SF
2	C	55.00'	7555 SF
3	C	55.00'	7555 SF
4	C	55.00'	7555 SF
5	C	55.00'	7555 SF
6	C	55.00'	7555 SF
7	C	55.00'	7555 SF
8	C	55.00'	7555 SF
9	C	55.00'	7555 SF
10	C	55.00'	7555 SF
11	C	55.00'	7555 SF
12	C	55.00'	7555 SF
13	C	55.00'	7555 SF
14	C	60.00'	8242 SF
15	C	N/A	20346 SF
1	D	70.00'	9409 SF
2	D	55.00'	7401 SF
3	D	55.00'	7401 SF
4	D	55.00'	7401 SF

LOT SUMMARY			
LOT	BLK	LOT WIDTH	LOT AREA
5	D	55.00'	7401 SF
6	D	55.00'	7401 SF
7	D	55.00'	7401 SF
8	D	55.00'	7401 SF
9	D	55.00'	7401 SF
10	D	55.00'	7401 SF
11	D	55.00'	7401 SF
12	D	55.00'	7401 SF
13	D	55.00'	7401 SF
14	D	60.00'	8074 SF
15	D	N/A	4015 SF
16	D	60.03'	11435 SF
17	D	55.02'	10039 SF
18	D	55.02'	8384 SF
19	D	55.02'	7510 SF
20	D	55.02'	7328 SF
21	D	55.02'	7662 SF
22	D	55.00'	7712 SF
23	D	55.00'	8356 SF
24	D	73.02'	9645 SF
25	D	55.00'	9234 SF
26	D	55.00'	9235 SF
27	D	55.00'	9235 SF
28	D	74.78'	11885 SF
29	D	N/A	3315 SF
1	E	65.19'	12179 SF
2	E	55.00'	9270 SF
3	E	55.00'	8819 SF
4	E	55.00'	8156 SF
5	E	55.03'	8086 SF
6	E	55.02'	7391 SF
7	E	55.00'	6861 SF
8	E	55.00'	7287 SF
9	E	69.29'	8400 SF
10	E	72.46'	8576 SF
11	E	72.46'	8856 SF
12	E	60.60'	9674 SF
1	F	55.00'	7150 SF
2	F	55.00'	7150 SF
3	F	55.00'	7150 SF
4	F	55.00'	7150 SF
5	F	55.00'	7150 SF
6	F	55.05'	8243 SF
7	F	55.03'	8001 SF
8	F	55.03'	8011 SF
9	F	55.00'	7362 SF
10	F	70.00'	9100 SF
11	F	55.00'	7150 SF
12	F	55.00'	7147 SF

LOT SUMMARY

TOTAL NUMBER OF LOTS	99
AVERAGE SIZE OF LOTS	0.209 ACRES / 9124 SF
NUMBER OF LOTS >10 ACRES	0
NUMBER OF LOTS >5 ACRES, <10 ACRES	0
NUMBER OF LOTS > 2 ACRES AND <5 ACRES	0
NUMBER OF LOTS >1 ACRE AND <2 ACRES	0
NUMBER OF LOTS <1 ACRE	99
NUMBER OF 55' SINGLE FAMILY LOTS (5750 MIN SF)	59
NUMBER OF 60' SINGLE FAMILY LOTS (7200 MIN SF)	3
NUMBER OF 70' SINGLE FAMILY LOTS (9000 MIN SF)	32

FINAL PLAT
OF
6 CREEKS-PHASE 1, SECTION 8A

A 25.702 ACRE TRACT OF LAND BEING COMPRISED OF A PORTION OF A
50.575 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 21004493 IN THE
OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN THE SAMUEL
PHARASS 1/4 LEAGUE NO. 14, ABSTRACT 360, HAYS COUNTY, TEXAS.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: August 03, 2021

FINAL PLAT NOTES:

1. THIS FINAL PLAT IS LOCATED ENTIRELY WITHIN HAYS COUNTY.
2. THIS PLAT FALLS WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE WITHIN THE TRANSITION ZONE.
3. THIS PLAT IS LOCATED WITHIN THE BOUNDARY OF THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
4. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED 100-YEAR FLOOD PLAIN AS DELINEATED ON THE FLOOD INSURANCE RATE MAP NO. 48209C0270F, EFFECTIVE DATE OF SEPTEMBER 2, 2005, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
5. ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE HAYS COUNTY REQUIREMENTS AND APPROVED BY THE HAYS COUNTY TRANSPORTATION DEPARTMENT AND UPON ACCEPTANCE SHALL BE DEDICATED TO THE COUNTY FOR MAINTENANCE.
6. STREETS TO BE ACCESSED WILL BE CONSTRUCTED WITH CURB AND GUTTER.
7. LINEAR FOOTAGE OF STREET IMPROVEMENTS: ±4409 L.F.
8. THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE HAYS COUNTY REQUIREMENTS AS APPLICABLE TO THIS DEVELOPMENT.
9. AREA WITHIN NEW ROAD RIGHT-OF-WAY = 5.203 ACRES.
10. ALL STREETS TO BE PUBLIC, PAVED AND MAINTAINED BY THE COUNTY.
11. NO OBJECT INCLUDING FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN DRAINAGE EASEMENTS.
12. 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 HOMEOWNERS ASSOCIATIONS.
13. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES THAT ARE 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.
14. THIS SUBDIVISION IS WITHIN THE ETJ OF THE CITY OF KYLE, TEXAS.
15. GAS PROVIDED BY CENTERPOINT ENERGY. (800) 427-7142
16. ELECTRICITY PROVIDED BY PEDERNALES ELECTRIC COMPANY.
17. THE WASTEWATER TREATMENT PLANT IS OWNED AND OPERATED BY THE CITY OF KYLE, TEXAS.
18. WASTEWATER SERVICE IS PROVIDED BY THE CITY OF KYLE, TEXAS (SEE NOTE ABOVE).
19. WATER IS PROVIDED BY THE CITY OF KYLE, TEXAS
20. INTERNET/PHONE IS PROVIDED BY CENTRIC FIBER. (877) 342-7270
21. TRASH IS PROVIDED BY TEXAS DISPOSAL SYSTEMS. (800) 375-8375
22. THE REQUIREMENT CONCERNING CONSTRUCTION STANDARDS FOR MAILBOXES INSTALLED WITHIN THE RIGHT-OF-WAY OF STREETS AND HIGHWAYS AND REQUIRING ALL SUCH MAILBOXES TO BE MADE OF COLLAPSIBLE MATERIALS, AS DEFINED IN THE ORDINANCE. COMMUNITY MAILBOXES SHALL HAVE A SEPARATE LIGHT/STREET LIGHT TO ILLUMINATE THE MAILBOX AREA.
23. FOR THE TWO (2), FIVE (5), TEN (10), TWENTY-FIVE (25), AND ONE HUNDRED (100) YEAR, TWENTY-FOUR (24) HOUR STORM EVENTS, POST DEVELOPED CONDITION RUNOFF RATES SHALL BE LESS THAN OR EQUAL TO THE PRE-DEVELOPED CONDITION RUNOFF RATES. PRE AND POST DEVELOPMENT RUNOFF CALCULATIONS SHALL BE INCLUDED WITH THE CONSTRUCTION DRAWINGS FOR THIS SUBDIVISION.
24. THIS SITE IS LOCATED WITHIN HAYS COUNTY ESD #5 AND #9.
25. CONSTRUCTION STANDARDS AND SPECIFICATIONS WILL BE AS AGREED TO IN THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT APPROVED BY THE HAYS COUNTY COMMISSIONER'S COURT ON MARCH 21, 2017.
26. 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.
27. IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED TO ACCESS ONTO A PUBLIC ROADWAY UNLESS (A) A PERMIT FOR USE OF THE COUNTY ROADWAY RIGHT-OF-WAY HAS BEEN ISSUED UNDER CHAPTER 751, AND, (B) THE DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENT SET FORTH IN CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.
28. IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES DELINEATED AND SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES, OR IN CONNECTION THEREWITH SHALL BE THE RESPONSIBILITY OF THE OWNER AND / OR THE DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AND THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.
29. SIDEWALKS SHALL BE INSTALLED ON THE SUBDIVISION SIDE OF FALLING RIVER RUN, AND JACKSON RIVER LOOP. 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 ARE ALSO REQUIRED TO BE INSTALLED WHEN THE STREETS IN THE SUBDIVISION ARE CONSTRUCTED. (ORD #439, ARTICLE V, SEC 10; KYLE CODE)
30. ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.
31. THE MAINTENANCE OF SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS OR HOMEOWNERS ASSOCIATION OR THEIR SUCCESSORS AND NOT THE RESPONSIBILITY OF THE CITY OF KYLE OR HAYS COUNTY.
32. ROAD WAY CLASSIFICATIONS ARE PER THE BLANCO RIVER RANCH (PHASE 1 RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT (INSTRUMENT # 17018505).
33. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
34. MONUMENTS AND LOT MARKERS WILL BE SET WITH 1/2" IRON ROD WITH CAP MARKED "PAPE-DAWSON" OR MAG NAIL WITH DISK MARKED "PAPE-DAWSON" AFTER THE COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
35. DIMENSIONS SHOWN ARE SURFACE.
36. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
37. THIS SITE IS LOCATED WITHIN THE BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT.

FINAL PLAT
OF
6 CREEKS-PHASE 1, SECTION 8A

A 25.702 ACRE TRACT OF LAND BEING COMPRISED OF A PORTION OF A
50.575 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 21004493 IN THE
OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN THE SAMUEL
PHARASS 1/4 LEAGUE NO. 14, ABSTRACT 360, HAYS COUNTY, TEXAS.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: August 03, 2021

THE STATE OF TEXAS §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS, THAT TAYLOR MORRISON OF TEXAS, INC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 1011 N. LAMAR, AUSTIN, TEXAS, AS CONVEYED TO IT BY DEED DATED SEPTEMBER 20, 2017, RECORDED IN DOCUMENT 17034180, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 25.702 ACRES OF LAND OUT OF THE SAMUEL PHARASS 1/4 LEAGUE SURVEY NO. 14, ABSTRACT 360, TO BE KNOWN AS:

6 CREEKS-PHASE 1, SECTION 8A

IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

TAYLOR MORRISON OF TEXAS, INC.
BY: MICHAEL SLACK
VICE PRESIDENT OF LAND DEVELOPMENT & FORWARD PLANNING
810 HESTER'S CROSSING, SUITE 235
ROUND ROCK, TEXAS 78681

THE 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 HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN SET OUT, AND AS THE ACT AND DEED OF SAID CORPORATION, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF _____, A.D. 20____.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NOTARY'S NAME _____
MY COMMISSION EXPIRES _____

THE 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, 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.

DAVID CASANOVA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4251
STATE OF TEXAS
PAPE-DAWSON ENGINEERS, INC.
TBPELS, TEXAS SURVEYING FIRM #10028800
2000 NW LOOP 410
SAN ANTONIO, TX 78213

DATE

THE STATE OF TEXAS §
COUNTY OF HAYS §

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

REBECCA ANN CARROLL
REGISTERED PROFESSIONAL ENGINEER NO. 92666
PAPE-DAWSON ENGINEERS, INC.
TBPELS, TEXAS ENGINEERING FIRM #470
2000 NW LOOP 410
SAN ANTONIO, TX 78213

DATE

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUNDWATER AVAILABILITY. RAINWATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WATERWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES. NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

ERIC VAN GAASBEEK, R.S., C.F.M
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

MARCUS PACHECO
DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

REVIEWED BY:

DIRECTOR OF PUBLIC WORKS, CITY OF KYLE

REVIEWED BY:

CITY ENGINEER, CITY OF KYLE

I, THE UNDERSIGNED, DIRECTOR OF HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KYLE.

MARCUS PACHECO
DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

THE 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 _____, 20____, A.D., 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 INSTRUMENT # _____.

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

ELAINE H. CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

THE STATE OF TEXAS §
COUNTY OF HAYS §

THIS PLAT HAS BEEN SUBMITTED 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____

MICHELLE CHRISTIE MADAM CHAIR



Hays County Development Services
P.O Box 1006 San Marcos TX 78667-1006
2171 Yarrington Road San Marcos TX 78666
512-393-2150 / www.hayscountytexas.com

August 2nd, 2021

Howard Koontz
Director of Planning
City of Kyle

Re: 6 Creeks, Phase 1, Section 8A, Final (PLN-1563-NP)

Mr. Koontz,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivision for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Kyle for subdivision regulation within the extraterritorial jurisdiction of the City of Kyle, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

Marcus Pacheco

Marcus Pacheco
Director
Hays County Development Services



CITY OF KYLE, TEXAS

Philomena Commercial - Final Plat - (SUB-21-0178)

Meeting Date: 8/10/2021
Date time:6:30 PM

Subject/Recommendation: Philomena Commercial - Final Plat - (SUB-21-0178) 36.40 acres; 3 commercial lots for property located at 601 Philomena Drive.

Staff Proposal to P&Z: Approve

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

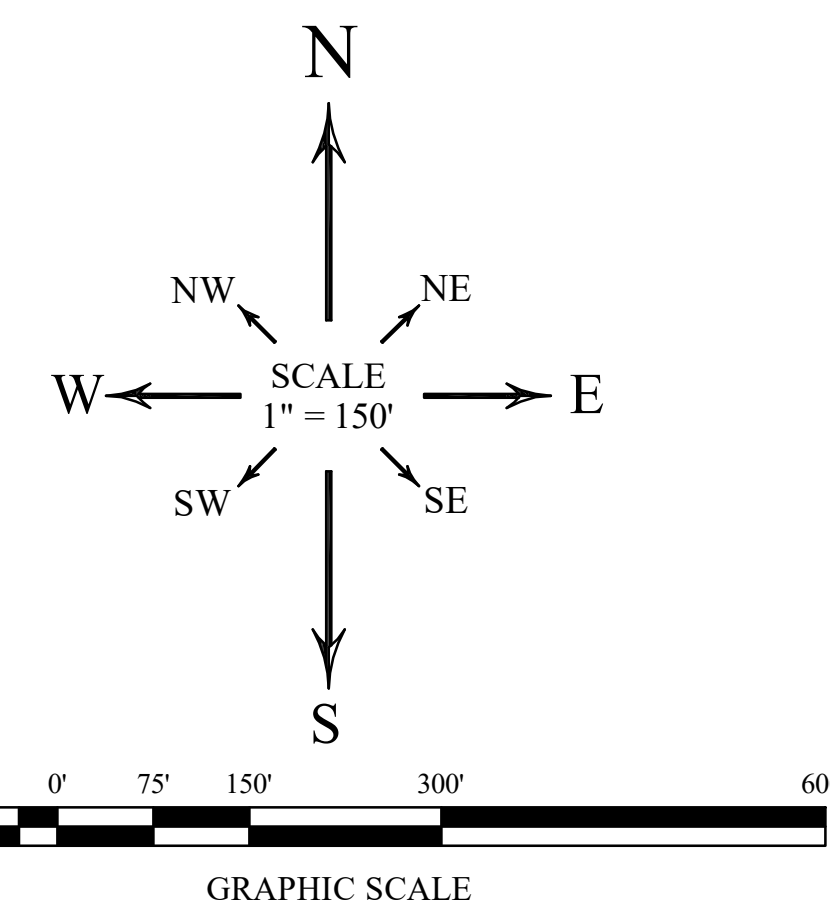
Description

Final Plat

PHILOMENA COMMERCIAL PLAT

LEGEND

- 1/2" ROD FOUND
- 1/2" ROD W/CAP SET "ALLSTAR 5729"
- DE DRAINAGE ESMT
- ETE ELECTRIC TELECOMM ESMT
- MUE MUNICIPAL UTILITY ESMT
- PUE PUBLIC UTILITY ESMT
- SLE SIDEWALK & LAMP POST ESMT
- WWE WASTEWATER ESMT
- W/WE WATER WASTEWATER ESMT
- () RECORD INFORMATION



BEARING BASIS:
BEARINGS ARE GRID NORTH BASED ON THE TEXAS COORDINATE SYSTEM
SOUTH CENTRAL TEXAS ZONE (4204) NAD83 HARN HORIZONTAL CONTROL.

OWNER: FPT HOLDINGS, LLC.

ACREAGE: 36.40 ACRES

NUMBER OF BLOCKS: 1

NUMBER OF LOTS: 3 - COMMERCIAL

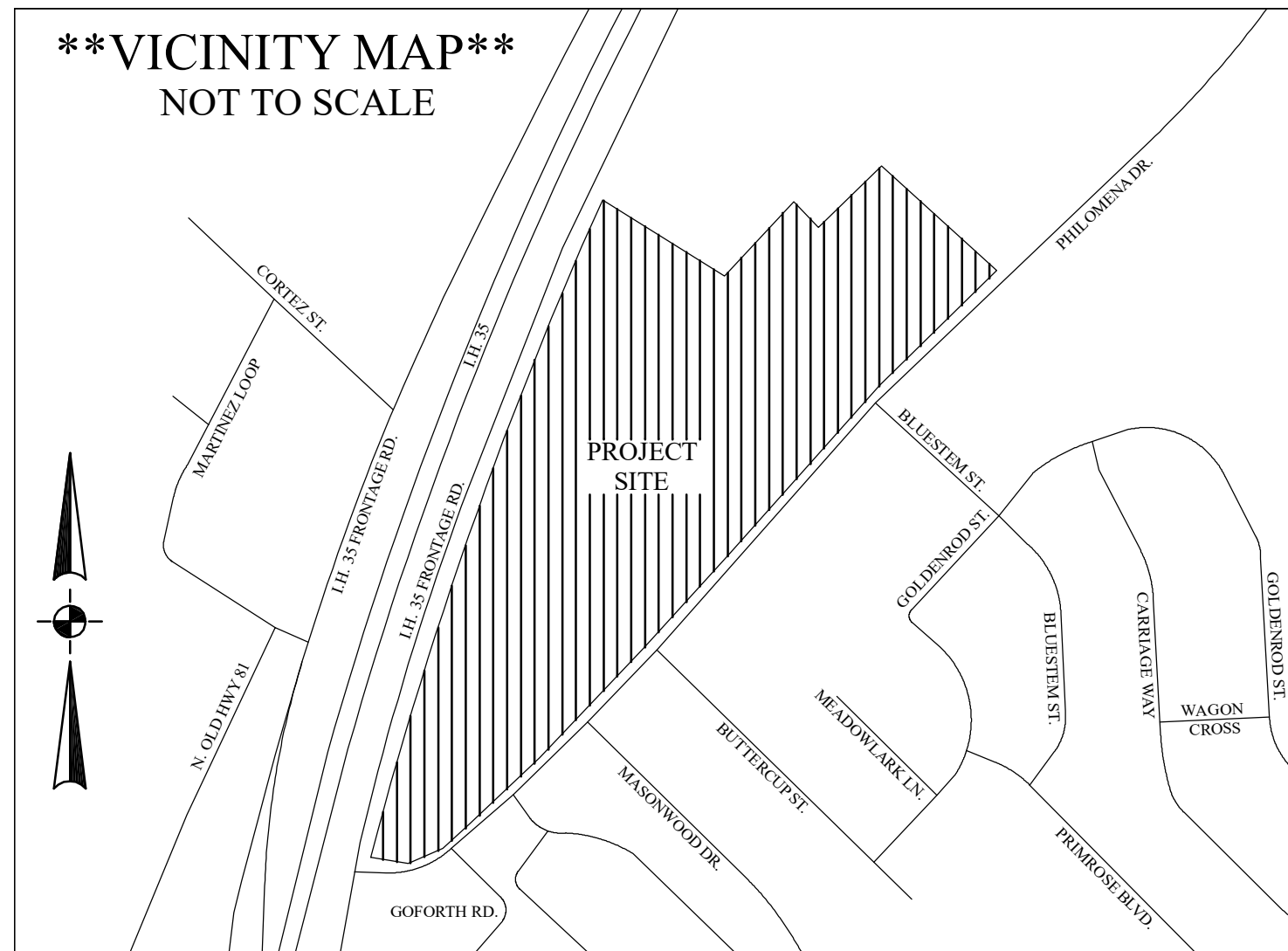
SUBMITTAL DATE: 01/29/2021

DATE OF REVISION: 07/15/2021

SURVEYOR: ALL STAR LAND SURVEYING
9020 ANDERSON MILL ROAD, AUSTIN, TEXAS 78729
(512) 249-8149 REF# A0104721

ENGINEER: GREG WESCOTT, PE
DUNAWAY ASSOCIATES
5707 SOUTHWEST PKWY, BLD. 2, STE. 250
AUSITN, TEXAS 78735

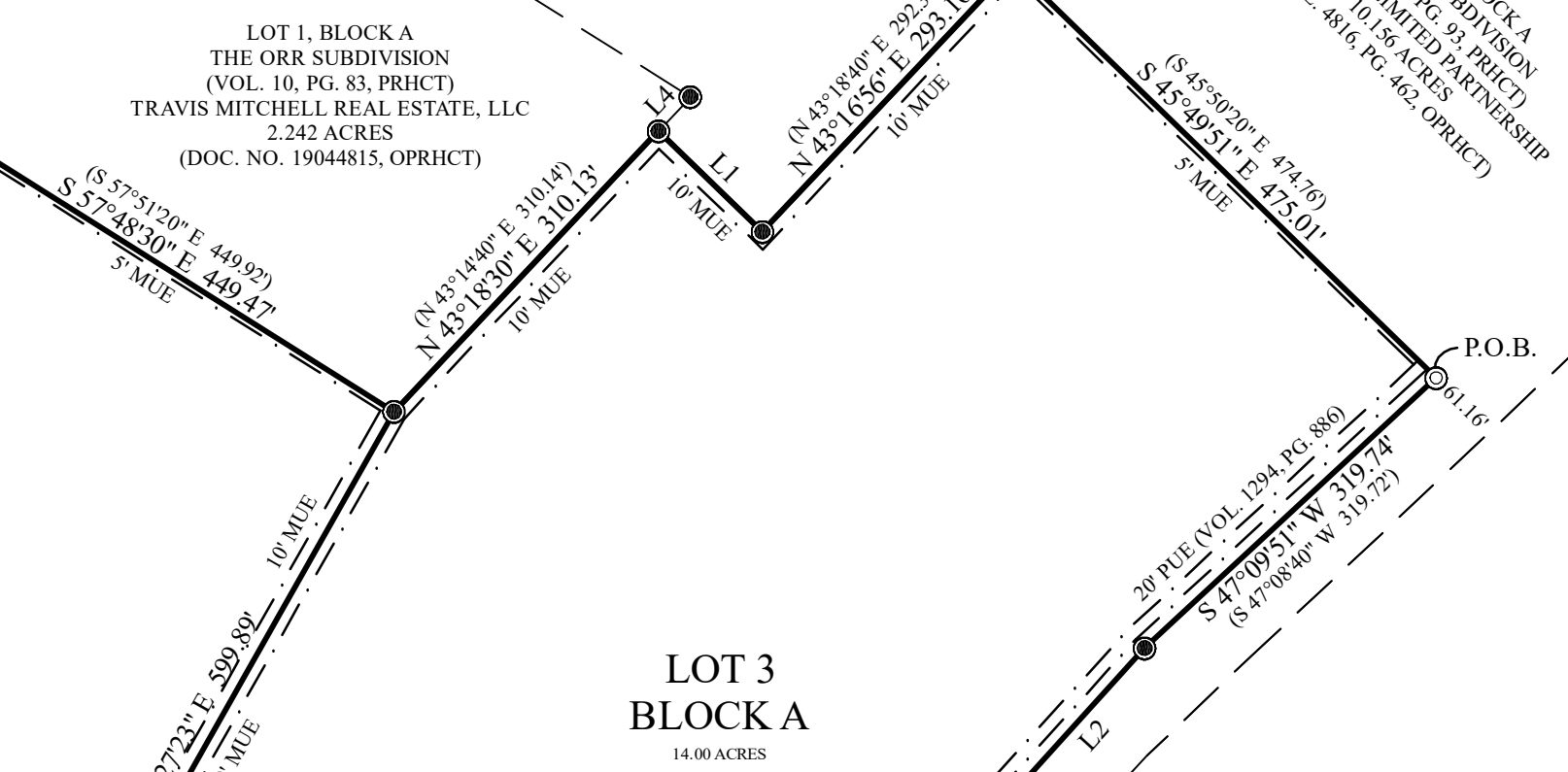
PROJECT DATUM: NORTH AMERICAN DATUM 1983 (NAD 83)
TEXAS STATE PLANE - SOUTH CENTRAL ZONE (4204)
UNITS: US SURVEY FEET



LOT 3
WINDMILL CENTER SUBDIVISION
(VOL. 18, PG. 121 PRHCT)
CHARDEN INVESTMENTS, LLC
3.07 ACRES
(DOC. NO. 18018450, OPRHCT)

LOT 1, BLOCK A
THE ORR SUBDIVISION
(VOL. 10, PG. 83, PRHCT)
TRAVIS MITCHELL REAL ESTATE, LLC
2.242 ACRES
(DOC. NO. 19044815, OPRHCT)

LOT 1, BLOCK A
AMPLE SUBDIVISION
(VOL. 14, PG. 93, PRHCT)
CUBE HIF LIMITED PARTNERSHIP
10.56 ACRES
(VOL. 4816, PG. 462, OPRHCT)



LOT 3
BLOCK A
14.00 ACRES

LOT 2
BLOCK A
16.00 ACRES

LOT 1
BLOCK A
6.40 ACRES

LINE	BEARING	DISTANCE
L1	S 45°54'03" E	116.41'
(L1)	(S 46°02'20" E)	(116.41')
L2	S 42°10'24" W	161.94'
(L2)	(S 42°09'40" W)	(162.09')
L3	S 42°10'34" W	107.92'
(L3)	(S 42°09'40" W)	(107.88')
L4	N 43°17'13" E	38.42'
L5	N 43°23'31" E	42.02'

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C1	11289.19'	881.43'	N 16°29'26" E	881.65'
C2	11289.19'	1119.25'	N 21°34'09" E	1119.71'
C3	11289.19'	166.45'	N 24°49'48" E	166.45'

ALLSTAR Land surveying
9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBPLS FIRM NO. 10135000

SCALE:	1" = 150'
DATE:	01/20/2021
DRAWN BY:	DAVID BAK
JOB NO.:	A0104721
REVISED DATE:	06/10/2021

PHILOMENA COMMERCIAL PLAT

BEING 36.40 ACRES OF LAND, OUT OF THE Z. HINTON SURVEY NUMBER 12, ABSTRACT NUMBER 220, HAYS COUNTY, TEXAS, SAME BEING ALL OF THAT CETRAIN LINDA HILL SCHMELTEKKOPF 13.01 ACRE TRACT RECORDED IN VOLUME 275, PAGE 491, DEED RECORDS, HAYS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN LAURA LYNNE SCHMELTEKKOPF LEHMAN 6.399 ACRE TRACT RECORDED IN VOLUME 1162, PAGE 300, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN RICHARD B. SCHMELTEKKOPF 16.996 ACRE TRACT RECORDED IN VOLUME 2904, PAGE 8, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS.

F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN AND HAS A ZONE "X". RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO.: 48453C0220J PANEL: 0220J DATED: 01/22/2020

THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.



CITY OF KYLE, TEXAS

Brookside Subdivision Phase 5A - Final Plat (SUB-21-0179)

Meeting Date: 8/10/2021
Date time: 6:30 PM

Subject/Recommendation: Brookside Subdivision Phase 5A - Final Plat (SUB-21-0179) 1.942 acres; 18 residential lots, 1 drainage & access easement, 1 private park, PUSE & access easement located northeast of Ferrule Drive.

Staff Proposal to P&Z: Approved.

Other Information: See attached.

Legal Notes: N/A

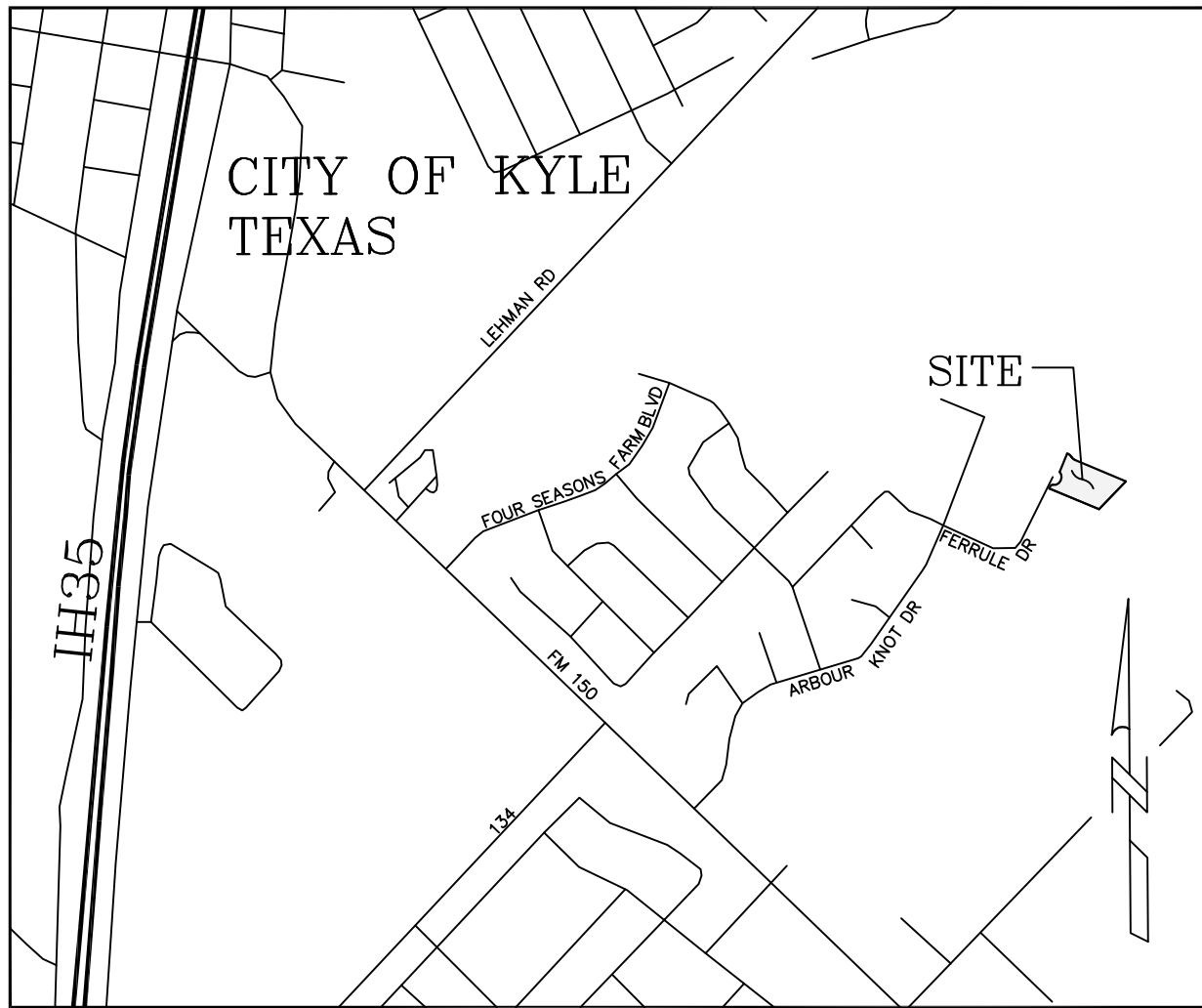
Budget Information: N/A

ATTACHMENTS:

Description

Final Plat

BROOKSIDE PHASE 5A



LOCATION MAP
NOT TO SCALE

OWNERS:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

ACREAGE: 1.942 ACRES

SURVEY: M.B. ATKINSON SURVEY, ABSTRACT NO. 21

TOTAL NUMBER OF LOTS: 20
RESIDENTIAL: 18
DRAINAGE & ACCESS ESMT: 1 (LOT 76, BLOCK F)
PRIVATE PARK, PUSE & ACCESS ESMT:1 (LOT 75, BLOCK F)

DATE: _____

SURVEYOR:
DIAMOND SURVEYING, INC.
T.B.P.E.L.S. FIRM NO. 10006900
116 SKYLINE ROAD
GEORGETOWN, TX 78628
(512) 931-3100

ENGINEER:
JAMISON CIVIL ENGINEERING LLC
TBE FIRM NO. F-17756
13812 RESEARCH BLVD. #B-2
AUSTIN, TX 78750
(737) 484-0880

LOT AREA TABLE		
BLOCK	LOT	SQ. FT.
F	57	5619
F	58	3337
F	59	3518
F	60	3111
F	61	3756
F	62	3159
F	63	3843
F	64	4014
F	65	4840
F	66	4122
F	67	3991
F	68	3389
F	69	3377
F	70	3377
F	71	3377
F	72	3377
F	73	3448
F	74	4076
F	75	10181
F	76	6676

NOTES:

- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHTS OF WAY, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHTS OF WAY, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL TREE/BRUSH REGROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- ACCESS TO ALL PRIVATE RIGHTS OF WAY HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- THE LOT UTILITY SERVICE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE OWNERS OF THE ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- PRIVATE UTILITY SERVICE LINES MAY CROSS ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- HOME BUILDER IS RESPONSIBLE FOR INSTALLING SIDEWALK IN COURTYARD AND ALONG FRONTAGE OF ALL PRIVATE OR PUBLIC STREETS. DEVELOPER IS RESPONSIBLE FOR SIDEWALK ALONG PARK STREET FRONTAGE.
- LOT PINS WILL BE SET AFTER UTILITY AND STREET CONSTRUCTION OR SOONER IF DIRECTED BY DEVELOPER.
- ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF HAYS COUNTY, TEXAS.
- ALL DRAINAGE EASEMENTS WITHIN THE SUBDIVISION, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT SHALL BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOMEOWNERS ASSOCIATIONS.
- 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 STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.

STATE OF TEXAS)
COUNTY OF HAYS)

KNOW ALL MEN BY THESE PRESENTS:

That, BIGELOW SAN MARCOS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, owner of 1.942 acres of land out of the M.B. ATKINSON Survey, Abstract No. 21, in Hays County, Texas, and being a part of the remnant portion of the called 26.145 acre tract of land conveyed to BIGELOW SAN MARCOS DEVELOPMENT, LLC as recorded in Volume 4963, Page 874 of the Official Public Records of Hays County, Texas and does hereby subdivide said 1.942 acres of land in accordance with this plat, to be known as BROOKSIDE PHASE 5A and do hereby dedicate to the public ROW, streets, alleys, easements, parks, and other open spaces to public use.

WITNESS MY HAND, this the _____ day of _____
20____, A.D.

James P. Bigelow, President
Bigelow San Marcos Development, LLC

Before me, the undersigned authority on this day personally appeared James P. Bigelow, 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

Print Notary's Name
My Commission Expires: _____

THIS PLAT (BROOKSIDE PHASE 5A). HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION

DATED THIS _____ DAY OF _____ 20____.

PLANNING & ZONING CHAIRPERSON

LEON BARBA, CITY ENGINEER DATE

THIS PLAT (BROOKSIDE PHASE 5B). HAS BEEN REVIEWED BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF KYLE

DATED THIS _____ DAY OF _____ 20____.

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

STATE OF TEXAS)
COUNTY OF HAYS)

I, Shane Shafer, 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 or record as found on the title policy or discovered with a title search prepared in conjunction with the most recent purchase of property.

By: _____ Date _____
Shane Shafer
Registered Professional Land Surveyor
No. 5281 - State of Texas
Diamond Surveying, Inc.
116 Skyline Road
Georgetown, TX 78628
(512) 931-3100

STATE OF TEXAS)
COUNTY OF HAYS)

I, the undersigned, a Registered Professional Engineer in the State of Texas, hereby certify that the plat and all plans and specifications which are included with the plat are, to the best of my professional capacity, complete and accurate and in compliance with all relevant City Ordinances.

Stephen R. Jamison, P.E. Date _____
Registered Professional Engineer
No. 86951 - State of Texas
TBE Firm No. F-17756
Jamison Civil Engineering LLC
13812 Research Blvd. #B-2
Austin, Texas 78750
737-484-0880

STATE OF TEXAS)
COUNTY OF HAYS)

I, Elaine Cardenas, Clerk of Hays County, Texas, do hereby certify that the foregoing instrument of Writing and its Certificate of Authentication was filed for record in my office on the _____ day of _____, 20____, A.D., at _____ o'clock _____ M., and duly recorded on the _____ day of _____, 20____, A.D. at _____ o'clock _____ M., in the Plat Records of said County and State on document# _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT of said County, the _____ day of _____, 20____, A.D.

Elaine Cardenas, County Clerk
Hays County, Texas

HEARTLAND BANK & TRUST
321 WEST GOLF ROAD
SCHAUMBURG, ILLINOIS 60196

BY: _____

NAME: _____

TITLE: _____

STATE OF ILLINOIS)
COUNTY OF COOK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ON THE _____ DAY OF _____, 20____ BY _____ OF HEARTLAND BANK & TRUST

NOTARY PUBLIC, STATE OF ILLINOIS

BROOKSIDE PHASE 5A

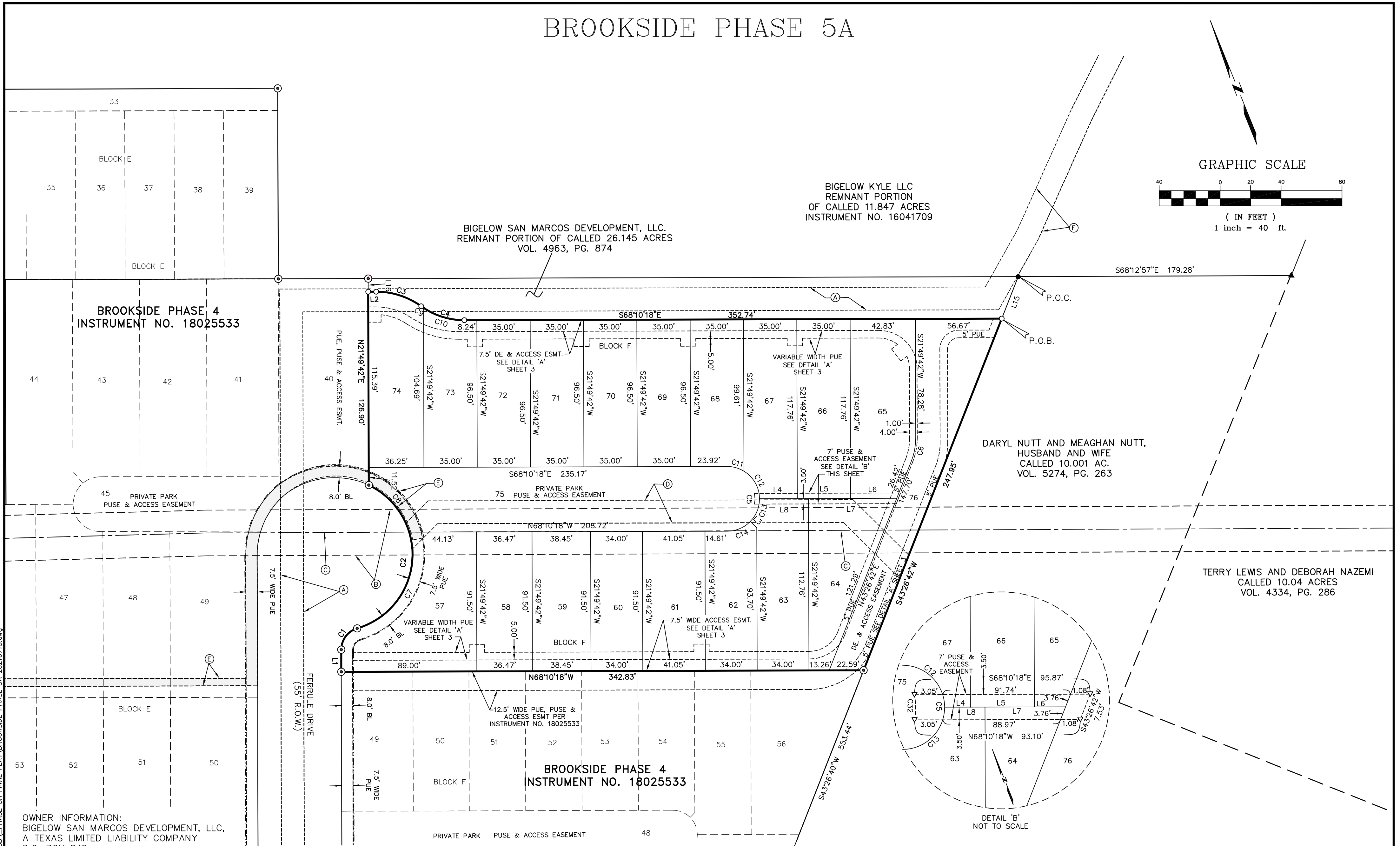
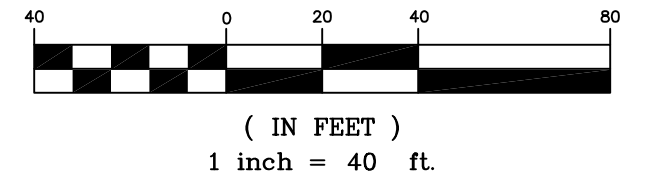
1.942 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 1 OF 3



OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

BROOKSIDE PHASE 5A

GRAPHIC SCALE

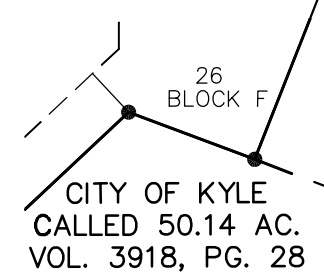


OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

BROOKSIDE PHASE 5A
1.942 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 2 OF 3

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

LEGEND		ABBREVIATIONS	
●	IRON ROD FOUND	DE	DRAINAGE EASEMENT
⊙	IRON ROD FOUND WITH CAP MARKED (DIAMOND SURVEYING)	PUE	PUBLIC UTILITY EASEMENT
○	IRON ROD SET WITH CAP MARKED "DIAMOND SURVEYING"	PUSE	PRIVATE UTILITY SERVICE EASEMENT
▲	60D NAIL FOUND	BL	BUILDING SETBACK LINE
▽	CALCULATED POINT	ESMT.	EASEMENT
Ⓧ	EASEMENT INFORMATION SEE LIST SHEET 4	R.O.W.	RIGHT-OF-WAY
		P.O.B.	POINT OF BEGINNING
		P.O.C.	POINT OF COMMENCEMENT



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N21°49'42"E	14.54'
L2	S68°10'18"E	5.24'
L3	N23°39'27"W	5.93'
L4	N68°10'18"W	24.82'
L5	N68°10'18"W	35.00'
L6	N68°10'18"W	30.25'
L7	S68°10'18"E	57.94'
L8	S68°10'18"E	32.13'
L15	S43°26'40"W	29.56'
L16	N21°49'42"E	8.60'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	14.50'	18.71'	73°55'24"	N58°47'24"E	17.44'
C2	50.50'	121.81'	138°11'52"	N26°39'10"E	94.35'
C3	50.00'	31.60'	36°12'22"	S60°04'07"E	31.07'
C4	47.80'	30.21'	36°12'22"	S50°04'07"E	29.71'
C5	21.26'	66.79'	180°01'53"	S21°49'42"W	42.51'
C6	40.50'	15.28'	21°36'57"	S32°38'11"W	15.19'
C7	50.50'	79.86'	90°36'39"	N50°26'47"E	71.80'
C8	50.50'	41.94'	47°35'14"	N18°39'09"W	40.75'
C9	47.80'	1.80'	2°09'48"	S33°02'50"E	1.80'
C10	47.80'	28.40'	34°02'34"	S51°09'01"E	27.98'
C11	21.26'	11.66'	31°25'06"	N52°28'41"W	11.51'
C12	21.26'	21.74'	58°35'50"	N07°28'13"W	20.80'
C13	21.26'	16.51'	44°30'51"	N44°05'08"E	16.10'
C14	21.26'	16.88'	45°30'06"	N89°05'36"E	16.44'
C32	18.26'	7.04'	22°06'26"	N21°49'42"E	7.00'

Z:\BIGELOW HOMES\BROOKSIDE PHASE 5A AND 5B\PHASE 5A FINAL PLAT\BROOKSIDE PHASE 5A 20210715.dwg

BROOKSIDE PHASE 5A

METES AND BOUNDS DESCRIPTION

FOR A 1.942 ACRE TRACT OF LAND SITUATED IN THE M.B. ATKINSON SURVEY, ABSTRACT NO. 21, HAYS COUNTY, TEXAS, AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 26.145 ACRE TRACT OF LAND CONVEYED TO BIGELOW SAN MARCOS DEVELOPMENT, LLC, RECORDED IN VOLUME 4963, PAGE 874, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 1.942 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found monumenting the original northeast corner of said 26.145 acre Bigelow San Marcos Development, LLC tract and the northwest corner of the called 10.001 acre tract of land conveyed to Daryl Nutt and Meaghan Nutt, recorded in Volume 5274, page 263, Official Public Records of Hays County, Texas, same being on the south boundary line of the called 11.847 acre tract of land conveyed to Bigelow Kyle LLC, recorded in Instrument No. 16041709, Official Public Records of Hays County, Texas, from which a 60d nail found monumenting the southeast corner of said 11.847 acre Bigelow Kyle LLC tract and the most northerly northeast corner of said 10.001 acre Nutt tract, same being on the west boundary line of a called 10.04 acre tract of land conveyed to Terry Lewis and Deborah Nazemi, recorded in Volume 4334, Page 286, Official Public Records of Hays County, Texas, bears S 68°12'57"E for a distance of 179.28 feet;

THENCE, S 43°26'40"W with the east boundary line of said 26.145 acre Bigelow San Marcos Development, LLC tract and the west boundary line of said 10.001 acre Nutt tract for a distance of 29.56 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" for the northeast corner and POINT OF BEGINNING hereof;

THENCE, S 43°26'42" W with the east boundary line of said 26.145 acre Bigelow San Marcos Development, LLC tract and the west boundary line of said 10.001 acre Nutt tract for a distance of 247.95 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of Lot 56, Block F, Brookside Phase 4, a subdivision recorded in Instrument No. 18025533, Plat Records of Hays County, Texas, for the southeast corner hereof, from which an iron rod found monumenting the southeast corner of Lot 26, Block F of said Brookside Phase 4 and the southwest corner of said 10.001 acre Nutt tract, same being on the north boundary line of the called 50.14 acre tract of land conveyed to the City of Kyle, recorded in Volume 3918, Page 28, Official Public Records of Hays County, Texas, bears S 43°26'40"W for a distance of 553.44 feet;

THENCE, N 68°10'18"W with the north boundary line of Lots 49 through 56, Block F of said Brookside Phase 4, common with said remnant portion of the 26.145 acre Bigelow San Marcos Development, LLC tract for a distance of 342.83 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northwest corner of said Lot 49, Block F, same being on the east right-of-way line of Ferrule Drive (55' right-of-way width) for the southwest corner hereof,

THENCE, with the said east right-of-way line of Ferrule Drive, common with said remnant portion of the 26.145 acre Bigelow San Marcos Development, LLC tract, the following three (3) courses and distances:

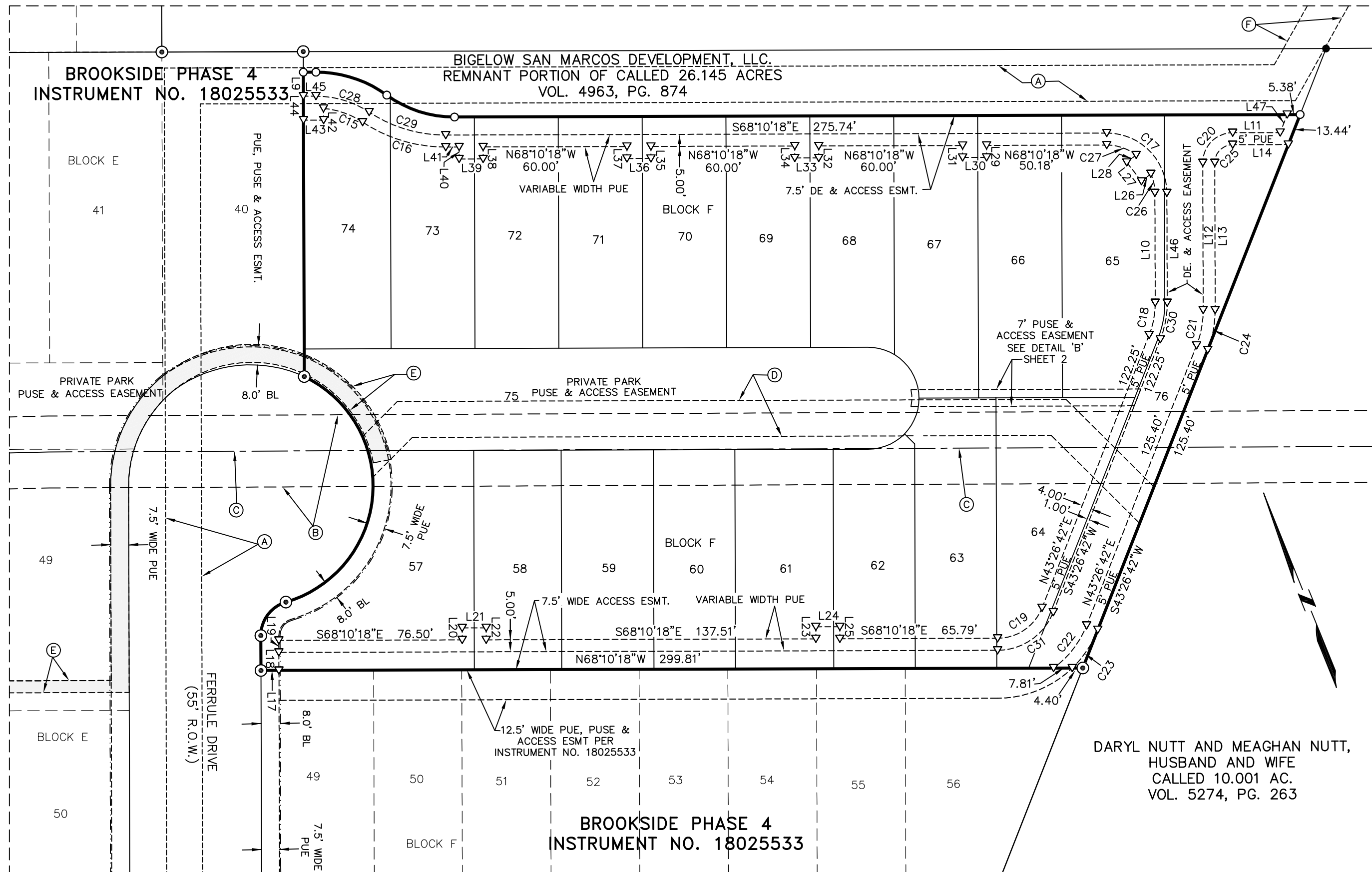
1. N 21°49'42"E for a distance of 14.54 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the beginning of a curve to the right;
2. With said curve to the right an arc length of 18.71 feet, said curve having a radius of 14.50 feet, a delta angle of 73°55'24" and a chord which bears N 58°47'24"E for a distance of 17.44 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" on the beginning of a reverse curve to the left;
3. With said curve to the left an arc length of 121.81 feet, said curve having a radius of 50.50 feet, a delta angle of 138°11'52" and a chord which bears N 26°39'10"E for a distance of 94.35 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the southeast corner of Lot 40, Block E of said Brookside Phase 4;

THENCE, N 21°49'42"E with the east boundary line of said Lot 40, Block E, common with said remnant portion of the 26.145 acre Bigelow San Marcos Development, LLC tract for a distance of 126.90 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" for the northwest corner hereof, from which a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 40, Block E, same being on the original north boundary line of said 26.145 acre Bigelow San Marcos Development, LLC and the south boundary line of said 11.847 acre Bigelow Kyle LLC tract, bears N 21°49'42"E for a distance of 8.60 feet;

THENCE, through the interior of said remnant portion of the 26.145 acre Bigelow San Marcos Development, LLC tract, the following four (4) courses and distances:

1. S 68°10'18"E for a distance of 5.24 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a curve to the right;
2. With said curve to the right an arc length of 31.60 feet, said curve having a radius of 50.00 feet, a delta angle of 36°12'22" and a chord which bears S 50°04'07"E for a distance of 31.07 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning or a reverse curve to the left;
3. With said curve to the left an arc length of 30.21 feet, said curve having a radius of 47.80 feet, a delta angle of 36°12'22" and a chord which bears S 50°04'07"E for a distance of 29.71 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the end of this curve;
4. S 68°10'18"E for a distance of 352.74 feet to the POINT OF BEGINNING and containing 1.942 acres of land more or less.

BEARING BASIS: NAD-83, TEXAS SOUTH CENTRAL (4204), STATE PLANE SYSTEM.



CURVE	RADIUS	ARC LENGTH	CURVE TABLE DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C15	35.00'	17.44'	28°32'49"	N48°44'39"W	17.26'
C16	62.50'	36.76'	33°42'03"	S51°19'16"E	36.23'
C17	25.00'	39.27'	90°00'00"	S23°10'18"E	35.36'
C18	36.50'	13.77'	21°37'00"	N32°38'12"E	13.69'
C19	20.00'	23.87'	68°23'00"	N77°38'12"E	22.48'
C20	12.50'	19.63'	90°00'00"	N66°49'42"E	17.68'
C21	40.00'	15.09'	21°36'59"	N32°38'12"E	15.00'
C22	40.00'	22.85'	32°43'28"	N59°48'26"E	22.54'
C23	45.00'	19.34'	24°37'18"	S55°45'21"W	19.19'
C24	45.00'	16.98'	21°36'59"	S32°38'12"W	16.88'
C25	7.50'	11.78'	90°00'00"	S66°49'42"W	10.61'
C26	20.00'	8.16'	23°22'34"	N10°08'25"E	8.10'
C27	20.00'	13.15'	37°40'07"	N49°20'14"W	12.91'
C28	40.00'	23.53'	33°42'03"	S51°19'16"E	23.19'
C29	57.50'	33.82'	33°42'03"	S51°19'16"E	33.34'
C30	41.50'	15.66'	21°37'00"	S32°38'12"W	15.56'
C31	25.00'	29.84'	68°23'00"	S77°38'12"W	28.10'

DETAIL 'A'
PUE - PUE DIMENSIONS
(1" = 40')

LINE TABLE			LINE TABLE		
L9	S21°49'42"W	10.00'	L29	S21°49'42"W	5.00'
L10	N21°49'42"E	45.78'	L30	N68°10'18"W	10.00'
L11	S68°10'18"E	19.82'	L31	N21°49'42"E	5.00'
L12	N21°49'42"E	61.43'	L32	S21°49'42"W	5.00'
L13	S21°49'42"W	61.43'	L33	N68°10'18"W	10.00'
L14	N68°10'18"W	23.22'	L34	N21°49'42"E	5.00'
L17	S68°10'18"E	7.50'	L35	S21°49'42"W	5.00'
L18	N21°49'42"E	7.50'	L36	N68°10'18"W	10.00'
L19	N21°49'42"E	5.00'	L37	N21°49'42"E	5.00'
L20	N21°49'42"E	5.00'	L38	S21°49'42"W	5.00'
L21	S68°10'18"E	10.00'	L39	N68°10'18"W	10.00'
L22	S21°49'42"W	5.00'	L40	N21°49'42"E	5.00'
L23	N21°49'42"E	5.00'	L41	N68°10'18"W	5.57'
L24	S68°10'18"E	10.00'	L42	S21°49'42"W	4.86'
L25	S21°49'42"W	5.00'	L43	N68°10'18"W	8.38'
L26	S73°46'09"W	5.00'	L44	N21°49'42"E	10.00'
L27	N16°01'31"W	10.00'	L45	S68°10'18"E	5.24'
L28	N73°46'09"E	5.00'	L46	S21°49'42"W	45.78'
			L47	N43°26'42"E	8.07'

EASEMENT LEGEND

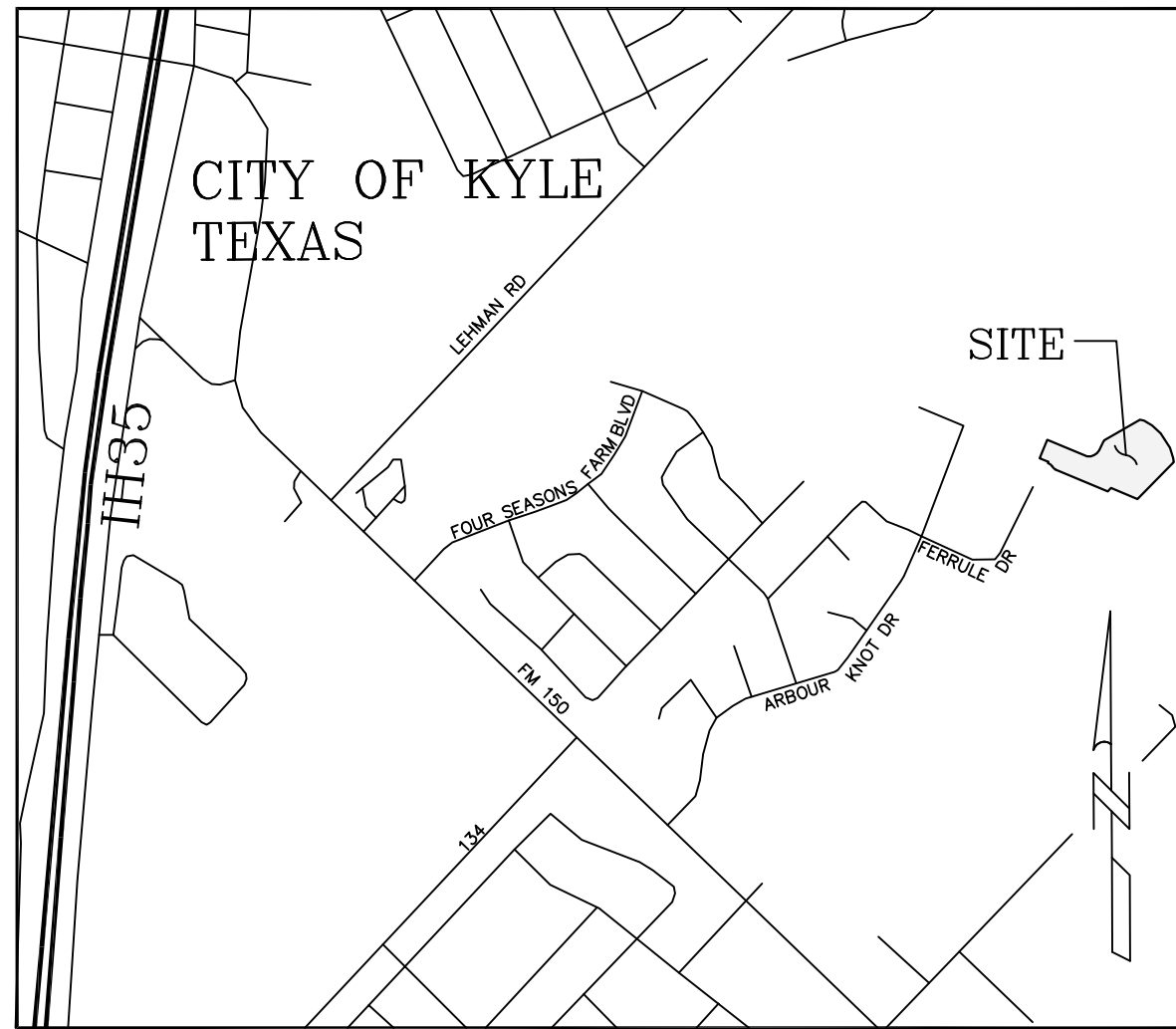
(A)	CITY OF KYLE, TEXAS WASTEWATER LINES EASEMENT CALLED 0.346 ACRE INSTRUMENT NO. 17013662	(D)	DRAINAGE EASEMENT INSTRUMENT NO. 17032359
(B)	RIGHT OF WAY AND EASEMENT DEED FOR DISTRIBUTION SYSTEM CENTERPOINT ENERGY ENTEX VOL. 2083, PG. 248 30' WIDE, 15' EITHER SIDE OF GAS LINE AS LAID (LOCATION IS BASED ON GAS LINE MARKER POSTS)	(E)	CITY OF KYLE, TEXAS PUBLIC UTILITY EASEMENT CALLED 0.064 ACRE INSTRUMENT NO. 17000538 (SHADED AREA) [-----]
(C)	RIGHT OF WAY AND EASEMENT (NO WIDTH SPECIFIED) UNITED GAS PUBLIC SERVICE COMPANY VOL. 108, PG. 27 (LOCATION IS BASED ON GAS LINE MARKER POSTS)	(F)	CITY OF KYLE, TEXAS WASTEWATER LINES EASEMENT CALLED 0.159 ACRE INSTRUMENT NO. 17013661

BROOKSIDE PHASE 5A

1.942 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 3 OF 3



OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667



LOCATION MAP
NOT TO SCALE

OWNERS:
OWNER INFORMATION:
BIGELOW KYLE LLC,
242 RUSH HAVEN
SAN MARCOS, TX 78666

BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

ACREAGE: 5.014 ACRES

SURVEY: M.B. ATKINSON SURVEY, ABSTRACT NO. 21

TOTAL NUMBER OF LOTS: 40
RESIDENTIAL: 35
ACCESS EASEMENT: 1 (LOT 114, BLOCK F)
DRAINAGE & ACCESS EASEMENT: 2 (LOTS 115 & 116, BLOCK F)
OPEN SPACE & DRAINAGE EASEMENT: 2 (LOTS 112 & 113, BLOCK F)

DATE: _____

SURVEYOR:
DIAMOND SURVEYING, INC.
T.B.P.E.L.S. FIRM NO. 10006900
116 SKYLINE ROAD
GEORGETOWN, TX 78628
(512) 931-3100

ENGINEER:
JAMISON CIVIL ENGINEERING LLC
TBE FIRM NO. F-17756
13812 RESEARCH BLVD. #B-2
AUSTIN, TX 78750
(737) 484-0880

BROOKSIDE PHASE 5B

5.014 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 1 OF 4

 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

LOT AREA TABLE		
BLOCK	LOT	SQ. FT.
F	77	3336
F	78	3386
F	79	3456
F	80	3456
F	81	3456
F	82	3456
F	83	3456
F	84	3456
F	85	3456
F	86	3456
F	87	3456
F	88	3456
F	89	4908
F	90	6203
F	91	5578
F	92	4348
F	93	4094
F	94	4082
F	95	4082
F	96	4082
F	97	4082
F	98	4082
F	99	4082
F	100	5275
F	101	4870
F	102	3379
F	103	3411
F	104	3443
F	105	3475
F	106	3401
F	107	6127
F	108	5776
F	109	6279
F	110	4645
F	111	4638
F	112	12954
F	113	17464
F	114	2594
F	115	36647
F	116	3106

NOTES:

- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHTS OF WAY, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHTS OF WAY, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL TREE/BRUSH REGROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- ACCESS TO ALL PRIVATE RIGHTS OF WAY HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- THE LOT UTILITY SERVICE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE OWNERS OF THE ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- PRIVATE UTILITY SERVICE LINES MAY CROSS ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- HOME BUILDER IS RESPONSIBLE FOR INSTALLING SIDEWALK IN COURTYARD AND ALONG FRONTAGE OF ALL PRIVATE OR PUBLIC STREETS. DEVELOPER IS RESPONSIBLE FOR SIDEWALK ALONG PARK STREET FRONTAGE.
- LOT PINS WILL BE SET AFTER UTILITY AND STREET CONSTRUCTION OR SOONER IF DIRECTED BY DEVELOPER.
- ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF HAYS COUNTY, TEXAS.
- ALL DRAINAGE EASEMENTS WITHIN THE SUBDIVISION, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT SHALL BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOMEOWNERS ASSOCIATIONS.
- 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 STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
- FENCING LOTS 89,90,101-106, BLOCK F:
NO FENCE SHALL BE ALLOWED TO BE INSTALLED IN OR OVER THE WASTEWATER EASEMENT. THE PLACEMENT AND EXTENT OF THE FENCE, SHALL BE SUCH THAT, NO PORTION OF THE WASTEWATER EASEMENT IS ALLOWED TO BE WITHIN THE FENCED AREA.

BROOKSIDE PHASE 5B

STATE OF TEXAS)
COUNTY OF HAYS)

KNOW ALL MEN BY THESE PRESENTS:

That, BIGELOW SAN MARCOS DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, and BIGELOW KYLE LLC owners of 5.014 acres of land out of the M.B. ATKINSON Survey, Abstract No. 21, in Hays County, Texas, and being a part of the remnant portion of the called 26.145 acre tract of land conveyed to BIGELOW SAN MARCOS DEVELOPMENT, LLC as recorded in Volume 4963, Page 874 of the Official Public Records of Hays County, Texas, and being a part of the remnant portion of the called 11.847 acre tract of land conveyed to BIGELOW KYLE LLC as recorded in Instrument No. 16041709 of the Official Public Records of Hays County, Texas, and does hereby subdivide said 5.014 acres of land in accordance with this plat, to be known as BROOKSIDE PHASE 5B and do hereby dedicate to the public ROW, streets, alleys, easements, parks, and other open spaces to public use.

WITNESS MY HAND, this the _____ day of _____, 20____, A.D.

James P. Bigelow, President
Bigelow San Marcos Development, LLC

Before me, the undersigned authority on this day personally appeared James P. Bigelow, 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

Print Notary's Name
My Commission Expires: _____

James P. Bigelow, President
Bigelow Kyle LLC

Before me, the undersigned authority on this day personally appeared Perry J. Bigelow, 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

Print Notary's Name
My Commission Expires: _____

THIS PLAT (BROOKSIDE PHASE 5B), HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION

DATED THIS _____ DAY OF _____, 20____.

PLANNING & ZONING CHAIRPERSON

LEON BARBA, CITY ENGINEER
DATE _____

THIS PLAT (BROOKSIDE PHASE 5B), HAS BEEN REVIEWED BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF KYLE

DATED THIS _____ DAY OF _____, 20____.

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

STATE OF TEXAS)
COUNTY OF HAYS)

I, Shane Shafer, 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 or record as found on the title policy or discovered with a title search prepared in conjunction with the most recent purchase of property.

By: _____ Date _____
Shane Shafer
Registered Professional Land Surveyor
No. 5281 - State of Texas
Diamond Surveying, Inc.
116 Skyline Road
Georgetown, TX 78628
(512) 931-3100

STATE OF TEXAS)
COUNTY OF HAYS)

I, the undersigned, a Registered Professional Engineer in the State of Texas, hereby certify that the plat and all plans and specifications which are included with the plat are, to the best of my professional capacity, complete and accurate and in compliance with all relevant City Ordinances.

Stephen R. Jamison, P.E. Date _____
Registered Professional Engineer
No. 86951 - State of Texas
TBE Firm No. F-17756
Jamison Civil Engineering LLC
13812 Research Blvd. #B-2
Austin, Texas 78750
737-484-0880

STATE OF TEXAS)
COUNTY OF HAYS)

I, Elaine Cardenas, Clerk of Hays County, Texas, do hereby certify that the foregoing instrument of Writing and its Certificate of Authentication was filed for record in my office on the _____ day of _____, 20____, A.D., at _____ o'clock _____ M., and duly recorded on the _____ day of _____, 20____, A.D. at _____ o'clock _____ M., in the Plat Records of said County and State on document# _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT of said County, the _____ day of _____, 20____, A.D.

Elaine Cardenas, County Clerk
Hays County, Texas

HEARTLAND BANK & TRUST
321 WEST GOLF ROAD
SCHAUMBURG, ILLINOIS 60196

BY: _____

NAME: _____

TITLE: _____

STATE OF ILLINOIS)
COUNTY OF COOK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ON THE _____ DAY OF _____, 20____ BY _____ OF HEARTLAND BANK & TRUST

NOTARY PUBLIC, STATE OF ILLINOIS

NEHEMIAH, LLC
P.O. BOX 848
SAN MARCOS, TEXAS 78667

BY: _____

NAME: _____

TITLE: _____

STATE OF TEXAS)
COUNTY OF HAYS)

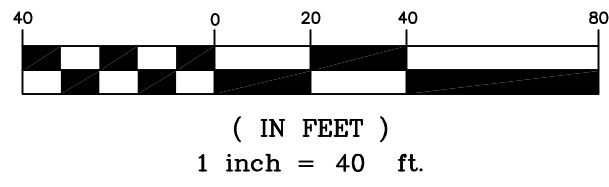
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ON THE _____ DAY OF _____, 20____ BY _____ OF NEHEMIAH, LLC.

NOTARY PUBLIC, STATE OF TEXAS

BROOKSIDE PHASE 5B

WALTON TEXAS LP
REMNANT PORTION OF
CALLED 342.14 AC.
VOL. 4399, PG. 768

GRAPHIC SCALE



WALTON TEXAS LP
CALLED 342.14 AC.
VOL. 4399, PG. 768

BIGELOW KYLE LLC
REMNANT PORTION
OF CALLED 11.847 ACRES
INSTRUMENT NO. 16041709

BROOKSIDE PHASE 4
INSTRUMENT NO.
18025533

BROOKSIDE PHASE 5B

5.014 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 2 OF 4

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

OWNER INFORMATION:
BIGELOW KYLE LLC,
242 RUSH HAVEN
SAN MARCOS, TX 78666

OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

BIGELOW SAN MARCOS DEVELOPMENT, LLC.
REMNANT PORTION OF CALLED 26.145 ACRES
VOL. 4963, PG. 874

BROOKSIDE PHASE 4
INSTRUMENT NO. 18025533

CITY OF KYLE
CALLED 50.14 AC.
VOL. 3918, PG. 28

TERRY LEWIS AND DEBORAH NAZEMI
CALLED 10.04 ACRES
VOL. 4334, PG. 286

DARYL NUTT AND MEAGHAN NUTT,
HUSBAND AND WIFE
CALLED 10.001 AC.
VOL. 5274, PG. 263

LEGEND		ABBREVIATIONS	
●	IRON ROD FOUND	AE	ACCESS EASEMENT
⊙	IRON ROD FOUND WITH CAP MARKED (DIAMOND SURVEYING)	DE	DRAINAGE EASEMENT
○	IRON ROD SET WITH CAP MARKED "DIAMOND SURVEYING"	PUE	PUBLIC UTILITY EASEMENT
▲	60D NAIL FOUND	PUSE	PRIVATE UTILITY SERVICE EASEMENT
▽	CALCULATED POINT	BL	BUILDING SETBACK LINE
Ⓢ	EASEMENT INFORMATION SEE LIST SHEET 4	ESMT.	EASEMENT
		R.O.W.	RIGHT-OF-WAY
		P.O.B.	POINT OF BEGINNING
		P.O.C.	POINT OF COMMENCEMENT

Z:\BIGELOW HOMES\BROOKSIDE PHASE 5A AND 5B\FINAL PLAT\BROOKSIDE PHASE 5B 20210715.dwg

BROOKSIDE PHASE 5B

METES AND BOUNDS DESCRIPTION

EASEMENT LEGEND

(A)	CITY OF KYLE, TEXAS WASTEWATER LINES EASEMENT CALLED 0.346 ACRE INSTRUMENT NO. 17013662
(F)	CITY OF KYLE, TEXAS WASTEWATER LINES EASEMENT CALLED 0.159 ACRE INSTRUMENT NO. 17013661

FOR A 5.014 ACRE TRACT OF LAND SITUATED IN THE M.B. ATKINSON SURVEY, ABSTRACT NO. 21, HAYS COUNTY, TEXAS, AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 26.145 ACRE TRACT OF LAND CONVEYED TO BIGELOW SAN MARCOS DEVELOPMENT, LLC, RECORDED IN VOLUME 4963, PAGE 874 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 11.847 ACRE TRACT OF LAND CONVEYED TO BIGELOW KYLE LLC, RECORDED IN INSTRUMENT NO. 16041709 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. SAID 5.014 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said 11.847 acre Bigelow Kyle LLC tract, same being on the west boundary line of the called 10.04 acre tract of land conveyed to Terry Lewis and Deborah Nazemi, recorded in Volume 4334, Page 286, Official Public Records of Hays County, Texas, same being on an angle point in the southerly boundary line of the remnant portion of the called 342.14 acre tract of land conveyed to Walton Texas, LP, recorded in Volume 4399, Page 768 of the Official Public Records of Hays County, Texas, for the northeast corner and POINT OF BEGINNING hereof;

THENCE, S 43°45'46"W with the east boundary line of said 11.847 acre Bigelow Kyle LLC tract and said west boundary line of the 10.04 acre Lewis and Nazemi tract for a distance of 325.28 feet to a 60D nail found monumenting the southeast corner of said 11.847 acre Bigelow Kyle LLC tract and the most northerly northeast corner of the called 10.001 acre tract of land conveyed to Daryl Nutt and Meaghan Nutt, recorded in Volume 5274, Page 263 of the Official Public Records of Hays County, Texas, for the southeast corner hereof;

THENCE, N 68°12'57"W with the south boundary line of said 11.847 acre Bigelow Kyle LLC tract and the north boundary line of said 10.001 acre Nutt tract for a distance of 179.28 feet to an iron rod found monumenting the northwest corner of said 10.001 acre Nutt tract and the northeast corner of said 26.145 acre Bigelow San Marcos Development, LLC tract;

THENCE, S 43°26'40"W with the east boundary line of said 26.145 acre Bigelow San Marcos Development, LLC tract and the west boundary line of said 10.001 acre Nutt tract for a distance of 29.56 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" for an exterior ell corner hereof, from which an iron rod found monumenting the southeast corner of Lot 26, Block F, Brookside Phase 4, a subdivision recorded in Instrument No. 18025533 of the Plat Records of Hays County, Texas and the southwest corner of said 10.001 acre Nutt tract, same being on the north boundary line of the called 50.14 acre tract of land conveyed to the City of Kyle, recorded in Volume 3918, Page 28 of the Official Public Records of Hays County, Texas, bears S 43°26'40"W for a distance of 801.39 feet;

THENCE, through the interior of said remnant portion of the 26.145 acre Bigelow San Marcos Development, LLC tract, the following four courses and distances:

1. N 68°10'18"W for a distance of 352.74 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a curve to the right;
2. With said curve to the right an arc length of 30.21 feet, said curve having a radius of 47.80 feet, a delta angle of 36°12'22" and a chord which bears N 50°04'07"W for a distance of 29.71 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a reverse curve to the left;
3. With said curve to the left an arc length of 31.60 feet, said curve having a radius of 50.00 feet, a delta angle of 36°12'22" and a chord which bears N 50°04'07"W for a distance of 31.07 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the end of this curve;
4. N 68°10'18"W for a distance of 5.24 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the east boundary line of Lot 40, Block E of said Brookside Phase 4;

THENCE, N 21°49'42"E with said east boundary line of Lot 40, Block E common with said remnant portion of the 26.145 acre Bigelow San Marcos Development tract for a distance of 8.60 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 40, Block E, same being on the original north boundary line of said 26.145 acre Bigelow San Marcos Development, LLC tract and said south boundary line of the 11.847 acre Bigelow Kyle LLC tract;

THENCE, N 68°10'18"W with the north boundary line of said Lot 40, Block E, said original north boundary line of the 26.145 acre Bigelow San Marcos Development tract and said south boundary line of the 11.847 acre Bigelow Kyle LLC tract for a distance of 59.00 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" monumenting the northwest corner of said Lot 40, Block E, the northeast corner of Lot 41, Block E of said Brookside Phase 4, and the southeast corner of Lot 39, Block E of said Brookside Phase 4, for the southwest corner hereof;

THENCE, N 21°49'42"E in part with the East boundary line of said Lot 39, Block E and in part with the east boundary line of Lot 33, Block E of said Brookside Phase 4 common with said remnant portion of the 11.847 acre Bigelow Kyle LLC tract for a distance of 125.01 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" monumenting the northeast corner of said Lot 33, Block E, for the most westerly northwest corner hereof;

THENCE, through the interior of said remnant portion of the 11.847 acre Bigelow Kyle LLC tract, the following five (5) Courses and distances:

1. S 68°10'18"E for a distance of 271.28 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a curve to the left;
2. With said curve to the left an arc length of 89.58 feet, said curve having a radius of 72.00 feet, a delta angle of 71°17'19" and a chord which bears N 61°02'41"E for a distance of 83.92 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the end of this curve;
3. N 25°24'02"E for a distance of 55.36 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a curve to the right;
4. With said curve to the right an arc length of 11.97 feet, said curve having a radius of 56.00 feet, a delta angle of 12°14'57" and a chord which bears N 31°31'31"E for a distance of 11.95 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the end of this curve;
5. N 21°49'42"E for a distance of 1.37 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting an angle point in said north boundary line of the 11.847 acre Bigelow Kyle LLC tract and an angle point in said southerly boundary line of the remnant portion of the 342.14 acre Walton Texas LP tract;

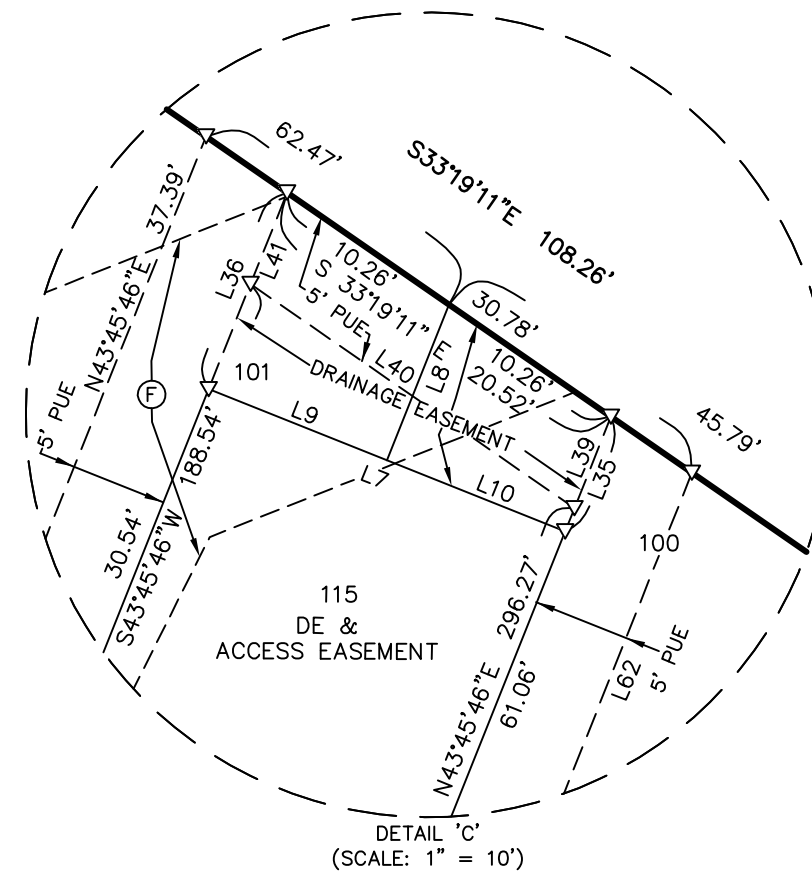
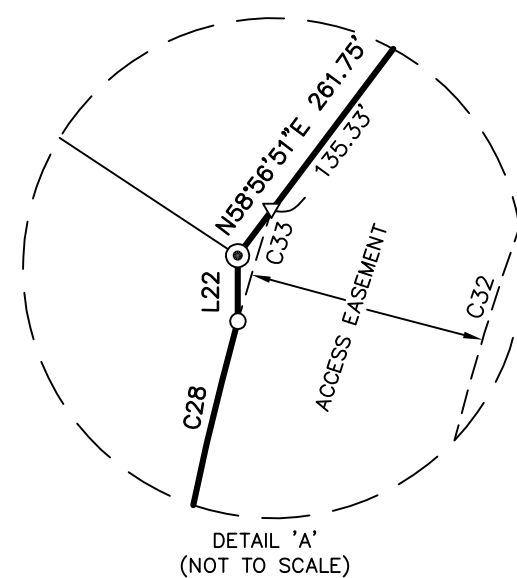
THENCE, with the northerly boundary line of said 11.847 acre Bigelow Kyle LLC tract common with said remnant portion of the 342.14 acre Walton Texas LP tract, the following seven (7) courses and distances:

1. N 58°56'51"E for a distance of 261.75 feet to a 1/2" iron rod found with cap marked "Diamond Surveying" monumenting the most northerly northwest corner of said 11.847 acre Bigelow Kyle LLC tract, for the most northerly northwest corner hereof;
2. S 74°48'51"E for a distance of 25.57 feet to a 1/2" iron rod found with cap marked "Diamond Surveying", for an angle point hereof;
3. S 59°50'55"E for a distance of 59.07 feet to a 1/2" iron rod found with cap marked "Diamond Surveying", for an angle point hereof;
4. S 49°15'43"E for a distance of 73.14 feet to a 1/2" iron rod found with cap marked "Diamond Surveying", for an angle point hereof;
5. S 33°19'11"E for a distance of 108.26 feet to a 1/2" iron rod found with cap marked "Diamond Surveying", for an angle point hereof;
6. S 17°55'05"E for a distance of 65.89 feet to a 1/2" iron rod found with cap marked "Diamond Surveying", for an angle point hereof;
7. S 10°11'36"E for a distance of 27.67 feet to the POINT OF BEGINNING and containing 5.014 acres of land more or less.

BEARING BASIS: NAD-83, TEXAS SOUTH CENTRAL (4204), STATE PLANE SYSTEM.

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	47.80'	30.21'	36°12'22"	N50°04'07"W	29.71'
C2	50.00'	31.60'	36°12'22"	N50°04'07"W	31.07'
C3	12.50'	8.05'	36°54'02"	N40°16'43"E	7.91'
C4	45.00'	70.69'	90°00'00"	N66°49'42"E	63.64'
C5	30.00'	38.27'	73°05'37"	N75°16'54"E	35.73'
C6	45.00'	10.95'	13°56'38"	N45°42'25"E	10.92'
C7	45.00'	67.53'	85°58'42"	S84°19'56"E	61.37'
C8	25.00'	41.41'	94°53'39"	S88°47'24"E	36.83'
C9	45.00'	53.46'	68°03'56"	S77°47'44"W	50.37'
C10	25.00'	2.00'	4°35'19"	N70°27'57"W	2.00'
C11	17.00'	2.00'	6°45'23"	S71°32'59"E	2.00'
C12	47.80'	28.40'	34°02'34"	N51°09'01"W	27.98'
C13	47.80'	1.80'	2°09'48"	N33°02'50"W	1.80'
C14	45.00'	15.71'	19°59'47"	S78°10'11"E	15.63'
C15	45.00'	22.89'	29°08'18"	N77°15'47"E	22.64'
C16	45.00'	14.87'	18°55'51"	N53°13'42"E	14.80'
C17	25.00'	5.97'	13°41'00"	S50°36'16"W	5.96'
C18	25.00'	35.43'	81°12'39"	N81°56'54"W	32.54'
C19	45.00'	26.51'	33°45'02"	N58°13'06"W	26.13'
C20	45.00'	24.90'	31°42'27"	S89°03'10"W	24.59'
C21	45.00'	16.12'	20°31'13"	S62°56'20"W	16.03'
C22	30.00'	15.44'	29°29'12"	S53°28'42"W	15.27'
C23	30.00'	22.83'	43°36'25"	N89°58'30"W	22.29'
C24	85.00'	48.94'	32°59'21"	N41°53'42"E	48.27'
C25	43.00'	25.18'	33°32'49"	N42°10'26"E	24.82'
C26	43.00'	5.22'	6°56'58"	N28°52'31"E	5.21'
C27	43.00'	19.96'	26°35'51"	N45°38'55"E	19.78'
C28	56.00'	11.97'	12°14'57"	N31°31'31"E	11.95'
C29	72.00'	89.58'	71°17'19"	N61°02'41"E	83.92'
C33	56.00'	2.40'	2°27'30"	N38°52'45"E	2.40'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S43°26'40"W	29.56'
L2	N68°10'18"W	5.24'
L3	N21°49'42"E	8.60'
L4	N68°10'18"W	59.00'
L5	N38°44'06"E	16.22'
L6	S41°20'35"E	42.18'
L7	S46°14'14"E	20.00'
L8	N43°45'46"E	8.73'
L9	S46°14'14"E	10.00'
L10	S46°14'14"E	10.00'
L11	S32°40'43"E	22.85'
L12	S12°05'31"W	21.71'
L13	S61°58'57"E	25.25'
L14	N25°24'02"E	55.36'
L15	S01°49'56"W	43.61'
L16	S29°40'44"E	26.85'
L17	S46°14'13"E	29.24'
L18	S21°47'03"W	19.81'
L19	S21°49'42"W	60.58'
L20	S38°01'11"W	29.09'
L21	S01°49'56"W	22.34'
L22	N21°49'42"E	1.37'
L35	S43°45'46"W	6.44'
L36	N43°45'46"E	11.02'
L39	S 43°45'46" W	5.13'
L40	N 33°19'11" W	20.52'
L41	N 43°45'46" E	5.13'



OWNER INFORMATION:
BIGELOW KYLE LLC,
242 RUSH HAVEN
SAN MARCOS, TX 78666

OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

BROOKSIDE PHASE 5B

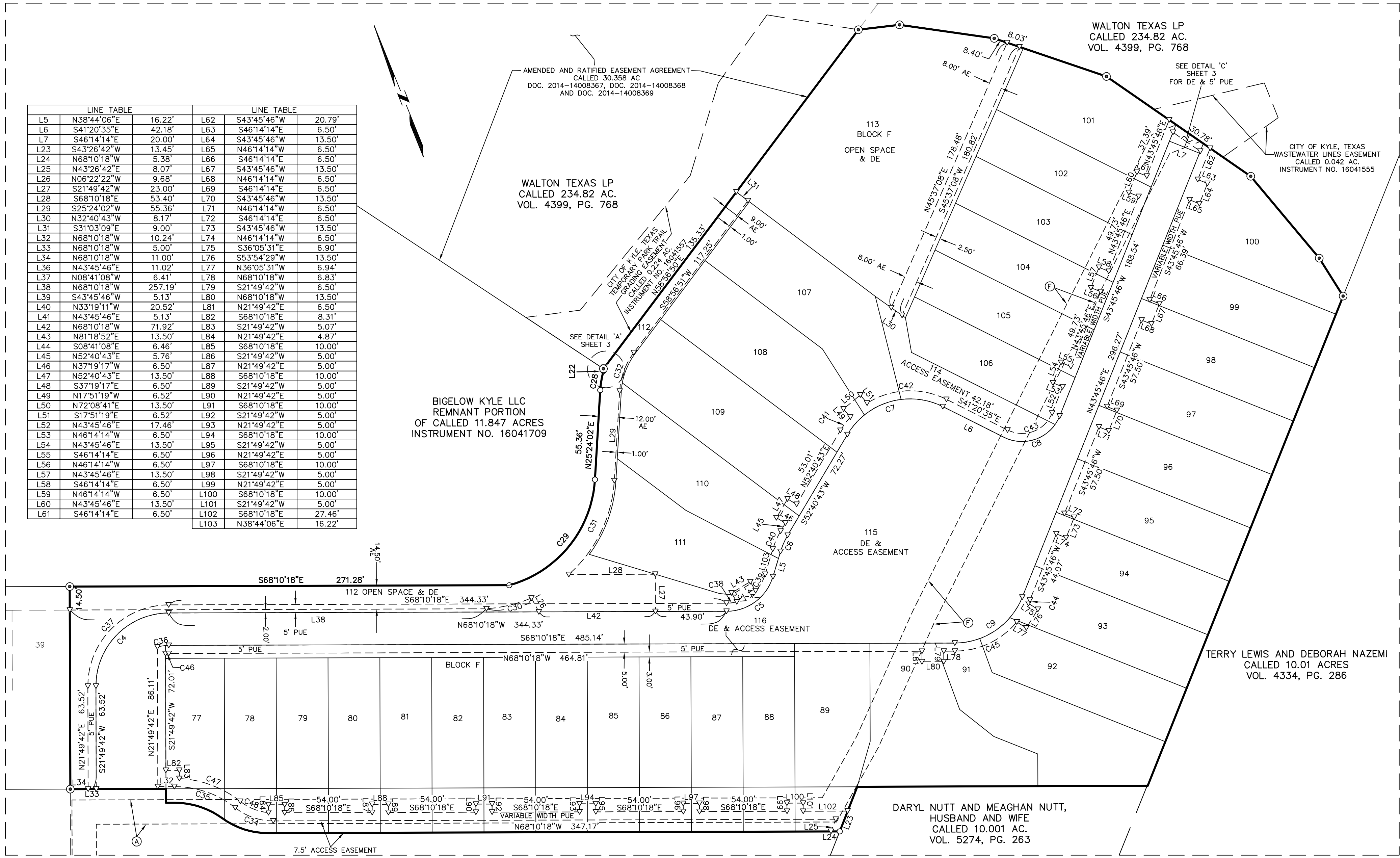
5.014 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 3 OF 4

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

Z:\BIGELOW HOMES\BROOKSIDE PHASE 5A AND 5B\PHASE 5B_FINAL_PLAT\BROOKSIDE PHASE 5B_20210715.dwg

BROOKSIDE PHASE 5B

LINE TABLE			LINE TABLE		
L5	N38°44'06"E	16.22'	L62	S43°45'46"W	20.79'
L6	S41°20'35"E	42.18'	L63	S46°14'14"E	6.50'
L7	S46°14'14"E	20.00'	L64	S43°45'46"W	13.50'
L23	S43°26'42"W	13.45'	L65	N46°14'14"W	6.50'
L24	N68°10'18"W	5.38'	L66	S46°14'14"E	6.50'
L25	N43°26'42"E	8.07'	L67	S43°45'46"W	13.50'
L26	N06°22'22"W	9.68'	L68	N46°14'14"W	6.50'
L27	S21°49'42"W	23.00'	L69	S46°14'14"E	6.50'
L28	S68°10'18"E	53.40'	L70	S43°45'46"W	13.50'
L29	S25°24'02"W	55.36'	L71	N46°14'14"W	6.50'
L30	N32°40'43"W	8.17'	L72	S46°14'14"E	6.50'
L31	S31°03'09"E	9.00'	L73	S43°45'46"W	13.50'
L32	N68°10'18"W	10.24'	L74	N46°14'14"W	6.50'
L33	N68°10'18"W	5.00'	L75	S36°05'31"E	6.90'
L34	N68°10'18"W	11.00'	L76	S53°54'29"W	13.50'
L36	N43°45'46"E	11.02'	L77	N36°05'31"W	6.94'
L37	N08°41'08"W	6.41'	L78	N68°10'18"W	6.83'
L38	N68°10'18"W	257.19'	L79	S21°49'42"W	6.50'
L39	S43°45'46"W	5.13'	L80	N68°10'18"W	13.50'
L40	N33°19'11"W	20.52'	L81	N21°49'42"E	6.50'
L41	N43°45'46"E	5.13'	L82	S68°10'18"E	8.31'
L42	N68°10'18"W	71.92'	L83	S21°49'42"W	5.07'
L43	N81°18'52"E	13.50'	L84	N21°49'42"E	4.87'
L44	S08°41'08"E	6.46'	L85	S68°10'18"E	10.00'
L45	N52°40'43"E	5.76'	L86	S21°49'42"W	5.00'
L46	N37°19'17"W	6.50'	L87	N21°49'42"E	5.00'
L47	N52°40'43"E	13.50'	L88	S68°10'18"E	10.00'
L48	S37°19'17"E	6.50'	L89	S21°49'42"W	5.00'
L49	N17°51'19"W	6.52'	L90	N21°49'42"E	5.00'
L50	N72°08'41"E	13.50'	L91	S68°10'18"E	10.00'
L51	S17°51'19"E	6.52'	L92	S21°49'42"W	5.00'
L52	N43°45'46"E	17.46'	L93	N21°49'42"E	5.00'
L53	N46°14'14"W	6.50'	L94	S68°10'18"E	10.00'
L54	N43°45'46"E	13.50'	L95	S21°49'42"W	5.00'
L55	S46°14'14"E	6.50'	L96	N21°49'42"E	5.00'
L56	N46°14'14"W	6.50'	L97	S68°10'18"E	10.00'
L57	N43°45'46"E	13.50'	L98	S21°49'42"W	5.00'
L58	S46°14'14"E	6.50'	L99	N21°49'42"E	5.00'
L59	N46°14'14"W	6.50'	L100	S68°10'18"E	10.00'
L60	N43°45'46"E	13.50'	L101	S21°49'42"W	5.00'
L61	S46°14'14"E	6.50'	L102	S68°10'18"E	27.46'
			L103	N38°44'06"E	16.22'



BROOKSIDE PHASE 5B

5.014 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 4 OF 4

OWNER INFORMATION:
BIGELOW KYLE LLC,
242 RUSH HAVEN
SAN MARCOS, TX 78666

OWNER INFORMATION:
BIGELOW SAN MARCOS DEVELOPMENT, LLC,
A TEXAS LIMITED LIABILITY COMPANY
P.O. BOX 848
SAN MARCOS, TX 78667

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

DETAIL 'B'
PUE - AE DIMENSIONS
(1" = 40')

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C4	45.00'	70.69'	90°00'00"	N66°49'42"E	63.64'
C5	30.00'	38.27'	73°05'37"	N75°16'54"E	35.73'
C6	45.00'	10.95'	13°56'38"	N45°42'25"E	10.92'
C7	45.00'	67.53'	85°58'42"	S84°19'56"E	61.37'
C8	25.00'	41.41'	94°53'39"	S88°47'24"E	36.83'
C9	45.00'	53.46'	68°03'56"	S77°47'44"W	50.37'
C28	56.00'	11.97'	12°14'57"	N31°31'31"E	11.95'
C29	72.00'	89.58'	71°17'19"	N61°02'41"E	83.92'
C30	88.78'	28.63'	18°28'38"	N81°24'48"W	28.51'
C31	84.00'	66.00'	45°01'06"	S47°54'35"W	64.32'
C32	44.00'	25.76'	33°32'49"	S42°10'26"W	25.40'
C34	37.50'	25.32'	38°40'46"	N48°49'56"W	24.84'
C35	60.00'	40.50'	38°40'43"	N48°49'56"W	39.74'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C36	25.00'	7.09'	16°15'37"	S76°18'06"E	7.07'
C37	50.00'	78.54'	90°00'00"	N66°49'42"E	70.71'
C38	25.00'	6.39'	14°38'36"	S75°29'36"E	6.37'
C39	25.00'	11.83'	27°07'17"	N52°17'44"E	11.72'
C40	50.00'	12.17'	13°56'38"	N45°42'25"E	12.14'
C41	50.00'	10.24'	11°43'49"	N58°32'38"E	10.22'
C42	50.00'	51.25'	58°43'51"	S70°42'30"E	49.04'
C43	20.00'	33.12'	94°53'39"	S88°47'24"E	29.47'
C44	50.00'	2.23'	2°33'05"	S45°02'19"W	2.23'
C45	50.00'	43.63'	49°59'49"	S86°49'48"W	42.26'
C46	20.00'	2.00'	5°44'21"	N71°02'28"W	2.00'
C47	65.00'	40.81'	35°58'09"	S47°28'39"E	40.14'
C48	32.50'	19.01'	33°31'12"	S46°15'10"E	18.74'



CITY OF KYLE, TEXAS

Opal Point at Kyle - Final Plat (SUB-21-0198)

Meeting Date: 8/10/2021
Date time: 6:30 PM

Subject/Recommendation: Opal Point at Kyle - Final Plat (SUB-21-0198) 16.1416 acres; 1 multi-family lot for property located at 141 Opal Lane.

Staff Proposal to P&Z: Approve

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

☐ Final Plat

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S45°19'04"E	178.63'
L2	S44°35'34"E	30.64'
L3	N45°21'22"E	5.61'
L4	S44°40'56"W	31.06'

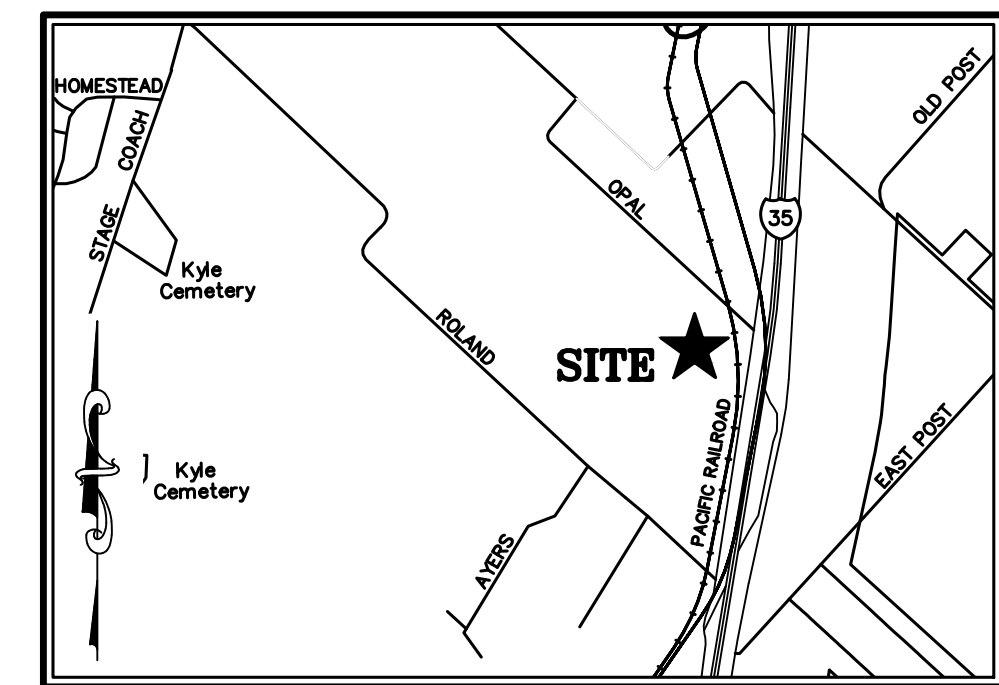
RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L1)	S45°19'04"E	178.61'
((L1))	S45°06'00"E	179.10'
(L2)	S44°18'04"E	30.81'
((L2))	S42°05'00"E	30.90'
(L3)	N43°47'56"E	5.78'
((L3))	N46°01'00"E	5.80'

CALLED 170.876 ACRES
PARAMOUNT PARK, LTD.
DOC. # 18013402
O.P.R.H.C.T.

[A]
REMAINDER OF CALLED 58.08 ACRES
(BEING 64.28 ACRES AS DESCRIBED, SAVE AND
EXCEPT 6.05 ACRES WITHIN THE MISSOURI PACIFIC
RAILROAD AND 0.15 ACRES IN THE COUNTY LANE)
JEAN PYLAND BALES, TRUSTEE FOR THE JEAN
PYLAND BALES LIVING TRUST
DOC. # 17043383
O.P.R.H.C.T.

VICINITY MAP

SCALE: 1" = 2000'



**OPAL LANE
(A.K.A. C.R. 138)
(R.O.W. VARIES)**

SURVEY CONTROL POINT
GRID N: 13,901,242.09
GRID E: 2,324,080.28
NAVD 88 ELEV. = 703.53'
ADJUSTED DATUM ELEV. = 703.02'
SEE SURVEY CONTROL NOTE

P.O.B.
GRID N: 13,901,138.95
GRID E: 2,324,058.10

16.1416 ACRE(S)
703,130 SQUARE FEET

LOT 1

I.G.N. RAILROAD
(200' R.O.W.)



LEGEND	
—	PROPERTY LINE
- - -	EXISTING PROPERTY LINES
○	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
●	1/2" IRON ROD FOUND (UNLESS NOTED)
●	IRON ROD WITH "G&R" CAP FOUND
△	CALCULATED POINT
⊙	SURVEY CONTROL POINT
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
D.R.H.C.T.	DEED RECORDS, HAYS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER DEED DOC. NO. 18013402
((.....))	RECORD INFORMATION PER DEED VOL. 665 PG. 409

OWNERS: GLENRIDGE STRYKER OPAL LANE, LLC
ADDRESS: 6009 WEST PARKER ROAD, SUITE 149, PMB 203
PLANO, TX 75093
PHONE: (214) 415-5106 FAX: N/A
ACREAGE: 16.1416
SURVEY: JAMES W. WILLIAMS SURVEY NO. 11 ABSTRACT NO. 473
NUMBER OF LOTS AND PROPOSED USE (IF MORE THAN ONE USE IS PLANNED FOR THE LOTS, PROVIDE LAND USE SUMMARY SHOWING # OF LOTS ARE PLANNED FOR EACH USE): 1 MULTIFAMILY
DATE:
SURVEYOR: 4WARD LAND SURVEYING, LLC
PHONE: (512) 537-2384 FAX: N/A
ENGINEER: LANGAN ENG. & ENV. SVCS., INC.
PHONE: (817) 328-3200 FAX: N/A

CALLED 170.876 ACRES
PARAMOUNT PARK, LTD.
DOC. # 18013402
O.P.R.H.C.T.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	694.59'	2,840.80'	14°00'33"	S08°27'46"E	692.86'
C2	12.31'	500.00'	1°24'38"	N43°00'28"E	12.31'
C3	39.47'	25.00'	90°27'18"	N01°30'52"W	35.50'
C4	98.03'	2,840.80'	1°58'38"	S16°27'25"E	98.03'
C5	1,413.72'	2,840.80'	28°30'48"	S03°11'20"E	1,399.18'
C6	621.10'	2,840.80'	12°31'37"	S04°48'11"W	619.87'

RECORD CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
(C5)	1,413.58'	2,840.80'	28°30'37"	S03°11'20"E	1,399.04'

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 1.000100038566.

SURVEY CONTROL:
STATE PLANE GRID CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, GRID COORDINATES AND ELEVATIONS (NAVD 88) SHOWN HEREON WERE DERIVED FROM GPS STATIC OBSERVATIONS ON DATE JULY 23, 2018, STATIC DATA PROCESSED BY O.P.U.S., 4WARD CONTROL POINT WAS CHECKED TO LCRA MON WS23, HAVING A PUBLISHED GRID COORDINATE & NAVD 88 ELEVATION OF N 13910121.43, E 2320991.567, ELEV. 761.408'.

**OPAL POINT AT
KYLE MF
City of Kyle,
Hays County, Texas**

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

Date: 7/14/2021
Project: 00754
Scale: 1" = 100'
Reviewer: PRB
Tech: BAP
Field Crew: JO/MW
Survey Date: JUNE 2020
Sheet: 1 OF 2

STATE OF TEXAS §
COUNTY OF _____ §

KNOW ALL MEN BY THESE PRESENTS, THAT GLENRIDGE STRYKER OPAL LANE, LLC, OWNER OF 16.1416 ACRES (703,130 SQUARE FEET) OUT OF THE JAMES W. WILLIAMS SURVEY NO. 11, ABSTRACT NO. 473 IN HAYS COUNTY, TEXAS, AND BEING A ALL OF A CALLED 16.1416 ACRE TRACT CONVEYED BY DEED IN DOCUMENT NO. 21000457 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE THIS PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, AND TO BE KNOWN AS:

OPAL POINT AT KYLE MF

IN WITNESS THEREOF, THE SAID GLENRIDGE STRYKER OPAL LANE, LLC, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY MARK W. BRANIGAN, PARTNER, AND THEREUNTO DULY AUTHORIZED

GLENRIDGE STRYKER OPAL LANE, LLC
BY: MARK W. BRANIGAN, PARTNER
6009 WEST PARKER RD., STE. 149, PMB 203
PLANO, TX 75093

STATE OF TEXAS §
COUNTY OF _____ §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, ON THIS THE _____ DAY OF _____, A.D., 20____ BY MARK W. BRANIGAN, ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC, STATE OF TEXAS

GENERAL NOTES:

- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF KYLE WATER AND WASTEWATER SYSTEM.
- 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.
- ALL STREETS, DRAINAGE, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OF KYLE STANDARDS.
- NO BUILDING, FENCES, LANDSCAPING OR OTHER SUCH STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY CITY OF KYLE.
- PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AGENCY.
- ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNS. OBSTRUCTIONS IN DRAINAGE EASEMENTS IS PROHIBITED.
- SETBACKS NOT SHOWN ON LOTS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCES.
- THE OWNER OF THIS SUBDIVISION, AND HIS 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.
- 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.
- ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT. ELECTRIC SERVICE TO EACH LOT SHALL BE UNDERGROUND.
- THE SUBDIVISION IS SERVED BY THE FOLLOWING UTILITIES:
WATER CITY OF KYLE
WASTEWATER CITY OF KYLE
ELECTRIC PEDERNALES ELECTRIC COMPANY
TELEPHONE VERIZON
GAS CENTER POINT GAS
- 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.
- 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.
- 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).
- THIS ENTIRE SUBDIVISION IS LOCATED WITHIN THE BLANCO RIVER WATERSHED.
- ALL DRAINAGE EASEMENTS WITHIN THE SUBDIVISION, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT SHALL BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOMEOWNERS ASSOCIATIONS.
- 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.

LEGAL DESCRIPTION

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 16.1416 ACRES (703,130 SQUARE FEET) OUT OF THE JAMES W. WILLIAMS SURVEY NO. 11, ABSTRACT NO. 473, IN HAYS COUNTY, TEXAS, BEING A ALL OF A CALLED 16.1416 ACRE TRACT OF LAND CONVEYED TO GLENRIDGE STRYKER OPAL LANE, LLC, IN DOCUMENT NO. 21000457 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.), SAID 16.1416 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET IN THE WEST RIGHT-OF-WAY LINE OF I. G. N. RAILROAD (200' RIGHT-OF-WAY), BEING IN THE EAST LINE OF SAID PARAMOUNT PARK REMAINDER TRACT, AND BEING THE NORTHEAST CORNER AND POINT OF BEGINNING HEREOF, FROM WHICH A 1/2-INCH IRON ROD FOUND FOR THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID I. G. N. RAILROAD AND THE SOUTHWEST RIGHT-OF-WAY LINE OF OPAL LANE (COUNTY ROAD 138 - RIGHT-OF-WAY VARIES), BEING THE NORTHEAST CORNER OF SAID PARAMOUNT PARK REMAINDER TRACT BEARS, ALONG THE ARC OF A CURVE TO THE LEFT, WHOSE RADIUS IS 2,840.80 FEET, WHOSE ARC LENGTH IS 98.03 FEET AND WHOSE CHORD BEARS S16°27'25"E, A DISTANCE OF 98.03 FEET;

THENCE, CONTINUING WITH THE WEST RIGHT-OF-WAY LINE OF SAID I. G. N. RAILROAD AND THE EAST LINE OF SAID PARAMOUNT PARK REMAINDER TRACT, ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE RADIUS IS 2,840.80 FEET, WHOSE ARC LENGTH IS 694.59 FEET AND WHOSE CHORD BEARS S08°27'46"E, A DISTANCE OF 692.86 FEET TO A CALCULATED POINT FOR THE SOUTHEAST CORNER HEREOF, FROM WITH AN IRON ROD WITH "G & R SURVEYING" FOUND BEARS, ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE RADIUS IS 2,840.80 FEET, WHOSE ARC LENGTH IS 621.10 FEET AND WHOSE CHORD BEARS S04°48'11"W, A DISTANCE OF 619.87 FEET;

THENCE, LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID I. G. N. RAILROAD, OVER AND ACROSS SAID PARAMOUNT PARK REMAINDER TRACT THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- N87°36'43"W, A DISTANCE OF 285.48 FEET TO A CALCULATED POINT FOR AN ANGLE POINT HEREOF,
- N83°44'50"W, A DISTANCE OF 359.18 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR AN ANGLE POINT HEREOF,
- N59°32'46"W, A DISTANCE OF 443.10 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR A NON-TANGENT POINT OF CURVATURE AND THE SOUTHWEST CORNER HEREOF,
- ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE RADIUS IS 500.00 FEET, WHOSE ARC LENGTH IS 12.31 FEET AND WHOSE CHORD BEARS N43°00'28"E, A DISTANCE OF 12.31 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR A POINT OF TANGENCY HEREOF,
- N43°42'47"E, A DISTANCE OF 128.39 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR AN ANGLE POINT HEREOF,
- N46°44'30"W, A DISTANCE OF 159.81 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR A POINT OF CURVATURE HEREOF,
- ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.47 FEET AND WHOSE CHORD BEARS N01°30'52"W, A DISTANCE OF 35.50 FEET TO A 1/2-INCH IRON ROD WITH "4WARD-BOUNDARY" CAP SET FOR A POINT OF TANGENCY HEREOF,
- N43°42'47"E, A DISTANCE OF 487.17 FEET TO A CALCULATED POINT FOR AN ANGLE POINT HEREOF,
- S46°25'09"E, A DISTANCE OF 125.00 FEET TO A CALCULATED POINT FOR AN ANGLE POINT HEREOF,
- N43°42'47"E, A DISTANCE OF 281.60 FEET TO A CALCULATED POINT FOR THE NORTH CORNER HEREOF,
- S46°17'13"E, A DISTANCE OF 443.65 FEET TO THE POINT OF BEGINNING HEREOF, AND CONTAINING 16.1416 ACRES (703,130 SQUARE FEET) MORE OR LESS.

ENGINEER'S CERTIFICATE:

I, G. ROBERT ADAMS, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN AS DEFINED BY FEMA FIRM PANEL 48209C0385F DATED SEPTEMBER 2, 2005.

G. ROBERT ADAMS, P.E. DATE
REGISTERED PROFESSIONAL ENGINEER NO. 86184
LANGAN ENG. & ENV. SVCS., INC.
8951 CYPRESS WATERS BLVD.
SUITE 150
DALLAS, TEXAS 75019

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION ON THE DATE SHOWN. THIS PLAT COMPLIES WITH ORDINANCE #439 OF THE CITY CODE OF KYLE.

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.

STEVEN M. DUARTE, R.P.L.S. DATE
TEXAS REGISTRATION NO. 5940
4WARD LAND SURVEYING
2201 WOODWARD STREET, SUITE 2201
AUSTIN, TEXAS 78745

PLANNING AND ZONING COMMISSION CERTIFICATION:

THIS FINAL 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____ A.D.

CHAIRPERSON DATE

REVIEWED BY:

DIRECTOR OF PUBLIC WORKS DATE

REVIEWED BY:

CITY ENGINEER DATE

STATE OF TEXAS §
COUNTY OF HAYS §

I, ELAINE 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

DOC. # _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY

OF _____, 20____ A.D.

ELAINE CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

OPAL POINT AT
KYLE MF
City of Kyle,
Hays County, Texas

 <p>4WARD Land Surveying A Limited Liability Company</p> <p>PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384 TBPLS FIRM #10174300</p>	Date:	7/14/2021
	Project:	00754
	Scale:	1" = 100'
	Reviewer:	PRB
	Tech:	BAP
	Field Crew:	JO/MW
Survey Date:	JUNE 2020	
Sheet:	2 OF 2	



CITY OF KYLE, TEXAS

Consideration of Exception to Sec.
41-10(b)(c), City of Kyle
Subdivision Code

Meeting Date: 8/10/2021
Date time: 6:30 PM

Subject/Recommendation: (Postponed on 6/8/21, 6/22/21 & 7/27/21) Consideration of Exception to Sec. 41-10(b)(c), City of Kyle Subdivision Code (Exception to requiring platting for 400, 402, 404 S. Burleson).

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- 400 S. Burleson Request
- 400 S. Burleson Deed
- 404 S. Burleson Deed & Request



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Will Atkinson – City Planner

DATE: Tuesday, June 8, 2021

SUBJECT: Sec. 41-10(b & c) – Exception to Platting (400, 402 & 404 S. Burleson, Kyle, TX)

REQUEST

Upon the request of property owners of 400 & 404 S. Burleson, staff presents a request to allow an exception to replatting for property owners at 400, 402 & 404 S. Burleson (Sec. 41-10(b & c)).

SUBDIVISIONS

Sec. 41-10. - Exceptions.

- (a) It is the expressed intent of this chapter that all sections and parts should be complied with, except in those instances when the provisions of this section are applicable. It is further the intent of this chapter that the granting of an exception to this chapter (i.e., a variance from the requirements hereof) shall not be a substitute for the amending of this chapter.
- (b) The planning and zoning commission may recommend to the council that an exception from these regulations be granted when, in its opinion, undue hardship will result from requiring strict compliance. In considering, recommending and granting an exception, either the planning and zoning commission or the council shall prescribe such conditions that it deems necessary or desirable in the public interest. In making the findings required in subsection (c) of this section, both bodies shall take into account, at least, the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such exception upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

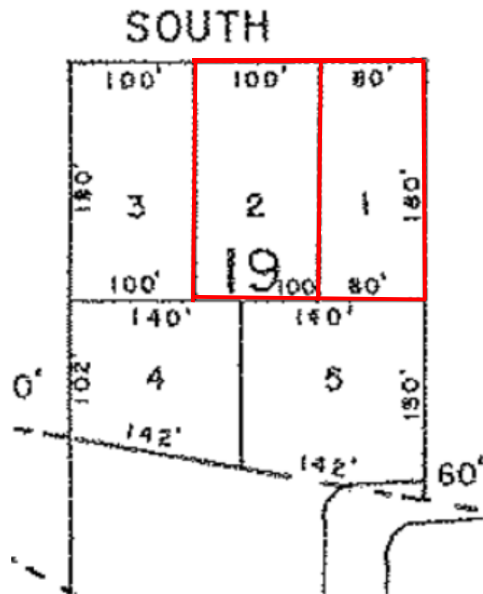
- (c) No exception shall be granted unless the following conditions are met:
- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would have a substantial adverse impact on the applicant's reasonable use of his land;
 - (2) That the granting of the exception will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
 - (3) That the granting of the exception will not have the effect of preventing the orderly subdividing of other land in the area in accordance with the provisions of this chapter.
- (d) Such findings of the planning and zoning commission and council, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the meeting at which such exception is recommended and granted.
- (e) Exceptions may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice served.

(Ord. No. 296, art. I, § 10, 10-1-1996; Ord. No. 439, art. I, § 10, 11-24-2003)

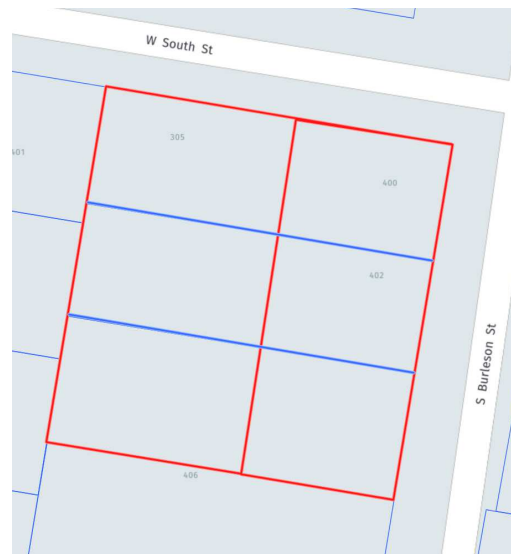
STAFF ANALYSIS

The owner's of 400 & 404 S. Burleson are each wanting to construct a single family home on each lot. The City of Kyle requires lots to be platted in a uniform manner to tie into city water and wastewater. 400, 402 & 404 S. Burleson all have water and wastewater availability.

It has recently come to staff's attention that the properties located at 400, 402 & 404 S. Burleson are platted, but not in a manner that is compliant. The platted lots for the three (3) addresses are two (2) lots running in a north/south fashion (front lines facing onto W. South Street). The ownership boundaries do not match the platted lot boundaries, except at the perimeter. The ownership boundaries for all three lots run east/west.



Red Lines Indicate Platted Lots of 400, 402, 404 S. Burleson



Red Lines = Platted Lots
Blue Lines = Ownership Boundaries

Early on, staff informed the property owners for 400 & 404 S. Burleson that a re-plat is required, to match the actual ownership boundaries, replacing the actual platted lot boundaries. This is due to the idea that a house built within the ownership boundaries, may actually cross a platted lot line. When building structures, it's illegal to cross boundary lines per Kyle's zoning ordinance.

However, as 2 out of the 3 property owners are currently trying to build homes, the administration of the permitting process is causing them delays. Staff informed the owners about Sec. 41-10, which allows a request for an exception to re-platting, as is their right. Approval of the exception is provided without cost to the landowners and could, if approved, expedite their building permits.

*Only 2 of the 3 property owners responded to staff inquiries to provide ownership documents (400 & 404 S. Burleson). However, this should not pose a problem for 402 S. Burleson, as it will make it easier to receive building permits, if they choose to apply for such permits.

**** As of 6/18/21, the owner of 402 S. Burleson has not given consent to pursue the platting exception. Therefore the exception request cannot be considered at this meeting.**

Staff believes the request for the exception meets the requirements and intent of Sec. 41-10(c)(1-3), as all three properties are within the perimeter boundary of both platted lots.

- “That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would have a substantial adverse impact on the applicant's reasonable use of his land;”
 - Attempting to replat one property will require all 3 properties to be replatted, even if one or more properties are not pursuing permits.
- “It will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and”
 - The ownership lines already exist, as does water and wastewater service. The ownership boundary lines meet the standards for the zoning districts on the properties, as if they were already platted.
- “The granting of the exception will not have the effect of preventing the orderly subdividing of other land in the area in accordance with the provisions of this chapter.”
 - The 3 properties are within the exact perimeter of the originally platted 2 lots. Not requiring a re-plat will have no effect of orderly subdividing of other land in accordance of Chapter 41.

The exception will only be allowed for properties located at 400, 402, & 404 S. Burleson, per this agenda item. The Planning & Zoning Commission will vote with a recommendation for City Council. At the June 15, 2021 City Council meeting, the Council will vote to consider this request.

RECOMMENDATION

Because not all of the property owners have granted permission to pursue the platting exception, staff cannot ask the Planning & Zoning Commission to recommend approval. The Commission may delay the vote to a date certain or deny the request of the applicants.

ATTACHMENTS

- 400 S. Burleson Request
- 400 S. Burleson Deed
- 404 S. Burleson Request
- 404 S. Burleson Deed

FROM: David Sheedy
401 Fairfield Dr.
Kyle Tx, 78640

TO: City Planner William Atkinson
100 W. Center St.
Kyle Tx, 78640

Dear William,

I am writing to request an exemption from platting for property I own located at 400 S. Burseson St. Kyle Texas. The City of Kyle Code of Ordinances provides for this exemption under section 41-10 -Exemptions sub-section (b).

My wife and I purchased a home in Kyle in 1999. Our family moved to Kyle in early 2000 and we have resided at 401 Fairfield Dr. since that time. In 2016 we purchased property at 400 S. Burseson in the original downtown area of Kyle. It was our intent to build a home and retire there. Records show that this property has been sold at least 3 times in its current configuration and that there had been 2 structures on the property. Both structures had been removed prior to our purchasing it in 2016.

In 2018, my wife and I went to the Planning and Zoning Dept. at City Hall. We spoke with someone from that department and discussed the planning and permitting process for construction of a single-family residence on our property. I subsequently met the same individual a second time with some follow-up questions. At no time where we given any indication that there was an issue with building on our lot.

In July of 2020 I retired from the Austin Fire Dept. with over 32 years of service. At that time, my wife and I began planning for our retirement home. We secured a builder, designed a one-story ranch style 2000 sq. foot home that blended well into the neighborhood. By late April 2021 we were prepared to close on the home and begin construction. Our builder had applied for all necessary permits and we were waiting final approval from the city when the problem was discovered. This was our first indication that there was any issue with platting.

This issue has created a financial hardship on my wife and myself. Additionally, it has jeopardized our contract with our builder due to the extended length of time the platting process takes. Most estimates we received from survey companies ranged from 6 to 8 months. As we all know, the price of lumber and building materials has sky rocketed in recent months and we were able to lock in a contract price for construction of our home prior to these increases. If we are not granted an exemption, we will have to begin the process all over and will be looking at a significant price increase.

Please consider my request for exemption from platting. Doing so will allow my wife and I to build our retirement home. I can assure you that we will be an asset to the original downtown community.

Thank you so much for your help.

Sincerely,

David Sheedy

**T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)**

Date: March 29, 2016

GF No. _____

Name of Affiant(s): Jimmie Ortiz, James Ortiz

Address of Affiant: 301 Sunflower Cir, Kyle TX 78640

Description of Property: ORIGINAL TOWN OF KYLE, BLOCK 19, LOT N PT OF 1-2

County Hays, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of TEXAS, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners."):

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since July 25, 2013 there have been no:
a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
b. changes in the location of boundary fences or boundary walls;
c. construction projects on immediately adjoining property(ies) which encroach on the Property;
d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property;

EXCEPT for the following (If None, Insert "None" Below): ALL STRUCTURES ON PROPERTY HAVE BEEN REMOVED.

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

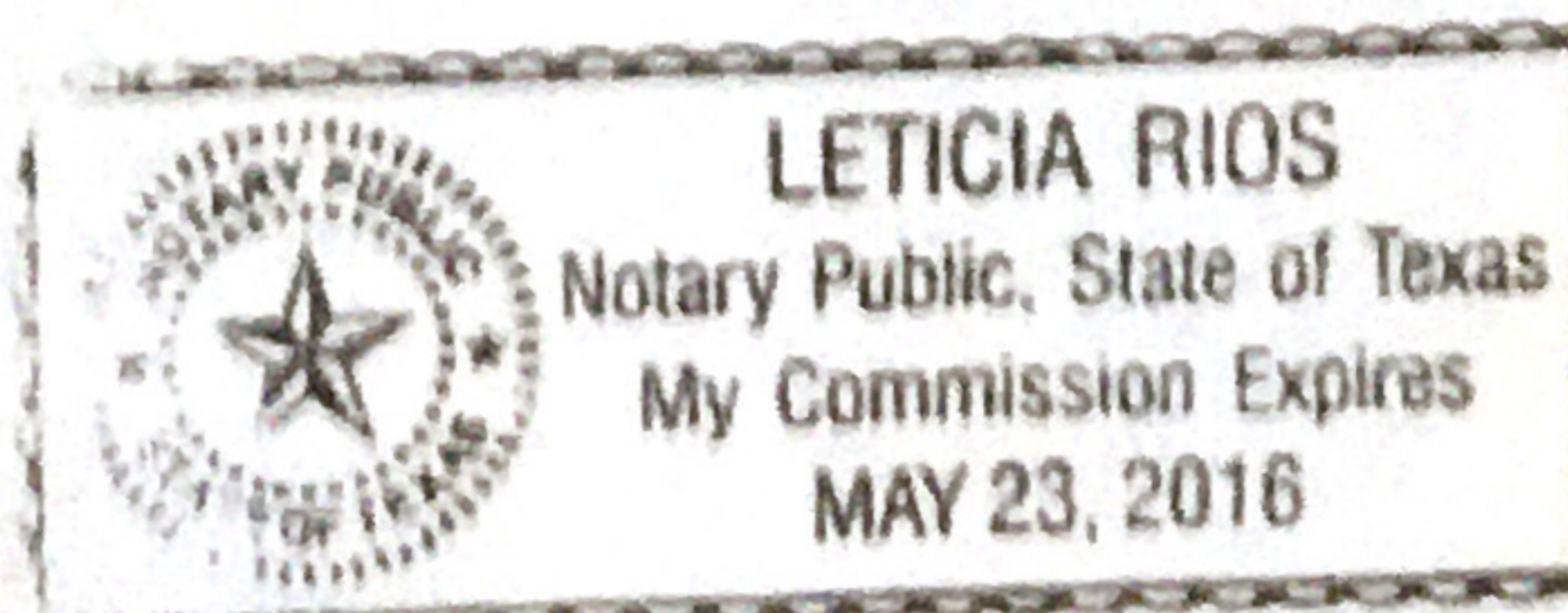
6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

X [Signature]

X James Ortiz

SWORN AND SUBSCRIBED this 5th day of April, 2014

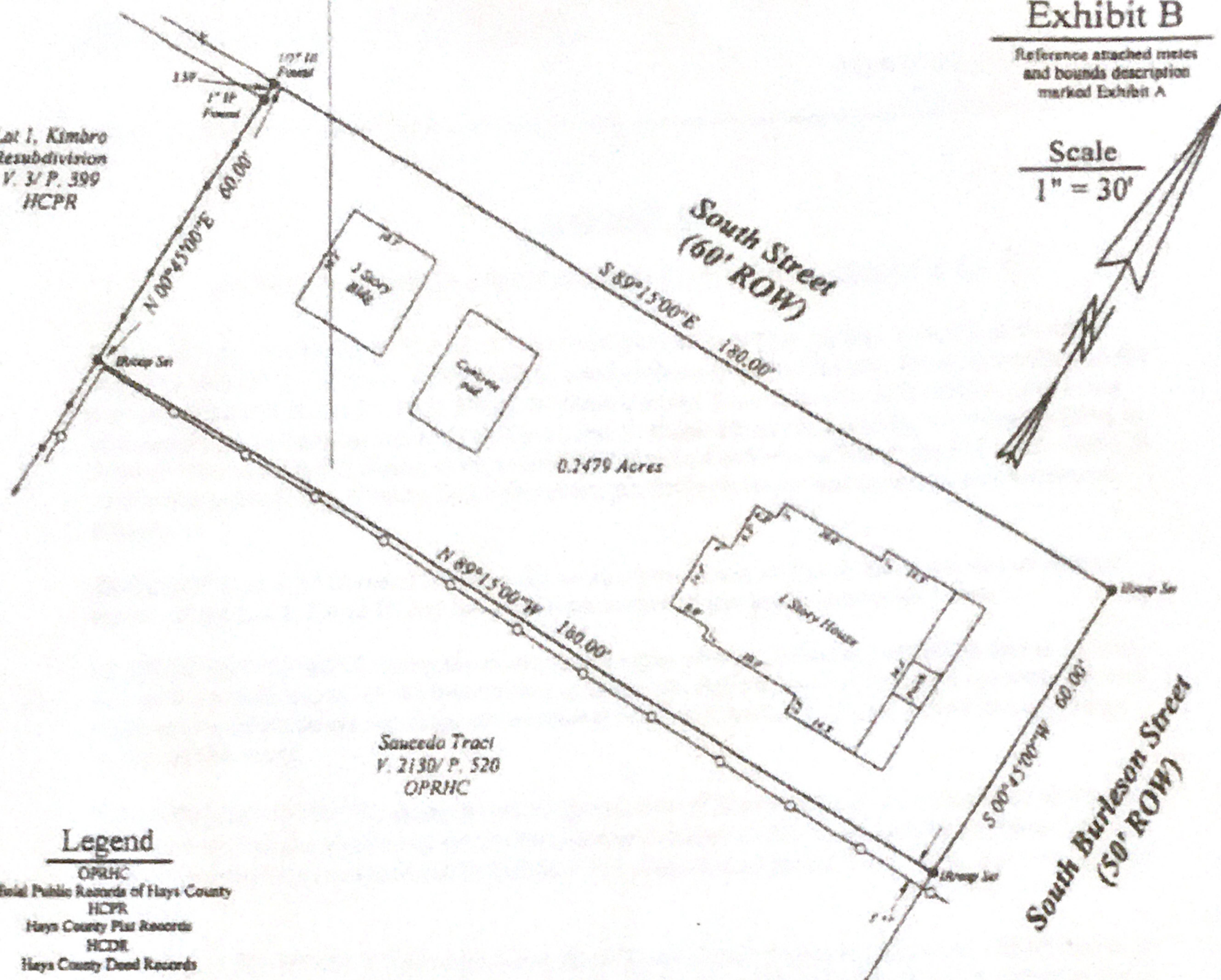
[Signature]
Notary Public



Reference attached notes and bounds description marked Exhibit A

Scale
1" = 30'

Lot 1, Kimbro
Resubdivision
V. 3/P. 399
HCPR



0.2479 Acres

Saucedo Tract
V. 2130/P. 520
OPRHC

Legend

- OPRHC
Official Public Records of Hays County
- HCPR
Hays County Plat Records
- HCDR
Hays County Deed Records
- () Data from recorded documents
- V. 880/P. 373 - OPRHC
- Chastefence
- Woodfence

X-Monica Davidson

Surveyor's Notes: The bearing basis was determined from a 1" square bolt found at the intersection of the centerline of Hance Street with the centerline of South Street and a 1" square bolt found at the intersection of the South Street with the centerline of South Burleson Street between Block 7 and Block 6, of the Town of Kyle. Volume 4116, Page 608, OPRHC, does not affect this tract.

PLAT SHOWING SURVEY OF 0.2479 ACRES OUT OF AND PART OF LOTS 1 AND 2, BLOCK 19 OF THE THE ORIGINAL TOWN OF KYLE, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 62, PAGE 599, OF THE HAYS COUNTY DEED RECORDS.

FOR: Ty Davidson and Monica Davidson

GF: 01247-10128/ Gracy Title

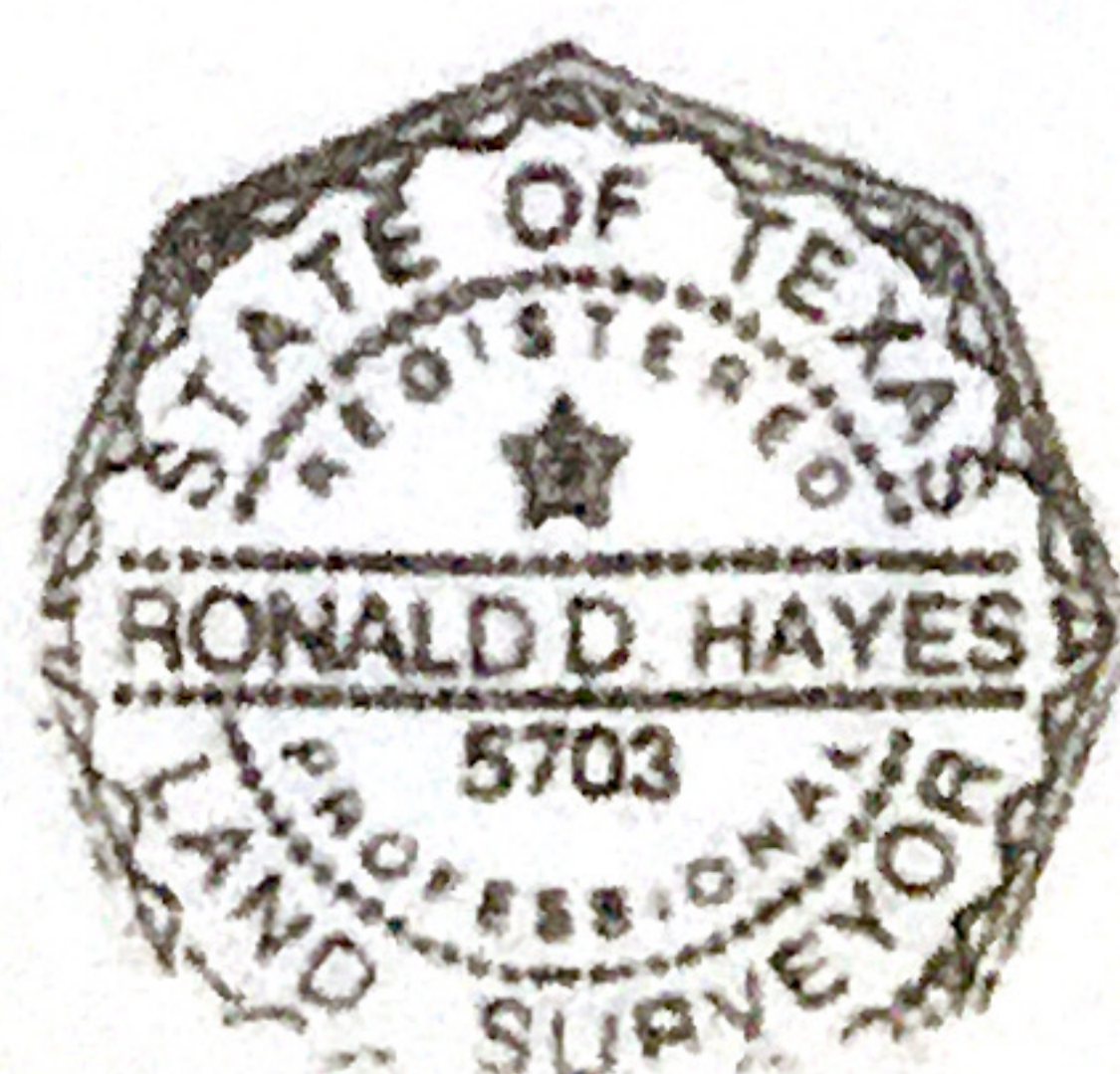
DATE: July 25, 2013

ADDRESS: 400 South Burleson Street, Kyle, Texas.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that there are no visible discrepancies, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown and that said property has access to a public road. Only those plats with a red surveyors seal and red signature shall be deemed reliable and authentic.

[Signature]
Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

According to the scaling of Map Panel 0F of the September 2, 2005 insurance rate map for the County of Hays, Texas, the property described hereon is in the Zone "X" of the flood hazard area and determined to be outside the 100 year flood zone.



**HAYES SURVEYING
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-268-4813**

5/26/2021

Attn: William Atkinson/City Planner

100 W. Center St

Kyle Tx, 78640

Re: 404 S. Burleson

This letter is in regards to the replatting of lots 400-406 S. Burleson of which we are the owners of lot 404.

It is my understanding that the City has an Ordinance in place requiring the replatting of said lots. We met with you April 2020 as did Mr. Rex Nellis from Palm Harbor homes and discussed the placing of a Modular Home and preparation and permits of the lot as required by the City yet never once was replatting mentioned as such I am curious when this was adopted and do the owners get notified? I want to mention that we became aware of this via Mr. Nellis second visit to the City for permits 2 weeks ago.

I am aware of another owner @400 S. Burleson having the same concern of this Ordinance as well as the other homeowners. This places a financial hardship on us as we are retired and can not afford the financial burden being placed on us as there are additional expenses to get utilities to the property that are quite costly.

I am asking for consideration of the exemption that is in place under City of Kyle Code of Ordinances section 41-10 Exemptions sub-section (b).

Thank You,

Natividad Romo Jr. & Eloise Romo

Natividad Romo Jr. Eloise Romo

VOL 268 386

STATE OF TEXAS

I

COUNTY OF HAYS

I

KNOW ALL MEN BY THESE PRESENTS:

I

I

88854

THAT WE, Jose Gonzales and wife, Argelia Gonzales of Hays County, in the State of Texas, for and in consideration of the money paid and assumed to be paid by Natividad Romo and wife, Eloisa Romo, as hereinafter shown and stated, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY, unto the said Natividad Romo and wife, Eloisa Romo, of the County of Hays and the State of Texas, subject to the hereinafter mentioned taxes and liens:

Situated in the Town of Kyle, in Hays County, Texas, being the South 1/3 of Lots Nos. One (1) and Two (2) in Block No. Nineteen (19) of the said Town of Kyle, according to the map or plat thereof recorded in Volume R. page 336, Hays County Deed Records, said property fronting 60 feet on Burleson Street and extending in a westerly direction between parallel lines for a distance of 180 feet, the South line of said property being the South line of said Lots Nos. 1 and 2 of Block 19; and being that same identical real property conveyed by and described in deed from E.D. Hauptrief, a single man, to E.H. Woods, dated March 29, 1963, recorded in Vol. 199, pages 163-4, Hays County Deed Records; and said map or plat and said deed, together with their respective records, are here referred to and made a part hereof for all pertinent, legal and descriptive purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Natividad Romo and wife, Eloisa Romo, their heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular, the said premises unto the said Natividad Romo and wife, Eloisa Romo, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to the hereinafter described taxes and liens.

The consideration for this conveyance is as follows:

1. The sum of TEN AND NO/100 DOLLARS (\$10.00) and other

good and valuable consideration to us in hand paid by the said Natividad Romo and wife, Eloisa Romo, the receipt whereof is hereby acknowledged and confessed.

2. The assumption on the part of the said Natividad Romo and wife, Eloisa Romo, effected by the acceptance of this conveyance, of the unpaid balance now due and owing upon one certain promissory note, in the original principal sum of FOUR THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$4,800.00), dated the 15th day of July, 1968 and executed by Grantors herein and payable to the First Federal Savings and Loan Association of San Marcos, or order, at San Marcos, Texas with interest and other terms as set out in said note, the terms and conditions of which note are incorporated herein by reference and made a part hereof for all pertinent purposes.

The above described note is secured by Vendor's Lien retained in the above mentioned deed to Grantors herein, and the payment of said note is additionally secured by deed of trust from Grantors herein in favor of the said First Federal Savings and Loan Association of San Marcos said deed of trust conveying the above described real property and dated of even date with said deed and note, and being of record in Volume 124, pages 490-492, Hays County Deed of Trust Records. Grantees herein expressly assume and promise to pay said note, according to its face, tenor, effect and reading; and, said Grantees expressly assume and obligate themselves to perform and carry out all of the duties and obligations imposed by said deed of trust upon the makers thereof the same extent and in the same way as though Grantees herein were the original makers of said note and Grantors in said deed of trust.

3. The further consideration of the execution and delivery by Grantees of their one certain promissory note of even date herewith, payable to the order of Grantors in the sum of THREE THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$3,600.00) payable in monthly installments and bearing the interest as therein provided and containing the usual clauses relating to acceleration of maturity

and for attorney's fees, and providing for payment of the note hereby assumed, at the option of the holder, in the event of default in the payment of the note hereby assumed, or default in any covenant or condition of the Deed of Trust securing said note hereby assumed, the payment of which said note of even date herewith is secured by a Vendor's Lien herein retained.

BUT it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described notes and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

It is further expressly agreed that the Vendor's Lien herein retained shall secure the note of even date herewith and the note assumed by Grantee herein and, in the event of default in the payment of said note so assumed (or default in any covenant or condition of any instrument securing payment of said note so assumed), the Grantors herein shall have the right and privileges of foreclosing the Vendor's Lien reserved in their favor herein

WITNESS OUR HAND on this the 14th day of June, A.D., 1974.

Jose Gonzales
Argelia Gonzales

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, the undersigned authority, in and for Hays County, Texas, on this day personally appeared Jose Gonzales and wife, Argelia Gonzales, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14th day of June, A.D., 1974.



L.P. Molina
Notary Public in and for Hays County, Texas

THE STATE OF TEXAS
COUNTY OF HAYS

I, LYDELL B. CLAYTON, Clerk of the County Court within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing with its Certificate of Authentication, was filed for record in my office on the 14th day of June, A.D. 1974, at 3:15 o'clock P.M., and duly recorded on the 20th day of June, A.D. 1974, at 4:50 o'clock A.M. in the Deed Book of said County in Book Number 268 Page 386-388 Inclusive.
WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF HAYS COUNTY, TEXAS, the date last above written.
Lydell B. Clayton
LYDELL B. CLAYTON, Clerk of the County Court within and for the County



CITY OF KYLE, TEXAS

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

Meeting Date: 8/10/2021
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: 8/10/2021

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