

CITY OF KYLE

PLANNING AND ZONING COMMISSION SPECIAL CALLED 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 Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on August 24, 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 20th day of August, 2021, prior to 6:30 P.M.

1. CALL THE MEETING TO ORDER

A.Roll Call

2. 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.

3. CONSIDER AND POSSIBLE ACTION

A Consider a request for 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 (Second of Two Public Hearings)
- Recommendation to City Council

4. ADJOURNMENT

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC. 551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to: (1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting."

CITY OF KYLE, TEXAS



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:

Meeting Date: 8/24/2021
Date time: 6:30 PM

<https://www.cityofkyle.com/bc/citizen-comment-sign>. Registration must be received by 12 p.m. on the day of the meeting.

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: 8/24/2021

Date time: 6:30 PM

Subject/Recommendation: Consider a request for 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 (Second of Two Public Hearings)
- Recommendation to City Council

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/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 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*)

LANDOWNER AUTHORIZATION AND AFFIDAVIT OF OWNERSHIP

SUBJECT PROPERTY INFORMATION

Subdivision Name, Block, Lot, or legal description if not subdivided: Remnant portion of a called 104.08 acre tract

of lots (if subdivided): 1 # of acres: 101.84 acres

Site APN/Property ID #(s): R12680

Location: 301 Bebee Road, Kyle, Texas 78640 County: Hays County

Development Name: Alliance Industrial - Caraway Tract

OWNER

Company/Applicant Name: Caraway Cattle Co Family Partnership

Authorized Company Representative (if company is owner): Jack Caraway

Type of Company and State of Formation: Family Partnership

Title of Authorized Company Representative (if company is owner): N/A

Applicant Address: 301 Bebee Road, Kyle, Texas 78640

Applicant Fax: N/A

Applicant Phone: 512-496-3747

Applicant/Authorized Company Representative Email: NA

APPLICANT REPRESENTATIVE

Check one of the following:

 I will represent the application myself; or

 X I hereby designate Amanda Swor (name of project representative) to act in the capacity as the agent for filing, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein and in the application for the development is true and correct. By signing below, I agree that the City of Kyle (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public.

Owner's Signature: Jack W. Caraway Date: 6/30/2021

State of Texas §

§

County of Hays §

This instrument was acknowledged before me on (date) by (name of authorized company representative) who is a(n) (member, manager, authorized officer, etc.) of (name of company), a (Texas) (limited liability company, corporation, partnership, etc.).
6/30/21 Jack W. Caraway
Caraway Cattle Co. Family Partnership.



SUBSCRIBED AND SWORN TO before me, this
the 30th day of June, 2021.

Jennifer Holm
Notary/Public's Signature
2/17/2025
My Commission Expires

PROJECT REPRESENTATIVE

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 - Cashing #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

Item # 2

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

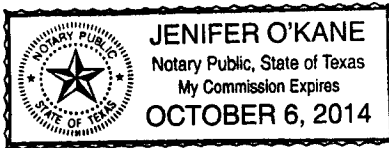


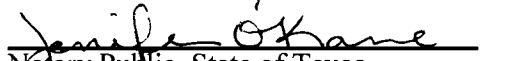
Luanne Caraway

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.



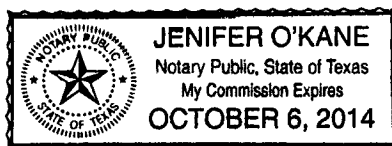


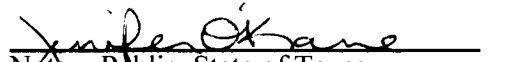
Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

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.





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. 24.02 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}

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

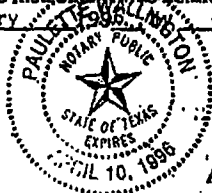
1206 473 ACKNOWLEDGEMENT

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



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
136 E. San Antonio
San Marcos, TX 78666

Doc# 394612
Date: 02-12-1996
Time: 11:21:12 A.M.
Filed & Recorded in
of Hays County, TX.
MORRIS T. ULLI, CLERK
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

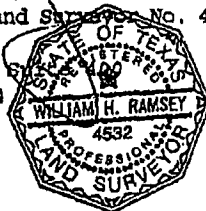
KNOW ALL MEN BY THESE PRESENTS:

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
Ryle, 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 - Cashing #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

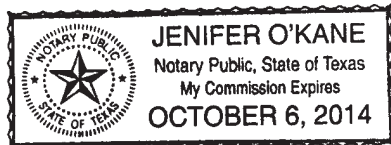



Luanne Caraway

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.



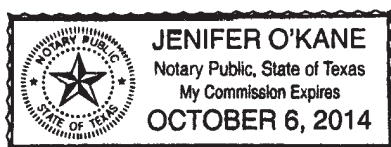



Notary Public, State of Texas
Name (Print): Jenifer O'Kane
My Commission Expires: 10.6.14

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.





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

12037123 Bk Vol Pg
OPR 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:

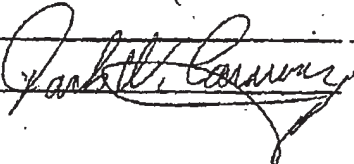

One fence

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.

OFFICIAL PUBLIC RECORDS
Hays County, Texas

1206, 47th 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 Jack W. Caraway and Luanne Caraway



Pauline 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
100 E. San Antonio
San Marcos, TX 78666

Doc# 394612
Pages 1
Date 02-12-1996
Filed 11:25 A.M.
of Hays County, TX
MARGIE T. ULLMANN
COUNTY CLERK
REC-00

1206.474

MAY 1, 1995 JOB NO. 67145.309 FIELD NOTE NO. 67145-40R1
CLIENT NO.: 60864 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 :

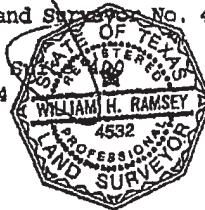
KNOW ALL MEN BY THESE PRESENTS:

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



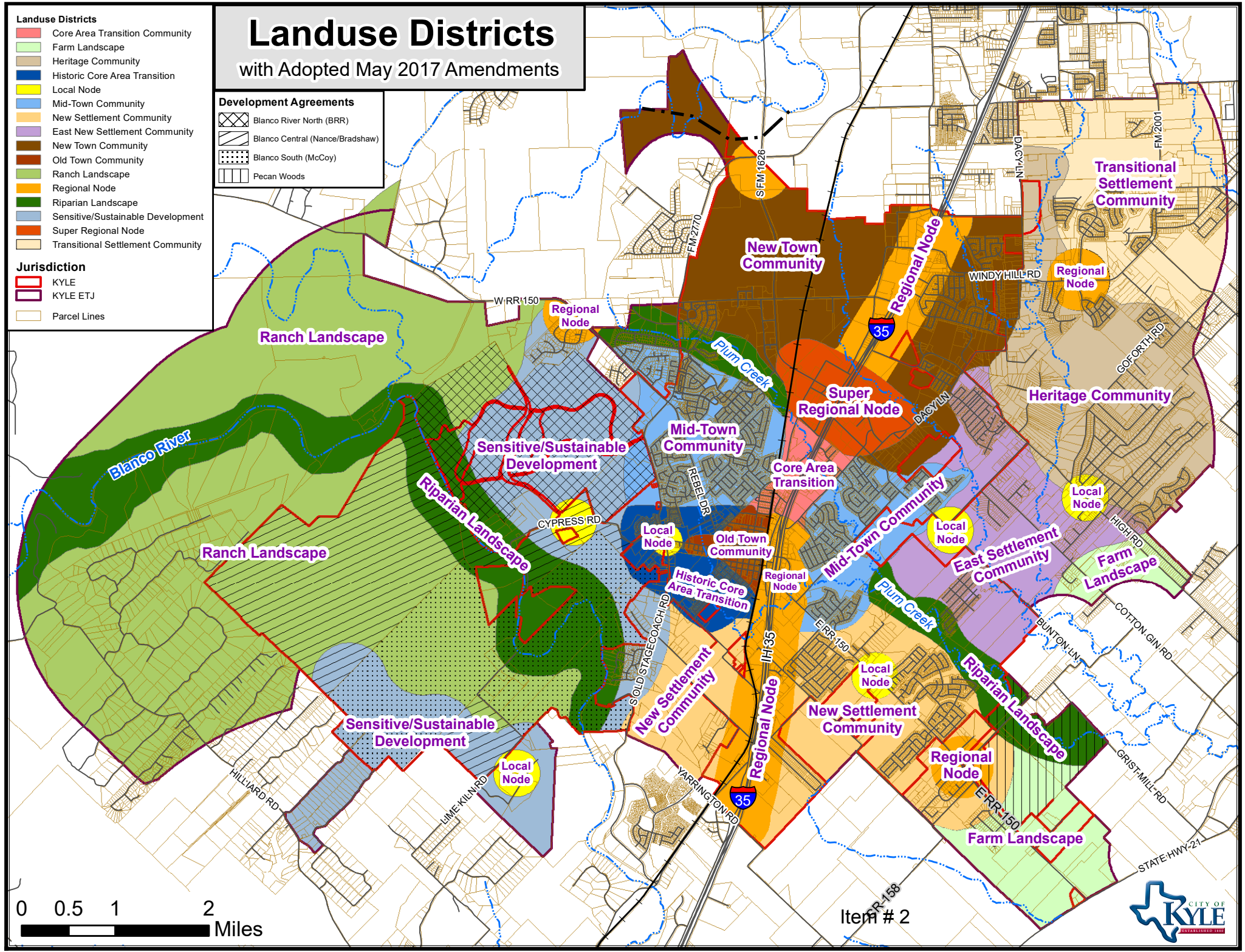
Luanne Caraway
301 Beebe Rd
Ryle, Tx 78640

- Landuse Districts**
- 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

Landuse Districts

with Adopted May 2017 Amendments



Item # 2