

THE STATE OF TEXAS *

DOC# 9601043

COUNTY OF WILLIAMSON *

CITY OF ROUND ROCK *

I, JOANNE LAND, Assistant City Manager/City Secretary of the City of Round Rock, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance passed and adopted by the City Council of the City of Round Rock, Texas, at a meeting held on the 21ST day of December, 19 95 which is recorded in the minutes of the City of Round Rock in Book 34.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 3rd day of January, 1996.

Joanne Land
JOANNE LAND,
Assistant City Manager/
City Secretary

OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS

ORDINANCE NO. Z-95-12-21-10A

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 371.66 ACRES OF LAND OUT OF THE EPHRAIM EVANS SURVEY, ABSTRACT 212, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS PLANNED UNIT DEVELOPMENT (PUD) DISTRICT NO. 23.

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to zone the property described in Exhibit "A", attached hereto and incorporated herein, as District Planned Unit Development (PUD) No. 23, said Exhibit being attached hereto and incorporated herein, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 25th day of October, 1995, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to District PUD No. 23, and

WHEREAS, on the 21st day of November, 1995, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 11.300, Code of Ordinances (1995 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 23 meets the following goals and objectives:

- (1) The development in PUD No. 23 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 23 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 23 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 23 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 23 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Section 11.305(2), Code of Ordinances (1995 Edition), City of Round Rock, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is heresfter designated as District Planned Unit Development (PUD) No. 23, and that the Mayor is hereby authorized and directed to enter into the Agreement and Development Plan for PUD No. 23 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Alternative 1.

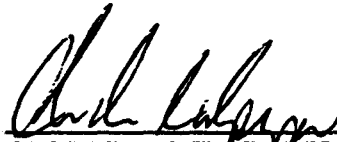
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 21st day of DECEMBER, 1995.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 1995.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 1995.



CHARLES CULPEPPER, Mayor
City of Round Rock, Texas

ATTEST:



JOANNE LAND, City Secretary

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

§
§
§

AGREEMENT AND
DEVELOPMENT PLAN
FOR MAYFIELD RANCH
PUD NO. 23

THIS AGREEMENT and Development Plan is made and entered by and between the City of Round Rock, Texas, a Texas municipal corporation, having its offices at 221 East Main Street, Round Rock, Texas 78664 (hereinafter referred to as the "City"), and Tom E. Nelson Trustee No. 1, Perry O. Mayfield, and Tom Nelson, Jr., their respective successors and assigns, having its offices at 211 Jefferson Square, Austin, Texas 78731 (hereinafter referred to as the "Owner").

WHEREAS, the Owner has submitted a request to the City to zone 371.66 acres of land as a Planned Unit Development ("PUD"), said acreage being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property"), and

WHEREAS, on October 25, 1995, the Planning and Zoning Commission recommended approval of the Owner's application for a PUD, and

WHEREAS, pursuant to Chapter 11, Section 11.316(8), Code of Ordinances (1995 Edition), City of Round Rock, Texas, the Owner has submitted a Development Plan, attached hereto and incorporated herein as a part of this Agreement, said Development Plan stating in detail all development conditions and requirements within the PUD,

NOW THEREFORE BY THIS AGREEMENT WITNESSETH that, in consideration of the covenants and conditions set forth herein, the City and the Owner agree as follows:

I.

GENERAL PROVISIONS

1. CONFORMITY TO DEVELOPMENT PLAN

That all uses and development within the Property shall conform to the Development Plan included in Section II herein.

2. CHANGES AND MODIFICATIONS

That no changes or modifications will be made to this Agreement unless all provisions pertaining to changes or modifications as stated in Section II.14, below, are followed.

3. ZONING VIOLATION

That the Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Development Plan shall be subject to any and all penalties for the violation of any zoning ordinance as stated in Section

1.601, Code of Ordinances, (1995 Edition), City of Round Rock, Texas, as amended.

4. LIENHOLDER CONSENT

That the lienholder of record has consented to this Agreement and Development Plan, including any and all dedications to the public. A lienholder consent is attached hereto and incorporated herein as Exhibit "B".

5. MISCELLANEOUS PROVISIONS

5.1 Assignment.

Neither party may assign its rights and obligations pertaining to Living Unit Equivalents, water usage and land use under this Agreement without having first obtained the prior written consent of the other which consent shall not be unreasonably withheld. This section does not prevent the Owner from conveying the property, or any portion thereof, together with all development rights and obligations contained in this Agreement and Development Plan.

5.2 Necessary Documents and Actions.

Each party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

5.3 Severability.

In case any one or more provisions contained herein are deemed invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and in such event, this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

5.4 Entire Agreement.

This Agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous oral or written understandings or representations of the parties respecting the subject matter hereof.

5.5 Applicable Law.

This Agreement shall be construed under and in accordance with the laws of the State of Texas.

5.6 Venue.

All obligations of the parties created hereunder are performable in Williamson County, Texas and venue for any action arising hereunder shall be in Williamson County.

5.7 No Third Party Beneficiaries.

Nothing in this Agreement, express or implied, is intended to confer upon any person or entity, other than the parties hereto, any rights, benefits, or remedies under or by reason of this Agreement.

5.8 Duplicate Originals.

This Agreement may be executed in duplicate originals each of equal dignity.

5.9 Notices.

Until changed by written notice thereof any notice required under this Agreement may be given to the respective parties by certified mail, postage prepaid or by hand-delivery to the address of the other party shown below:

OWNER

Tom E. Nelson, Jr.
211 Jefferson Square
Austin, Texas
78631

ROUND ROCK

City of Round Rock, Texas
221 East Main Street
Round Rock, Texas 78664
Attn: Director of Planning

5.10 Effective Date.

This Agreement shall be effective from and after the date of due execution hereof by all parties.

II.

DEVELOPMENT PLAN

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1990 Edition), City of Round Rock, Texas, hereinafter referred to as "the Code".

2. PROPERTY

This Development Plan ("Plan") covers 371.66 acres of land, located within the city limits of Round Rock, Texas, and more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein.

3. PURPOSE

The purpose of this Plan is to insure a Planned Unit Development ("PUD") that 1) is equal to or superior to development that would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, 3) does not have an undue adverse affect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as to not dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by applicable sections in the Code.

4.2 Other Ordinances

All other Ordinances within the Code shall apply to the Property, except where clearly modified by this Plan.

5. PERMITTED USES

The property listed below shall be used and developed as follows and shall conform to all requirements as set forth in this Agreement and Plan and, if not set forth herein, by applicable sections in the Code:

5.1 Single Family Residential

Parcels One (1), Two (2), and Three (3), more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be used and developed for standard Single Family Residential (SF-2) uses, except as modified in accordance with the development standards set forth in Exhibit "D", attached hereto and incorporated herein.

5.2 Business Park

Parcel Four (4), more particularly described in Exhibit "C", shall be used for General Industrial (I-1), except as modified as Business Park uses in accordance with the development standards set forth in Exhibit "E", attached hereto and incorporated herein.

6. LOT SIZES

The minimum lot size and dimensions shall be regulated by the development standards set forth in Exhibits "D" and "E", attached hereto. However, all Single Family developed areas may not exceed the 1990 General Plan requirement of an average of four (4) units per developable acre.

7. BUILDINGS

Building height and setbacks shall be regulated by the development standards set forth in Exhibits "D" and "E", attached hereto.

8. LANDSCAPING and BUFFERING

Landscaping and buffering shall be regulated by the development standards set forth in Exhibits "D" and "E", attached hereto.

9. PARKING AND LOADING

Parking and loading shall be as provided in accordance with the development standards set forth in Exhibit "E", attached hereto.

10. UTILITIES

All utilities, other than existing overhead perimeter lines and lines which are three phase or larger shall be installed underground.

11. SIGN STANDARDS

Sign Standards shall be as provided in accordance with the development standards set forth in Exhibit "E", attached hereto.

12. FUTURE FIRE STATION LOCATION

Parcel "X", more particularly described in Exhibit "G", attached hereto, shall be used and developed by the City for a future fire station location, pursuant to the City's schedule.

The fire station site shall be dedicated by the Owner to the City at the time of recordation of the first plat for any property within this PUD.

13. STREETS

13.1 Arterial and Collector Streets

Arterial and collector streets shown on Exhibit "C", attached hereto, shall be constructed as part of the final platting process. The property may be platted in phases. If the Business Park is developed into three or or less large lots which do not require the construction of a collector street to access FM 1431, the Director of Planning and the Director of Public Works may, in writing, waive the requirement to plat and construct the collector street.

13.2 Cul-de-sacs

The length of the cul-de-sac, as shown for Parcel (2) in Exhibit "C", may exceed the maximum length as prescribed in the Chapter 8 of the Code of Ordinances of the City of Round Rock, if prior written approval is obtained from the Fire Chief and the Director of Public Works.

14. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN

14.1 Minor Changes

Minor changes to this Agreement or Plan required by engineering or other circumstances which do not substantially change this Plan may be approved by the Director of Planning and the Director of Public Works.

14.2 Major Changes

Major changes shall be resubmitted following the same procedure required in the original PUD application.

14.3 Changes in Writing

Neither this Agreement or Plan nor any provision hereof may be waived, modified, amended, discharged, or terminated except by an instrument in writing signed by the City and the current Owner.

15. PROPERTY OWNER'S ASSOCIATION

15.1 Review and Approval Before Recordation of Final Plat

A Property Owner's Association shall be established at time of final platting of any Single Family Residential property located within the PUD. The Association's creation documents, including covenants and deed restrictions or amendments thereto, shall be submitted for review and approval to the Director of Planning and the City Attorney at the final plat stage. These documents shall be recorded with the final plat and shall contain all of the items listed in Exhibit "F", attached

hereto and incorporated herein, to insure incorporation of the items listed in Exhibit "F".

15.2 Responsibilities of Association

In addition to other responsibilities imposed on the Association in this Plan, the Association shall be responsible for maintaining all landscaping, irrigation systems, greenbelts and amenity areas within the plat not dedicated to the City.

15.3 Enforcement of Deed Restrictions

The Property Owner's Association shall be the entity responsible for enforcing deed restrictions. Although the City reserves the right to review, approve and enforce deed restrictions as well as any amendments or modifications to the deed restrictions, it is not the intent of the City to assume responsibilities normally reserved to a Property Owner's Association.

16. GENERAL PLAN AMENDED

The Round Rock General Plan 1990 is hereby amended to reflect the provisions of this agreement.

17. BINDING EFFECT

This Agreement and Plan binds and is to the benefit of the respective heirs, successors and assigns of the Owner.

18. EFFECT ON LIVING UNIT EQUIVALENTS, AND OTHER INFRASTRUCTURE

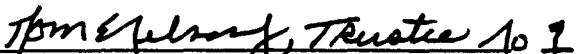
The zoning of the Property as a PUD does not guarantee water and wastewater plant capacity or any rights to Living Unit Equivalents, as defined by the Code of Ordinances of the City of Round Rock.

CITY OF ROUND ROCK

By: 
Charles Culpepper, Mayor

Date: 12-21-95

TOM E. NELSON TRUSTEE NO. 1

By: , Trustee No. 1
Printed: TOM E. NELSON, JR., TRUSTEE No. 1
Its: MANAGING VENTURE

Perry O. Mayfield
PERRY O. MAYFIELD

Tom E. Nelson Jr.
TOM E. NELSON JR.

EXHIBIT "A"

PARCEL 1

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN FOUR TRACTS OF LAND CONVEYED TO TOM NELSON, JR., FOUND OF RECORD IN VOLUME 571, PAGE 446; VOLUME 1294, PAGE 38; VOLUME 1294, PAGE 54; AND VOLUME 1381, PAGE 54, AND THAT CERTAIN 27.36 ACRE TRACT OF LAND CONVEYED TO PERRY O. MAYFIELD, FOUND OF RECORD IN VOLUME 2027, PAGE 783. OF THE OFFICIAL DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID TRACT BEING 119.82 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the northwest corner of said Nelson tract of record in Volume 1294, Page 38, for the northwest corner and POINT OF BEGINNING of the herein described tract,

Thence, following the north line of the said Nelson tracts, the following two (2) courses and distances numbered 1 and 2,

1. N66°49'25"E, 2997.11 feet to a point.
2. N69°09'44"E, 3112.07 feet to a point for the northeast corner of the herein described tract same being the northeast corner of said Nelson Tract of record in Volume 1294, Page 38,

Thence, with the west line of the herein S20°30'08"E, 1211.34 feet to a point for the southeast corner of the herein described tract,

Thence, with the south line of the herein described tract the following eleven (11) courses and distances numbered 1 through 11,

1. S69°54'17"W, 1001.11 feet to a point,
2. S70°29'30"W, 319.07 feet to a point,
3. S43°00'04"W, 95.76 feet to a point,
4. with a curve to the left having a radius of 955.68 feet, an arc length of 835.15 feet and whose chord bears N76°22'53"W, 808.83 feet to a point,
5. S78°35'35"W, 440.66 feet to a point at the beginning of a curve,
6. with a curve to the left having a radius of 938.70 feet, an arc length of 485.77 feet and whose chord bears S63°46'19"W, 480.37 feet to a point
7. S48°56'37"W, 520.82 feet to a point at the beginning of a curve,
8. with a curve to the right having a radius of 1050.00 feet, an arc length of 608.48 feet, and whose chord bears S65°32'43"W, 600.00 feet to a point,
9. S82°08'48"W, 1058.57 feet to a point at the beginning of a curve,
10. with a curve to the right having a radius of 1050.00 feet, an arc length of 115.83 feet, and whose chord bears S85°18'25"W, 115.77 feet to a point,
11. S88°28'02"W, 938.71 feet to a point on the west line of said Nelson tract found of record in Volume 1294, Page 38, for the southwest corner of the herein described tract.

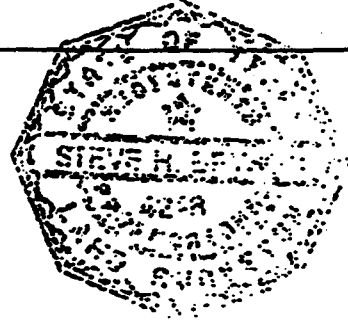
Thence, following said west line, the following two (2) courses and distances numbered 1 and 2,

1. N21°45'00"W, 150.00 feet to a point,
2. N18°25'07"W, 113.76 feet to the Point of Beginning containing 119.82 Acres of Land.

PREPARED BY:

Steve N. Bryson

BRYSON AND ASSOCIATES SURVEYING CO., INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748 (512)282-0170



may1.doc

PARCEL 2

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN FOUR TRACTS OF LAND CONVEYED TO TOM NELSON, JR., FOUND OF RECORD IN VOLUME 571, PAGE 446; VOLUME 1294, PAGE 38; VOLUME 1294, PAGE 54; AND VOLUME 1381, PAGE 54, AND THAT CERTAIN 27.36 ACRE TRACT OF LAND CONVEYED TO PERRY O. MAYFIELD, FOUND OF RECORD IN VOLUME 2027, PAGE 783, OF THE OFFICIAL DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID TRACT BEING 30.70 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the west line of said Nelson tract of record in Volume 1294, Page 38, and from which point the northwest corner of said Nelson tract bears $N21^{\circ}45'00''W$, 150.00 feet and $N18^{\circ}25'00''W$, 113.76 feet,

Thence, with the north line of the herein described tract $N88^{\circ}28'02''E$, 938.71 feet to a point for the northeast corner of the herein described tract.

Thence, with the east line of the herein described tract the following two (2) courses and distances numbered 1 and 2,

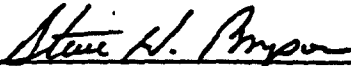
1. $S04^{\circ}19'03''W$, 683.56 feet to a point,
2. $S21^{\circ}45'00''E$, 1285.25 feet to a point for the southeast corner of the herein described tract,

Thence, leaving said east line $S70^{\circ}21'25''W$, 599.62 feet to a point on the west line of said Nelson tract, for the southwest corner of the herein described tract,

Thence, with said west line the following two (2) courses and distances numbered 1 and 2,

1. $N20^{\circ}05'36''W$, 647.16 feet to a point,
2. $N21^{\circ}45'00''W$, 1554.74 feet to the Point of Beginning containing 30.70 Acres of Land.

PREPARED BY:


BRYSON AND ASSOCIATES SURVEYING CO., INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748 (512)282-0170

may2.doc



PARCEL 3

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN FOUR TRACTS OF LAND CONVEYED TO TOM NELSON, JR., FOUND OF RECORD IN VOLUME 571, PAGE 446; VOLUME 1294, PAGE 38; VOLUME 1294, PAGE 54; AND VOLUME 1381, PAGE 54, AND THAT CERTAIN 27.36 ACRE TRACT OF LAND CONVEYED TO PERRY O. MAYFIELD, FOUND OF RECORD IN VOLUME 2027, PAGE 783, OF THE OFFICIAL DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID TRACT BEING 24.10 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the west line of said Nelson tract of record in Volume 1294, Page 38, same being the northwest corner of that certain tract of land conveyed to Westside Church of Christ of Williamson County, Inc. in Volume 2585, Page 532, for the southwest corner of the herein described tract.

Thence, with the west line of the herein described tract the following two (2) courses and distances numbered 1 and 2,


1. N20°01'53"W, 180.91 feet to a point,
2. N20°05'36"W, 1155.76 feet to a point for the northwest corner of the herein described tract,

Thence, leaving said east line N70°21'25"E, 785.40 feet to a point, for the northeast corner of the herein described tract,

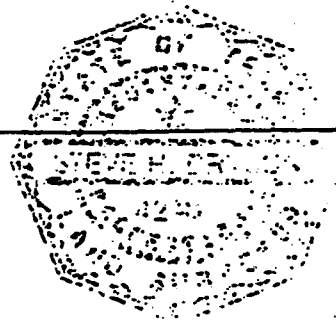
Thence, with the easterly line of the herein described tract S20°05'38"E, 1336.67 feet to a point for the southeast corner of the herein described tract,

Thence, S70°21'25"W, 191.27 feet passing the northeast corner of said Westside Church for a total distance of 785.60 feet to the Point of Beginning containing 24.10 Acres of Land.

PREPARED BY:


BRYSON AND ASSOCIATES SURVEYING CO., INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748 (512)282-0170

may3.doc



PARCEL 4

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN FOUR TRACTS OF LAND CONVEYED TO TOM NELSON, JR., FOUND OF RECORD IN VOLUME 571, PAGE 446; VOLUME 1294, PAGE 38; VOLUME 1294, PAGE 54; AND VOLUME 1381, PAGE 54, AND THAT CERTAIN 27.36 ACRE TRACT OF LAND CONVEYED TO PERRY O. MAYFIELD, FOUND OF RECORD IN VOLUME 2027, PAGE 783, OF THE OFFICIAL DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID TRACT BEING 197.04 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the south line of said Nelson tract of record in Volume 1294, Page 38, same being the southeast corner of that certain tract of land conveyed to Westside Church of Christ of Williamson County, Inc. in Volume 2585, Page 532, for the southwest corner of the herein described tract,

Thence, with the west line of the herein described tract the following six (6) courses and distances numbered 1 through 6,

1. N20°59'03"W, 950.00 feet to a point at the northeast corner of said church tract,
2. N70°21'25"E, 191.27 feet to a point,
3. N20°05'38"W, 1336.67 feet to a point,
4. S70°21'25"W, 185.78 feet to a point,
5. N21°45'00"W, 1285.25 feet to a point,
6. N04°19'03"E, 683.56 feet to a point for the northwest corner of the herein described tract,

Thence, with the north line of the herein described tract the following three (3) courses and distances numbered 1 and 3,

1. with a curve to the left having a radius of 1050.00 feet, an arc length of 115.83 feet and whose chord bears N85°18'25"E, 115.77 feet to a point,
2. N82°08'48"E, 1058.57 to a point at the beginning of a curve,
3. with a curve to the left having a radius of 1050.00 feet, an arc length of 608.48 feet and whose chord bears N65°32'43"E, 600.00 feet to a point at the northwest corner of that certain 195.00 acre tract of land conveyed to Doyle Wilson Homebuilder Inc., for the northeast corner of the herein described tract,


Thence, with the west line of the herein described tract the following seventeen (17) courses and distances numbered 1 through 17,

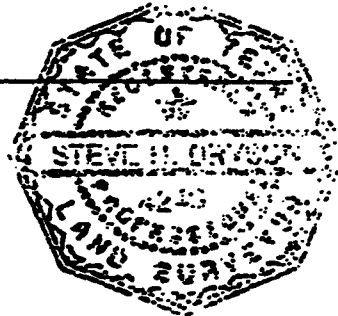
1. S45°00'37"E, 57.16 feet to a point,
2. S05°50'45"E, 397.42 feet to a point,
3. S20°13'10"E, 376.55 feet to a point,
4. S22°58'45"E, 629.64 feet to a point,
5. S55°21'14"E, 171.39 feet to a point,
6. S24°51'35"E, 167.86 feet to a point,
7. S66°30'43"E, 149.15 feet to a point,
8. S35°39'19"E, 130.49 feet to a point,
9. S62°50'36"E, 81.96 feet to a point,
10. S41°31'34"E, 401.19 feet to a point,
11. S24°34'24"E, 167.36 feet to a point,
12. S16°33'05"W, 75.33 feet to a point,
13. S07°51'52"E, 181.08 feet to a point,
14. S72°49'54"E, 304.53 feet to a point,
15. S25°31'53"E, 133.95 feet to a point,
16. S36°34'12"E, 191.14 feet to a point,

17. S43°54'25"E, 642.78 feet to a point on the north right-of-way line of F.M. 1431, same being the southwest corner of said Doyle Wilson tract, for the southwest corner of the herein described tract,

Thence, with said right-of-way line S70°19'37"W, 2897.68 feet to the Point of Beginning containing 197.04 Acres of Land.

PREPARED BY:


BRYSON AND ASSOCIATES SURVEYING CO., INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748 (512)292-0170



may4.doc

EXHIBIT B

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

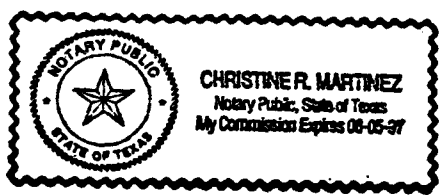
That we, Tom E. Nelson, Trustee No. 1, Perry O. Mayfield, and Tom E. Nelson, Jr., the outright owners of the certain tract in Volume 1294, Page 38, Volume 1294, Page 54, Volume 1381, Page 54, of the Official Records of Williamson County, Texas do hereby state there are no lien holders of the certain tract of land.

Tom Nelson, Trustee No. 1
Tom E. Nelson, Trustee No. 1 (Owner)

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 3rd day of JANUARY, 1996,
(cert) by TOM E. NELSON, TRUSTEE NO. 1, of _____, on behalf of said

Christine R. Martinez
Notary Public, State of Texas
Printed Name: CHRISTINE R. MARTINEZ
My commission expires: 8-5-97



Perry O. Mayfield
Perry O. Mayfield (Owner)

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 3rd day of JANUARY, 1996,
by PERRY O. MAYFIELD, _____, of _____, on behalf of said

Christine R. Martinez
Notary Public, State of Texas
Printed Name: CHRISTINE R. MARTINEZ
My commission expires: 8-5-97

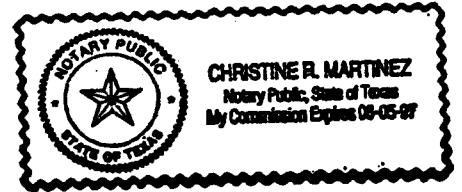


Tom E. Nelson, Jr.
Tom E. Nelson, Jr. (Owner)

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 3RD day of JANUARY, 1996,
by TOM E. NELSON, JR., of _____, on behalf of said

Christine R. Martinez
Notary Public, State of Texas
Printed Name: CHRISTINE R. MARTINEZ
My commission expires: 8-5-97



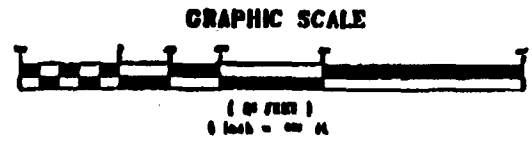
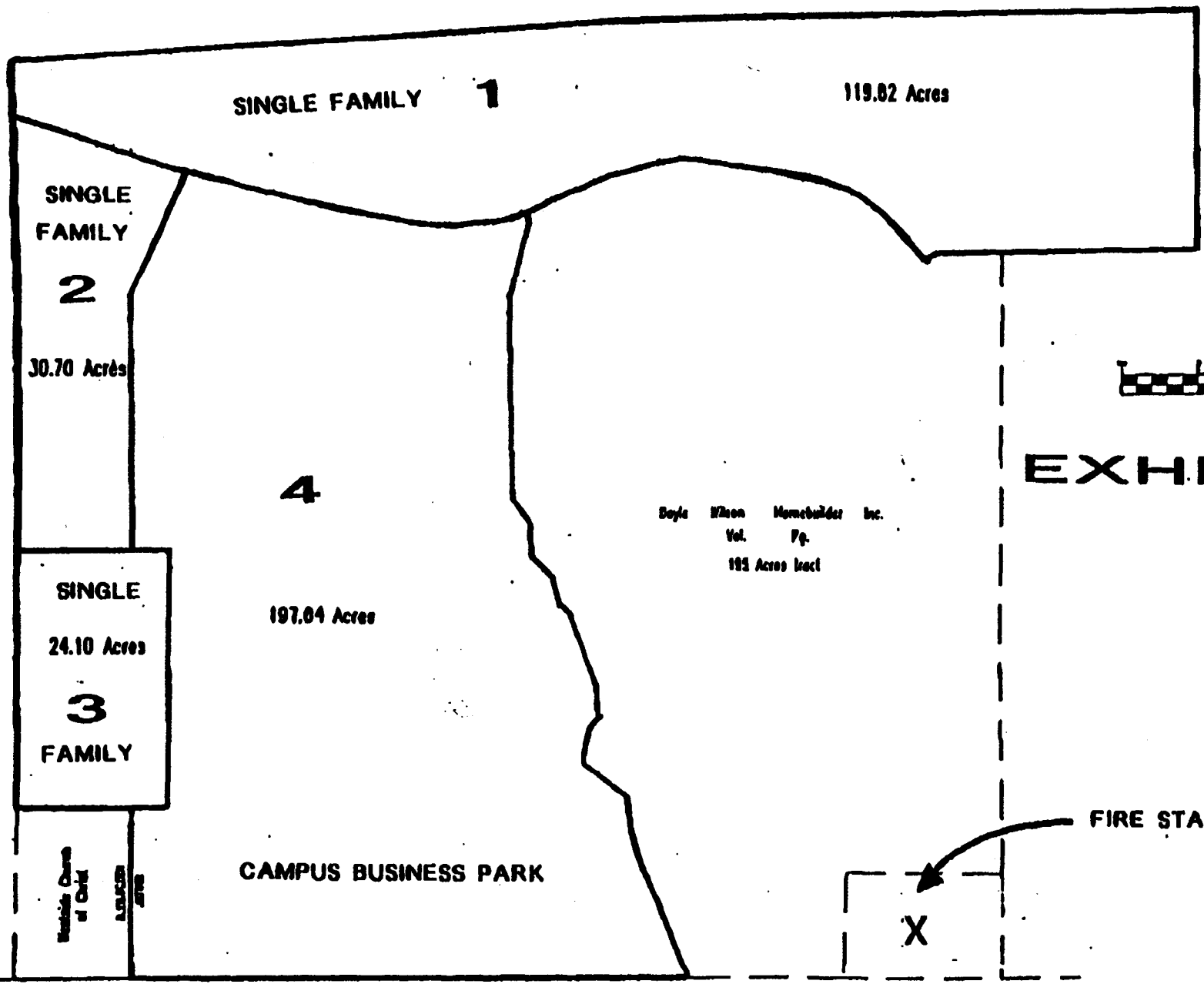


EXHIBIT C



F. M. 1431

EXHIBIT D

**DEVELOPMENT STANDARDS
SINGLE FAMILY RESIDENTIAL**

1. **PERMITTED USE:** Single Family Residential.

2. **DENSITY:**

2.1 **Minimum Lot Size:** 6,500 square feet, with lots within each preliminary plat averaging at least 7,000 square feet.

2.2 **Minimum Lot Frontage:** 50 feet (measured at the front building line).

2.3 **Overall Density:** The overall density for Single Family Residential shall not exceed four (4) units per developable acre.

3. **BUILDINGS SETBACKS**

All setbacks shall be in accordance with the provisions and requirements of the City of Round Rock Zoning Ordinance for District SF-2 (Single Family-Standard Lot).

4. **STREETS AND UTILITIES:**

4.1 **Access:** No direct driveway access shall be permitted to Wyoming Springs Drive.

4.2 **Underground Electric and Utility Lines:** Except where approved in writing by the Director of Public Works, all electrical, telephone and cable vision distribution and service lines, other than currently existing overhead lines and lines three phase or larger, shall be installed underground. No ground-anchored antennas or rooftop antennas over four (4) feet in height shall be allowed.

5. **FENCING:**

All perimeter fences shall be constructed pursuant to Section 8.616 of the Code.

6. **Landscaping:**

If there is no tree of 4" caliper or greater within the required front yard, each builder, prior to issuance of Certificate of Occupancy, shall plant two trees within the building setback area of the front yard. These trees shall be a minimum of Two inch (2") caliper container grown and may be a mixture of any of the following trees: all variety of oaks, elms, pecan and sycamore or trees of equal quality.

EXHIBIT E

**DEVELOPMENT STANDARDS
BUSINESS PARK**

1. **PERMITTED USES:**

1.1 **Primary Uses:** Including, but not limited to, office, office/warehouse, research & development, light manufacturing and assembly.

1.2 **Secondary uses:** Including, but not limited to, caretakers residence, the sale of goods produced or assembled on site, day care and other employee services, related to its primary use.

2. **PROHIBITED USES:** Including, but not limited to, automotive and machinery repair, automotive and machinery painting, wrecking yard, sexually oriented businesses, and mini-warehouses.

3. **OUTDOOR STORAGE:** No outdoor storage of materials or equipment shall be permitted in any front yard, side street yard or buffer yard. Any outdoor storage on any other portion of the property shall be fully screened so as to not be visible from abutting properties or city streets. All screening shall be approved by the Director of Planning prior to construction.

4. **INTERPRETATION OF USE:** Interpretation of uses not clearly permitted or prohibited shall be made in writing by the Director of Planning. A copy of interpretations shall be provided to the owner and the City Building Inspector.

5. **DENSITY:** Minimum lot size five (5) acres.

6. **BUILDINGS SETBACKS AND HEIGHT:**

6.1 Front yard setback - 75 feet.

6.2 Rear yard setback - 50 feet.

6.3 Side yard setback (internal) - 25 feet.

6.4 Side yard (street) setback - 75 feet for side yards along FM 1431, Wyoming Springs Drive or the primary

North-South connector which connects FM 1431 to Wyoming Springs Drive, tracts abutting residential areas and 50 feet for all other side yards.

6.5 Height - Building height shall be limited to two stories.

7. **SIGN REGULATIONS:**

7.1 All free standing signs shall be defined as any sign not attached to a building..

7.2 Free standing signs shall not exceed six feet in height.

7.3 Free standing signs shall not restrict visibility for traffic entering or leaving the site.

7.4 One free standing sign shall be permitted. The maximum area of the sign, defined as the area contained within a polygon containing the actual lettering and any logo, shall be fifty square feet. Small signs to direct clients or delivery trucks will be permitted if approved in writing by the Director of Planning.

7.5 Area Identification Signs, as defined in the Code of Ordinances, shall be permitted.

8. **LANDSCAPING & BUFFERING:**

8.1 Any parcel which abuts a residential lot shall provide a seventy-five (75) foot wide landscaped buffer which preserves the natural tree cover wherever possible. A site plan shall be approved by the Development Review Board (DRB) prior to the issuance of a building permit.

8.2 The height of the berm, as required in Section 9 below, shall be a minimum of three (3) feet in height and shall be landscaped to provide a complete visual screen of any parking, loading or storage areas. A site plan shall be approved by the Director of Planning prior to the issuance of any building permit. The Director of Planning should review the landscaping, elevations and abutting uses to ensure that the required visual screen will

be provided. Trees shall be planted no less than thirty feet apart.

9. **PARKING & LOADING REQUIREMENTS:**

- 9.1 The number of parking and loading spaces shall be provided in accordance with the current standards set forth in the Code.
- 9.2 No parking or loading shall be permitted in any required front yard or street side yard, except that visitor parking may be permitted in up to twenty-five percent of the street yard, exclusive of driveways, if a landscaped screen and berm is first approved in writing by the Director of Planning and is installed in accordance with Section 8.2, above.

EXHIBIT F

The following items shall be included in the restrictive covenants which shall be recorded with a final plat for Single Family lots.

1. **Amendment:**

The Declaration shall state that it may be amended by recording an instrument in the Williamson County Official Records executed by the appropriate authority if approved by Owners and the Mayor of Round Rock, on behalf of the Round Rock City Council, if any amendment pertains to any item in this Exhibit.

2. **Garages and Driveways:**

All garages shall comply with all other restrictions, covenants, conditions and limitations on usage herein provided for other improvements in the Subdivision. All garages shall be suitable for not less than two (2) automobiles. All single family lots shall provide a minimum of four (4) parking spaces, two of which may be in the garage. No garages shall be converted into bedrooms, dens, studios or any living areas for the occupants, provided however, that builders may temporarily convert the garage of a model home, but the City of Round Rock shall not be obligated to issue a certificate of occupancy, or permanently provide utilities until said garage is re-converted for the parking of automobiles.

3. **Construction:**

All buildings shall be constructed of at least seventy-five (75%) masonry on the first floor. The front facade shall be one hundred (100%) percent masonry (excluding gables, doors, windows, vents and trim) up to the top plate of the first floor. No four foot by eight foot wood or wood composite panels shall be used for siding. Only washboard style or other quality wood or wood composite materials, placed in a horizontal fashion, shall be used on the exterior of the building.

4. **Parking Restrictions:**

No recreational vehicles, boats or trailers shall be permitted to be parked within the development unless they

are parked in a garage and the garage doors remain closed, except when in use.

5. **Signs:**

5.1 **Entry Signs**

All entry signs shall be constructed of low maintenance materials approved in advance by the Director of Planning. In the event that the sign is not properly maintained, the city may give the sign owner written notice that repairs must be made within 14 business days of notification or the City shall have the right, but not the obligation, to have the repairs made and charged to the owner.

5.2 **Prohibited Signs**

Prohibited signs include bench signs, billboards, signs with flashing or blinking lights or mechanical movement, dayglo colors, signs that make or create noise, animated or moving signs, exposed neon illumination, painted wall signs, pennants, trailer signs, beacons, and any sign that obstructs the view in any direction of an intersection. Appropriate materials shall be made of masonry with a maximum height of six feet.

5.3 **Sign Maintenance**

The Property Owners Association shall own and maintain all signs.

6. **Homeowners Association Responsibilities**

The Property Owners Association shall be responsible for enforcing the deed restrictions and restrictive covenants. Although the City reserves the right to enforce any provisions required by this PUD, it is not the intent of the City to assume responsibilities normally reserved to the Property Owners Association.

EXHIBIT G

FIELD NOTES

BEING A 1.30 ACRE TRACT OF LAND BEING OUT OF AND A PORTION OF THE EPHRAIM EVENS SURVEY, ABSTRACT NO. 212 IN WILLIAMSON COUNTY, TEXAS AND BEING OUT OF AND PART OF A 1437.45 ACRE TRACT OF LAND CONVEYED TO T.E. NELSON JR. AS DESCRIBED IN DEED RECORDED IN VOLUME 571, PAGE 446 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS SAID 1.30 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2-INCH IRON ROD SET AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF F.M. 1431 (200' R.O.W.) AND THE EAST LINE OF SAID 1437.45 ACRE TRACT, SAME BEING THE WEST LINE OF A 2023.28 ACRE TRACT OF LAND CONVEYED TO TEXAS CRUSHED STONE AS DESCRIBED IN DEED RECORDED IN VOLUME 880, PAGE 638 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS.

THENCE N 21°01'28" W ALONG THE EAST LINE OF SAID 1437.45 ACRE TRACT A DISTANCE OF 532.23' FEET TO THE SOUTHEAST CORNER OF SAID 1437.45 ACRE TRACT, S 70°21'00" W A DISTANCE OF 125.78' FEET TO A POINT FOR THE POINT OF BEGINNING AND NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

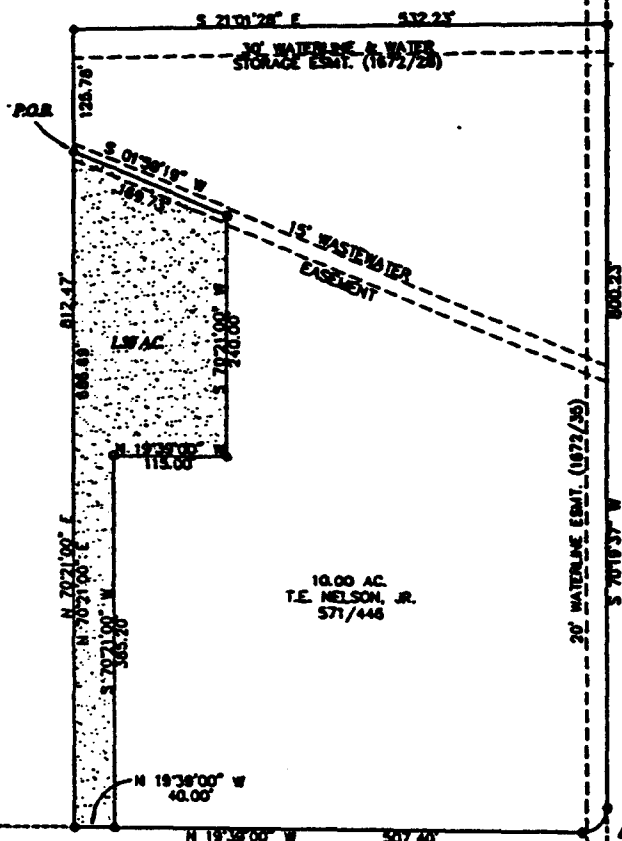
THENCE S 01°59'19" W ALONG THE EAST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 169.73' FEET TO A POINT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE PASSING THROUGH SAID 1437.45 ACRE TRACT THE FOLLOWING FIVE (5) COURSES:

1. S 70°21'00" W A DISTANCE OF 240.00' FEET TO A POINT,
2. N 19°39'00" W A DISTANCE OF 115.0' FEET TO A POINT,
3. S 70°21'00" W A DISTANCE OF 385.20' FEET TO A POINT,
4. N 19°39'00" W DISTANCE OF 40.00' FEET TO A POINT,
5. N 70°21'00" E A DISTANCE OF 686.69' FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND CONTAINING 1.30 ACRES (56,778 SQUARE FEET) OF LAND.



2023.28 AC.
TEXAS CRUSHED
STONE
880/838



REMAINDER PORTION
OF 1437.45 AC.
T.E. NELSON, JR.
571/448

PROPOSED
STONE OAK @
ROUND ROCK
SEC. II

10.00 AC.
T.E. NELSON, JR.
571/448

20' WATERLINE EASEMENT (1872/28)

F.M. 1491

PROPOSED WYOMING SPRINGS DR.

Δ = 80°00'34"
R = 25.00'
T = 25.01'
L = 38.28'

STONE OAK
FIRE STATION SITE
ROUND ROCK, TEXAS

Doc# 9601043
Pages: 32
Date : 01-05-1996
Time : 03:22:44 P.M.
Filed & Recorded in
Official Records
of WILLIAMSON County, TX.
ELAINE BIZZELL
COUNTY CLERK
Rec. \$ 71.00

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

This is to certify that this document was FILED
RECORDED in the Official Public Records
Williamson County, Texas on the date and time
stamped thereon.



Elaine Bizzell
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS.

① Please return
to :

CITY OF ROUND ROCK
ADMINISTRATION
221 EAST MAIN STREET
ROUND ROCK, TEXAS 78664