

THE STATE OF TEXAS *

DOC# 9657830

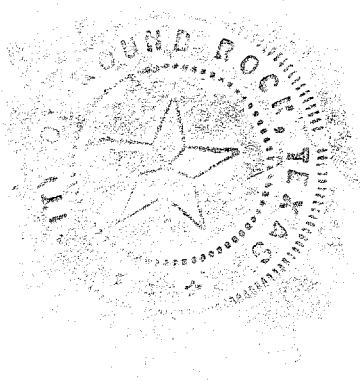
COUNTY OF WILLIAMSON *

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 24th day of October, 1996 which is recorded in the minutes of the City of Round Rock in Book 35.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 29th day of October, 1996.

Joanne Land
JOANNE LAND, Assistant City Manager/
City Secretary



ORDINANCE NO. Z-96-10-24-9F

AN ORDINANCE REPEALING ORDINANCE NO. Z-96-08-08-9F, WHICH CREATED WOOD GLEN PLANNED UNIT DEVELOPMENT NO. 29, AND 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 RE-ZONE 9.373 ACRES OF LAND OUT OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130, CURRENTLY ZONED SINGLE FAMILY RESIDENTIAL (SF-1), AND TO ADOPT ORIGINAL ZONING ON 17.895 ACRES OF LAND OUT OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, TO WOOD GLEN PLANNED UNIT DEVELOPMENT (PUD) DISTRICT NO. 29.

WHEREAS, on the 8th day of August, 1996, the City Council of Round Rock, Texas, adopted Ordinance No. Z96-08-08-9F, which created Wood Glen Planned Unit Development No. 29, ("PUD No. 29"), and

WHEREAS, the owner of PUD NO. 29 now desires to include certain acreage to PUD No. 29, and

WHEREAS, to accomplish this result, the City of Round Rock, Texas, desires to repeal Ordinance No. Z96-08-08-9F and adopt this Ordinance, which creates a new Wood Glen PUD No. 29, which includes the amended boundary, and

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 Exhibits "A-1 - A-3", attached hereto and incorporated herein, as Wood Glen Planned Unit Development (PUD) No. 29, 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 the 31st day of July, 1996, 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 Wood Glen Pud No.29, and

WHEREAS, on the 8th day of August, 1996, 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.29 meets the following goals and objectives:

- (1) The development in PUD No.29 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No.29 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No.29 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.29 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.29 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 hereafter designated as Wood Glen Planned Unit Development (PUD) No.29, and that the Mayor is hereby authorized and directed to enter into the Agreement and Development Plan for PUD No.29 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.

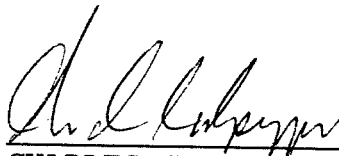
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 24th day of October, 1996.

Alternative 2.


READ and APPROVED on first reading this the _____ day of _____, 1996.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 1996.



CHARLES CULPEPPER, Mayor
City of Round Rock, Texas

ATTEST:



JOANNE LAND, City Secretary

Exhibit "A-1"

METES AND BOUNDS

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN 66.33 ACRE TRACT OF LAND DESCRIBED IN A DEED TO 3406 LTD. OF RECORD IN VOLUME 2607 PAGE 500 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 17.895 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the northwest corner of said 3406 Ltd. tract for the northwest corner of the herein described tract;

THENCE with a northerly line of said 3406 Ltd. tract for the northerly line of the herein described tract N69°59'12"E 393.20 feet to a point for the most northerly northeast corner of the herein described tract;

THENCE for the northeasterly line of the herein described tract the following five (5) courses and distances as enumerated below:

- 1) S33°50'58"E 492.73 feet to a point for an angle point herein,
- 2) S80°02'38"E 225.80 feet to a point for an angle point herein,
- 3) N89°31'32"E 117.88 feet to a point for an angle point herein,
- 4) N63°17'32"E 85.13 feet to a point for an angle point herein,
- 5) N40°02'38"E 124.58 feet to a point in the westerly line of that certain 157.836 acre tract of land described in a deed to 3406 Ltd. of record in volume 2607 page 505 of the Williamson County, Texas Deed Records, being an easterly line of said 3406 Ltd. 66.33 acre tract for the most easterly northeast corner of the herein described tract;

THENCE with the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for the easterly line of the herein described tract S19°13'05"E 4.67 feet to a point for an angle point in the easterly line of the herein described tract;

THENCE leaving said westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract and continuing for the easterly line of the herein described tract S40°33'59"W 49.47 feet to an angle point and S48°05'30"E 88.52 feet to a point in the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for an angle point in the easterly line of the herein described tract;

THENCE continuing with the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for the easterly line of the herein described tract S19°13'05"E 325.74 feet to an iron rod found at the southwest corner of said 3406 Ltd. 157.836 acre tract, being an interior "ell" corner of said 3406 Ltd. 66.33 acre tract for an angle point in the easterly line of the herein described tract;

THENCE continuing for the easterly line of the herein described tract S11°18'05"E 161.72 feet to a point in a northerly line of the Round Rock City Limit Line for the southeast corner of the herein described tract;

THENCE with the said Round Rock City Limit Line for the southerly line of the herein described tract the following three (3) courses and distances as enumerated below: -

- 1) S70°02'00"W 183.06 feet to a point of curvature of a curve to the right for an angle point herein,
- 2) with said curve to the right, having a radius of 1469.86 feet, an arc distance of 668.15 feet and whose chord bears S83°04'34"W 662.41 feet to the point of tangency for an angle point herein,
- 3) N83°56'00"W 169.41 feet to a point in the westerly line of said 3406 Ltd. 66.33 acre tract for the southwest corner of the herein described tract;

THENCE leaving said Round Rock City Limit Line with the westerly line of said 3406 Ltd. 66.33 acre tract for the westerly line of the herein described tract N19°58'15"W 926.54 feet to the PLACE OF BEGINNING containing 17.895 acres of land for the purpose of Zoning.

Prepared by TRIMBLE LAND SURVEYING, INC. this the 5th day of October, 1995.

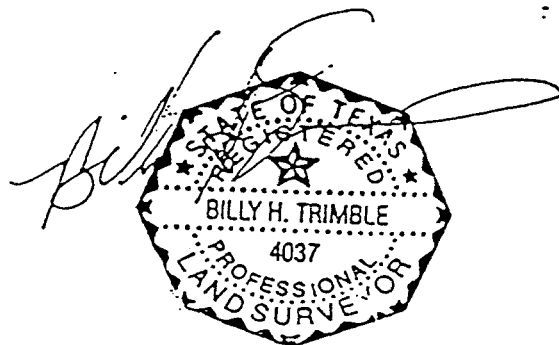


Exhibit "A-2"

METES AND BOUNDS

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN 66.33 ACRE TRACT OF LAND DESCRIBED IN A DEED TO 3406 LTD. OF RECORD IN VOLUME 2607 PAGE 500 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 8.847 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving northerly right-of-way line of State Highway F.M. 3406, being the southwest corner of said 3406 Ltd. tract for the southwest corner of the herein described tract;

THENCE leaving said F.M. 3406 right-of-way with the westerly line of said 3406 Ltd. tract for the westerly line of the herein described tract N19°58'15"W 422.85 feet to a point in a northerly line of the Round Rock City Limit Line for the northwest corner of the herein described tract;

THENCE with the said Round Rock City Limit Line for the northerly line of the herein described tract the following three (3) courses and distances as enumerated below:

- 1) S83°56'00"E 169.41 feet to a point of curvature of a curve to the left for an angle point herein,
- 2) with said curve to the left, having a radius of 1469.86 feet, an arc distance of 668.15 feet and whose chord bears N83°04'34"E 662.41 feet to the point of tangency for an angle point of the herein described tract;
- 3) N70°02'00"E 183.06 feet to a point for the northeast corner of the herein described tract;

THENCE leaving said Round Rock City Limit Line for the easterly line of the herein described tract S19°58'00"E 380.00 feet to a point in the northerly right-of-way line of said F.M. 3406, being a southerly line of said 3406 Ltd. tract for the southeast corner of the herein described tract;

THENCE with the northerly right-of-way line of said F.M. 3406, being a southerly line of said 3406 Ltd. tract for the southerly line of the herein described tract the following two (2) courses and distances as enumerated below:

- 1) $S70^{\circ}02'00''W$ 183.06 feet to a brass disk in concrete highway monument found at the point of curvature of a curve to the right for an angle point herein,
- 2) with said curve to the right, having a radius of 1849.86 feet, an arc distance of 824.61 feet and whose chord bears $S82^{\circ}49'11''W$ 817.80 feet to the PLACE OF BEGINNING containing 8.847 acres of land for the purpose of Zoning.

Prepared by TRIMBLE LAND SURVEYING, INC. this the 6th day of September, 1995.



METES AND BOUNDS DESCRIPTION

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT I AS DESCRIBED IN A DEED TO LEON R. BEHRENS OF RECORD IN VOLUME 2059 PAGE 834 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 0.526 OF AN ACRE OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving northerly right-of-way line of F.M. 3406, being the southwest corner of that certain 66.33 acre tract of land described in a deed to 3406, LTD. of record in volume 2607 page 500 of the Williamson County, Texas Deed Records, being the southeast corner of said Behrens tract for the southeast corner of the herein described tract;

THENCE with the curving northerly right-of-way line of said F.M. 3406, being the southerly line of said Behrens tract for the southerly line of the herein described tract with said curve to the right, having a radius of 1849.86 feet, an arc distance of 16.42 feet and whose chord bears N84°09'21"W 16.42 feet to the point of tangency for an angle point and N83°54'05"W 105.51 feet to an iron rod set at a point of curvature for the southwest corner of the herein described tract;

THENCE leaving said F.M. 3406 for the westerly line of the herein described tract the following four (4) courses and distances as enumerated below:

- 1) with said curve to the right, having a radius of 28.00 feet, an arc distance of 39.27 feet and whose chord bears N38°54'05"W 35.36 feet to an iron rod set at the point of tangency for an angle point herein,
- 2) N06°05'55"E 125.00 feet to an iron rod set at a point of curvature for an angle point herein,
- 3) with said curve to the left, having a radius of 845.00 feet, an arc distance of 176.98 feet and whose chord bears N00°05'55"E 176.65 feet to an iron rod set at the point of tangency for an angle point herein,
- 4) N05°54'05"W 22.51 feet to an iron rod set in the westerly line of said 66.33 acre 3406 Ltd. Tract, being an easterly line of said Behrens tract for the most northerly corner of the herein described tract;

THENCE with the westerly line of said 66.33 acre 3406, LTD. tract, being an easterly line of said Behrens tract for the easterly line of the herein described tract 819°58'15"E 387.01 feet to the PLACE OF BEGINNING containing 0.526 of an acre of land.

Prepared by TRIMBLE LAND SURVEYING, INC. This the 17th day of May, 1996.

94-033
behren1



EXHIBIT "B"

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

§
§
§

AGREEMENT AND
DEVELOPMENT PLAN
FOR WOOD GLEN
PUD NO. 29

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 3406 Ltd., a Texas limited partnership, their respective successors and assigns, having its offices at 2722 South Medford, Lufkin, Texas 75901 (hereinafter referred to as the "Owner").

WHEREAS, the Owner has submitted a request to the City to zone 26.742 acres of land as a Planned Unit Development ("PUD"), said acreage being more particularly described by metes and bounds in Exhibit "B-1.1 - B-1.3" attached hereto and made a part hereof (hereinafter referred to as the "Property"), and

WHEREAS, on July 31, 1996, 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.10, 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-2".

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

3406 Ltd.
2722 South Medford
Lufkin, Texas 75901

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 26.742 acres of land, located within the city limits of Round Rock, Texas, and more particularly described by metes and bounds in Exhibit "B-1" , 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 permitted use of the Property, more particularly described in the Concept Plan attached hereto and incorporated herein as Exhibit "B-3", shall be as Single Family residential (SF-2), except as modified in Exhibit "B-4", attached hereto and incorporated herein.

6. LOT DENSITY

Lot density shall be in accordance with the development standards set forth in Exhibit "B-4", attached hereto and incorporated herein

7. BUILDINGS

Building size, dimension, height and setbacks for all tracts shall be in accordance with the development standards set

forth in Exhibit "B-4", attached hereto and incorporated herein.

8. **SIDEWALKS**

All sidewalks shall be constructed pursuant to Section 8.604 of the Code.

9. **PROPERTY OWNER'S ASSOCIATION**

9.1 **Review and Approval Before Recordation of Final Plat**

A Property Owner's Association shall be established at time of final platting of any Property located within the PUD. The association's deed restrictions and other creation documents shall be submitted for review and approval to the Director of Planning and Community Development and the City Attorney at the final plat stage. These documents shall be recorded with the final plat and the deed restrictions shall contain all of the items listed in Exhibit "B-5", attached hereto and incorporated herein, to insure incorporation of the items listed in Exhibit "B-5".

9.2 **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 PUD not dedicated to the City.

9.3 **Enforcement of Deed Restrictions**

The Property Owner's Association shall be the entity responsible for enforcing the deed restrictions. Although the City reserves the right to review and approve 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.

9.4 **Amendment of Deed Restrictions**

The City of Round Rock must approve any amendment to the deed restrictions if any amendment pertains to any item listed in Exhibit "B-5".

10. **CHANGES TO AGREEMENT AND DEVELOPMENT PLAN**

10.1 **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.

10.2 Major Changes

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

10.3 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.

11. GENERAL PLAN AMENDED

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

12. BINDING EFFECT

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

13. 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.

14. SUNSET PROVISION

If a final plat has not been recorded on or before August 8, 1999, all of the Property shall revert to the Single Family Residential (SF-1) zoning.

CITY OF ROUND ROCK

By: Charles Culpepper
Charles Culpepper, Mayor

Date: 8-8-96

3406 LTD.

David Hill
DAVID HILL

Exhibit "B-1.1"

METES AND BOUNDS

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN 66.33 ACRE TRACT OF LAND DESCRIBED IN A DEED TO 3406 LTD. OF RECORD IN VOLUME 2607 PAGE 500 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 17.895 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the northwest corner of said 3406 Ltd. tract for the northwest corner of the herein described tract;

THENCE with a northerly line of said 3406 Ltd. tract for the northerly line of the herein described tract N69°59'12"E 393.20 feet to a point for the most northerly northeast corner of the herein described tract;

THENCE for the northeasterly line of the herein described tract the following five (5) courses and distances as enumerated below:

- 1) S33°50'58"E 492.73 feet to a point for an angle point herein,
- 2) S80°02'38"E 225.80 feet to a point for an angle point herein,
- 3) N89°31'32"E 117.88 feet to a point for an angle point herein,
- 4) N63°17'32"E 85.13 feet to a point for an angle point herein,
- 5) N40°02'38"E 124.58 feet to a point in the westerly line of that certain 157.836 acre tract of land described in a deed to 3406 Ltd. of record in volume 2607 page 505 of the Williamson County, Texas Deed Records, being an easterly line of said 3406 Ltd. 66.33 acre tract for the most easterly northeast corner of the herein described tract;

THENCE with the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for the easterly line of the herein described tract S19°13'05"E 4.67 feet to a point for an angle point in the easterly line of the herein described tract;

THENCE leaving said westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract and continuing for the easterly line of the herein described tract S40°33'59"W 49.47 feet to an angle point and S48°05'30"E 88.52 feet to a point in the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for an angle point in the easterly line of the herein described tract;

THENCE continuing with the westerly line of said 3406 Ltd. 157.836 acre tract, being an easterly line of said 3406 Ltd. 66.33 acre tract for the easterly line of the herein described tract S19°13'05"E 325.74 feet to an iron rod found at the southwest corner of said 3406 Ltd. 157.836 acre tract, being an interior "ell" corner of said 3406 Ltd. 66.33 acre tract for an angle point in the easterly line of the herein described tract;

THENCE continuing for the easterly line of the herein described tract S11°18'05"E 161.72 feet to a point in a northerly line of the Round Rock City Limit Line for the southeast corner of the herein described tract;

THENCE with the said Round Rock City Limit Line for the southerly line of the herein described tract the following three (3) courses and distances as enumerated below: -

- 1) S70°02'00"W 183.06 feet to a point of curvature of a curve to the right for an angle point herein,
- 2) with said curve to the right, having a radius of 1469.86 feet, an arc distance of 668.15 feet and whose chord bears S83°04'34"W 662.41 feet to the point of tangency for an angle point herein,
- 3) N83°56'00"W 169.41 feet to a point in the westerly line of said 3406 Ltd. 66.33 acre tract for the southwest corner of the herein described tract;

THENCE leaving said Round Rock City Limit Line with the westerly line of said 3406 Ltd. 66.33 acre tract for the westerly line of the herein described tract N19°58'15"W 926.54 feet to the PLACE OF BEGINNING containing 17.895 acres of land for the purpose of Zoning.

Prepared by TRIMBLE LAND SURVEYING, INC. this the 5th day of October, 1995.

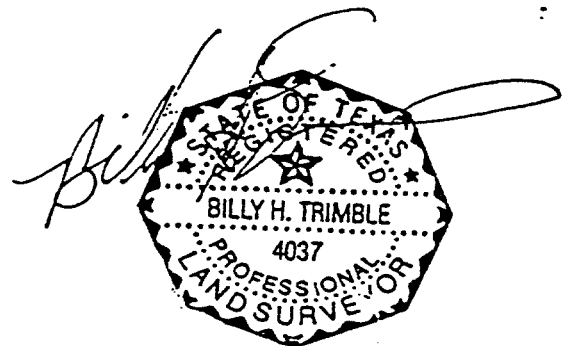


Exhibit "B-1.2"

METES AND BOUNDS

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN 66.33 ACRE TRACT OF LAND DESCRIBED IN A DEED TO 3406 LTD. OF RECORD IN VOLUME 2607 PAGE 500 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 8.847 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving northerly right-of-way line of State Highway F.M. 3406, being the southwest corner of said 3406 Ltd. tract for the southwest corner of the herein described tract;

THENCE leaving said F.M. 3406 right-of-way with the westerly line of said 3406 Ltd. tract for the westerly line of the herein described tract N19°58'15"W 422.85 feet to a point in a northerly line of the Round Rock City Limit Line for the northwest corner of the herein described tract;

THENCE with the said Round Rock City Limit Line for the northerly line of the herein described tract the following three (3) courses and distances as enumerated below:

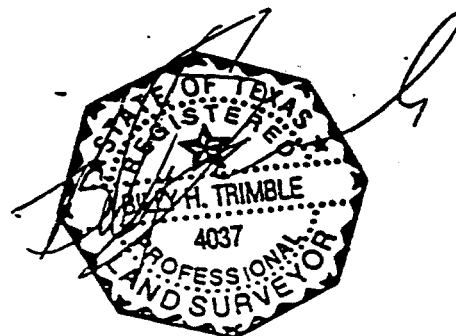
- 1) S83°56'00"E 169.41 feet to a point of curvature of a curve to the left for an angle point herein,
- 2) with said curve to the left, having a radius of 1469.86 feet, an arc distance of 668.15 feet and whose chord bears N83°04'34"E 662.41 feet to the point of tangency for an angle point of the herein described tract;
- 3) N70°02'00"E 183.06 feet to a point for the northeast corner of the herein described tract;

THENCE leaving said Round Rock City Limit Line for the easterly line of the herein described tract S19°58'00"E 380.00 feet to a point in the northerly right-of-way line of said F.M. 3406, being a southerly line of said 3406 Ltd. tract for the southeast corner of the herein described tract;

THENCE with the northerly right-of-way line of said F.M. 3406, being a southerly line of said 3406 Ltd. tract for the southerly line of the herein described tract the following two (2) courses and distances as enumerated below:

- 1) $S70^{\circ}02'00''W$ 183.06 feet to a brass disk in concrete highway monument found at the point of curvature of a curve to the right for an angle point herein,
- 2) with said curve to the right, having a radius of 1849.86 feet, an arc distance of 824.61 feet and whose chord bears $S82^{\circ}49'11''W$ 817.80 feet to the PLACE OF BEGINNING containing 8.847 acres of land for the purpose of Zoning.

Prepared by TRIMBLE LAND SURVEYING, INC. this the 6th day of September, 1995.



METES AND BOUNDS DESCRIPTION

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT I AS DESCRIBED IN A DEED TO LEON R. BEHRENS OF RECORD IN VOLUME 2059 PAGE 834 OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS, SAID TRACT OR PARCEL OF LAND BEING 0.526 OF AN ACRE OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the curving northerly right-of-way line of F.M. 3406, being the southwest corner of that certain 66.33 acre tract of land described in a deed to 3406, LTD. of record in volume 2607 page 500 of the Williamson County, Texas Deed Records, being the southeast corner of said Behrens tract for the southeast corner of the herein described tract;

THENCE with the curving northerly right-of-way line of said F.M. 3406, being the southerly line of said Behrens tract for the southerly line of the herein described tract with said curve to the right, having a radius of 1849.86 feet, an arc distance of 16.42 feet and whose chord bears N84°09'21"W 16.42 feet to the point of tangency for an angle point and N83°54'05"W 105.51 feet to an iron rod set at a point of curvature for the southwest corner of the herein described tract;

THENCE leaving said F.M. 3406 for the westerly line of the herein described tract the following four (4) courses and distances as enumerated below:

- 1) with said curve to the right, having a radius of 28.00 feet, an arc distance of 39.27 feet and whose chord bears N38°54'05"W 35.36 feet to an iron rod set at the point of tangency for an angle point herein,
- 2) N06°05'55"E 125.00 feet to an iron rod set at a point of curvature for an angle point herein,
- 3) with said curve to the left, having a radius of 845.00 feet, an arc distance of 176.98 feet and whose chord bears N00°05'55"E 176.65 feet to an iron rod set at the point of tangency for an angle point herein,
- 4) N05°54'05"W 22.51 feet to an iron rod set in the westerly line of said 66.33 acre 3406 Ltd. Tract, being an easterly line of said Behrens tract for the most northerly corner of the herein described tract;

THENCE with the westerly line of said 66.33 acre 3406, LTD. tract, being an easterly line of said Behrens tract for the easterly line of the herein described tract S19°58'15"E 387.01 feet to the PLACE OF BEGINNING containing 0.526 of an acre of land.

Prepared by TRIMBLE LAND SURVEYING, INC. This the 17th day of MAY, 1996.

94-033
behren1



RECORDERS MEMORANDUM

All or parts of the text on this page was not clearly legible for satisfactory recordation.

Exhibit B-2 Lein Holder Consent

There are no Lein Holders of Record

EXHIBIT B-3 (Concept Plan)

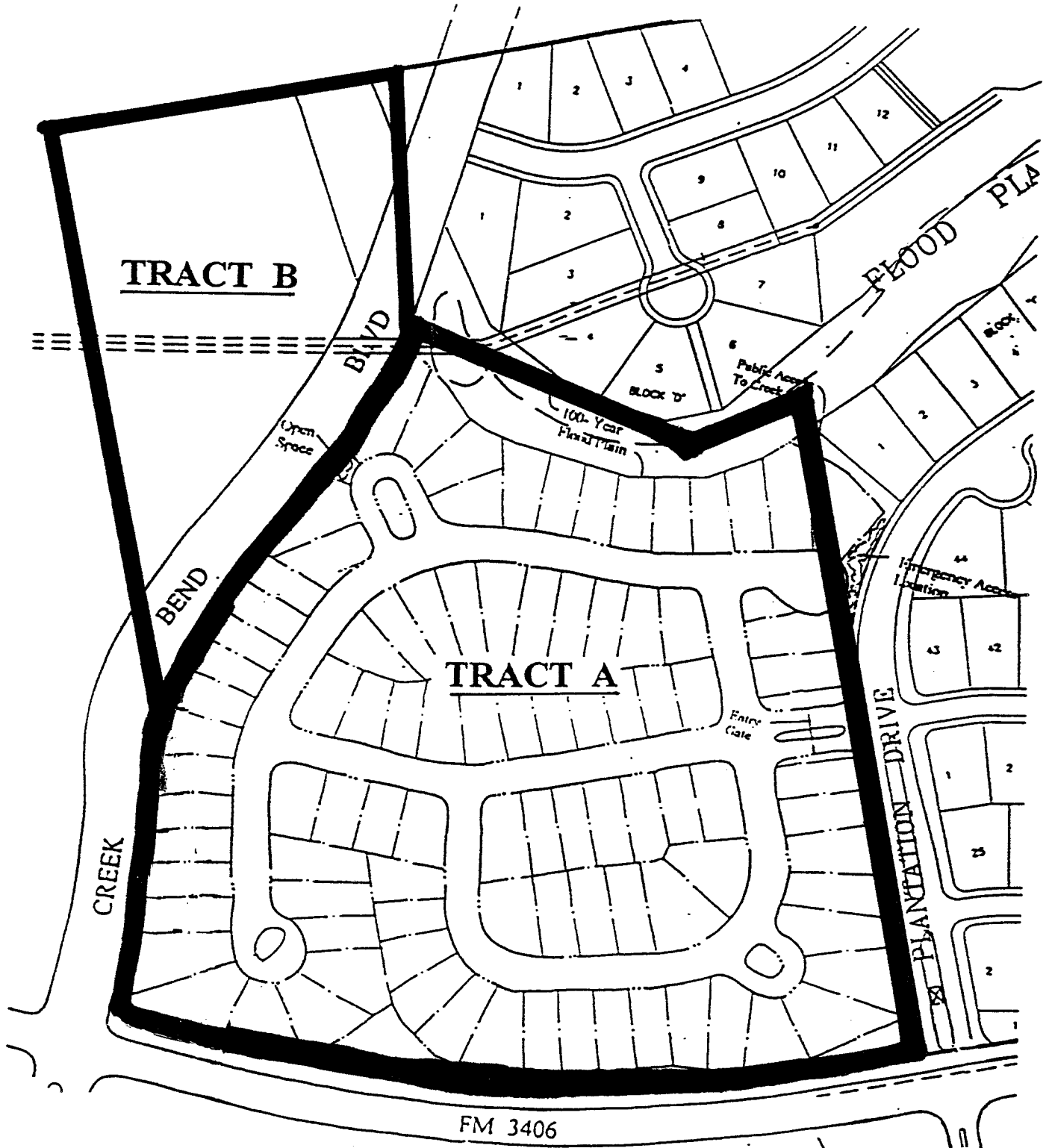


EXHIBIT "B-4"

**DEVELOPMENT STANDARDS
SINGLE FAMILY RESIDENTIAL**

1. **PERMITTED USE:** Single Family Residential Detached and Attached (as hereinafter defined).
2. **DENSITY AND HEIGHT:**
 - 2.1 Tract A, which is the area east of the future right of way for Creek Bend Boulevard, and as shown on Exhibit "B-3", shall be limited to a maximum of 94 buildable lots with a maximum of 94 Detached Single Family Residences. A Detached Single Family residence shall mean an individual single family dwelling unit which does not share or abut any common building wall with any other building unit.
 - 2.2 Tract B, which is the area west of the future right of way for Creek Bend Boulevard, and as shown on Exhibit "B-3", shall be limited to a maximum of 11 buildable lots with a maximum of 11 single family dwelling units for either Detached Single Family Residences or Attached Single Family Residences. An Attached Single Family Residence shall mean an individual single family dwelling unit which has a perimeter building wall connected to or abutting the perimeter building wall of one or more adjoining single family dwelling units, such as townhouses or condominiums.
 - 2.3 The maximum height for all buildings shall be no more than two stories.
3. **MINIMUM LOT SIZE**
 - 3.1 The minimum lot size for all lots in Tract A shall be at least 5,250 square feet.
 - 3.2 If Tract B is final platted as Detached Single Family Residences, the minimum lot size shall be at least 5,250 square feet. If Tract B is final platted as Attached Single family Residences, the minimum lot size shall be 4,000 square feet.

4. **ACCESS:**

Main access to Tract A within the PUD shall be from Plantation Drive. The main entry may have an electronically-controlled access gate. No entry or exits shall be permitted on FM 3406 other than emergency vehicle access as required an approved in advance by the City of Round Rock Fire Department.

5. **BUILDING SETBACKS:**

- 5.1 Building setbacks on Tract A shall be as follows:
- Front: 25 feet, or 10 feet for side entry garage.
 - Rear: 5 feet.
 - Side: The combined setback for both side yards on a lot shall not be less than 10 feet. The minimum side yard setback shall be established by a plan submitted to the City of Round Rock Planning and Zoning Commission at the time of final plat approval but in no event shall a side yard setback be required to be more than 5 feet.
- 5.2 If Tract B is final platted as Detached Single Family Residence lots, then the setbacks as described in 5.1 shall apply to all lots in Tract B. If Tract B is final platted as Attached Single Family Residence then all building setback requirements shall be determined by the City of Round Rock Planning and Zoning Commission at the time of final plat approval, and may include a zero lot line development.

6. **STREETS:**

- 6.1 All street right of ways shall be not less than 50 feet in width.
- 6.2 The street pavement width shall be 26 feet from face of curb to face of curb unless otherwise approved by the Round Rock Director of Public Works.
- 6.3 Other than width of pavement, all street construction shall conform to the construction specifications and requirements of the City of

Round Rock and shall be approved by the Director of Public Works.

- 6.4 The streets may be constructed as private streets which shall be owned and maintained by the Property Owners Association. The deed restrictions shall provide for an annual assessment for all property owners in this section in an amount sufficient to maintain the streets and to establish a reserve fund for future resurfacing, repaving or repairs to the street. If the streets are owned by the Property Owners Association, then an electronically controlled security gate may be installed at the entrance to this section. Private streets are only permitted with the written consent of the Director of Public Works, Director of Planning and City Attorney.

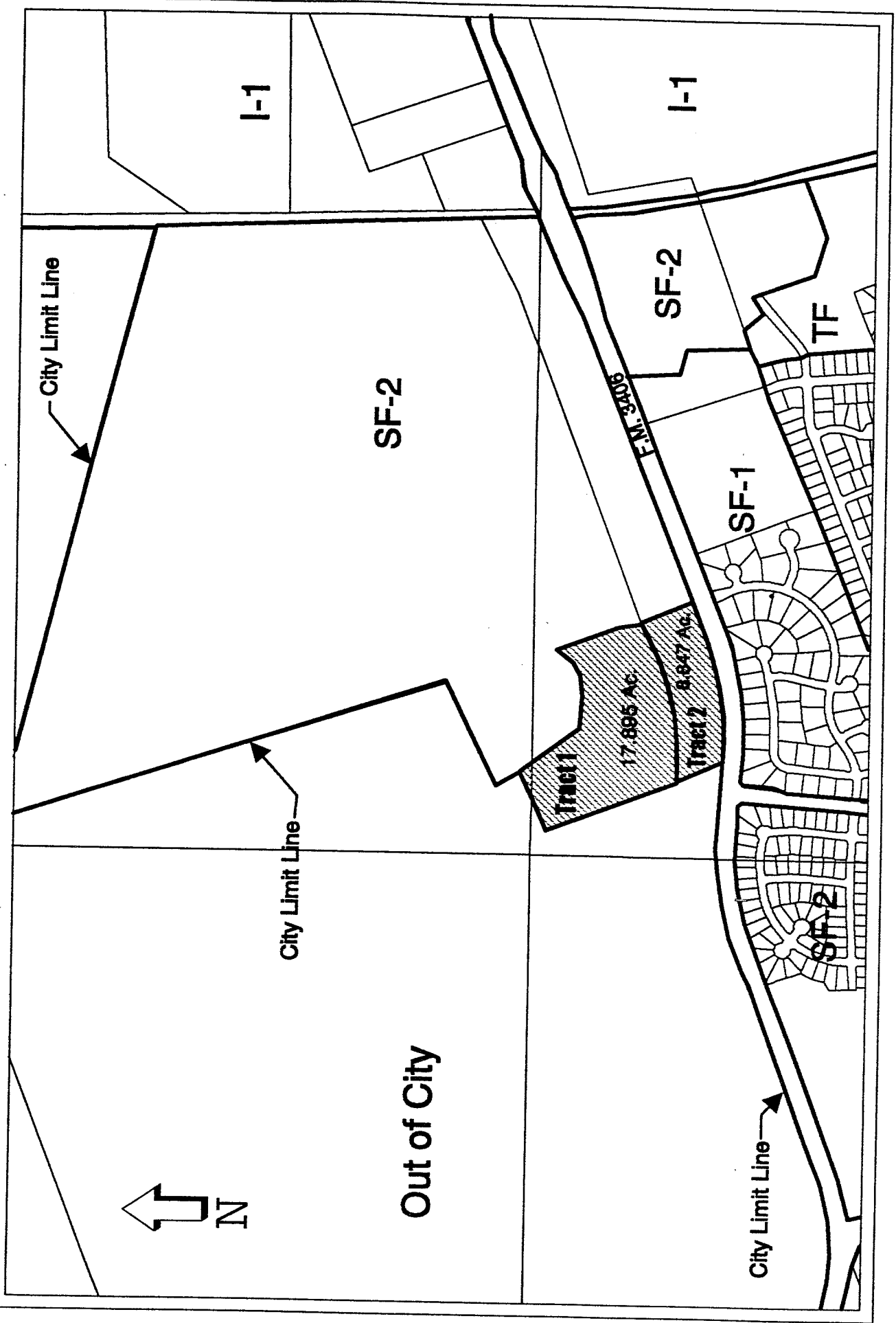
7. **FENCING:**

All perimeter fences shall be constructed as part of a comprehensively designed fence. Fencing materials shall be woodcrete, rust resistant iron, masonry, cedar or treated wood, or masonry posts with wood fence. Fence supports shall be masonry, rust resistant steel, iron, or treated wood. All fencing shall be constructed so that a finished surface faces out. Fence construction plans shall be approved by the Director of Planning prior to construction to ensure stability, durability and aesthetics. The boundary of the PUD along FM 3406, shall have a 6 foot masonry wall, similar in design to the masonry wall constructed in the Wood Glen Subdivision Section 1, Phase 1-A along FM 3406.

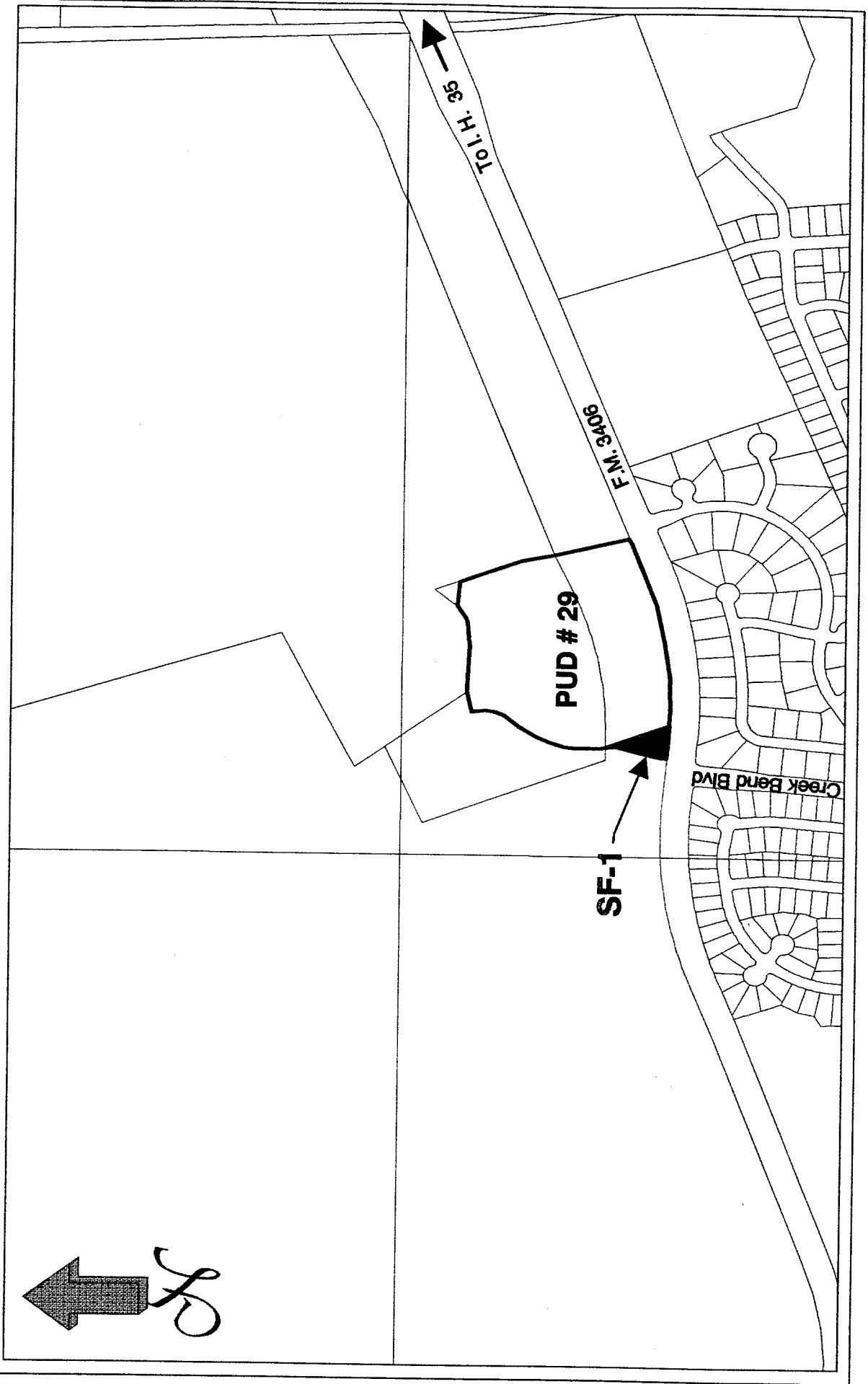
EXHIBIT "B-5"

1. **LOTS:** The following items shall be included in the restrictive covenants which shall be recorded with a final plat for all Single Family lots:
 - 1.1 **MASONRY REQUIREMENTS:** Each building shall have at least seventy-five (75%) of its exterior walls constructed of stone or masonry. In computing these percentages (1) all gables shall be excluded from the total area of exterior walls; (2) all windows and door openings shall be excluded from the total area of exterior walls; (3) masonry used for a fireplace or chimney may be included in the computation as masonry used; and (4) Stucco and all "Hardi Plank" products may be included in the computation as masonry used.
 - 1.2 **GARAGES:** Each dwelling unit shall have a two (2) car enclosed 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.

Wood Glen P.U.D. # 29



Wood Glen (.526 Acres) SF-1 to PUD # 29



THE STATE OF TEXAS
COUNTY OF WILLIAMSON

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



Elaine Bizzell
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

Doc# 9657830
Pages: 30
Date : 10-31-1996
Time : 04:23:37 P.M.
Filed & Recorded in
Official Records
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COUNTY CLERK
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ROUND ROCK, TEXAS 78664