



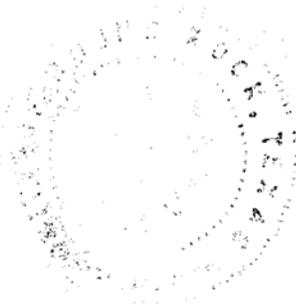
THE STATE OF TEXAS \*

COUNTY OF WILLIAMSON \*

CITY OF ROUND ROCK \*

I, SARA L. WHITE, City Secretary of the City of Round Rock, Texas, do hereby certify that I am the custodian of the public records maintained by the City of Round Rock and the attached is a true and correct copy of Ordinance No. Z-08-09-25-13B1 which amends Ordinance No. Z-00-09-14-9B2 adopted by amending sections II.1, II.2, II.4.1, II.5, II.10.1, II.11 and Exhibit "D". This ordinance was approved and adopted by the Round Rock City Council at a regular meeting held on 25<sup>th</sup> day of September 2008 and recorded in the City Council Minute Book 56.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 1<sup>st</sup> day of October 2008.



*Sara L. White*

\_\_\_\_\_  
SARA L. WHITE, City Secretary

ORDINANCE NO. Z-08-09-25-13B1

AN ORDINANCE AMENDING ORDINANCE NO. Z-00-09-14-9B2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON SEPTEMBER 14, 2000, BY AMENDING SECTIONS II.1, II.2, II.4.1, II.5, II.10.1, II.10.2, II.11, AND EXHIBIT "D" OF PUD NO. 44, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on the 14th day of September, 2000, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-00-09-14-9B2, which established PUD No. 44, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Sections II.1, II.2, II.4.1, II.5, II.10.1, II.10.2, II.11 and Exhibit "D" of PUD No. 44, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-00-09-14-9B2 on the 27th day of August, 2008, following lawful publication of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No. Z-00-09-14-9B2 be amended, and

WHEREAS, on the 25th day of September, 2008, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-00-09-14-9B2, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-00-09-14-9B2 promotes the health, safety, morals and 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 CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That the City Council hereby determines that the proposed amendment to Planned Unit Development (PUD) District #44 meets the following goals and objectives:

- (1) The amendment to P.U.D. #44 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #44 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #44 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.

## II.

That Section II.1 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.1, which shall read as follows:

### 1. DEFINITIONS

1.1 Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1995 Edition), City of Round Rock, Texas, hereinafter referred to as "the Code".

1.2 The following shall apply to the area described in **Exhibit "A-1"** of this Plan:

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1995 Edition), City of Round Rock, Texas, as amended, hereinafter referred to as "The Code".

## III.

That Section II.2 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.2, which shall read as follows:

### 2. PROPERTY

This Development Plan ("Plan") covers approximately 57.641 acres of land, located within the City limits of Round Rock, Texas, and more particularly described by metes and bounds in **Exhibit "A"** and **Exhibit "A-1"**, attached hereto. **Exhibit "A-1"** describes an approximately 31.025 acre portion of the 57.461 acres.

## IV.

That Section II.4.1 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.4.1, which shall read as follows:

4. **APPLICABILITY OF CITY ORDINANCES**

4.1 **Zoning and Subdivision Ordinances**

- (1) 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 of the Code.
- (2) The following shall apply to the area described in **Exhibit "A-1"** of this Plan:

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 the **TH (Townhouse), C-1a (General Commercial – Limited) and OF (Office) zoning districts** and other sections of the Code, as applicable, and as amended. If there is a conflict between this Plan and the Code, the Plan shall supersede the specific conflicting provisions of the Code.

V.

That Section II.5 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.5, which shall read as follows:

5. **PERMITTED USES**

The Property shall be used and developed for the uses shown in **Exhibit "C"** and **Exhibit "C-1"**, attached hereto and incorporated herein.

VI.

That Section II.10.1 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby amended to read as follows:

10. **STREET SYSTEM, RIGHT OF WAY ACQUISITION:**

10.1 **Arterial A**

The Owner shall provide a 120 foot wide right of way south of the intersection of proposed Arterial A with the "Joe DiMaggio Boulevard", to accommodate the

future construction of Arterial A across the property as generally shown on **Exhibit "C"** and on **Exhibit "C-1"**.

The rights of way shall be dedicated with the first plat of the Property.

## VII.

That Section II.10.2 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.10.2, which shall read as follows:

### 10. STREET SYSTEM, RIGHT OF WAY ACQUISITION:

#### 10.2 Collector Streets

- (1) The Owner has provided an 80-foot right of way for Joe DiMaggio Boulevard as approved by the City and as generally shown on **Exhibit "C"**. This shall be provided with the first plat of the Property.
- (2) The Owner shall dedicate 65 feet of additional right-of-way for Joe DiMaggio Boulevard, as generally shown on **Exhibit "C-1"**. This shall be provided with the first plat of the Property.

## VIII.

That Section II.11 of the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new Section II.11, which shall read as follows:

### 11. ARTERIAL & COLLECTOR STREET CONSTRUCTION:

#### 11.1 Arterial A

The Owner shall construct a 24 foot cross section street, designed to be one half of a dual 24 foot (with future median) cross section street to a point approximately 600 feet north of Joe DiMaggio Blvd. This construction shall include a 32 foot wide bridge across Chandler Creek. This road and bridge shall be constructed simultaneously with the construction of improvements for the first section of the Commercial/Multi-Family subdivision south of Chandler Creek.

The City of Round Rock intends for Arterial A to be located in an underpass beneath U. S. Highway 79 and the railroad. Therefore, the City shall be solely responsible for the construction of that portion of Arterial A, south of its intersection with Joe DiMaggio Boulevard, shown on **Exhibit "C"**.

#### 11.2 Major Collector Streets

- (1) The Owner shall construct Joe Dimaggio Boulevard, generally shown on Exhibit C, as a four (4) lane Commercial Collector Street when any portion of the Property is platted.
- (2) The Owner shall design and construct Joe DiMaggio Boulevard, generally shown on **Exhibit "C-1"**, as a two (2) lane Local Collector Street, containing 37 feet of pavement. The road shall be designed and constructed in accordance with the City design and Construction Standards – Transportation Criteria Manual, prior to the recordation of a final plat for any portion of the property.
- (3) No parking shall be permitted on the portion of Joe DiMaggio Boulevard for a distance of 200 feet from the intersection with Arterial "A". The roadway shall be striped to accommodate three lanes of traffic for this 200 foot section of the roadway.

#### 11.3 Traffic Signal

- (1) The City Transportation Services Department, in cooperation with the Owner, has calculated the Plan's impact on the need for a traffic signal at the Joe DiMaggio Boulevard/Arterial "A" intersection to be 11.38%. The Owner shall pay an amount equal to 11.38% of the cost of a traffic signal at this intersection prior to the recordation of the first plat of the Property. Alternatively, the Owner may elect to prepare and submit a TIA (subject to the specifications of the Transportation Criteria Manual and any other applicable City ordinances), which must be approved by the Director of Transportation Services prior to the first plat of this Property. The Owner must meet any requirements of the TIA prior to the recordation of the first plat of the Property.
- (2) The timing of the design and construction of the traffic signal at Joe DiMaggio and Arterial "A" shall be the sole determination of the Director of Transportation Services.

### IX.

That a new Section II.20 is hereby included in the Development Plan of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, which shall read as follows:

20. **EMERGENCY ACCESS:**

Emergency access will be provided from the tract to the west. A driveway, access easement and gate will be provided prior to the issuance of a Site Development Permit.

X.

That the section titled "Development Area 'B' - Mixed Use Residential" of Exhibit "D" - Development Standards of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby deleted in its entirety, and replaced with a new section titled "Development Area 'B' - Townhouse", which shall read as follows:

**DEVELOPMENT AREA "B"**  
**TOWNHOUSE**

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area "B" on Exhibit "C-1"

1. **PERMITTED USES**

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All TH (Townhouse) uses identified in the City of Round Rock Zoning Ordinance, including Townhouses at a maximum density of 9 units per acre.

2. **DEVELOPMENT STANDARDS**

a) **Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

b) **Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

**c) Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15’).
- ii. Minimum building setback from Arterial “A” ROW shall be twenty feet (20’).
- iii. Minimum building setback from private drive aisles shall be twenty feet (20’).
- iv. Carports and garages shall not be permitted within the required setback from private drive aisles.
- v. The boundary of any private drive aisles which provide access to buildings located on a common lot shall be considered the same as a Street (ROW) boundary for the purpose of measuring and defining Setbacks.

**3. LANDSCAPING**

**a) Street Yard Determination**

The Street Yard definition is hereby amended in this Plan, for the purpose of applying the Landscaping standards contained in Section 11.501 of the Code, to allow for the street yard to be calculated by substituting a private drive aisle for the street right-of-way.

**b) Open Space**

All areas of a platted lot, for which a Certificate of Occupancy has been issued, and which do not contain buildings, structures, parking lots, sidewalks, fountains, site furniture or other improvements, including but not limited to front, side, and rear building setback areas, and all areas between the curb line and the property line, must be planted, landscaped, and maintained in good condition. The landscape planting must provide for easy maintenance. Utility easements will be landscaped consistent with other landscape areas where allowed by the respective utility company.

**c) Landscape Easement**

A fifteen foot (15’) wide landscape easement shall be provided adjacent to all public parkland and the Palm Valley Lutheran Church property. All areas located within these landscape easements shall be used solely for the purpose of landscaping.

#### 4. UTILITY SERVICES

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

#### 5. SIGNS

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

### XI.

That Exhibit "D" - Development Standards of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby amended to include a section titled "Development Area 'C' - Commercial", which shall read as follows:

#### DEVELOPMENT AREA "C" COMMERCIAL

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area "C" on Exhibit "C-1"

#### 1. PERMITTED USES

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All C-1a (General Commercial – Limited) uses identified in the City of Round Rock Zoning Ordinance.

#### 2. DEVELOPMENT STANDARDS

##### a) **Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

**b) Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

**c) Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15’).
- ii. Minimum building setback from Arterial “A” ROW shall be twenty feet (20’).

**d) Landscape Easement**

A fifteen foot (15’) wide landscape easement shall be provided adjacent to all public parkland and the Palm Valley Lutheran Church property. All areas located within these landscape easements shall be used solely for the purpose of landscaping.

**3. UTILITY SERVICES**

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

**4. SIGNS**

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

**XII.**

That Exhibit “D” - Development Standards of PUD No. 44, as approved in Ordinance No. Z-00-09-14-9B2, is hereby amended to include a section titled “Development Area ‘D’ - Office”, which shall read as follows:

**DEVELOPMENT AREA “D”**  
**OFFICE**

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area “D” on Exhibit “C-1”

## **1. PERMITTED USES**

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All OF (Office) uses identified in the City of Round Rock Zoning Ordinance.

## **2. DEVELOPMENT STANDARDS**

### **a) Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

### **b) Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

### **c) Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15').
- ii. Minimum building setback from Arterial "A" ROW shall be twenty feet (20').

## **5. UTILITY SERVICES**

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

## **6. SIGNS**

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

XIII.

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.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

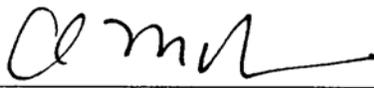
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 25<sup>th</sup> day of September, 2008.

Alternative 2.

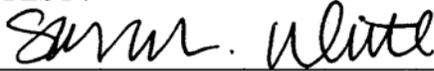
READ and APPROVED on first reading this the \_\_\_\_ day of \_\_\_\_\_, 2008.

READ, APPROVED and ADOPTED on second reading this the \_\_\_\_ day of \_\_\_\_\_, 2008.

  
\_\_\_\_\_  
ALAN MCGRAW, Mayor

City of Round Rock, Texas

ATTEST:

A handwritten signature in cursive script that reads "Sara L. White". The signature is written in black ink and is positioned above a horizontal line.

SARA L. WHITE, City Secretary

## AUSTIN SURVEYORS

P.O. BOX 180243  
AUSTIN, TEXAS 787182105 JUSTIN LANE #103  
(512) 454-6605

## FIELD NOTES FOR 7.914 ACRES

Attachment to Plat 974MFP2

All that certain tract or parcel of land situated in the P.A. Holder Survey, A-297, in Williamson County, Texas, being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944310 and Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin set on the south line of the above mentioned 168.9883 acre tract for the Southwest corner of this tract from which iron pin an iron pin set on the East line of a 10.893 acre tract of land conveyed to Palm Valley Lutheran Church by deed recorded in Volume 1049, Page 205 of the Deed Records of Williamson County, Texas, in the Southwest corner of the above mentioned 168.9883 acre tract and the Northwest corner of a 5.33 acre tract of land conveyed to the Swedish Lutheran Church Assoc. by deed recorded in Volume 277, Page 473 of the above mentioned Deed Records bears N 89°43'55" W 632.30 feet, N 06°05'33" W 217.80 feet, and N 89°58'34" W 1098.63 feet

THENCE N 24°39'10" W 86.11 feet to an iron pin set in the PC of a curve to the right said curve having a radius of 700.00 feet and a central angle of 20°16'24".

THENCE with the arc of the said curve 247.69 feet the long chord of which bears N 14°30'58" W 246.40 feet to an iron pin set for the PT of the said curve.

THENCE N 04°22'46" W 74.82 feet to an iron pin set in the PC of a curve to the right said curve having a radius of 20.00 feet and a central angle of 90°00'00".

THENCE with the arc of the said curve 31.42 feet the long chord of which bears N 40°37'14" E 28.28 feet to an iron pin set for the PT of the said curve.

THENCE N 85°37'14" E 101.23 feet to an iron pin set in the PC of a curve to the right said curve having a radius of 295.00 feet and a central angle of 06°48'37".

THENCE with the arc of the said curve 35.06 feet the long chord of which bears N 89°01'33" E 35.04 feet to an iron pin set for the PT of the said curve.

THENCE S 87°34'08" E 399.65 feet to an iron pin set in the PC of a curve to the right said curve having a radius of 420.00 feet and a central angle of 60°27'25".

THENCE with the arc of the said curve 443.17 feet the long chord of which bears S 57°20'26" E 422.90 feet to an iron pin set for the PT of the said curve.

THENCE S 27°06'43" E 202.46 feet to an iron pin set on the South line of the said 168.9883 acre tract for the Southeast corner of this tract.

THENCE N 89°43' 55" W 898.60 feet to the POINT OF BEGINNING, containing 7.914 acres of land, more or less.

I, Claude F. Hinkle, Jr., a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from public records, supplemental surveys, and calculations made under my supervision during March and June of 2000 and are correct to the best of my knowledge and belief. These field notes were prepared for the rezoning of this tract by the City of Round Rock. Any use of this description by these or any other persons for any other use or purpose is expressly prohibited.



*Claude F. Hinkle, Jr.*

Claude F. Hinkle, Jr.  
R.P.L.S. No. 4629

09 Aug 00

Date 974.DOC

**AUSTIN SURVEYORS**

P.O. BOX 180243  
AUSTIN, TEXAS 78718

2105 JUSTIN LANE #103  
(512) 454-6665

**FIELD NOTES FOR 17.613 ACRES**

Attachment to Sketch 974MFP1

All that certain tract or parcel of land situated in the P.A. Holder Survey, A-297, in Williamson County, Texas, being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944310 and Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in a brick column found on the Northwest line of U.S. Highway #79, for the Southeast corner of the above mentioned 168.9883-acre tract and the Southeast corner of this tract from which iron pin a ¾" iron pin found bears N 64°35'12" E 11.07 feet..

THENCE S 68°37'16" W with the South line of the said 168.9883 acre tract 112.90 feet to an iron pin set at a fence post found in an angle point of the said 168.9883 acre tract for an angle point of this tract.

THENCE N 89°43'55" W with the South line of the said 168.9883 acre tract 267.92 feet to an iron pin set for the Southwest corner of this tract.

THENCE N°27 06'43" W 243.90 feet to an iron pin set in the PC of a curve to the left said curve having a radius of 500.00 feet and a central angle of 60°27'25".

THENCE with the arc of the said curve 527.59 feet the long chord of which bears N 57°20'25" W 503.45 feet to an iron pin set for the PT of the said curve

THENCE N 87°34'08" W 320.54 feet to an iron pin set for an angle point of this tract.

THENCE N 02°25'52" E 7.79 feet to an iron pin set for an angle point of this tract.

THENCE N 80°43'20" E 78.14 feet to an iron pin set for an angle point of this tract.

THENCE N 64°39'27" E 62.63 feet to an iron pin set for an angle point of this tract.

THENCE N 47°33'58" E 194.89 feet to an iron pin set for an angle point of this tract.

THENCE N 34°17'21" E 61.35 feet to an iron pin set for an angle point of this tract.

THENCE N 09°42'23" E 61.35 feet to an iron pin set for an angle point of this tract.

THENCE N 12°11'23" W 189.93 feet to an iron pin set for an angle point of this tract.

THENCE N 00°58'01" E 47.57 feet to an iron pin set in an angle point of the Northeast line of the above mentioned 168.9883 acre tract for an angle point of this tract.

THENCE S 89°42'33" E with the Northeast line of the said 168.9883 acre tract 205.82 feet to an iron pin set in an angle point of the said 168.9883 acre tract for an angle point of this tract.

THENCE N 89°26'45" E with the Northeast line of the said 168.9883 acre tract at 415.1 feet pass a 60d nail found at a fence post and continue for a total of 484.18 feet to an iron pin set in an angle point of the said 168.9883 acre tract for an angle point of this tract.

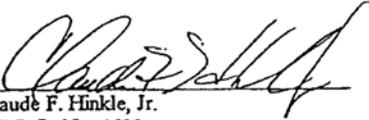
THENCE S 78°56'29" E with the Northeast line of the said 168.9883 acre tract 164.98 feet to an angle point of the said 168.9883 acre tract for an angle point of this tract.

THENCE S 27°06'55" E 202.76 feet to a 60d nail found at a fence post for an angle point of the said 168.9883 acre tract for an angle point of this tract.

THENCE S 00°02'14" E 777.04 feet to the POINT OF BEGINNING, containing 17.613 acres of land, more or less.

I, Claude F. Hinkle, Jr., a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from public records, supplemental surveys, and calculations made under my supervision during March and June of 2000 and are correct to the best of my knowledge and belief. These field notes were prepared for the rezoning of this tract by the City of Round Rock. Any use of this description by these or any other persons for any other use or purpose is expressly prohibited.



  
 Claude F. Hinkle, Jr.  
 R.P.L.S. No. 4629

09 Aug 00  
 Date 974.DOC

# AUSTIN SURVEYORS

P.O. BOX 180243  
AUSTIN, TEXAS 78718

2105 JUSTIN LANE #103  
(512) 454-6605

## FIELD NOTES FOR 32.114ACRES

Attachment to Plat 974MFP2

All that certain tract or parcel of land situated in the P.A. Holder Survey, A-297, in Williamson County, Texas, being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944310 and Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin set on the East line of a 10.893 acre tract of land conveyed to Palm Valley Lutheran Church by deed recorded in Volume 1049, Page 205 of the Deed Records of Williamson County, Texas, in the Southwest corner of the above mentioned 168.9883 acre tract and the Northwest corner of a 5.33 acre tract of land conveyed to the Swedish Lutheran Church Assoc. by deed recorded in Volume 277, Page 473 of the above mentioned Deed Records for the Southwest corner of this tract.

THENCE N 14°16'31" E with the East line of the above mentioned 10.893 acre tract at 558.42 feet pass an iron pin found at a fence corner post for an angle point of the said 10.893 acre tract and continue for a total of 563.35 feet to an iron pin set for angle point of the said 168.9833 acre tract and an angle point of this tract.

THENCE N 14°31'35" W with the West line of the said 168.9833 acre tract 251.50 feet to an iron pin set for the West corner of this tract.

THENCE S 83°06'32" E 91.58 feet to an iron pin set for an angle point of this tract.

THENCE N 76°35'14" E 91.63 feet to an iron pin set for an angle point of this tract.

THENCE N 66°40'44" E 61.74 feet to an iron pin set for an angle point of this tract.

THENCE N 45°47'37" E 83.64 feet to an iron pin set for an angle point of this tract.

THENCE N 34°56'44" E 60.70 feet to an iron pin set for an angle point of this tract.

THENCE N 42°53'54" E 60.70 feet to an iron pin set for an angle point of this tract.

THENCE N 41°01'33" E 163.30 feet to an iron pin set for an angle point of this tract.

THENCE N 34°31'43" E 163.30 feet to an iron pin set for an angle point of this tract.

THENCE N 64°19'22" E 173.60 feet to an iron pin set for an angle point of this tract.

THENCE S 38°44'30" E 173.60 feet to an iron pin set for an angle point of this tract.

THENCE S 11°35'54" E 282.58 feet to an iron pin set for an angle point of this tract.

THENCE S 36°15'30" E 256.01 feet to an iron pin set for an angle point of this tract.

THENCE S 58°41'34" E 178.95 feet to an iron pin set for an angle point of this tract.

THENCE N 82°09'52" E 161.60 feet to an iron pin set for an angle point of this tract.

THENCE S 04°22'46" E 330.25 feet to an iron pin set for an angle point of this tract.

THENCE S 49°22'46" E 21.21 feet to an iron pin set for an angle point of this tract.

THENCE S 04°22'46" E 115.00 feet to an iron pin set for an angle point of this tract.

THENCE N 85°37'14" E 120.00 feet to an iron pin set for an angle point of this tract.

THENCE S 04°22'46" E 74.82 feet to an iron pin set in the PC of a curve to the left said curve having a radius of 700.00 feet and a central angle of 20°16'24".

THENCE with the arc of the said curve 247.69 feet the long chord of which bears S 14°30'58" E 246.40 feet to an iron pin set for the PT of the said curve.

THENCE S 24°39'10" E 86.11 feet to an iron pin set on the South line of the said 168.9883 acre tract for the Southeast corner of this tract.

THENCE N 89°43' 55" W 632.30 feet to an iron pin found in an angle point of the South line of the said 168.9883 acre tract for an angle point of this tract.

THENCE N 06°05'33" E 217.80 feet to an iron pin set in an angle point of the said 168.9833 acre tract for an angle point of this tract.

THENCE N 89°58'34" W 1098.63 feet to the POINT OF BEGINNING, containing 32.114 acres of land, more or less.

I, Claude F. Hinkle, Jr., a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from public records, supplemental surveys, and calculations made under my supervision during March and June of 2000 and are correct to the best of my knowledge and belief. These field notes were prepared for the rezoning of this tract by the City of Round Rock. Any use of this description by these or any other persons for any other use or purpose is expressly prohibited.



*Claude F. Hinkle, Jr.*  
\_\_\_\_\_  
Claude F. Hinkle, Jr.  
R.P.L.S. No. 4629  
09 Aug 00  
Date 974.DOC

## FIELD NOTES FOR 31.025 ACRES

All that certain tract or parcel of land situated in the P. A. Holder Survey, A-297, Williamson County, Texas and being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a capped iron pin found (stamped Austin Surveyors) on the East line of a 10.893 acre tract of land conveyed to Palm Valley Lutheran Church by deed recorded in Volume 1049, Page 205 of the Deed Records of Williamson County, Texas, in the Southwest corner of the above mentioned 168.9883 acre tract and the Northwest corner of a 5.33 acre tract of land conveyed to the Palm Swedish Lutheran Church of Brushy Parish by deed recorded in Volume 31, Page 12 of the above mentioned Deed Records for the Southwest corner of this tract.

THENCE N 11°56'27" E with the East line of the above mentioned 10.893 acre tract at 558.42 feet pass an iron pin found at a fence corner post for an angle point of the said 10.893 acre tract and continue for a total of 563.35 feet to a capped iron pin found (stamped Austin Surveyors) in angle point of the said 168.9833 acre tract and an angle point of this tract.

THENCE N 16°53'46" W with the West line of the said 168.9833 acre tract 251.59 feet to an iron pin found in the South corner of Legends Village Section 2 Phase 2 as recorded as Document No. 2007046039 of the said Official Records for the West corner of this tract.

THENCE with the South line of the above mentioned Section 2 Phase 2 for the following nine (9) courses:

- 1) S 85°27'16" E 91.87 to an iron pin found for an angle point of this tract.
- 2) N 74°16'40" E 91.69 to an iron pin found for an angle point of this tract.
- 3) N 64°20'39" E 61.71 to an iron pin found for an angle point of this tract.
- 4) N 43°25'26" E 83.66 to an iron pin found for an angle point of this tract.
- 5) N 32°38'35" E 60.66 to an iron pin found for an angle point of this tract.
- 6) N 40°33'05" E 60.73 to an iron pin found for an angle point of this tract.
- 7) N 38°43'47" E 163.25 to an iron pin found for an angle point of this tract.
- 8) N 32°12'49" E 163.26 to an iron pin found for an angle point of this tract.
- 9) N 61°58'33" E 173.56 to an iron pin found for the Southeast corner of the said Phase 2 and the West corner of Legends Village Section 2 Phase 1 as recorded as Document No. 2006096703 of the said Official Records for the North corner of this tract.

THENCE with the South line of the above mentioned Section 2 Phase 1 for the following three (3) courses:

- 1) S 41°03'38" E 173.58 to an iron pin found for an angle point of this tract.
- 2) S 13°55'40" E 283.12 to a capped iron pin found (stamped CCC) for an angle point of this tract.
- 3) S 38°40'27" E 240.30 to an iron pin set for an angle point of this tract.

THENCE with the North line hereof and the approximate center of Chandler Creek for the following six (6) courses:

- 1) S 12°23'08" E 81.64 for an angle point of this tract.
- 2) S 02°32'36" E 47.99 for an angle point of this tract.
- 3) S 47°52'20" E 117.11 for an angle point of this tract.
- 4) S 76°50'59" E 70.95 for an angle point of this tract.
- 5) S 81°27'56" E 77.54 for an angle point of this tract.
- 6) S 76°30'39" E 97.56 to a point on the West line of Arterial "A" as set out on the plat of Legends Village Section One as recorded as Document No. 2003005857 of the said Official Records for the Northeast corner of this tract.

THENCE S 06°42'27" E with the West line of Arterial "A" 142.49 to a capped iron pin found for an angle point of this tract.

THENCE S 51°42'27" E with the West line of Arterial "A" 21.21 to a capped iron pin set for an angle point of this tract.

THENCE S 06°42'40" E with the West line of Arterial "A" 115.29 to a capped iron pin set for an ell corner of this tract.

THENCE N 83°19'22" E 120.00 to a capped iron pin found (stamped CCC) on the West line of Lot 1A Block A of the Replat of Legends Village Section Three as recorded as Document No. 2003051649 of the said Official Records for an ell corner of this tract.

THENCE S 06°41'09" E 74.82 to an iron pin found in the PC of a curve to the left said curve having a radius of 700.00 feet and a central angle of 20°16'59".

THENCE with the arc of the said curve 247.80 feet the long chord of which bears S 16°48'49" E 246.51 feet to an iron pin found for the PT of the said curve.

THENCE S 27°04'41" E 77.29 feet to an iron pin found on the South line of the said 168.9883 acre tract and the North line of a 1.975 acre tract of land conveyed to the City of Round Rock by deed recorded in Volume 2004075638 of the said Official Records for the Southeast corner of this tract.

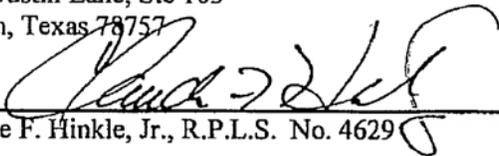
THENCE S 87°15'56" W with the North line of the above mentioned 1.975 acre tract and the North line of a 15.99 acre tract of land, designated as Tract 4 in Document No. 2003063811 of the said Official Records 628.85 feet to a 3/8" iron pin found on the East line of the above mentioned 5.33 acre tract, in an angle point of the said 168.9883 acre tract for an angle point of this tract.

THENCE N 03°49'39" E 217.41 to a capped iron pin found (stamped CCC) in the Northeast corner of the said 5.33 acre tract for an angle point of the said 168.9883 acre tract and an angle point of this tract.

THENCE S 87°42'41" W 1098.85 feet to the POINT OF BEGINNING containing 31.025 acres of land.

Austin Surveyors  
2105 Justin Lane, Ste 103  
Austin, Texas 78757



  
\_\_\_\_\_  
Claude F. Hinkle, Jr., R.P.L.S. No. 4629

# AUSTIN SURVEYORS

P.O. BOX 180243  
AUSTIN, TEXAS 78718

2105 JUSTIN LANE #103  
(512) 454-6605

## FIELD NOTES FOR 24.083 ACRES

All that certain tract or parcel of land situated in the P. A. Holder Survey, A-297, Williamson County, Texas and being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a capped iron pin found (stamped Austin Surveyors) on the East line of a 10.893 acre tract of land conveyed to Palm Valley Lutheran Church by deed recorded in Volume 1049, Page 205 of the Deed Records of Williamson County, Texas, in the Southwest corner of the above mentioned 168.9883 acre tract and the Northwest corner of a 5.33 acre tract of land conveyed to the Palm Swedish Lutheran Church of Brushy Parish by deed recorded in Volume 31, Page 12 of the above mentioned Deed Records for the Southwest corner of this tract.

THENCE N 11°56'04" E with the East line of the above mentioned 10.893 acre tract at 558.42 feet pass an iron pin found at a fence corner post for an angle point of the said 10.893 acre tract and continue for a total of 563.32 feet to a capped iron pin found (stamped Austin Surveyors) in angle point of the said 168.9833 acre tract and an angle point of this tract.

THENCE N 16°54'57" W with the West line of the said 168.9833 acre tract 251.68 feet to an iron pin found in the South corner of Legends Village Section 2 Phase 2 as recorded as Document No. 2007046039 of the said Official Records for the West corner of this tract.

THENCE with the South line of the above mentioned Section 2 Phase 2 for the following nine (9) courses:

- 1) S 85°26'03" E 92.05 to an iron pin found for an angle point of this tract.
- 2) N 74°16'40" E 91.69 to an iron pin found for an angle point of this tract.
- 3) N 64°20'39" E 61.71 to an iron pin found for an angle point of this tract.
- 4) N 43°25'26" E 83.66 to an iron pin found for an angle point of this tract.
- 5) N 32°38'35" E 60.66 to an iron pin found for an angle point of this tract.
- 6) N 40°33'05" E 60.73 to an iron pin found for an angle point of this tract.
- 7) N 38°43'47" E 163.25 to an iron pin found for an angle point of this tract.
- 8) N 32°12'49" E 163.26 to an iron pin found for an angle point of this tract.
- 9) N 61°58'33" E 173.56 to an iron pin found for the Southeast corner of the said Phase 2 and the West corner of Legends Village Section 2 Phase 1 as recorded as Document No. 2006096703 of the said Official Records for the North corner of this tract.

THENCE with the South line of the above mentioned Section 2 Phase 1 for the following nine (9) courses:

- 1) S 41°03'38" E 173.58 to an iron pin found for an angle point of this tract.
- 2) S 13°55'40" E 283.12 to a capped iron pin found (stamped CCC) for an angle point of this tract.
- 3) S 38°40'27" E 240.30 to an angle point of this tract.
- 4) S 12°23'08" E 81.64 feet to an angle point of this tract.
- 5) S 02°32'36" E 47.99 feet to an angle point of this tract
- 6) S 47°52'20" E 117.11 feet to an angle point of this tract
- 7) S 76°50'59" E 70.95 feet to an angle point of this tract
- 8) S 81°27'56" E 77.54 feet to an angle point of this tract.
- 9) S 76°30'09" E 97.56 feet to a point on the West line of Arterial "A" as set out on the plat of Legends Village Section One as recorded as Document No. 2003005857 of the said Official Records for the Northeast corner of this tract.

THENCE S 06°42'27" E with the West line of Arterial "A" 68.31 feet to a reentrant corner of this tract.

THENCE N 70°16'59" W 23.67 feet to an angle point of this tract.

THENCE N 62°27'36" W 37.55 feet to an angle point of this tract.

THENCE N 54°37'54" W 15.57 feet to an angle point of this tract.

THENCE N 71°04'42" W 31.88 feet to an angle point of this tract.

THENCE S 82°38'39" W 20.51 feet to an angle point of this tract.

THENCE N 77°30'08" W 35.57 feet to an angle point of this tract.

THENCE N 69°55'01" W 80.57 feet to an angle point of this tract.

THENCE S 45°27'11" W 23.76 feet to an angle point of this tract.

THENCE S 06°57'14" E 90.71 feet to an angle point of this tract.

THENCE S 50°20'34" W 15.54 feet to an angle point of this tract.

THENCE N 72°51'20" W 16.94 feet to an angle point of this tract.

THENCE S 48°29'32" W 34.24 feet to an angle point of this tract.

THENCE S 79°53'51" W 45.05 feet to an angle point of this tract.

THENCE S 38°45'50" W 29.31 feet to an angle point of this tract.

THENCE S 21°47'38" E 27.56 feet to the PC of a curve to the right said curve having a radius of 417.50 feet and a central angle of 04°02'00".

THENCE with the arc of the said curve 29.39 feet the long chord of which bears N 69°38'58" W 98.25 feet to the PT of the said curve and the PC of a curve to the left said curve having a radius of 863.06 feet and a central angle of 04°28'16".

THENCE with the arc of the said curve 67.35 feet said curve having a long chord which bears S 25°37'14" W 49.60 feet to the PT of the said curve and the PC of a curve to the left said curve having a radius of 205.61 feet and a central angle of 13°51'17".

THENCE with the arc of the said curve 49.72 feet, said curve having a long chord which bears S 06°08'07" W 49.60 feet to the PT of the said curve and the PC of a curve to the left said curve having a radius of 532.50 feet and a central angle of 04°34'48".

THENCE with the arc of the said curve 42.57 feet the long chord of which bears S 06°07'03" W 42.55 feet to the PT of the said curve

THENCE S 03°49'39" W 127.06 feet to a capped iron pin found (stamped CCC) in the Northeast corner of the said 5.33 acre tract for an angle point of the said 168.9883 acre tract and an angle point of this tract.

THENCE S 87°42'41" W 1033.45 feet to the POINT OF BEGINNING containing 24.083 acres of land, more or less.

I, Claude F. Hinkle, Jr. , a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from an on-the-ground survey made under my supervision during May of 2008 and are correct to the best of my knowledge and belief. These field notes were prepared for a development agreement. Any use of this description by any person for any other purpose is expressly prohibited.



*Claude F. Hinkle, Jr.*  
\_\_\_\_\_  
Claude F. Hinkle, Jr.  
R.P.L.S. No. 4629

*23 Sept 08*  
\_\_\_\_\_  
Date 1644.doc

# AUSTIN SURVEYORS

P.O. BOX 180243  
AUSTIN, TEXAS 78718

2105 JUSTIN LANE #103  
(512) 454-6605

## FIELD NOTES FOR 1.104 ACRES

All that certain tract or parcel of land situated in the P. A. Holder Survey, A-297, Williamson County, Texas and being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of Arterial "A" as set out on the plat of Legends Village Section One as recorded as Document No. 2003005857 of the said Official Records for the Northeast corner of this tract from which point the Southeast corner of of Legends Village Section 2 Phase 1 as recorded as Document No. 2006096703 of the above mentioned Official Records bears N 06°42'27" E 187.86 feet.

THENCE S 06°42'27" E with the West line of Arterial "A" 71.30 feet to an angle point of this tract

THENCE S 38°12'17" W 56.66 feet to an angle point of this tract.

THENCE S 83°07'00" W 134.28 feet to the PC of a curve to the right said curve having a radius of 417.50 feet and a central angle of 25°13'02".

THENCE with the arc of the said curve 183.75 feet, the long chord of which bears N 84°16'29" W 182.27 feet to the PT of the said curve.

THENCE N 21°47'38" W 27.57 feet to an angle point of this tract.

THENCE N 38°45'50" E 29.31 feet to an angle point of this tract.

THENCE N 79°53'51" E 45.05 feet to an angle point of this tract.

THENCE N 48°29'32" E 34.24 feet to an angle point of this tract.

THENCE S 72°51'20" E 16.94 feet to an angle point of this tract.

THENCE N 50°20'34" E 15.54 feet to an angle point of this tract.

THENCE N 06°57'14" W 90.71 feet to an angle point of this tract.

THENCE N 45°27'11" E 23.76 feet to an angle point of this tract.

THENCE S 69°55'01" E 80.57 feet to an angle point of this tract.

THENCE S 77°30'08" E 35.57 feet to an angle point of this tract.

THENCE N 82°38'39" E 20.51 feet to an angle point of this tract.

THENCE S 71°04'42" E 31.88 feet to an angle point of this tract.

THENCE S 54°37'54" E 15.57 feet to an angle point of this tract.

THENCE S 62°27'36" E 37.55 feet to an angle point of this tract.

THENCE S 70°16'59" E 23.67 feet to to the POINT OF BEGINNING containing 1.104 acres of land, more or less.

I, Claude F. Hinkle, Jr. , a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from an on-the-ground survey made under my supervision during May of 2008 and are correct to the best of my knowledge and belief. These field notes were prepared for a development agreement. Any use of this description by any person for any other purpose is expressly prohibited.



A handwritten signature in black ink, appearing to read "Claude F. Hinkle, Jr.", written over a horizontal line.

Claude F. Hinkle, Jr.  
R.P.L.S. No. 4629

**SEP 23 2008**

Date 1644.doc .

# AUSTIN SURVEYORS

P.O. BOX 180243  
AUSTIN, TEXAS 78718

2105 JUSTIN LANE #103  
(512) 454-6605

Accompaniment for plat 1644-rev

## FIELD NOTES FOR 3.757 ACRES

All that certain tract or parcel of land situated in the P. A. Holder Survey, A-297, Williamson County, Texas and being a part of a 168.9883 acre tract of land conveyed to B.J. Williams by deed recorded as Document No. 199944311 of the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron pin found on the East line of a 5.33 acre tract of land conveyed to the Palm Swedish Lutheran Church of Brushy Parish by deed recorded in Volume 31, Page 12 of the Deed Records of Williamson County, Texas and the North line of a of a 15.99 acre tract of land, designated as Tract 4 in Document No. 2003063811 of the above mentioned Official Records, in an angle point of the above mentioned 168.9883 acre tract, for the Southwest corner of this tract.

THENCE N 03°49'39" E 217.41 to a capped iron pin found (stamped CCC) in the Northeast corner of the above mentioned 5.33 acre tract for an angle point of the said 168.9883 acre tract and an angle point of this tract.

THENCE N 03°49'39" E 120.10 feet to an iron pin set in the PC of a curve to the right said curve having a radius of 467.50 feet and a central angle of 04°34'48".

THENCE with the arc of the said curve 37.37 feet, the long chord of which bears N 06°07'03" E 37.39 feet to an iron pin set for a point of compound curvature.

THENCE with the arc of a curve to the right 55.62 feet, said curve having a radius of 35.06 feet, a central angle of 90°54'00", and a long chord which bears N 53°51'27" E 49.97 feet to an iron pin set for a point of reverse curvature.

THENCE with the arc of a curve to the left 136.35 feet said curve having a radius of 482.50 feet, a central angle of 16°11'27" and a long chord which bears S 88°47'16" E 135.89 feet to an iron pin set for the PT of the said curve.

THENCE N 83°07'00" E 149.09 feet to an iron pin set for an angle point of this tract.

THENCE S 51°47'08" E 56.49 feet to an iron pin set for an angle point of this tract.

THENCE S 06°41'09" E 63.02 feet to an iron pin set in the PC of a curve to the left said curve having a radius of 820.00 feet and a central angle of 20°17'30".

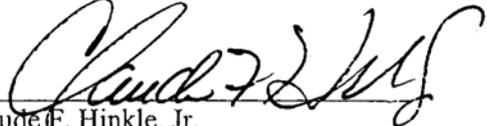
THENCE with the arc of the said curve 290.41 feet, the long chord of which bears S 16°49'07" E 288.89 feet to an iron pin set for the PT of the said curve.

THENCE S 27°04'41" E 23.12 feet to an iron pin set on the South line of the said 168.9883 acre tract and the North line of a 1.975 acre tract of land conveyed to the City of Round Rock by deed recorded in Volume 2004075638 of the said Official Records for the Southeast corner of this tract.

THENCE S 87°15'56" W with the North line of the above mentioned 1.975 acre tract and the North line of a 15.99 acre tract of land, designated as Tract 4 in Document No. 2003063811 of the said Official Records 497.14 feet to the POINT OF BEGINNING containing 3.757 acres of land, more or less.

I, Claude F. Hinkle, Jr. , a Registered Professional Land Surveyor, do hereby certify that these field notes were prepared from an on-the-ground survey made under my supervision during May of 2008 and are correct to the best of my knowledge and belief. These field notes were prepared for a loan document. Any use of this description by any person for any other purpose is expressly prohibited.



  
\_\_\_\_\_  
Claude F. Hinkle, Jr.  
R.P.L.S. No. 4629  
**SEP 23 2008**  
\_\_\_\_\_  
Date 1644.doc

**EXHIBIT "B"**

**Lienholder's Consent**

**There are no Lienholders of Record.**

C:\MILT 97\ACAD\97amfp.dwg

## Sketch to accompany field notes for three tracts of land in the P.A. Holder Survey, A-297, in Williamson County, Texas

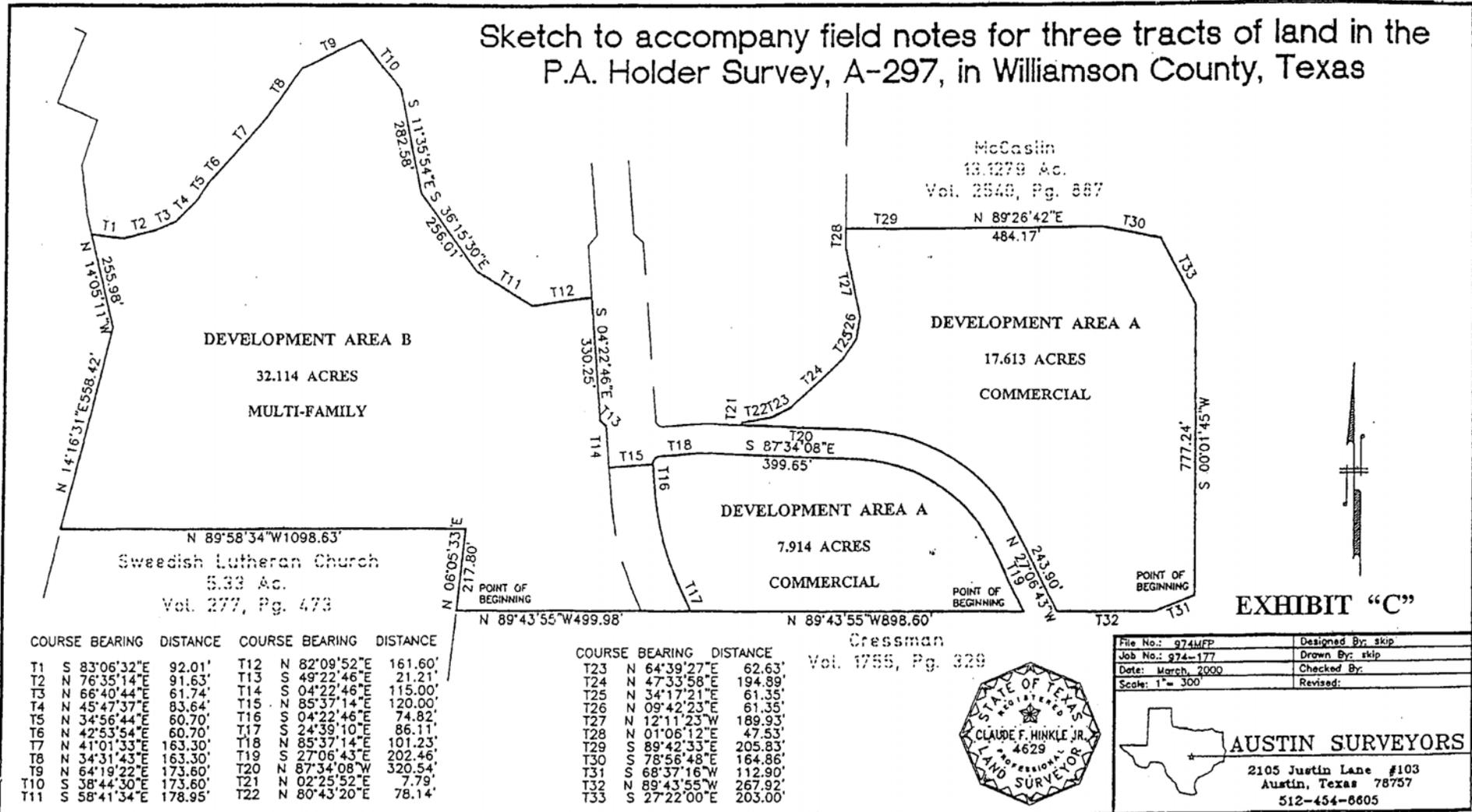


EXHIBIT "C"

COURSE BEARING	DISTANCE	COURSE BEARING	DISTANCE
T1 S 83°06'32"E	92.01'	T12 N 82°09'52"E	161.60'
T2 N 76°35'14"E	91.63'	T13 S 49°22'46"E	21.21'
T3 N 66°40'44"E	61.74'	T14 S 04°22'46"E	115.00'
T4 N 45°47'37"E	83.64'	T15 N 85°37'14"E	120.00'
T5 N 34°56'44"E	60.70'	T16 S 04°22'46"E	74.82'
T6 N 42°53'54"E	60.70'	T17 S 24°39'10"E	86.11'
T7 N 41°01'33"E	163.30'	T18 N 85°37'14"E	101.23'
T8 N 34°31'43"E	163.30'	T19 S 27°06'43"E	202.46'
T9 N 64°19'22"E	173.60'	T20 N 87°34'08"W	320.54'
T10 S 38°44'30"E	173.60'	T21 N 02°25'52"E	7.79'
T11 S 58°41'34"E	178.95'	T22 N 80°43'20"E	78.14'

COURSE BEARING	DISTANCE	COURSE BEARING	DISTANCE
T23 N 64°39'27"E	62.63'	T30 S 78°56'48"E	164.86'
T24 N 47°33'58"E	194.89'	T31 S 68°37'16"W	112.90'
T25 N 34°17'21"E	61.35'	T32 N 89°43'55"W	267.92'
T26 N 09°42'23"E	61.35'	T33 S 27°22'00"E	203.00'
T27 N 12°11'23"W	189.93'		
T28 N 01°06'12"E	47.53'		
T29 S 89°42'33"E	205.83'		



File No.: 974MFP	Designed By: skip
Job No.: 974-177	Drawn By: skip
Date: March, 2000	Checked By:
Scale: 1" = 300'	Revised:

**AUSTIN SURVEYORS**  
2105 Justin Lane #103  
Austin, Texas 78757  
512-454-8605



**EXHIBIT "D"**  
**DEVELOPMENT STANDARDS**

**DEVELOPMENT AREA "A"**  
**COMMERCIAL**

The Following Development Standards shall apply to all development on portions of the Property, which are generally identified as Development Area "A" on Exhibit "C".

**1. PERMITTED USES:**

The following principal uses are permitted:

All C-1 General Commercial uses identified in the City of Round Rock Zoning Ordinance except prohibited uses listed in this agreement.

**2. PROHIBITED USES:**

The following uses are prohibited on the property: mini-warehouses, sexually oriented businesses, portable buildings sales except as incidental to other retail sales, amusement parks or carnivals, wholesale nurseries, recreational vehicle parks, outdoor shooting ranges, pawn shops, heavy equipment sales, kennels (but not prohibiting pet shops and veterinary clinics with overnight facilities), vehicle sales, auto body and paint shops and truck stops.

**3. PALM VALLEY URBAN ACTIVITY CENTER**

The Palm Valley Area Plan designates the property as an "Urban Activity Center". The following development guidelines shall apply to development of commercial uses. These guidelines are intended to encourage a sense of place and an increased level of pedestrian orientation for commercial uses.

- Outdoor cafes, outdoor dining and other outdoor commercial and civic activities are encouraged.
- Consistently designed landscape treatments should be included as part of site plans for the property.
- Site plans should be designed to utilize the interface with parkland adjoining the property.

- Site plans should be designed to provide pedestrian access between the property and the adjoining public park.
- Building setbacks should include a percentage of "build to lines" identified in Section 5.3 of this Exhibit.
- Building fronts should utilize porches, awnings, arcades, colonnades, entries and windows to encourage a relationship to the street or parkland.
- Traditional building designs and building materials should be encouraged.
- Provide street trees as a unifying design element and as shaded pedestrian walkways, as identified in Section 7 of this Exhibit.
- Prohibit certain building materials as identified in Section 4 of this Exhibit.
- Establish a consistent form and design for signage.

#### **4. PROHIBITED BUILDING MATERIALS:**

The following materials are prohibited on the exterior walls of all buildings and structures (this section does not apply to roofs):

Sheet and corrugated metal, and unfinished Aluminum  
 Asbestos  
 Galvanized Steel  
 Mirrored Glass (reflectivity of 20% or more)

#### **5. DESIGN STANDARDS:**

##### **5.1 Height**

The maximum of buildings on the Property shall be three stories.

##### **5.2 Building Setbacks**

5.2.1 Minimum Building Setbacks from Joe DiMaggio Boulevard shall be twenty feet (20').

5.2.2 Minimum Building Setbacks from Arterial "A" shall be thirty feet (30').

##### **5.3. Build To Lines**

5.3.1 Building setbacks on the 17.613 acre tract fronting Joe DiMaggio Boulevard shall include a minimum of 60% Build to Line (BTL) as described in the Palm Valley Area Plan, for the purpose of creating a more urban streetscape. Building setbacks on the 7.914 acre tract fronting Joe DiMaggio Boulevard shall include a minimum of 30% Build to Line. The Build to Line shall be established at a point 20 ft from the property lines along Joe DiMaggio Boulevard.

With the approval of the Director of Planning, this distance may be increased to allow for pedestrian passages or protected spaces that create wider sidewalk areas for cafes, patios or other types of outdoor pedestrian activities as well as driveways and access to parking. Buildings along curved portions of Joe DiMaggio Boulevard are required to have one or more points tangent to the BTL (eliminates the unintended requirement for curved walls which is not the intent of the standards). The BTL may be averaged when there are two or more contiguous lots.

5.3.2. There is no Build To Line along Palm Valley Boulevard or Arterial "A".

5.4 Exterior Finish

5.4.1. The exterior finish of all buildings (walls) shall be masonry, except for doors, windows and trim. Masonry shall mean stone, simulated stone, brick, stucco, terra cotta or such other suitable material as may be approved by the Director of Planning and Community Development. The amount of stucco or terra cotta shall not exceed 50% of the exterior finish of a building.

5.4.2. Buildings shall contain one or more of the design features identified in Section 4.4 of the Palm Valley Area Planning & Design Study attached hereto as Exhibit "E".

6. SERVICE & LOADING AREAS

6.1 Screening Required

No dock high loading area is permitted unless such area is visually screened from public view from public streets. However, because of the pedestrian orientation of some buildings some deliveries shall be permitted in areas visible from the street. No merchandise metal containers may be left stored in any parking area overnight.

6.2 Delivery Vehicles

All delivery and utility vehicles stored on-site must be inside a closed building or within a screened portion of the site.

6.3 Service Areas

Service areas will be screened from adjacent tracts and all public rights-of-way. Methods of screening include walled entrances, evergreen landscaping, and depressed service areas. Screening walls must be constructed of the same materials as the main building.

6.4 Loading area

All loading and service docks must be clearly signed. Loading docks must be clearly denoted on the pavement and designed so as not to prohibit on-site vehicular circulation when occupied. Loading docks will be located directly in front of a loading door. Loading docks must be designed to accommodate backing and maneuvering on-site, not from a public street.

6.5 Trash Storage

Refuse storage enclosures are required for all buildings. Enclosures must be of sufficient height to completely screen all refuse containers and must be provided with gates, so as to provide screening of views from adjacent lots and public rights-of-way. All enclosures must be constructed of permanent materials (concrete, masonry, wood, steel, etc.) which are compatible with the building it serves. Refuse storage areas must be designed to contain all refuse generated on-site between collections.

6.6 Street Level Mechanical Equipment

All ground-mounted service equipment (e.g., air conditioners, transformers, and trash collection equipment) related to each building shall be consolidated in one or more enclosed service areas. Landscaping shall be used to soften the visual appearance of the walls enclosing the service area. Service areas must be paved, curbed, and internally drained.

6.7. Roof Mounted Mechanical Equipment

All roof mounted mechanical elements must be screened from view from the public right-of-way. Screening must be compatible with the building design.

7. LANDSCAPING

7.1 Landscape Easement adjacent to public streets

A ten foot (10') wide landscape easement shall be provided abutting the public rights-of-way or PUE located along all public streets. All areas located

within these Landscape Easements shall be used solely for the purpose of landscaping, except for sidewalks, driveways to access public streets, monument signs, and utility structures and meters required to provide utilities to the Property. This landscape easement shall be credited toward the street yard and Landscaping requirements as described in the Code.

## 7.2 Street Trees

Street trees shall be planted within the landscape easement described in Section 7.1, above.

The street trees shall be planted prior to the issuance of a Certificate of Occupancy for the buildings on each lot.

Street trees shall be planted at intervals of 25-feet to 40-feet apart. Street trees shall have a minimum caliper size of 3-inches and shall be selected from one of the following species.

- All species of Oak
- Pecan
- Elm and Cedar Elm
- Other species approved in writing by the Director of Planning & Community Development.

## 7.3 Open Space

All areas of a platted lot, for which a Certificate of Occupancy has been issued, and which do not contain buildings, structures, parking lots, sidewalks, fountains, site furniture or other improvements, including, but not limited to, front, side and rear building set back areas, and all areas between the curb line and the property line, must be planted, landscaped, and maintained in good condition. The landscape planting must provide for easy maintenance. Utility easements will be landscaped consistent with other landscape areas where allowed by the respective utility company.

## 7.4 Rights of Way

Areas within the road right-of-way must be landscaped only in accordance with a license-agreement with the City.

## 7.5 Grass

All landscaped areas not in groundcover or shrub beds will be planted in grasses, preferable sod. Overseeding in fall with cool season native grasses is allowed. The use of edging material to separate all grass areas shrub and groundcover areas is required. The edging material will be concrete, steel,

brick, or stone. No plastic edging is allowed. Use of narrow paving "mowstrips" is allowed around building foundations for easy maintenance.

7.6 Irrigation

An underground, automatic irrigation system must be installed in all landscaped areas. Sprinkler heads must be located to effectively water the landscaped areas with minimal spray onto roadways, parking areas and walkways.

7.7 Parking Areas

In all vehicular use and parking areas, a minimum of 90 square feet of landscaped strips, islands, peninsulas, medians, or other landscaped areas must be designed for each nine (9) parking spaces. This landscaping shall be credited toward the street yard and general landscaping requirements. The arrangement and location of these areas shall be as described in the City's landscape ordinance.

7.8 Tree Protection

Protected Trees as defined in the Code shall be identified on a Tree Survey, which shall be provided as part of a Site Plan. These shall be incorporated into the development of the site, except where removal is approved in writing by the Director of Planning and Community Development. Protected Trees shall be credited against Landscaping requirements as stated in the Code.

8. UTILITY LINES

All utility service lines must be underground to connection points provided by the utility service provider. All transformers must be screened.

9. PARKING LOT LIGHTING

All light fixtures shall be shielded or hooded so that light is directed downward to minimize excessive glare and sky glow pollution.

10. SIGNS

10.1 All freestanding signs shall be monument signs, as defined in the Code.

10.2 Freestanding signs shall not exceed six feet in height.

10.3 One freestanding sign shall be permitted for lots of less than three acres in size. The maximum area of masonry monument signs, defined as the area contained within a polygon containing the actual lettering and any logo, shall be fifty square feet. The portions of a masonry structure on which the sign is located are not counted

as part of the fifty square feet provided they are not contained within the polygon. The maximum area of all other signs shall be regulated by the Code.

10.4 Additional freestanding monument signs shall be permitted for lots of three acres or larger in accordance with the regulations contained in the Code.

10.5 Directional signs solely for the purpose of directing traffic or identifying buildings shall be permitted provided they are restricted to a size required for their function as determined by the Director of Planning.

10.6 An Area Identification Sign for the Property shall be permitted at the intersection of Joe DiMaggio Blvd. and US 79. This sign shall meet all sign requirements of the Code.

## **DEVELOPMENT AREA "B"** **TOWNHOUSE**

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area "B" on Exhibit "C-1"

### **1. PERMITTED USES**

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All TH (Townhouse) uses identified in the City of Round Rock Zoning Ordinance, including Townhouses at a maximum density of 9 units per acre.

### **2. DEVELOPMENT STANDARDS**

#### **a) Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

#### **b) Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

#### **c) Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15’).
- ii. Minimum building setback from Arterial “A” ROW shall be twenty feet (20’).
- iii. Minimum building setback from private drive aisles shall be twenty feet (20’).
- iv. Carports and garages shall not be permitted within the required setback from private drive aisles.
- v. The boundary of any private drive aisles which provide access to buildings located on a common lot shall be considered the same as a Street (ROW) boundary for the purpose of measuring and defining Setbacks.

### 3. LANDSCAPING

#### a) **Street Yard Determination**

The Street Yard definition is hereby amended in this Plan, for the purpose of applying the Landscaping standards contained in Section 11.501 of the Code, to allow for the street yard to be calculated by substituting a private drive aisle for the street right-of-way.

#### b) **Open Space**

All areas of a platted lot, for which a Certificate of Occupancy has been issued, and which do not contain buildings, structures, parking lots, sidewalks, fountains, site furniture or other improvements, including but not limited to front, side, and rear building setback areas, and all areas between the curb line and the property line, must be planted, landscaped, and maintained in good condition. The landscape planting must provide for easy maintenance. Utility easements will be landscaped consistent with other landscape areas where allowed by the respective utility company.

#### c) **Landscape Easement**

A fifteen foot (15’) wide landscape easement shall be provided adjacent to all public parkland and the Palm Valley Lutheran Church property. All areas located within these landscape easements shall be used solely for the purpose of landscaping.

#### 4. UTILITY SERVICES

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

#### 5. SIGNS

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

### DEVELOPMENT AREA "C" COMMERCIAL

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area "C" on Exhibit "C-1"

#### 1. PERMITTED USES

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All C-1a (General Commercial – Limited) uses identified in the City of Round Rock Zoning Ordinance.

#### 2. DEVELOPMENT STANDARDS

##### a) **Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

##### b) **Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

##### c) **Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15’).
- ii. Minimum building setback from Arterial “A” ROW shall be twenty feet (20’).

**d) Landscape Easement**

A fifteen foot (15’) wide landscape easement shall be provided adjacent to all public parkland and the Palm Valley Lutheran Church property. All areas located within these landscape easements shall be used solely for the purpose of landscaping.

**3. UTILITY SERVICES**

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

**4. SIGNS**

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

**DEVELOPMENT AREA “D”**  
**OFFICE**

The following Development Standards shall apply to all development on portions of the property which are identified as Development Area “D” on Exhibit “C-1”

**1. PERMITTED USES**

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

All OF (Office) uses identified in the City of Round Rock Zoning Ordinance.

**2. DEVELOPMENT STANDARDS**

**a) Palm Valley Overlay**

The provisions of Section 11.422 of the Zoning Code, the PV (Palm Valley

Overlay) District shall apply to the development of the Property. If there is a conflict between this Plan and Section 11.422, this Plan shall supersede the specific conflicting provisions of Section 11.422.

**b) Building Height**

The maximum building height in any Development Area of the property shall be limited to three (3) stories.

**c) Building Setbacks**

- i. Minimum building setback from Joe DiMaggio Boulevard ROW shall be fifteen feet (15’).
- ii. Minimum building setback from Arterial “A” ROW shall be twenty feet (20’).

**5. UTILITY SERVICES**

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

**6. SIGNS**

- a) All freestanding signs shall be monument signs, as defined in the Code.
- b) Directional signs solely for the purpose of directing traffic or identifying buildings or facilities shall be permitted provided they are restricted to a size required for their function, as determined by the Director of Planning.

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## 4.4 Building Design and Related Considerations

The historical architectural precedent worth adopting as guidelines for future actions in Palm Valley is the building tradition which has produced some of the best quality places in this part of the world, over the last century – the Pioneer style. It is characterized by the following:

- Front porches, back porches, wrap-around porches, add-on porches, cut-out porches
- Stone walls of various stone coursing
- Gable end roofs, some hip roofs, occasional hip-gable
- Pitched roofs with multiple pitch angles
- Galvanized metal roofing
- Dormer windows
- Pronounced stone chimneys
- Breezeways between parts of buildings
- Courtyards
- Small add-on structures
- Exterior stairs to upper levels
- Exposed rafters at eaves
- Rock fences
- Arbors



The Pioneer style should be suggested, to encourage a coherence of theme and to ensure retention of the character of Palm Valley and specific neighborhoods through time.



Even very detailed guidelines and ordinances do not guarantee an expected interpretation or a desired result in terms of building design. Planning staff should have a mechanism in place to help interpret the guidelines as well as review individual projects or developers' prototypical designs for the area. The city may choose to employ a design professional or engage a third-party professional or, in the case of developers who produces detailed guidelines, allow the developers to specify their own design professional to interpret and approve the building design.

Ordinance No. Z-08-09-25-13B1

Amending Ordinance No. Z-00-09-14-9B2 (PUD No. 44)

AFTER RECORDING, PLEASE RETURN TO:

CITY OF ROUND ROCK  
ATTN: CITY SECRETARY  
221 E. MAIN STREET  
ROUND ROCK, TEXAS 78664

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS 2008078106

*Nancy E. Rister*

10/10/2008 02:28 PM

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NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS