

Parts of this PUD have been amended with regard to multi-family (MF) development by Ordinance No. Z-12-10-25-I3. These amendments **have not been incorporated into the text** of the PUD document; please refer to the appropriate part of the ordinance for amendments specific to the PUD.

Ordinance Z-12-10-25-I3 is posted here (copy and paste the link into your browser):
<http://www.roundrocktexas.gov/wp-content/uploads/2015/03/Z-12-10-25-I3-MF-in-PUDs.pdf>

<u>PUD 2</u>	(Part I.)	Paragraph Three amended
<u>PUD 4</u>	(Part II.)	Section II of the Development Guidelines of Exhibit "B"
<u>PUD 10</u>	(Part III.)	Sections 2.1 and 13.1 of the Development Plan of Exhibit "B"
<u>PUD 15</u>	(Part IV.)	Section II.5.1 of the Development Plan
<u>PUD 20</u>	(Part V.)	Section II.5.1 and II.5.2 of the Development Plan
<u>PUD 26</u>	(Part VI.)	Section II.5.1 of the Development Plan of Exhibit "C"
<u>PUD 31</u>	(Part VII.)	Section II.5 of the Development Plan
<u>PUD 39</u>	(Part VIII.)	Exhibits "F-2" "F-3" and "F-4"
<u>PUD 40</u>	(Part IX.)	Section 1.1 of Exhibit "E"
<u>PUD 42</u>	(Part X.)	Section 1 of the Development Standards for Parcels "1, 2 and 3" in Exhibit "D"
<u>PUD 53</u>	(Part XI.)	Section 1 of the Development Standards for Parcel 2 in Exhibit "D"
<u>PUD 68</u>	(Part XII.)	Section II.4.1 of the Development Plan of Exhibit "B"
<u>PUD 70</u>	(Part XIII.)	Sections II.4.1 and II.6 of the Development Plan of Exhibit "B"
<u>PUD 71</u>	(Part XIV.)	Section 1. (a) of Exhibit "D"
<u>PUD 73</u>	(Part XV.)	Section II.4.1 of the Development Plan of Exhibit "B"
<u>PUD 74</u>	(Part XVI.)	Sections II.4.1 and II.5.2 and II.7.3 of the Development Plan of Exhibit "B"
<u>PUD 78</u>	(Part XVII.)	Sections II.4.1 and II.5.2 and II.5.4 of the Development Plan of Exhibit "B"
<u>PUD 83</u>	(Part XVIII.)	Sections II.4.1 and II.6.4 (2) of the Development Plan of Exhibit "B"
<u>PUD 84</u>	(Part XIX.)	Section II.6.1(1)(b) of the Development Plan
<u>PUD 85</u>	(Part XX.)	Sections II.4.1 and II.5.1 of the Development Plan of Exhibit "B"
<u>PUD 89</u>	(Part XXI.)	Section II.4.1 and II.6.1 of the Development Plan of Exhibit "B"
<u>PUD 90</u>	(Part XXII.)	Sections II.4.1 and II.6 of the Development Plan of Exhibit "B" and Exhibits "B" and "D"

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I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

2. CHANGES AND MODIFICATIONS

Article II. No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 19.

3. ZONING VIOLATION

Article III. Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in Section 1.601, Code of Ordinances, (1995 Edition), City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1. Severability

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

4.2 Venue

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County.

4.2. Effective Date

This Plan shall be effective from and after the date of approval by the City Council.

II.

DEVELOPMENT STANDARDS

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1995 Edition), as amended, City of Round Rock, Texas, hereinafter referred to as “the Code,” and in Section II.18.

2. PROPERTY

This Plan covers approximately 907.691 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit “A”**.

3. PURPOSE

The purpose of this Plan is to ensure a PUD that: 1) is equal to, superior than and/or more consistent than that which would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, as amended, 3) 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 welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

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 **Chapter 8** and **Chapter 11**, and other sections of the Code, as applicable and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2. Other Ordinances

All other Ordinances within the Code, as amended, shall apply to the Property, except as clearly modified by this Plan. In the event of a conflict, the terms of this Plan shall control.

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5. PROJECT OVERVIEW

5.1. Purpose of Plan

The purpose of the Plan is to provide a mixed use development including retail, office, restaurant, entertainment, education and residential uses. **Exhibit “B”** illustrates the location of the Plan area in relation to the adjacent existing and planned facilities.

5.2. Use Districts

For the purpose of this Plan, the Avery Centre land uses have been divided into two use districts: MU (Mixed Use), containing approximately 540 acres, and RES (Residential), containing approximately 310 acres, as shown in **Exhibit “C”**. The MU use district has been further subdivided into seven sub-districts (No. 1, 2, 3, 5, 6 & 6-A, 7 and 9) and the RES use district has been further subdivided into two sub-districts (No. 4 and 8). The remaining area is designated for floodplain/open space reserve/right-of-way. Specific uses and conditions are defined within this Plan for each sub-district.

The MU portion of the Plan allows retail, high density residential, entertainment, restaurant, educational and office components. The design requirements dictate that all of the uses be oriented to the street and linked together by pedestrian elements such as walking trails, pedestrian plazas and storefront sidewalks.

The RES component of the project allows for various types of single family detached structures and medium density attached residential structures. The Plan also includes a network of open spaces containing parks, civic greens, greenbelts and trail corridors.

6. PERMITTED USES

The following table contains the uses allowed according to the use district boundaries described in **Exhibit “C”**. 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.

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Land Use Table

Use	District Allowed	Maximum Number within PUD	Conditional Use
Multi Family Residential (including apartments and condos)	1,2,3,4,6,6-A,7,8,9		X
Townhouse Residential	1,2,3,4,6,6-A,7,8,9		X
Single Family Detached	3,4,8,9		X
Accessory Dwelling			X
Single Family Zero Lot Line	3,4,8,9		X
Upper Story Residential	1,2,3,6,6-A,7,9		
Library	1,2,6,6-A,7,9		
Community Service	1,2,6,6-A,7,8,9		
Government Facilities	1,2,6,6-A,7,9		
Linear/Linkage Park	1,2,3,4,5,6,6-A,7,8,9		
Neighborhood Park	1,2,3,4,5,6,6-A,7,8,9		
Community Park	3,4,7,8,9		
Amenity/Recreation Center	1,2,3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses not exceeding 2,500 square feet)	1,2,3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses exceeding 2,500 sq. ft. but not greater than 10,000 sq. ft.)	3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses not exceeding 20,000 square feet)	3,4,6,6-A,7,8,9		X
Utility (Minor and Intermediate)	1,2,3,4,5,6-A,7,8,9		
Commercial Parking	1,2,3,6,6-A,7		X
Eating Establishments	1,2,3,6,6-A,7,9		X
Bar or Tavern	1,2,6,6-A,7		
Indoor Entertainment	1,2,6,6-A,7		
Outdoor Entertainment	2,5,6,6-A,7	2	
Amphitheater			
Live/Work Units	1,2,3,6,6-A,7,9		X
Office	1,2,3,6,6-A,7		X
Office/Medical	1,2,3,6,6-A,7		X
Overnight Accommodations – Hotel / Motel	1,2,6,6-A,7	2	X
Retail Sales and Service (except the uses listed below)	1,2,3,6,6-A,7,9		X
Grocery	2,6,6-A,7		X
Bank	1,2,3,6,6-A,7,9		X
Veterinarian	1,6,6-A,7		X
Dog Day Care and Training Facilities	1,6,6-A,7	3	X
Fuel Sales	3,6,6-A,9	3	X
Cleaners/Alterations	1,2,6,6-A,7		X
Vehicle Sales/Rental/Leasing	1,6,6-A,7	2	X
Garden Center	2,6,6-A,7,9		X
Assisted Living	1,3,6,6-A,9	2	X
Nursing Home	1,3,6,6-A,9	2	X
Day Care	3,6,6-A,7,8,9		X
Schools (Elementary, Private)	3,8,9		X

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School (High and related facilities)	6-A	1	X
Passenger Terminal	7	1	
Bed and Breakfast	6,6-A,7		
Carwash	6,6-A	1	
Self Storage	6,6-A	1	X
Bus Stops	1,2,3,4,5,6, 6-A,7,8,9		
Research and Development	8	2	X
Hospital	1	1	

6.1 Conditional Uses

(1) Multi Family Residential

- (a) A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.
- (b) Development standards not addressed in this Plan shall comply with the MF (Multifamily) District, as amended.
- (c) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(2) Townhouse Residential

- (a) Development standards not addressed in this Plan shall comply with the TH (Townhouse) District, as amended.

(3) Single Family Detached

- (a) Development standards not addressed in this Plan shall comply with the SF-2 (Single Family – Standard Lot) District, as amended.
- (b) Accessory Dwellings allowed only within Gated Communities or within neighborhoods containing lots of 15,000 square feet or greater.

(4) Single Family Zero Lotline

- (a) Development standards not addressed in this Plan shall comply with the Village Residential lot standards contained in the SF-2 (Single Family – Standard Lot) District, as amended.

(5) Places of Worship

- (a) Parking facilities must be effectively screened from view from public rights-of-way, with the exception of a drop off areas or access drives.
- (b) Must front or have direct access to a collector level or greater street.
- (c) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3.

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(6) Commercial Parking

- (a) Commercial parking facilities shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(7) Eating Establishments

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.
- (b) Chapter 11, Section 11.423 (9) (a) and (b) shall only apply to single family residential property lines. There shall be no requirement for an eating establishment, including outdoor eating, drinking, entertainment areas, patios or outdoor cooking areas to be located a specific distance from two-family, townhouse or multi-family residential property lines.
- (c) No drive through facilities.

(8) Live/Work Units

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(9) Office

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(10) Office/Medical

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(11) Overnight Accommodations

- (a) Only hotels and motels allowed

(12) Retail Sales and Service

- (a) ATM's or similar electronic, automated banking systems may be located inside or on the exterior of any retail sales and service facility. No drive through facilities.

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- (b) Sales of goods or products on a wholesale basis shall be allowed, so long as the establishment engaged in such sales does not meet the definition of ‘Wholesale trade’ in Chapter 11, Section 11.802.
- (c) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(13) Grocery Store

- (a) Only one facility larger than 55,000 square feet is allowed within the PUD.

(14) Bank

- (a) Any drive thru facility associated with a bank must be designed so that there is an intervening building that effectively screens the drive thru area, including stacking spaces, from the street.
- (b) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(15) Veterinarian

- (a) No boarding of animals is allowed on site, except for medical purposes.

(16) Dog Day Care and Training Facility

- (a) A facility providing services such as canine day care, obedience classes, training and grooming, provided that the dogs are dropped off and picked up daily between the hours of 6 a.m. and 9 p.m. and are not kept or boarded overnight.

(17) Fuel Sales

- (a) A convenience store or grocery store must accompany any fuel sales facility.
- (b) No more than two fuel pumps per island are allowed.
- (c) A maximum of eight fuel pumps per establishment are allowed.
- (d) No more than one fuel sales establishment shall be allowed per sub district where fuel sales are allowed.
- (e) Fuel pumps shall be located at the rear of the facility.
- (f) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

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(18) Cleaners/Alterations

- (a) Pick-up and drop-off facilities only; no on-site laundry and dry cleaning plants. Any drive thru facility must be designed so that there is an intervening building that effectively screens the drive thru area, including stacking spaces, from the street.

(19) Vehicle sales/rental/leasing

- (a) A rental or leasing facility shall not have more than 30 parking spaces allocated within a surface parking lot associated with the rental/leasing office. Parking facilities must be designed so that there is an intervening building that effectively screens them from the street.
- (b) Offsite parking spaces within parking structures, or rental facilities incorporated into a parking structure, are not restricted to a maximum number of spaces.
- (c) Vehicle sales shall be limited to vehicles weighing less than 1,000 pounds.
- (d) Parking of vehicles for sale shall not be visible from a public street.

(20) Garden Center

- (a) The outdoor plant display area of the garden center nursery shall not exceed one acre in size.
- (b) A garden store must be incorporated into the site and oriented to the street.
- (c) Parking must be designed internal to the site.

(21) Bar/Tavern

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(22) Assisted Living

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(23) Nursing Home

- (a) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

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(24) Daycare

- (a) Daycare facilities may be integrated into an office complex or office building facility.

(25) Elementary Schools

- (a) Front yard setback of not less than 15 feet.
- (b) Shall front on a collector street, and shall not front on an arterial street.
- (c) Portable classrooms shall not be permitted in any street yard.
- (d) May not exceed 40 acres in size.

(26) Private Schools

- (a) May not exceed 40 acres in size.
- (b) Must have access frontage to a collector level or greater street.
- (c) Front yard setback of not less than 15 feet and shall front on either a major collector or minor arterial street.
- (d) Portable classrooms shall not be permitted in any street yard.
- (e) Buildings shall not be located within 150 feet of the western boundary of MU Use District No. 3 or within 150 feet of the southern boundary of MU Use District No. 9.

(27) High School and related facilities

- (a) Development standards shall conform with the PF-3 (Public Facilities – High Intensity) zoning district.

(28) Self Storage

- (a) Only multi-story facilities with internal access to storage units are allowed.

(29) Research and Development

- (a) The minimum standard for this use shall be the development standards of the BP (Business Park) zoning district, as amended and as determined by the City.
- (b) This use shall be allowed only within the portion of RES Use District No. 8 south of CR 112, as indicated on **Exhibit “C”**. A maximum of two (2) Research and Development sites shall be allowed and such sites must be contiguous.
- (c) The potential transportation impact shall be determined using the process outlined in Section 9 of this Plan.
- (d) The potential utility impact shall be determined using the process outlined in Sections 17 of this Plan.

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- (e) Buildings shall not be located within 150 feet of the eastern and southern boundaries of MU Use District No. 8.

6.2 Land Use Limitations

- (1) Maximum Number of Residential Units within the MU Use Districts (Nos. 1, 2, 3, 6, 7 and 9)

Residential units are contained in four categories: (1) Multi-Family (2) Townhouse (3) Single-Family Detached - Lots of less than 15,000 square feet, and (4) Single-Family Detached - Lots containing 15,000 square feet and greater.

- (a) The total number of residential units within the MU Use Districts shall not exceed 5,100. No more than 3,500 of the units shall be designed as rental units.
- (b) Each plat and/or site plan submitted to the City must contain a unit summary table listing the existing number of residential units constructed, the total number of units proposed, and the remaining number of units allowed, based on the above-stated limitations.

- (2) Minimum Amount of Non Residential Square Footage within the MU Use Districts (Nos. 1, 2, 3, 6, 7 and 9)

A minimum of one (1) million square feet of non-residential building space shall be constructed within the MU Use Districts (Nos. 1,2,3,6,7 and 9) taken together.

- (3) Maximum Number of Residential Units within the RES Use Districts (Nos. 4 and 8)

Residential units are contained in three categories: (1) Single Family Detached - Lots of less than 15,000 square feet, (2) Single Family Detached - Lots containing 15,000 square feet and greater, and (3) Townhouse.

- (a) The total number of residential units within the RES Use Districts shall not exceed 1,200. A maximum of 200 residential lots may be of less than 5,000 square feet in area.
- (b) Any lots of less than 50' in width or 5,000 square feet in area shall be served by an alley.
- (c) Each plat and/or site plan submitted to the City must contain a unit summary table listing the existing number of residential units constructed, the total number of units proposed, and the remaining number of units allowed, based on these limitations.

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7. **PROHIBITED USES**

7.1 The following uses are prohibited within the PUD. 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.

- (1) Pawn Shop
- (2) Sexually Oriented Business
- (3) Heavy Equipment Sales and Leasing
- (4) Vehicle Storage and Towing
- (5) Vehicle Repair Facilities and Body Shops
- (6) Funeral Home
- (7) Wholesale Trade

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8. DEVELOPMENT USE STANDARDS

8.1 MU (Mixed Use)

(1) Development Standards Table – MU (Mixed Use)

	Non-Residential 1	Multi-Family Residential	Single Family Detached (Less Than 15,000 sq.ft.)	Single Family Detached (15,000 sq.ft. and larger)	Townhouse Residential	Nursing Home, Assisted Living, Office Medical, Places of Worship
Minimum Lot Area	-	1 acre	4,000 sq.ft.(a)	15,000 sq.ft.	2,000 s.f.	
Minimum Lot Width	-	50 ft.	40 ft.(a)	80 ft.	20 ft. (b)	1 ac.
Minimum Width of Principal Building	-	-	20 ft.	40 ft.	-	-
Minimum/Maximum Build To Line from Street (R.O.W.)	4 / 15 ft. (c)	4 / 15 ft. (c)	15/20 ft.	Min. 30 ft.	5 / 15 ft.	-
Minimum Garage Door Setback from Street (R.O.W.)	-	-	20/25 ft.(d)	-	10 ft.(d)	15 ft. Min. / No Max.
Minimum Rear Setback	5 ft.	10 ft.	20/10 ft. (e)	25 ft.	10 ft.	-
Minimum Rear Setback abutting SF & TF Lots	30 ft.	30 ft.	-	-	20 ft.	10 ft.
Minimum Side Setback	0/5 ft. (f)	10 ft.	5 ft.	10 ft.	0/5 ft. (f)	30 ft.
Minimum Side Setback abutting SF & TF Lots	30 ft.	30 ft.	-	-	20 ft.	10 ft.
Minimum Setback for Accessory Building	5 ft.(g)	10 ft. (g)	5 ft. (g)	5 ft. (g)	10 ft. (g)	30 ft.
Minimum Side Setback Zero Lot Line	-	-	0/10 ft. (h)	-	-	5 ft.
Maximum Height of Principle Building	5 stories (i)	5 stories (i)	2.5 stories	3 stories	3 stories	-
Maximum Height of Accessory Building	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	5 stories (i)
Maximum Height of Fence within Street Yard	6/8 ft. (j)	6/8 ft. (j)	6/8 ft. (j)	6/8 ft. (j)	6/8 ft. (j)	15 ft.
Maximum Height of Fence outside of Street Yard	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.	6/8 ft. (j)
Maximum Building Coverage	-	50% (k)	60%	50%	80%	8 ft.
Maximum Density	-	40 Dwelling Units/Acre (l)	-	-	15 Dwelling Units/Acre	-

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- (a) Single Family Detached lots less than 50 feet wide and/or less than 5,000 square feet in size shall have access to an Alley.
- (b) Minimum lot width for corner lots and lots located at the end of a block shall be 25 feet.
- (c) Uses that front on Arterial “A” must utilize the fifteen foot (15’) build-to line. This build-to line may be increased for the purpose of including parks, plazas, courtyards and other developed open spaces in the street yard.
- (d) Townhouse garages shall be oriented towards an alley at the rear of the unit and the setback shall be measured from the edge of the alley. **Exhibit “E”** contains an alley cross section. Single Family Detached Residential garage setbacks oriented toward the street at the front of the unit must maintain a minimum of 5 feet of additional setback from the setback of the primary house façade in order to create an offset.
- (e) Rear setback to residential buildings is 20 feet; rear setback to garage from alley is 10 feet.
- (f) For single family detached units, a side setback of 0 feet is allowed only for internal attached units with a common wall. End units shall have a 10 foot side setback. Detached multi-units have a 5 foot setback.
- (g) Accessory buildings, except for accessory dwellings, are not permitted in any street yard. Accessory building setback applies to side and rear yards. A common wall for detached garages located at the rear of a lot is allowed.
- (h) One side setback may be 0 feet; the other side set back shall be at least 10 feet.
- (i) See MU Use Districts No. 1, 2, 3, 6, 7, and 9 for specific height standards.
- (j) Where subdivisions are platted so that the rear and/or side yards of residential lots are adjacent to a major collector or higher classification street, a minimum six foot and maximum eight foot high masonry wall shall be constructed between the said rear and/or side yard and said street. The material, color and design of the wall shall be uniform within the subdivision, unless otherwise approved by the Planning Director. A finished side of all walls shall face the thoroughfare.

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- (k) Maximum Building Coverage calculation shall exclude parking structures.
- (l) A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.
- (2) MU Use District No. 1
 - (a) Density
 - (i) Multi-family residential – maximum of 24 dwelling units per net acre.
 - (b) Building Form and Orientation
 - (i) Minimum height 2 stories
 - (ii) Maximum height 5 stories
 - (iii) One (1) building within either MU Use District No. 1 or MU Use District No. 2 may be a maximum of 10 stories.
 - (c) Development Standards
 - (i) Building Setbacks
 - 1. Development shall allow for widening of University Boulevard.
 - 2. 30” water line, which parallels University Blvd., must be located and avoided for future landscape improvements along University Blvd. frontage.
 - (ii) Parking
 - 1. Parking is not allowed in street yard, except in the following conditions:
 - a. Drop off areas shall be allowed within the street yard for the following uses: Nursing Home, Assisted Living, Office Medical, and Places of Worship.
 - b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
 - c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
 - d. The combined number of parking spaces within the front street yard, as described in section “b” above and

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within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces.

(3) MU Use District No. 2

(a) Density

- (i) Multi-family residential – maximum of 40 dwelling units per net acre. Structured parking is required for individual residential projects exceeding 24 dwelling units per acre.

(b) Building Form and Orientation

- (i) Minimum height 2 stories
- (ii) Maximum height 5 stories
- (iii) One (1) building within either MU Use District No. 1 or MU Use District No. 2 may be a maximum of 10 stories.

(c) Development Standards

(i) Parking

1. Parking is not allowed in street yard, except for the following conditions;
 - a. Drop off areas shall be allowed within the street yard for the following uses: Office Medical and Places of Worship.
 - b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
 - c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
 - d. The combined number of parking spaces within the front street yard, as described in section “b” above and within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces

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(4) MU Use District No. 3

(a) Density

- (i) Multi-family residential – maximum of 40 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.
- (ii) Townhome Residential – maximum of 15 dwelling units per net acre.

(b) Building Form and Orientation

- (i) Minimum height 2 stories
- (ii) Maximum height 4 stories (Maximum 3 stories for units facing greenbelt which is directly adjacent to the western line of Avery Centre.

(c) Building Development Standards

(i) Parking

Parking is not allowed in street yard, except for the following conditions:

- a. Drop off areas shall be allowed within the street yard for the following uses: Nursing Home, Assisted Living, Office Medical, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
- d. The combined number of parking spaces within the front street yard, as described in section “b” above and within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces.

- (ii) Townhome Residential Parking shall be rear access.

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(5) MU Use District No. 6

(a) Density

- (i) Multi Family Residential 40 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.
- (ii) Townhome Residential – maximum of 15 dwelling units per net acre.

(b) Building Form and Orientation

- (i) Minimum height 1 story.
- (ii) Maximum height 5 stories.
- (iii) One (1) building within either the portion of MU Use District No. 6 east of A.W. Grimes Boulevard or MU Use District No. 7 may be a maximum of 10 stories.

(c) Development Standards

(i) Parking

Parking is not allowed in street yard, except for the following conditions;

- a. Drop off areas shall be allowed within the street yard for the following uses: Nursing Home, Assisted Living, Office Medical, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
- d. The combined number of parking spaces within the front street yard, as described in section “b” above and within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces.

- (ii) Townhome Residential Parking shall be rear access.

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(6) MU Use District No. 6-A

- (a) High School and related facilities: Development standards shall conform with the PF-3 (Public Facilities – High Intensity) zoning district, or
- (b) Any other use allowed in use District 6.

(7) MU Use District No. 7

(a) Density

- (d) Multi Family Residential 40 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.

(b) Building Form and Orientation

- (i) Minimum height 1 story.
- (ii) Maximum height 5 stories.
- (iii) One (1) building within either MU Use District No. 6 or MU Use District No. 7 may be a maximum of 10 stories.

(c) Development Standards

(i) Parking

Parking is not allowed in street yard, except for the following conditions:

- a. Drop off areas shall be allowed within the street yard for the following uses: Office Medical, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
- d. The combined number of parking spaces within the front street yard, as described in section “b” above and within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces.

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(8) MU Use District No. 9

(a) Density

- (i) Multi Family Residential 30 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units
- (ii) .per acre.
- (iii) Townhome Residential 15 dwelling units per net acre.

(b) Building Form and Orientation

- (i) Minimum height 1 story.
- (ii) Maximum height 5 stories.

(c) Development Standards

(9) Parking

Parking is not allowed in street yard, except for the following conditions;

- a. Drop off areas shall be allowed within the streetyard for the following uses: Nursing Home, Assisted Living, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane of the building closest to the street and the street right of way.
- d. The combined number of parking spaces within the front street yard, as described in section “b” above and within the side street yard(s), as described in section “c” above, shall not exceed 25% of the number of required parking spaces.

(ii) Townhome Residential parking shall be rear access

(10) Setback Requirements

- (a) All required front setbacks shall be free from any encroachments excluding: eaves, overhangs, covered walkways, awnings, box windows, fireplaces, and movable furniture, including café tables, so long as a minimum of six feet (6’) remains unobstructed. Side setbacks between structures shall be free from any encroachments. Air conditioning units and ground mounted equipment are exempt from this requirement.

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- (b) Signs may be permitted in the front setback, so long as they do not obstruct sight triangles.

(11) Off Street Parking and Loading

Refer to Section 13 of this PUD for the off-street parking and loading standards for the MU District.

(12) Fencing/Walls Design Standards

- (a) Fencing shall be constructed of the following materials: brick, stone, reinforced concrete, wrought iron, other decorative masonry materials, redwood, cedar, preservative treated wood or other equivalent materials approved by the Zoning Administrator. Any fencing facing a public street shall be constructed of brick, stone, reinforced concrete, wrought iron, other decorative masonry materials. Other fences may be redwood, cedar, preservative treated wood. Railroad ties are not permitted. Fence panel top and bottom caps are not required for internal lot fencing. Fence posts shall be constructed of rust resistant metal parts, concrete based masonry or concrete pillars of sound structural integrity.
- (b) Fences abutting open space or amenities such as floodplain, greenbelts, parks, town greens, detention/retention areas, or private parkland shall be constructed of wrought iron or tubular steel or other equivalent materials as approved by the Zoning Administrator.
- (c) All fences shall provide a finished face abutting a single-family or townhouse use.
- (d) Fencing shall not restrict visibility at intersections.

(13) Screening

- (a) Service entrances, loading docks, waste disposal areas and other similar uses shall be oriented toward the rear of the site, away from streets and primary building entrances.
- (b) Drives accessing service areas between adjacent users or developments shall be shared by the adjacent users or developments.
- (c) Trash enclosures must be located a minimum of thirty feet (30) from single family residential property lines.
- (d) Landscape screening for dumpster and trash receptacles, ground mounted equipment, outdoor storage, loading docks and loading spaces shall

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comply with the requirements of Section 11.501 of the City’s Zoning Code.

(14) Special Design Standards

These standards shall apply to all development in the MU (Mixed Use) Districts, excluding single family detached dwellings.

(a) Access and Circulation

- i. Building fronts shall be easily accessible by pedestrians from the street or sidewalk.
- ii. Public spaces shall be provided in front of buildings and protected from the street through the use of planting strips or other amenities (e.g. trees, lighting standards) and on-street parking.
- iii. Parking and vehicular circulation shall be subordinate to pedestrian access to buildings.
- iv. Developments shall promote walk ability within the surrounding area.
- v. View corridors and vistas shall be created through the alignment of streets and access drives.

(b) Primary Site Entrances

- (i) Entrances to individual building sites shall be designated with defining landscape and/or architectural features, including but not limited to medians and/or special paving.
- (ii) No parking is permitted in the required front setback.

(c) Building Orientation

- (i) View corridors and vistas shall be protected.
- (ii) Building massing shall be addressed by breaking large structures into a series of smaller units and places.
- (iii) Building facades shall be broken into small components to bring them into the human scale.
- (iv) Building fronts shall encourage pedestrian activity on the street, by utilizing porches, awnings, arcades, colonnades, entries and windows.
- (v) All building elevations that front onto a street, any parking areas, or public open space shall have prominent windows.

(15) Exterior Wall Finish and Exterior Color

- (a) The exterior finish of all buildings shall be masonry, except for doors, windows, trim and accent features.

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- (b) Masonry shall be defined as stone, simulated stone, brick, stucco, or horizontally installed cement based siding. No more than 25% of the building façade may be horizontally installed cement based siding. No more than 30% of the building façade may be stucco. The use of materials such as wood shingles or wood siding shall be limited to accent features.
- (c) Day-glo, luminescent, neon or similar types of color finishes are not permitted

(16) Building Articulation

All buildings shall meet a minimum of five of the following design treatments:

- (a) Canopies or porticos, integrated with the building's massing styles.
- (b) Overhangs proportional in size to the mass of the building.
- (c) Arcades, with a minimum of eight-foot width.
- (d) Pitched roof forms over substantial portions of the building's perimeter including gable and hip roofs.
- (e) Ornamental and structural architectural details.
- (f) Decorative tower features.
- (g) Appreciable vertical and horizontal breaks of the plane of the building.
- (h) Exterior arched treatment on at least two sides of the building.
- (i) Use natural stone and masonry materials on the lower portions of buildings to help visually anchor them to the ground and provide interest and texture at the pedestrian level.

(17) Awnings and Canopies

- (a) Awnings and canopies shall be placed so as to avoid obscuring details of the building façade.
- (b) Fabric awnings for windows shall be a drop-front style, except at arched window openings, and shall relate to each window or bay.

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- (c) Awnings and canopies shall be placed so that there is a minimum clearance of eight (8) feet at its lowest point when over a sidewalk or other pedestrian walkway.
- (d) Colors of awnings must be compatible with the buildings.
- (e) Incorporate awnings along with any signage to provide a uniformly designed building façade.
- (f) Signs on awnings are permitted on the drop front portion of the awning.
- (g) Internally illuminated awnings are prohibited

(18) Windows

- (a) Windows shall be provided in relief. Examples include architectural surround, trim, changes in color, changes in texture or soldier coursing.
- (b) Ground-floor street or courtyard facing facades shall have a minimum of forty (40) percent glazing.
- (c) For unique security or display purposes, including but not limited to art galleries, jewelry stores, nursing homes, assisting living facilities, and places of worship ground floor glazing requirements may be reduced by the Zoning Administrator.

(19) Glass

Except for photovoltaic surfaces, mirrored glass with a reflectivity of twenty (20) percent or more is not permitted on the exterior walls and roofs of buildings and structures.

(20) Roofing Materials – Pitched Roof

- (a) Pitched roofs shall be required for all one (1) story detached structures and shall have a pitch equal to or greater than a 4:12 pitch. Pitch may be 3:12 if the span is greater than sixty (60) feet. Pitched roofs shall not be required for one (1) story structures that share a common wall with another structure.
- (b) Roofing materials for pitched roofs shall not consist of composition shingles. Tile (clay, cement, natural or manufactured stone), non-reflective pre-finished metal, copper or other similar materials are required.

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- (c) Portions of the roof screened by pitched roof sections shall be permitted to be flat to provide for mechanical equipment wells or roof decks provided all pitched sections of the roof meet the roofing material requirements.
- (d) All rooftop equipment, including satellite dishes and antennae, shall be located completely within penthouses or screened areas.
- (e) All rooftop equipment, including satellite dishes and antenna, must be fully screened from view and located below the highest vertical element of the building.
- (f) Construct screens of the same materials as building skins or of materials similar in color and texture.

(21) Lighting

Exterior lighting shall be used to provide illumination for security and safety of entry drives, parking areas, service and loading areas and pathways and courtyards. All exterior light fixtures should be designed and coordinated as compatible fixtures which relate to the architectural character of the buildings on a site.

- (a) External lighting shall be arranged and controlled so as to deflect light away from any residential areas.

(b) Building Illumination

- (i) The design and materials of lighting fixtures shall be consistent with the character of the area. Fully recessed downlights, gooseneck lights or other fixtures appropriate to the style of a building shall be used.
- (ii) Illumination of a façade to highlight architectural details is permitted. Fixtures shall be small, shielded and directed toward the building rather than toward the street, so as to minimize glare for pedestrians and drivers.

(c) Site Lighting Design Requirements

(i) Fixture (luminaire)

The light source shall be completely concealed (recessed) within an opaque housing and shall not be visible from any street or residential development.

(ii) Light Source (lamp)

Incandescent, fluorescent metal halide or color-corrected high-pressure sodium may be used. Other lamp types may be used, subject

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to the approval of the City. The same type of lamp shall be used for the same or similar types of lighting on any one site throughout a development.

(iii) Mounting

Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.

(iv) Height of Fixture

The height of a fixture shall not exceed twenty (20) feet.

(d) Excessive Illumination

(i) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot is not permitted. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this Section, or if the standard could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

(ii) Lighting shall not be oriented so as to direct glare or excessive illumination onto the street in a manner that may distract or interfere with the vision of drivers on such streets.

(iii) Foot candle reading on any exterior portion of the site shall not exceed twenty-five (25) foot candles.

(22) Fire Safety

(a) Mandatory fire sprinklers will be provided on all buildings within Avery Centre, with the exception of single family detached housing.

(b) Alternative fire lane striping will be allowed upon approval by the Fire Marshall. Alternative striping may be desirable in certain areas to minimize the aesthetic impact of red painted curbs throughout the development.

(c) Alternative semi-pervious fire lane paving sections may be allowed, upon the approval of the City.

(23) Architectural Review Committee

In order to maintain a comprehensive and complementary architectural style throughout the Plan area, the Owner shall establish an Architectural Review

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Committee (“ARC”) composed of an Architect, Landscape Architect and the Owner.

The ARC shall establish design guidelines to specify the architectural style, materials and colors to be used, in addition to building orientation. For each project, items such as architectural elevations, material sample boards and color samples shall be submitted to the ARC for their review and approval. An approval letter from the ARC shall be submitted with the corresponding applications to the City for site development and building permits. The approval of the ARC shall not take the place of any and all required submittals to the City, County or other governmental agency as necessary to receive regulatory approvals.

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8.2 (RES) Residential

(1) Development Standards Table – (RES) Residential

	Single Family Detached (Less Than 15,000 s.f.)	Single Family Detached (15,000 s.f. & Greater)	Townhome Residential
Minimum Lot Area	4,000 s.f. (a)	15,000 s.f.	2,000 s.f.
Minimum Lot Width	40 ft. (b)	80 ft.	20 ft. (a)
Minimum Width of Principal Building	20 ft.	40 ft.	-
Minimum/Maximum Build To Line from Street (R.O.W.)	15/20 ft.	Min. 30 ft.	5 / 15 ft.
Minimum Garage Door Setback from Street (R.O.W.)	20/25 ft. (c)	20/25 ft. (c)	10 ft. (c)
Minimum Rear Setback	20 ft./10ft. (d)	25 ft.	10 ft.
Minimum Rear Setback abutting SF & TF Lots	-	-	20 ft.
Minimum Side Setback	5 ft. (e)	10 ft.	0/5 ft. (f)
Minimum Side Setback abutting SF & TF Lots	-	-	20 ft.
Minimum Setback for Accessory Building	5 ft (g)	5 ft. (g)	10 ft. (g)
Minimum Side Setback Zero Lotline	0/10 ft. (h)	0/10 ft. (h)	-
Maximum Height of Principle Building	2.5 stories	3 stories	3 stories
Maximum Height of Accessory Building	15 ft.	15 ft.	15 ft.
Maximum Height of Fence within Street Yard	6/8 ft. (i)	6/8 ft. (i)	6/8 ft. (i)
Maximum Height of Fence outside of Street Yard	8 ft.	8 ft.	8 ft.
Maximum Building Coverage	60% / 40% (j)	30%	80%
Maximum Density	-	-	15 DU./AC.

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- (a) Minimum lot width for corner lots and lots located at the end of a block shall be 25 feet.
- (b) Single Family Detached lots less than 50 feet wide and/or less than 5,000 square feet in size shall have access to an alley.
- (c) Townhouse garages shall be oriented towards an alley at the rear of the unit and the setback shall be measured from the edge of the alley. Single Family Detached Residential garage setbacks oriented toward the street at the front of the unit must maintain a minimum of 5 feet of additional setback from the setback of the primary house façade in order to create an offset.
- (d) Rear setback to principal building is 20 feet; rear setback to garage from alley is 10 feet.
- (e) Minimum Side Setbacks for Single Family Detached Zero Lot Line are listed separately.
- (f) A side setback of 0 feet is allowed only for internal attached units with a common wall. End units shall have a 10 foot side setback. Detached multi-units have a 5 foot setback.
- (g) Accessory buildings, except for accessory dwellings, are not permitted in any street yard. Accessory building setback applies to side and rear yards. A common wall for detached garages located at the rear of a lot is allowed.
- (h) One side setback may be 0 feet; the other side setback shall be at least 10 feet.
- (i) Where subdivisions are platted so that the rear and/or side yards of residential lots are adjacent to a major collector or higher classification street, a minimum six foot and maximum eight foot high masonry wall shall be constructed between the said rear and /or side yard and said street. The material, color and design of the wall shall be uniform within the subdivision, unless otherwise approved by the Planning Director. A finished side of all walls shall face the thoroughfare.
- (j) 60% maximum building coverage on lots 5,000 square feet or smaller; 40% maximum building coverage on lots larger than 5,000 square feet

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(2) Sub-district 4

(a) Uses

- (i) Accessory dwellings allowed in street yard if the exterior finish matches that of the primary structure.
- (ii) Entry courtyard must be provided between the guest quarters and the primary house.
- (iii) Storage of boats, trailers, RV's, etc. is not allowed.

(b) Development Standards

(i) Building Setbacks

1. Accessory dwellings may encroach into the front setback, no closer than ten feet (10') from the property line.

(ii) Garages

1. Separate detached garages are allowed at the rear of a residential lot with access via a minimum 12', maximum 15', driveway.
2. Adjacent detached single family homes may share a detached garage building which is joined by a common wall (**Exhibit "D"**).

(iii) Materials

1. Building shall be 90% Masonry
2. No more than 25% of a building façade may be horizontal cement based siding.

(3) Sub-district 8

(a) Uses

- (i) Accessory dwellings allowed in street yard if the exterior finish matches that of the primary structure.
- (ii) Entry courtyard must be provided between the guest quarters and the primary house.
- (iii) Storage of boats, trailers, RV's, etc. is not allowed.

(b) Development Standards

(i) Building Setbacks

1. Accessory dwellings may encroach into the front setback, no closer than ten feet (10') from the property line.

(ii) Garages

1. Separate detached garages are allowed at the rear of a residential lot with access via a minimum 12', maximum 15', driveway.
2. Adjacent detached single family homes may share a detached garage building which is joined by a common wall (**Exhibit "D"**).

(iii) Materials

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1. Building shall be 90% Masonry
2. No more than 25% of a building façade may be horizontal cement based siding.

(4) Setback Requirements

- (a) All required setbacks shall be free from any encroachments including eaves, overhangs, box windows and fireplaces. Air conditioning units and ground mounted equipment are exempt from this requirement.

(5) Off Street Parking

Off-street parking standards are contained in **Exhibit “H”** and **Exhibit “I”**.

(6) Special Standards for Zero Lot Line Residential Lots

- (a) Units which utilize the Zero Lot Line design standards must maintain a minimum of ten (10) feet of building separation, free of any encroachments including eaves, overhangs, box windows and fireplaces. Air conditioning units and ground mounted equipment are exempt from this requirement.
- (b) An easement between the two property owners to allow for maintenance or repair of the house is required when the eaves or side wall of the house are less than five feet from the adjacent property line. The easement on the adjacent property shall provide at least five feet of unobstructed space between the furthest projection of the structure and the edge of the easement.
- (c) The eaves on the side of a house with a reduced setback may project a minimum of 24 inches over the adjacent property line. In this case, an easement for the eave projection shall be recorded on the deed for the lot where the projection occurs.
- (d) If the side wall of the house is on the property line, or within three feet of the property line, windows or other openings that allow for visibility into the side setback of the adjacent lot are not permitted. Windows that do not allow visibility into the side setback of the adjacent lot, such as clerestory window or a translucent window, are permitted.

(7) Fencing/Walls Design Standards

- (a) Fencing shall be constructed of the following materials: brick, stone, reinforced concrete, wrought iron, other decorative masonry materials, redwood, cedar, preservative treated wood or other equivalent materials approved by the Zoning Administrator. Any fencing facing

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a public street shall be constructed of brick, stone, reinforced concrete, wrought iron, or other decorative masonry materials. Other fences may be redwood, cedar, preservative treated wood. Railroad ties are not permitted. Fence panel top and bottom caps are not required for internal lot fencing. Fence posts shall be constructed of rust resistant metal parts, concrete based masonry or concrete pillars of sound structural integrity.

- (b) Fences abutting open space or amenities such as floodplain, greenbelts, parks, town greens, detention/retention areas, or private parkland shall be constructed of wrought iron or tubular steel or other equivalent materials as approved by the Zoning Administrator.
- (c) Fencing shall not restrict visibility at intersections

(8) Roof Treatment

- (a) Materials
 - (i) Composition shingle roofs are prohibited.

(9) Architectural Review Committee

In order to maintain a comprehensive and complementary architectural style throughout the Plan area, the Owner shall establish an Architectural Review Committee (“ARC”) composed of an Architect, Landscape Architect and the Owner.

The ARC shall establish design guidelines to specify the architectural style, materials and colors to be used, in addition to building orientation. For each project, items such as architectural elevations, material sample boards and color samples shall be submitted to the ARC for their review and approval. An approval letter from the ARC shall be submitted with the corresponding applications to the City for site development and building permits. The approval of the ARC shall not take the place of any and all required submittals to the City, County or other governmental agency as necessary to receive regulatory approvals.

9. TRANSPORTATION

9.1 **Transportation Plan**

The Avery Centre Transportation Plan has been reviewed and approved by the City. Site plans and or plats within the Plan area will be evaluated by the City and compared to the land uses evaluated in the Transportation Plan. If the City determines that the proposed land use(s) indicated on the site plan or plat

substantially conform(s) to the use(s) evaluated in the Transportation Plan, such site plans or plats shall be determined to be in compliance with the Transportation Plan. If the City determines that a proposed land use(s) represent(s) a substantial increase in traffic trip generation than what was anticipated by the Transportation Plan, the City may require the preparation of a Traffic Impact Analysis (TIA) prior to the proposed land use(s) receiving site plan or plat approval. For the purpose of this determination, a substantial increase shall be the equivalent of a 20% or greater increase in traffic trips.

For those uses which are deemed to represent a substantial increase in trip generation as compared to the approved Transportation Plan, mitigating factors which may be considered by the City in determining the need for a TIA may include the use(s) on adjacent lots, if those uses produce less trips than were anticipated in the Transportation Plan. While these factors may be considered for adjacent lots, in no case shall traffic trips be “transferred” from one side of A.W. Grimes Boulevard to the other. With each final plat within this Plan, a cumulative accounting of traffic trips generated shall be provided.

9.2 Road Cross Sections

Due to the pedestrian oriented design and emphasis on street trees, the roadway cross sections for the PUD require deviations from the City’s adopted standards. **Exhibit “E”**, pages 1-6 contains alternate roadway cross sections for use within the PUD. The roadway cross sections will be otherwise governed by the City standards, as contained in the City’s Transportation Criteria Manual. **Exhibit “F”** contains the street layout plan, including street cross sections.

9.3 Gulf Way

A roadway from the eastern terminus of Gulf Way with connecting roadways to County Road 112 and to A.W. Grimes Boulevard (FM 1460) shall be required as a part of the PUD, as shown on **Exhibit “F”**. Any development, including final platting or approval of a site plan, within MU Use District No. 3 or RES Use District No. 4, with the exception of six (6) acres at the northeastern corner of MU Use District No. 3, shall require one of the following:

- (1) Construction of an extension of Gulf Way and a connection north to County Road 112, as shown on **Exhibit “F”**; or
- (2) Construction of an extension of Gulf Way and a connection south to A.W. Grimes Boulevard (FM 1460), as shown on **Exhibit “F”**.

10. LANDSCAPE LOTS AND MAINTENANCE WITHIN PUBLIC RIGHT OF WAY

10.1 A License Agreement(s) shall be required for the installation and maintenance of any landscaping, signage or other similar facilities within the City right-of-way. Such facilities may include:

- (3) Project entry signage at major intersections
- (4) Neighborhood entry signage
- (5) Community directional signage (not to exceed 8' in height)
- (6) Street signs
- (7) Lighting, including enhanced street lights and landscape lighting
- (8) Intersection and crosswalk enhancements, consisting of stamped and/or integrated color concrete
- (9) Pedestrian underpasses/overpasses
- (10) Sidewalks and bike lanes
- (11) Landscaping, including plant beds and street trees
- (12) Site furnishings, such as benches, planters, trash receptacles
- (13) Irrigation
- (14) Decorative Walls

The Owner shall make application for a License Agreement(s) at the time of Site Plan or construction plan submittal.

10.2 Utility Placement

Exhibit “E” indicates the street types and the corresponding utility locations which may be utilized in the Plan area. All utilities shall be located underground. Utilities shall be placed a minimum of five feet (5') from any tree. Any utilities located on private property shall be located within a public utility easement.

10.3 Raised Intersections

Subject to review and approval of the City, raised intersections may be used at specified locations within the community in order to improve pedestrian and bicycle safety. The paving at the intersection will be gradually raised to a level of 4 to 6 inches above the primary lanes of the roadway. The intersections will also be treated with alternative paving including stamped or colored concrete.

10.4 Sidewalks

A minimum of eight feet (8') of obstruction free sidewalk shall be provided between a commercial building in an MU sub-district and a landscape area or street tree, exclusive of tree grates. If a covered outdoor colonnade is provided on the front of a building façade, the area underneath the colonnade shall be included within the obstruction free area.

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A minimum of six feet (6') of obstruction free sidewalk shall be provided between a residential building and a landscape area or street tree, exclusive of tree grates. This shall not apply to detached single family development.

Sidewalks are required on both sides of all roadways, including private streets, but not alleyways.

Other than the provisions of this section, sidewalks shall meet the City's Subdivision Ordinance and the Design and Construction Standards Transportation Manual.

10.5 Pedestrian Crossings

Pedestrian and bicycle cross walks shall be incorporated into the raised intersections to promote safe and easily identifiable pedestrian circulation. If pedestrian crossings occur at mid block locations, the crosswalk shall be delineated with a change of material and/or color from the vehicular lanes of traffic. Cross walk design shall be subject to the review and approval of the City.

To further promote pedestrian safety, two crossings, A.W. Grimes Boulevard and Arterial "A", have been identified for additional design treatment. In these two locations, crossing design shall include the use of a pedestrian overpass or tunnel to separate the pedestrian from vehicular traffic. These alternative crossing designs shall be subject to the review and approval of the City.

11. PRIVATE STREETS/GATES

Subject to the provisions of City Ordinance No. G-08-06-26-9D2 regarding gated communities and private streets, a maximum of 500 of the single family fee simple residential units within the combined MU and RES Districts may be located within gated communities. Each gated community shall be limited to a maximum of 120 dwelling units. The required Private Access Amenity Plan shall be submitted with the Preliminary Plat for each of the gated communities.

12. STREET CROSS-SECTIONS

The street sections contained in **Exhibit "E"** illustrate the street types allowed for use within the Plan area, including the general location of utilities.

Exhibit "F" illustrates the location of the primary circulation street sections.

In order to provide flexibility within the roadway design, **Exhibit "G"** outlines the design standards for each roadway classification.

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13. PARKING

Off site, including on street parking within the public right of way as defined by the roadway sections in **Exhibit “E”** may be included in the parking requirement calculations for a specific use within Avery Centre if located within 600’ of the subject site.

On street parking may be utilized subject to the following conditions: (1) must be located within 600’ of the site; (2) an on-street parking tabulation chart to determine spaces available for assignment to a specific tract must be submitted for consideration by the City.

13.1 Additional Provisions for Reduced Parking Ratios

The Urban Land Institute (ULI) has devised a parking analysis formula for Mixed Use projects based upon the land use and peak demand time frame for each use. This analysis is summarized in **Exhibit “I”**.

Avery Centre shall be allowed to employ these national standards once the project land uses are defined for specific projects within the community, if calculations result in a reduced parking requirement from the provisions outlined in **Exhibit “H”**.

14. PARKS, OPEN SPACE AND TRAILS

The Parks and Trails Plan is contained in **Exhibit “J”**, which illustrates approximately 152 acres of parks and open space within the Plan.

The parks, trails and open space depicted on **Exhibit “J”** shall be dedicated to the City through the subdivision process. Park improvements and trails will be constructed by the Owner and maintained by an owners association.

The following requirements shall be met:

14.1 Linear Parks and Greenbelts

Linear parkways and greenbelts within Avery Centre shall consist of areas with a minimum width of 75’.

14.2 Open space requirements for residential uses in Mixed Use sub-districts

In addition to the parks and open space illustrated on **Exhibit “J”**, a minimum of ½ acre of open space shall be provided for every ten (10) acres of multi-family and townhome residential development within Mixed Use sub-districts, and may include greenbelts, parks, town greens, amenity detention/retention areas, and private parkland.

14.3 Amenity lakes and detention facilities

All permanent bodies of water, such as lakes and retention ponds shall include an integrated management program to insure acceptable water quality and to maintain ecological balance of oxygen, nutrients, light, and temperature. Aeration systems providing oxygen transfer and aerator fountains for aesthetic appeal shall be utilized as appropriate to the pond type, size and depth. Biological controls will be enhanced through selection of appropriate water plant species.

Open space shall be required around all amenity lakes and detention facilities. For these amenities, a minimum open space width of 30' shall be required around the perimeter of the lake and shall be measured from the line of 25 yr. inundation to the edge of open space/parkland. Lake edges within Avery Centre shall be either enhanced or hard edges with a minimum of 30' of enhanced landscaping. Parks and open spaces around these amenities shall further meet the following requirements.

- (1) A minimum of one (1) 3" caliper tree and two (2) 5 gallon shrubs shall be planted for every 1000 s.f. of open space land around lakes.
- (2) Fencing is allowed around detention ponds only if the fencing is constructed of wrought iron or tubular steel or other similar products.
- (3) Lakes indicated on **Exhibit "J"** shall be designed as curvilinear, nonrectangular shapes with a slope not exceeding 3:1.
- (4) Amenity feature lake and detention facility designs included on **Exhibit "J"** must be approved by the City.

14.4 Town Greens

Town greens are smaller open spaces or plazas which serve a similar use to a pocket park.

Town greens are important components to the vision of the community and shall be dispersed throughout the community within walking distance of all residents to encourage interaction and recreational activity. These public spaces will vary in size and configuration based upon the ultimate site design and the potential adjacent use. These civic greens and public open spaces shall be credited as parkland if they meet the following criteria:

- (1) Minimum of ½ acre
- (2) Minimum of 100' of street frontage
- (3) Configuration and shape must be approved by the City Parks and Recreation Director.

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14.5 Trails

For Avery Centre, a minimum of 5 miles of trails and a minimum of 152 acres of open space (including floodplain, greenbelts, parks, town greens, amenity detention/retention areas, private parkland) shall be designated in the community. All trails within Avery Centre shall be a minimum of 8' wide, concrete trails.

14.6 Phasing

Due to the size and complexity of the community, certain phases of development may draw from the parkland from another phase of development as long as the open space illustrated on **Exhibit "J"** is maintained. Each construction phase of development within Avery Centre must fully develop the parks and trails located within that specific phase.

15. LANDSCAPING

New development that is proposed within Avery Centre shall comply with the landscape development standards outlined in Section 11.501, Landscaping, of the City Zoning Ordinance in place at the time of approval of this PUD with the exception of the following modifications.

15.1 Street Yard

- (1) In an MU area where buildings are oriented close to the street with wide sidewalks extending to the face of buildings, the City requirement that 30% of the street yard be landscaped and irrigated shall not apply. In these situations, street trees planted a maximum of 50' on center within tree grates shall satisfy the landscape requirements.
- (2) Planters will be allowed within the right of way for areas described in the foregoing paragraph which include on street parking and contain pedestrian walkways which extend from the building to the edge of the street.
- (3) Residential Street Yards shall be sodded and irrigated up to the back of curb.

15.2 Maintenance

A master community association for the MU areas within Avery Centre will be established for the maintenance of landscape and irrigation areas located between the roadways and the property lines for internal projects as well as for all community signage, walls, medians, common open spaces, greenbelts, parks and detention areas.

Sub associations may be formed for individual tracts within Avery Centre.

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15.3 Tree Protection

For the purpose of the Avery Centre PUD, the following trees shall not be considered as Protected Trees (as defined in the City Code of Ordinances):

- (1) Mesquite
- (2) Hackberry
- (3) Cedar
- (4) Ash
- (5) China Berry
- (6) Salt Willows
- (7) Salt Cedar

15.4 Street Trees

Street trees shall be located in public rights of way, between the curb and the face of a building, as indicated on **Exhibit “E”**. Street trees shall meet the following criteria:

- (1) Street Trees may be located within 10’ of a building.
- (2) Street Trees must be placed within a minimum of a eight (8’) wide planting strip or within and 8’x8’ tree grate.
- (3) Street Trees shall be placed a maximum of 50’ on center.
- (4) Street Trees must be a minimum of three (3”) caliper.
- (5) The following street tree types are recommended within Avery Centre.

<u>Common Name</u>	<u>Scientific Name</u>
Carolina Cherry Laurel	<i>Prunus caroliniana</i>
Bigtooth Maple	<i>Acer grandidentatum</i>
Lacey Oak	<i>Quercus laceyi</i>
Chinquapin Oak	<i>Quercus muehlenbergii</i>
Texas Red Oak	<i>Quercus buckleyi</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Lacebark Elm	<i>Ulmus parvifolia</i>

16. SIGNAGE

Signs shall comply with the Code, with the following exceptions:

16.1 Sign Location

- (1) Signage shall be allowed within landscape medians and public right of way pursuant to a License Agreement.

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- (2) If pedestrian overpasses are constructed as part of the Avery Centre community, signage and logos may be integrated onto the bridge structure. No commercial advertising signs shall be permitted.
- (3) The signage shall not obstruct sight lines or views as necessary to maintain safe vehicular circulation.
- (4) Unless expressly authorized by the city, signs are prohibited in public utility easements.

16.2 Project Identification Signs

Avery Centre is bordered by two major arterial roadways, University Drive and FM 1460. Monument signs for Avery Centre shall be allowed on each corner at the primary collector road intersections with University Drive and FM 1460, as identified on the Development Plan.

(1) Size

The monument signs at these intersections may have a maximum sign area of 150 square feet. Monument signs at these intersections shall be a maximum of 10' in height. Architectural elements of the entry design, such as tower elements, shall not be defined as part of the sign area and may exceed the 10' maximum height.

(2) Lighting

Monument signs shall be illuminated either by ground mounted fixtures or with internally illuminated channel letter.

16.3 Directional Signs

(1) Location

- (a) Directional Signs will be placed at strategic locations within Avery Center to guide visitors to the variety of uses and amenities within the community.
- (b) A maximum of 25 directional signs may be installed at key locations throughout the community.

(2) Size

- (a) Directional signs shall not exceed 8 feet in height
- (b) Directional signs shall not exceed 50 square feet in sign area

16.4 Construction Phase Signs

For the purpose of identifying the name of a particular construction project, the opening date, and the contractors, engineers and/or architects working on the project, Construction Phase Signs may be temporarily installed.

- (1) Construction Phase Signs shall be a minimum of twenty (20) feet from the property line.
- (2) The face or sign area of each Construction Phase Sign shall not exceed one hundred thirty (130) square feet.
- (3) Construction Phase Signs shall not be illuminated.
- (4) Construction Phase Signs shall be removed prior to the issuance of Temporary Certificate of Occupancy or a Certificate of Occupancy for the associated project.
- (5) Banner signs advertising the opening of a business shall be permitted for a period of sixty (60) days following the issuance of the certificate of occupancy for the associated project.

16.5 Street Name Signs

Street name signs are allowed to deviate in color from the standard green background with white letter. Alternative street sign color selection and specification must be submitted to and approved by the City. Any alternative signs approved by the City shall be maintained by the property owners association.

16.6 Additional Sign Regulations - Mixed Use District

- (1) Materials
 - (a) The materials used in the construction of a sign shall be compatible with the building façade upon which they are associated with or placed upon as well as the architectural theme established for the Avery Centre community.
 - (b) New materials may be appropriate only if they are designed in a manner consistent with the theme established by that development.
 - (c) Metal signs are permitted but avoid finishes that will create glare.
 - (d) Cabinet signs are prohibited.
- (2) Color
 - (a) The colors used in a sign shall be compatible with the theme established for Avery Centre.
 - (b) Avoid too many colors, small accents may make the sign more attractive and unique but limit amount of colors used.
- (3) Legibility
 - (a) Limit the number of text styles to avoid confusion and increase legibility.

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- (b) Avoid symbols and fonts that are hard to read or too intricate.
- (4) Illumination
 - (a) Illuminate only signs that are necessary, allow for illumination from other sources, ie. streetlights or pedestrian lights.
 - (b) Individually illuminated signs, either individual illuminated letters or back-lighted are encouraged.
 - (c) Internally illuminated plastic cabinet signs are prohibited. Signs with individual letters are better integrated with the architecture.
- (5) Location
 - (a) Signs should not dominate the site in height and should not project above the rooflines of the buildings.
 - (b) Signs should not obstruct doors or windows.
 - (c) Utilize the building's architectural features to delineate where signs should be located.
 - (d) Window signs should not cover a majority of the window and should be intended to be viewed from the outside.

17. UTILITIES

For all development west of AW Grimes, wastewater capacity shall be based off the Avery Farms Wastewater Study. At initial subdivision improvement plan stage, the Engineer shall submit the essential information necessary to verify that the Avery Centre development substantially complies with the assumptions and findings of the Avery Farms Wastewater Study. Said essential information shall be reviewed and approved by the City Engineer before any final plat is submitted.

For all development east of AW Grimes, at initial subdivision plan stage, the engineer shall provide a general study of wastewater capacity available for the entire development site. Study shall be reviewed and approved by the City Engineer before any final plat is submitted.

With each subsequent subdivision plan application and each subsequent site plan application, the engineer shall submit a synopsis to the City of Round Rock, summarizing proposed wastewater flows for that development and certifying the proposed wastewater flows are in accordance with the previously approved studies. In addition, the engineer shall provide in each plan a summary of total flows in chart form, to be placed on the Notes sheet.

Any transfer of capacity or living-unit-equivalents (LUEs) between basins, or updates to any study shall be approved on a case-by-case basis by the City Engineer.

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18. DEFINITIONS

The following definitions are provided for terms used in the Plan. If there is a conflict between the definitions contained in this Plan and the definitions in Chapter 11 of the Code, the definitions in this Plan shall supersede the definitions in the Code.

Accessory Dwelling: A second dwelling unit on the same lot as a single family dwelling. Such a dwelling shall be established in conjunction with and be clearly subordinate to the main dwelling and shall not contain a kitchen or formal cooking area. Dwelling shall not be designed as a rental unit.

Amenity Detention/Retention Areas: Open space designed to accommodate storm water detention and/or water quality facilities in a manner that creates an amenity through the inclusion of features including trails, landscaping and fountains.

Fuel Sales: A retail fuel sales facility with a maximum of eight gas pumps. Must include a convenience store.

Garden Center: A retail plant nursery which sells trees, shrubs, annual plants and garden supplies.

Hospital: A facility designed for the provision of medical or surgical services on an in-patient or out-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, and visitors. Inpatient or outpatient medical services dedicated to alcohol and/or drug abuse rehabilitation, or involuntary admissions for psychiatric care or mental illness are specifically prohibited.

Mixed Use: The combining of complementary commercial and office uses in the same building, on the same site, or on the same block. Residential uses may be directly adjacent to the non-residential uses or located above. Residential uses are not required to be located above non-residential uses in the same building.

Parking Structure: A structure composed of one or more levels or floors designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This includes parking garages, deck parking and underground or under-building parking areas.

Research and Development: A business that engages in research or research and development of innovative ideas in technology-intensive fields. Typical uses include biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation and computer hardware and software. Development and construction of prototypes may be associated with this use. This use does not involve the mass manufacture, fabrication, processing or sale of products.

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Street Yard: The area of a lot which lies between the property line adjacent to street or right-of-way and the actual front wall line of the building, as such building wall line extends from the outward corners of the building, parallel to the street. Building faces oriented towards alleys shall not be defined as street yards.

Sub-District: The land use areas delineated on Exhibit "C" and numbered 1-9 and referenced on the Land Use Table in Section 6.1. Sub-districts have specific and unique development standards which are contained in Sections 8.1 and 8.2.

19. CHANGES TO DEVELOPMENT PLAN

a. Minor Changes

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing, by the City Engineer, the Director of Planning and Community Development, and the City Attorney. Any increase in the maximum number of residential units or non-residential square footage listed in Section 6.2 shall not be considered a minor change.

b. Major Changes

All changes not permitted under section 14.1 above shall be resubmitted following the same procedure required by the original PUD application.

Major changes include, but shall not be limited to:

- (1) an increase in gross density of a residential land use;
- (2) an increase in height, area, bulk of any land use;
- (3) an increase in intensity of a non-residential land use;
- (4) the designation of additional land uses;
- (5) the reduction in the depth of landscape buffer yards or reduction in the Parkland Dedication Requirements
- (6) Significant re-alignments of roadways contained in the Roadway Plan, **Exhibit "F"**
- (7) A change in area of a Sub-District in excess of ten percent (10%), as shown on **Exhibit "C"**
- (8) Any increase in the maximum number of residential units or non-residential square footage listed in Section 6.1 (2).

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LIST OF EXHIBITS

Exhibit “A”	Legal Description
Exhibit “B”	Vicinity Map
Exhibit “C”	Land Use Plan
Exhibit “D”	Shared Detached Garage Layout
Exhibit “E-1 – E-6”	Street Cross Sections
Exhibit “F”	Street Type Plan
Exhibit “G”	Roadway Design Standards
Exhibit “H”	Parking Requirements
Exhibit “I”	Reduced Parking Provisions
Exhibit “J”	Open Space and Trails Plan

Avery Centre Planned Unit Development # _____

EXHIBIT A LEGAL DESCRIPTIONS

Avery Tract West of A.W. Grimes (aka FM1460)	433.152 Acres
Avery Tract East of A.W. Grimes (aka FM1460)	514.099 Acres
Seton Tract	10.525 Acres
SUBTOTAL	957.776 Acres

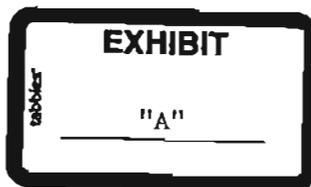
SAVE AND EXCEPT

Texas A&M Health Science Center

Tract One	15.000 Acres
Tract Two	11.314 Acres
Tract Three	23.771 Acres

TOTAL SAVE AND EXCEPT **50.085 Acres**

NET ACRES WITHIN AVERY CENTRE PUD **907.691 Acres**



DESCRIPTION

FOR A 433.152 ACRE TRACT OF LAND SITUATED IN THE ABEL EAVES SURVEY ABSTRACT NO. 215, THOMAS TOBY SURVEY ABSTRACT NO. 624, THOMAS TOBY SURVEY ABSTRACT NO. 625 AND WILLIS DONAHOE SURVEY ABSTRACT NO. 173 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A REMNANT PORTION OF PARCEL TWO, A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD., OF RECORD IN DOCUMENT NUMBER 2002071336, O.P.R.W.C., TX, SAID 433.152 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with "Baker-Aicklen" cap on the west right-of-way line of Farm to Market 1460 (80 foot right-of-way width), said point being the eastern terminus of the Boundary Line Agreement between Avery Ranch Company, Ltd. and Wallin Family Investments, L.P. of record in Document No. 2004000841 of the Official Public Records of said County, for the southeast corner and **POINT OF BEGINNING** hereof;

THENCE with said Avery / Wallin Boundary Line Agreement, **S 68° 23' 29" W** for a distance of **1387.54** feet to a 6"x 6" concrete monument found for an angle point of the Remnant Portion of said 1200.19 acre tract, same being the northwest corner of a remainder of a called 152.38 acre tract of land as described in that deed to Wallin Family Investments, L.P. of record in Document No. 2003057844 of the Official Public Records of said County, same being a point in the northeast line of a called 2.05 acre tract of land as described in that deed to Todd Wayne Frank and recorded in Document No. 2000080601 of the Official Public Records of said County, for an angle point hereof;

THENCE with the south line of the Remnant Portion of said 1200.19 acre tract, same being the northeast line of said 2.05 acre tract, **N 23° 08' 00" W** for a distance of **111.06** feet to a 6"x 6" concrete monument found for the northeast corner of said 2.05 acre tract, for an angle point hereof;

THENCE with the south line of the Remnant Portion of said 1200.19 acre tract, same being the northwest line of said 2.05 acre tract, **S 69° 26' 04" W** for a distance of **219.14** feet to a ½" iron rod found for an angle point hereof;

THENCE with the south line of the Remnant Portion of said 1200.19 acre tract, same being in part the northwest line of said 2.05 acre tract and in part the northwest line of a called 1.30 acre tract of land as described in that deed to James Franzetti and recorded in Document No.

2000069853 of the Official Public Records of said County, S 69° 19' 30" W for a distance of 213.10 feet to a 6"x 6" concrete monument found for an angle point of the Remnant Portion of said 1200.19 acre tract, same being the northwest corner of said 1.30 acre tract, also being the northeast corner of a called 93.74 acre tract of land as described in that deed to Ardalia E. Martin and recorded in Volume 2571, Page 709 of the Official Records of said County, for an angle point hereof;

THENCE with the south line of the Remnant Portion of said 1200.19 acre tract, same being the northwest line of said 93.74 acre tract, S 68° 43' 16" W for a distance of 1778.25 feet to a cedar fence post found for the southwest corner of the Remnant Portion of said 1200.19 acre tract, same being the southeast corner of a called 43.524 acre tract of land as described in that deed to the City of Round Rock and recorded in Document No. 9730900 of the Official Records of said County, for the southwest corner hereof, from which a 1" iron rod found for the northwest corner of said 93.74 acre tract bears, S 68°36'21" W for a distance of 442.93 feet;

THENCE with the west line of the Remnant Portion of said 1200.19 acre tract, same being the east line of said 43.524 acre tract, the following six (6) courses and distances:

- 1) N 10° 39' 34" W for a distance of 174.08 feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 2) N 18° 26' 59" W for a distance of 108.08 feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 3) N 30° 26' 56" W for a distance of 86.47 feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 4) N 36° 12' 01" W for a distance of 170.18 feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 5) N 78° 26' 31" W for a distance of 340.75 feet to a fence post found for an angle point hereof, and
- 6) N 12° 44' 54" W pass a ½" iron rod found at a distance of 376.37feet, continuing for a total distance of 423.52 feet to a ½" iron rod found for an angle point of the Remnant Portion of said 1200.19 acre tract, same being the southwest corner of Lot 5, Lakeside Subdivision Section Three, a subdivision recorded in Cabinet V, Slides 22 – 24 of the Plat Records of said County, for an angle point hereof,

THENCE with a north line of the Remnant Portion of said 1200.19 acre tract, same being in part with the south line of said Lakeside Subdivision Section Three, N 68° 55' 30" E for a distance of

1558.72 feet to a ½" iron rod found for an angle point of the Remnant Portion of said 1200.19 acre tract, same being the southeast corner of Lot 1 of said Lakeside Subdivision Section Three, for an angle point hereof;

THENCE with the west line of the Remnant Portion of said 1200.19 acre tract, same being in part with the east line of said Lot 1 and the east line of Lakeside Subdivision Section Four, a subdivision recorded in Cabinet X, Slides 285 – 286 of the Plat Records of said county, also in part with a Boundary Line Agreement recorded in Document No. 2003042829 of the Official Public Records of said County, the following seven (7) courses and distances:

- 1) N 22° 21' 13" W for a distance of 146.26 feet to a ½" iron rod found for an angle point hereof,
- 2) N 19° 58' 40" W for a distance of 274.69 feet to a ½" iron rod found for an angle point hereof,
- 3) N 32° 19' 26" W for a distance of 417.14 feet to a railroad spike found for an angle point hereof,
- 4) N 30° 39' 24" W for a distance of 200.21 feet to a railroad spike found for an angle point hereof,
- 5) N 26° 03' 59" W, pass at feet 166.90, the southeast terminus of Gulf Way (60 foot right-of-way width), same being the northeast corner of said Lot 1, and pass at 227.13 feet, the northeast terminus of said Gulf Way, same being the southeast corner of Lot 54, Block E of said Lakeside Subdivision Section Four, continuing for a total distance of 992.04 feet to a ½" iron rod found for an angle point hereof,
- 6) N 27° 31' 10" W for a distance of 364.09 feet to a ½" iron rod found for an angle point hereof, and
- 7) N 09° 46' 05" W for a distance of 276.20 feet to a railroad spike found for the northeast corner of said Lakeside Subdivision Section Four, same being the southern terminus of a Boundary Line Agreement between Charles Needham Avery, Jr. et al and John H. May and Grace Josephine May of record in Volume 958, Page 772 of the Deed Records of said County, also being the most southerly southeast corner of a 98.20 acre tract of land as described in that deed to The State of Texas and recorded in Document No. 2005098710 of the Deed Records of said County, for an angle point hereof,

THENCE with the west line of the Remnant Portion of said 1200.19 acre tract, same being the east line of said 98.20 acre tract, also being said Avery / May Boundary Line Agreement, the following seven (7) courses and distances:

- 1) N 11° 27' 05" W for a distance of 360.26 feet to a ½" iron rod found for an angle point hereof,
- 2) N 71° 51' 48" E for a distance of 93.72 feet to a 60d nail found in fence post for an angle point hereof,
- 3) S 65° 47' 14" E for a distance of 128.41 feet to a ½" iron rod found for an angle point hereof,
- 4) S 80° 01' 56" E for a distance of 84.67 feet to a PK nail found for an angle point hereof,
- 5) N 63° 44' 01" E for a distance of 106.68 feet to a ½" iron rod found for an angle point hereof,
- 6) N 44° 20' 38" E for a distance of 8.73 feet to a ½" iron rod found for an angle point hereof, and
- 7) N 58° 59' 14" E for a distance of 125.12 feet to a ½" iron rod found for an angle point hereof,

THENCE through the interior of the Remnant Portion of said 1200.19 acre tract the following three (3) courses and distances:

- 1) S 39° 52' 43" E for a distance of 223.95 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for an angle point hereof,
- 2) N 58° 04' 46" E for a distance of 1219.87 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of curvature hereof, and
- 3) with the arc of a curve to the left, having a radius of 25.00 feet, an arc length of 37.02 feet, a central angle of 84° 50' 57", and a chord which bears N 15° 39' 17" E for a distance of 33.73 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of tangency hereof on the west right-of-way line of County Road 112 (120 foot right-of-way width), as recorded in Document No. 2005010992 of the Official Public Records of said County,

THENCE with the west right-of-way line of said County Road 112 the following four (4) courses and distances:

- 1) **N 26° 46' 12" W** for a distance of **22.85** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature on the east right-of-way line of said County road 112 bears, **N 63° 13' 48" E** for a distance of **120.00** feet,
- 2) with the arc of a curve to the left, having a radius of **2050.00** feet, an arc length of **672.26** feet, a central angle of **18° 47' 20"**, and a chord which bears, **N 36° 09' 52" W** for a distance of **669.25** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency on the east right-of-way line of said County road 112 bears, **N 44° 26' 28" E** for a distance of **120.00** feet,
- 3) **N 45° 33' 32" W** for a distance of **831.75** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature on the east right-of-way line of said County road 112 bears, **N 44° 26' 28" E** for a distance of **120.00** feet, and
- 4) with the arc of a curve to the right, having a radius of **2150.00** feet, an arc length of **687.88** feet, a central angle of **18° 19' 53"**, and a chord which bears **N 36° 23' 35" W** for a distance of **684.95** feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of reverse curvature hereof,

THENCE leaving the west right-of-way line of said County road 112 and through the interior of the Remnant Portion of said 1200.19 acre tract the following two (2) courses and distances:

- 1) with the arc of a curve to the left having a radius of **25.00** feet, an arc length of **36.28** feet, a central angle of **83° 09' 08"**, and a chord which bears **N 68° 48' 13" W** for a distance of **33.18** feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of tangency hereof, and
- 2) **S 69° 37' 13" W** for a distance of **770.73** feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point on the east boundary line of said 98.20 acre tract, same being the east boundary line of said Boundary Line Agreement, same being the west boundary line of the Remnant Portion of said 1200.19 acre tract, from which a ½" iron rod found for an angle point on the east boundary line of said 98.20 acre tract, same being the east boundary line of said Boundary Line Agreement, same being the west boundary line of the Remnant Portion of said 1200.19 acre tract bears, **S 17° 11' 24" E** for a distance of **636.50** feet,

THENCE with the west boundary line of the Remnant Portion of said 1200.19 acre tract, same being the east boundary line of said 98.20 acre tract, same being the east boundary line of said Boundary Line Agreement, **N 17° 11' 24" W** for a distance of **1251.94** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northwest corner of the Remnant Portion of said 1200.19 acre tract, same being the northeast corner of said 98.20 acre tract, same being the northern terminus of said Boundary Line Agreement, same being a point on the south right-of-way line of University Boulevard, also known as C. R. 114, (90 foot right-of-way width), from which a ½" iron rod found with "Baker-Aicklen" cap for an angle point on the north boundary line of said 98.20 acre tract, same being a point on the south right-of-way line of said University Boulevard bears, **S 69° 32' 28" W** for a distance of **1012.30** feet;

THENCE with the north line of the Remnant Portion of said 1200.19 acre tract, same being the south right-of-way line of said University Boulevard, and in part with the northern terminus of the right-of-way of said County Road 112, **N 69°37'13" E** for a distance of **1238.56** feet to a ½" iron rod found with "Baker-Aicklen" cap for the most northerly northeast corner hereof from which a ½" iron rod found with "Baker-Aicklen" cap for an angle point on the north boundary line of a called 101.376 acre tract of land in deed to Texas State University System as recorded in Document No. 2004014440 of the Official Public Records of said County, same being a point on the south right-of-way line of said University Boulevard bears, **N 69° 37' 13" E** for a distance of **336.01** feet;

THENCE with the west boundary line of said 101.376 acre tract, same being the east boundary line of the Remnant Portion of said 1200.19 acre tract the following eight (8) courses and distances:

- 1) **S 20° 22' 47" E** for a distance of **564.54** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 2) **S 17° 38' 39" W** for a distance of **89.29** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 3) **S 20° 22' 47" E** for a distance of **70.25** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 4) **S 58° 24' 13" E** for a distance of **89.29** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 5) **S 20° 22' 47" E** for a distance of **444.54** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,

- 6) **S 30° 01' 22" E** for a distance of **888.97** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 7) **S 07° 12' 33" W** for a distance of **131.28** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof, and
- 8) **S 44° 26' 28" W** for a distance of **132.56** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point on the east right-of-way line of said County Road 112 hereof,

THENCE with the east right-of-way line of said County Road 112, same being the west boundary line of said 101.376 acre tract the following three (3) courses and distances:

- 1) **S 45° 33' 32" E** for a distance of **401.00** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof,
- 2) with the arc of a curve to the right, having a radius of **2170.00** feet, an arc length of **711.61** feet, a central angle of **18° 47' 20"**, and a chord which bears **S 36° 09' 52" E** for a distance of **708.42** feet, to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof, and
- 3) **S 26° 46' 12" E** for a distance of **34.88** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,

THENCE leaving the east right-of-way line of said county Road 112, with the south boundary line of said 101.376 acre tract, with a north boundary line of the Remnant Portion of said 1200.19 acre tract the following three (3) courses and distances:

- 1) **N 58° 04' 46" E** for a distance of **644.52** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof,
- 2) **N 21° 08' 47" W** for a distance of **58.77** feet to a ½" iron rod found with "Baker-Aicklen" cap for an angle point hereof, and
- 3) **N 29° 59' 07" E** for a distance of **999.48** feet to a ½" iron rod found with "Baker-Aicklen" cap for the southeast corner of said 101.376 acre tract, same being an angle point of the Remnant Portion of said 1200.19 acre tract for an angle point hereof,

THENCE through the interior of the Remnant Portion of said 1200.19 acre tract the following nine (9) courses and distances:

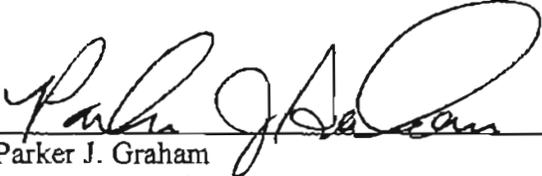
- 1) S 50° 40' 33" E for a distance of 14.47 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of curvature hereof,
- 2) with the arc of a curve to the right, having a radius of 600.64 feet, an arc length of 239.18 feet, a central angle of 22° 48' 56", and a chord which bears S 39° 16' 05" E for a distance of 237.60 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a compound point of curvature hereof,
- 3) with the arc of a curve to the right, having a radius of 600.64 feet, an arc length of 241.76 feet, a central angle of 23° 03' 42", and a chord which bears S 16° 19' 46" E for a distance of 240.13 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of tangency hereof,
- 4) S 04° 47' 55" E for a distance of 437.63 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of curvature hereof,
- 5) with the arc of a curve to the left, having a radius of 50.00 feet, an arc length of 83.42 feet, a central angle of 95° 35' 50", and a chord which bears S 52° 35' 49" E for a distance of 74.08 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a compound point of curvature hereof,
- 6) with the arc of a curve to the left, having a radius of 415.00 feet, an arc length of 285.59 feet, a central angle of 39° 25' 47", and a chord which bears N 59° 53' 22" E for a distance of 279.99 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of tangency hereof,
- 7) N 40° 10' 29" E for a distance of 130.92 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of curvature hereof,
- 8) with the arc of a curve to the right, having a radius of 545.00 feet, an arc length of 272.74 feet, a central angle of 28° 40' 24", and a chord which bears N 54° 30' 41" E for a distance of 269.91 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point of tangency hereof, and
- 9) N 68° 50' 53" E for a distance of 245.68 feet to a ½" iron rod with "Baker-Aicklen" cap to be set for a point on the east boundary line of the Remnant Portion of said 1200.19 acre tract, same being a point on the west right-of-way line of said F. M. 1460,

THENCE with the east boundary line of the Remnant Portion of said 1200.19 acre tract, same being the west right-of-way line of said Farm to Market 1460 the following four (4) courses and distances:

- 1) S 21° 08' 56" E for a distance of 1166.37 feet to an iron rod found with "Vara" cap for a point of curvature hereof,
- 2) with the arc of a curve to the right, having a radius of 1106.28 feet, an arc length of 646.41 feet, a central angle of 33° 28' 42", and a chord which bears, S 04° 24' 15" E for a distance of 637.25 feet to a TXDOT Type I concrete monument found (destroyed) for a point of tangency hereof,
- 3) S 12° 20' 39" W for a distance of 2839.20 feet to an iron rod found with "Vara" cap for an angle point hereof, and
- 4) S 12° 15' 20" W for a distance of 54.01 feet to the POINT OF BEGINNING and containing 433.152 acres of land, more or less.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83 per GPS survey performed during August and September, 2003.

Surveyed under the direct supervision of the undersigned during August and September, 2003:


Parker J. Graham 03/25/2008
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512)-260-3700



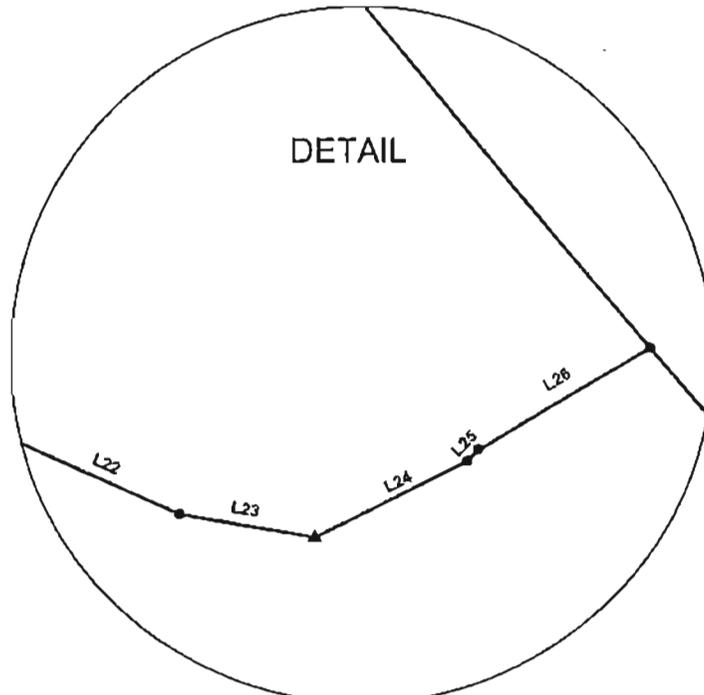
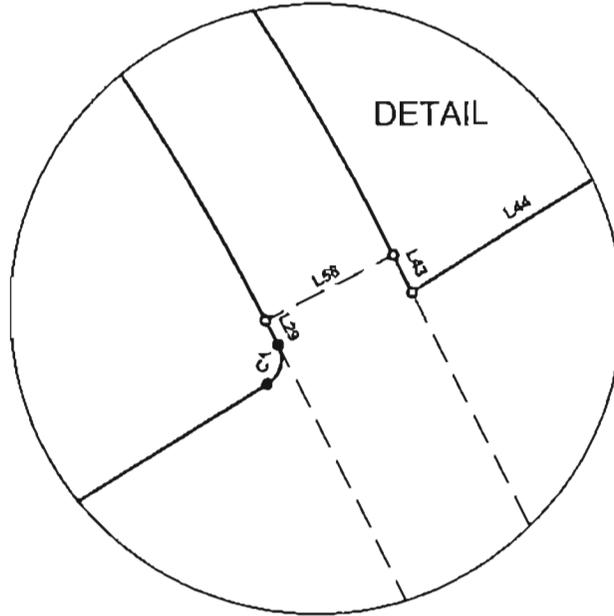
Job No.: 1774-2-001-10

Filename: W:\PROJECTS\AVERY@CHANDLER RD\METES & BOUNDS\AVERY 433 AC PUD.DOC

SKETCH TO ACCOMPANY DESCRIPTION

NUMBER	RADIUS	ARC	CEN. ANGLE	CH. BRG.	CHORD
C1	25.00'	37.02'	84°50'57"	N 15°39'17" E	33.73'
C2	2050.00'	672.26'	18°47'20"	N 36°09'52" W	669.25'
C3	2150.00'	687.85'	18°19'53"	N 36°23'35" W	684.95'
C4	25.80'	36.28'	83°09'08"	N 68°48'13" W	33.18'
C5	2170.00'	711.61'	18°47'20"	S 36°09'52" E	708.42'
C6	600.64'	239.18'	22°48'56"	S 39°16'05" E	237.60'
C7	600.64'	241.76'	23°03'42"	S 16°19'46" E	240.13'
C8	50.00'	83.42'	95°35'50"	S 52°35'49" E	74.08'
C9	415.00'	285.59'	39°25'47"	N 59°53'22" E	279.99'
C10	545.00'	272.74'	28°40'24"	N 54°30'41" E	269.91'
C11	1106.28'	646.41'	33°28'42"	S 04°24'15" E	637.25'

NUMBER	BEARING	DISTANCE
L1	S 68°23'29" W	1387.54'
L2	N 23°08'00" W	111.06'
L3	S 69°26'04" W	219.14'
L4	S 69°19'30" W	213.10'
L5	S 68°43'16" W	1778.25'
L6	N 10°39'34" W	174.08'
L7	N 18°26'59" W	108.08'
L8	N 30°26'56" W	86.47'
L9	N 36°12'01" W	170.18'
L10	N 78°26'31" W	340.75'
L11	N 12°44'54" W	423.52'
L12	N 68°55'30" E	1558.72'
L13	N 22°21'13" W	148.26'
L14	N 19°58'40" W	274.69'
L15	N 32°19'26" W	417.14'
L16	N 30°39'24" W	200.21'
L17	N 26°03'59" W	992.04'
L18	N 27°31'10" W	364.09'
L19	N 09°46'05" W	276.20'
L20	N 11°27'05" W	380.26'
L21	N 71°51'48" E	93.72'
L22	S 65°47'14" E	128.41'
L23	S 80°01'56" E	84.67'
L24	N 63°44'01" E	106.68'
L25	N 44°20'38" E	6.73'
L26	N 58°59'14" E	125.12'
L27	S 39°52'43" E	223.95'
L28	N 58°04'48" E	1219.77'
L29	N 26°46'12" W	22.85'
L30	N 45°33'32" W	831.75'
L31	S 69°37'13" W	770.73'
L32	N 17°11'24" W	1251.94'
L33	N 69°37'13" E	1238.56'
L34	S 20°22'47" E	564.54'
L35	S 17°38'39" W	89.29'
L36	S 20°22'47" E	70.25'
L37	S 58°24'13" E	89.29'
L38	S 20°22'47" E	444.54'
L39	S 30°01'22" E	888.97'
L40	S 07°12'33" W	131.28'
L41	S 44°26'28" W	132.56'
L42	S 45°33'32" E	401.00'
L43	S 26°46'12" E	34.88'
L44	N 58°04'46" E	644.52'
L45	N 21°08'47" W	58.77'
L46	N 29°59'07" E	899.48'
L47	S 50°40'33" E	14.47'
L48	S 04°47'55" E	437.63'
L49	N 40°10'29" E	130.92'
L50	N 68°50'53" E	245.69'
L51	S 21°08'56" E	1166.37'
L52	S 12°20'39" W	2839.20'
L53	S 12°15'20" W	54.01'
L54	S 68°36'21" W	442.93'
L55	S 17°11'24" E	636.50'
L56	S 69°32'28" W	1012.30'
L57	N 69°37'13" E	336.01'
L58	N 63°13'48" E	120.00'
L59	N 44°26'28" E	120.00'
L60	N 44°26'28" E	120.00'



DATE: SEPTEMBER, 2003
 JOB NO.: 1774-2-001-10
 BY: R. BROOKS
 PAGE 11 OF 11

BAKER-AICKLEN & ASSOCIATES, INC.
 Engineers • Surveyors • GIS • Planning
 435 BRUSHY CREEK RD.
 CEDAR PARK, TX 78613
 512.340.0700

DESCRIPTION

FOR A 514.099 ACRE TRACT OF LAND SITUATED IN THE WILLIS DONAHOE SURVEY, ABSTRACT NO. 173, THE JOHN L. JUSTICE SURVEY, ABSTRACT NO. 356, THE THOMAS GLASSCOCK SURVEY, ABSTRACT NO. 255 AND THE THOMAS TOBY SURVEY, ABSTRACT NO. 625, BEING: A PORTION OF A REMNANT PORTION OF A CALLED 1200.19 ACRE TRACT DESCRIBED IN DEED TO AVERY RANCH COMPANY, LTD. OF RECORD IN DOCUMENT NO. 2002071336, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, ALL OF THAT CERTAIN "TRACT IV" DESCRIBED IN DEED TO AVERY RANCH COMPANY, LTD. OF RECORD IN DOCUMENT NO. 2002071336, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND ALL OF THAT CERTAIN MISSOURI-KANSAS RAILROAD COMPANY TRACT IN QUITCLAIM DEED OF RECORD IN VOLUME 773, PAGE 652 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 514.099 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SURVEY PLAT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set on a point in the east right-of-way line of Farm to Market 1460 (80' right-of-way width), said point being the southwest corner of a called 1629.95 acre tract described in deed to Nelson Homestead Family Partnership, Ltd. of record in Document No. 9824078 of said Official Public Records, same being the northwest corner of said Remnant Portion of called 1200.19 acre tract for the northwest corner and **POINT OF BEGINNING** hereof, from which a Texas Department of Transportation Type I concrete monument found on the east right-of-way line of said Farm to Market 1460 bears, with said right-of-way line, N 21°09'23" W a distance of 2423.31 feet:

THENCE departing the east right-of-way line of said Farm to Market 1460 with, in part the south boundary line of said 1629.95 acre tract, same being the north boundary line of said Remnant Portion of called 1200.19 acre tract and the northerly boundary line of said Missouri-Kansas Railroad Company tract, the following thirteen (13) courses and distances:

1. N 71°14'10" E for a distance of 811.35 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the northerly boundary line hereof,
2. N 71°54'04" E for a distance of 1170.00 feet to an iron rod with an aluminum cap stamped Texas Department of Transportation found on a point in the northerly boundary

line of said Missouri-Kansas Railroad Company tract for an angle point in the northerly boundary line hereof,

3. With the northerly boundary line of said Missouri-Kansas Railroad Company tract, N $05^{\circ}53'55''$ E for a distance of 688.95 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the northerly boundary line hereof,
4. N $64^{\circ}53'24''$ E for a distance of 463.84 feet to a wood fence post found for an angle point in the northerly boundary line hereof,
5. N $72^{\circ}11'45''$ E for a distance of 721.67 feet to a wood fence post found for an angle point in the northerly boundary line hereof,
6. N $02^{\circ}04'01''$ E for a distance of 488.30 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the northerly boundary line hereof,
7. S $67^{\circ}35'59''$ E for a distance of 116.10 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the northerly boundary line hereof,
8. N $70^{\circ}41'01''$ E for a distance of 828.30 feet to an angle point in the northerly boundary line hereof,
9. N $10^{\circ}20'59''$ W for a distance of 611.10 feet to an angle point in the northerly boundary line hereof,
10. N $70^{\circ}34'01''$ E for a distance of 125.00 feet to an angle point in the northerly boundary line hereof,
11. S $47^{\circ}24'59''$ E for a distance of 847.20 feet to an angle point in the northerly boundary line hereof,
12. S $77^{\circ}34'59''$ E for a distance of 430.60 feet to an angle point in the northerly boundary line hereof,
13. S $50^{\circ}31'39''$ E for a distance of 305.60 feet to an angle point in the northerly boundary line of a called 868.54 acre tract of land described in deed to Nelson Homestead Family Partnership, Ltd. of record in Document No. 9824076 of the Official Records of Williamson County, Texas for the easternmost northeast corner hereof,

THENCE with the northerly and westerly boundary line of said 868.54 acre tract, same being the easterly boundary line of said Remnant Portion of called 1200.19 acre tract the following seven (7) courses and distances:

1. **S 78°31'05" W** for a distance of **154.20 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the easterly boundary line hereof,
2. **S 88°41'01" W** for a distance of **186.40 feet** to an angle point in the easterly boundary line hereof.
3. **N 64°22'59" W** for a distance of **267.20 feet** to an angle point in the easterly boundary line hereof,
4. **S 68°31'14" W** for a distance of **1352.80 feet** to a wood fence post for an angle point in the easterly boundary line hereof.
5. **S 21°33'28" E** for a distance of **1403.90 feet** to a wood fence post for an angle point in the easterly boundary line hereof.
6. **S 69°08'32" W** for a distance of **527.14 feet** to a wood fence post for an angle point in the easterly boundary line hereof,
7. **S 08°04'56" E**, at **282.74 feet**, pass a wood fence post in the north margin of County Road 112, a roadway that is maintained by Williamson County and used by the public, continuing for a total distance of **308.60 feet** to a cotton gin spindle with a washer stamped "Baker-Aicklen" set on a point in the centerline of said County Road 112, for an angle point in the east boundary line hereof;

THENCE with the centerline of said County Road 112, same being the southerly boundary line of said 868.54 acre tract, **N 70°06'20" E** for a distance of **1419.94 feet** to a cotton gin spindle with a washer stamped "Baker-Aicklen" set for an angle point in the east boundary line hereof;

THENCE crossing said County Road 112, **S 21°41'55" E** for a distance of **42.51 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set on a point in the south margin of said County Road 112, said point being the northwest corner of the aforementioned Tract IV, for an angle point in the east boundary line hereof;

THENCE with the south margin of said County Road 112, as fenced on the ground, **N 69°54'57" E** for a distance of **789.16 feet** to a wood fence post at the intersection of the south margin of said County Road 112 with the west margin of County Road 117, a roadway that is maintained by Williamson County and used by the public, for an angle point in the east boundary line hereof;

THENCE with the west margin of said County Road 117, as fenced on the ground, **S 21°06'17" E** for a distance of **2389.52 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the east boundary line hereof;

THENCE crossing said County Road 117, the following three (3) courses and distances:

1. **N 68°09'05" E** for a distance of **150.03 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the east boundary line hereof;
2. **S 23°01'55" E** for a distance of **56.67 feet** to a cotton gin spindle with a washer stamped "Baker-Aicklen" set for the southeast corner hereof;
3. **S 69°19'05" W** for a distance of **8.61 feet** to a 1/2" iron rod found on a point in the west margin of said County Road 117, said point being the northeast corner of a called 4.9958 acre tract of land described in deed to Kenneth J. Pine and Wisam B. Pine of record in Document No. 2000058706 of the Official Public Records of Williamson County, Texas for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 4.9958 acre tract **S 68°15'17" W** for a distance of **737.14 feet** to a 1/2" iron rod found on a point being the northwest corner of said 4.9958 acre tract, same being the northeast corner of a called 2.49 acre tract of land described in deed to Thomas J. Pruett and Peggy R. Pruett of record in Volume 864, Page 606 of the Deed Records of said County for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 2.49 acre Pruett tract, **S 68°25'01" W** for a distance of **184.97 feet** to a 1/2" iron rod found on a point being the northwest corner of said 2.49 acre Pruett tract, same being the northeast corner of a called 2.49 acre tract of land described in deed to Donna J. Conley of record in Document No. 2006079806 of the Official Public Records of Williamson County, Texas, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 2.49 acre Conley tract, **S 68°12'15" W** for a distance of **209.84 feet** to a 1/2" iron rod found on a point being the northwest corner of said 2.49 acre Conley tract, same being the northeast corner of a called 5.00 acre tract of land described in deed to William E Bills of record in Document No. 199946700 of the Official Public Records of Williamson County, Texas, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 5.00 acre tract, **S 68°21'40" W** for a distance of **531.50 feet** to a 1/2" iron rod found on a point being the northwest corner of said 5.00 acre tract, same being the northeast corner of a called 77.757 acre tract of land described in deed to Continental Homes of Texas of record in Document No. 2002025858 of said Official Public Records, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 77.757 acre tract, **S 68°55'37" W** for a distance of **1260.21 feet** to a 1/2" iron rod found on a point being the northwest corner of said 77.757 acre

tract, same being the northeast corner of "Saddlebrook Estates, Section 2", a subdivision according to the plat of record in Cabinet F, Slides 42-43 of the Plat Records of Williamson County, Texas, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said "Saddlebrook Estates, Section 2", **S 68°53'46" W** for a distance of **1228.56 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set on a point being the northwest corner of said "Saddlebrook Estates, Section 2", same being the northeast corner of "Saddlebrook Estates, Section 1" a subdivision according to the plat of record in Cabinet F, Slides 40-41 of said Plat Records, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said "Saddlebrook Estates, Section 1", **S 68°50'49" W** for a distance of **630.00 feet** to a 1/2" iron rod found on a point being the northwest corner of said "Saddlebrook Estates, Section 1", same being the northeast corner of "Pecan Hills", a subdivision according to the plat of record in Cabinet E, Slide 349 of said Plat Records, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said "Pecan Hills", **S 68°51'53" W** for a distance of **610.06 feet** to a 1/2" iron rod found on a point in the east boundary line of a called 152.38 acre tract of land described in deed to the Wallin Family Investments of record in Document No. 2003057844 of the Official Public Records of Williamson County, Texas, said point being the northwest corner of said "Pecan Hills", for an angle point in the south boundary line hereof;

THENCE with the east boundary line of said 152.38 acre tract, **N 21°41'12" W** for a distance of **29.80 feet** to a 5/8" iron rod found on a point being the northeast corner of said 152.38 acre tract, for an angle point in the south boundary line hereof;

THENCE with the north boundary line of said 152.38 acre tract, **S 68°51'29" W** for a distance of **46.34 feet** to the northeast corner of a called 33.302 acre tract of land described in deed to the State of Texas of record in Volume 1970, Page 515 of the Official Records of Williamson County, Texas, for a point in the south boundary line hereof;

THENCE with the north boundary line of said 33.302 acre tract, **S 68°51'29" W** for a distance of **112.27 feet** to the northwest corner of said 33.302 acre, same being the northeast corner of said 152.38 acre tract, for a point in the south boundary line hereof;

THENCE with the north boundary line of said 152.38 acre tract, same being the south boundary line of said Remnant Portion of called 1200.19 acre tract, the following three (3) courses and distances:

1. **S 68°51'29" W** for a distance of **76.85 feet** to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set, for an angle point in the south boundary line hereof,

2. **N 21°44'50" W** for a distance of **239.44** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the south boundary line hereof,
3. **S 68°40'10" W** for a distance of **1741.32** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set on a point in the east right-of-way line of the aforementioned Farm to Market 1460, said point being the northwest corner of said **152.38** feet, same being the southwest corner of said Remnant Portion of called **1200.19** acre tract, for the southwest corner hereof;

THENCE with the east right-of-way line of said Farm to Market 1460, same being the west boundary line of said Remnant Portion of called **1200.19** acre tract, the following five (5) courses and distances:

1. **N 12°20'27" E**, at **7.23** feet, pass a Texas Department of Transportation Type I concrete monument found, continuing for a total distance of **2686.94** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the west boundary line hereof,
2. **N 57°20'27" E** for a distance of **56.58** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the west boundary line hereof.
3. **N 12°20'27" E** for a distance of **80.01** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the west boundary line hereof.
4. **N 31°54'33" W** for a distance of **57.33** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set at
5. With said curve to the left having a radius of **1185.92** feet, a delta angle of **07°27'03"**, an arc length of **154.22** feet and a chord which bears **N 08°36'42" E** for a distance of **154.11** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set on a point at the intersection of the east right-of-way line of said Farm to Market 1460 with the south right-of-way line of County Road 112, said County Road 112 right-of-way being a called **3.346** acre tract, described in deed to Williamson County of record in Document No. **2005010992** of the Official Public Records of Williamson County, Texas, for an angle point in the west boundary line hereof;

THENCE departing the east right-of-way line of said Farm to Market 1460, with the boundary line of said **3.346** acre (County Road 112) tract, the following nine (9) courses and distances:

1. **N 85°03'43" E** for a distance of **555.78** feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof.

2. N 80°29'16" E for a distance of 250.80 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found at the beginning of a curve to the left in the west boundary line hereof,
3. With said curve to the left having a radius of 1540.00 feet, a delta angle of 15°59'02", an arc length of 429.62 feet and a chord which bears N 77°04'11" E for a distance of 428.23 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof,
4. N 69°04'40" E for a distance of 269.75 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof,
5. N 20°55'20" W for a distance of 80.00 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof,
6. S 69°04'40" W for a distance of 269.75 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found at the beginning of a curve to the right in the west boundary line hereof,
7. With said curve to the right having a radius of 1460.00 feet, a delta angle of 15°59'02", an arc length of 407.30 feet and a chord which bears S 77°04'11" W for a distance of 405.98 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof,
8. S 89°38'09" W for a distance of 250.80 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found for an angle point in the west boundary line hereof,
9. S 85°03'43" W for a distance of 541.25 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" found on a point at the intersection of the east right-of-way line of said Farm to Market 1460 with the north right-of-way line of said County Road 112, for a point at the beginning of a curve to the left in the west boundary line hereof,

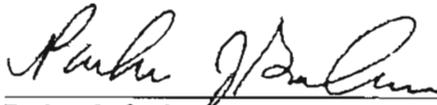
THENCE with the east right-of-way line of said Farm to Market 1460, same being the west boundary line of said Remnant Portion of called 1200.19 acre tract, the following two (2) courses and distances:

1. With said curve to the left having a radius of 1185.92 feet, a delta angle of 20°11'33", an arc length of 417.95 feet and a chord which bears N 11°03'09" W for a distance of 415.79 feet to a 1/2" iron rod with a plastic cap stamped "Baker-Aicklen" set for an angle point in the west boundary line hereof,

2. N 21°09'23" W for a distance of 496.07 feet to the POINT OF BEGINNING hereof and containing 514.099 acres of land, more or less.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83 per GPS survey performed during June and July 2005.

Surveyed under the direct supervision of the undersigned during July, 2005:

 12/05/2006

Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



Job No.: 0608-2-004-20

Filename: W:\PROJECTS\AVERY 515 AC\METES&BOUNDS\514.099 ACRE TRACT.DOC

DESCRIPTION

FOR A 10.525 ACRE TRACT OF LAND SITUATED IN THE ABEL EAVES SURVEY, ABSTRACT 215 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD, OF RECORD IN DOCUMENT NUMBER 2002071336, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 10.525 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod with plastic cap stamped "Baker-Aicklen" found on a point being the southeast corner of a called 101.376 acre tract of land in deed to Texas State University Systems of record in Document No. 2004014440 of the Official Public Records of Williamson County, Texas, same being the southwest corner of Lot 1, Block A, of the Seton Network Subdivision, a subdivision recorded in Cabinet BB, Slides 54-57 of the Plat Records of Williamson County, Texas, also being an angle point on the north boundary line of a Remnant Portion, of said 1200.19 acres;

THENCE through the interior of said Remnant Portion, with the east right-of-way line of proposed Arterial T, the following two (2) courses and distances:

- 1) S 50° 40' 33" E for a distance of 14.47 feet to a calculated point of curvature of said Arterial T,
- 2) with the arc of curve to the right, having a radius of 600.64 feet, an arc length of 239.18 feet, a delta angle of 22° 48' 56", and a chord which bears S 39° 16' 05" E for a distance of 237.60 feet to a calculated point on the east right-of-way line of said Arterial T, and **POINT OF BEGINNING** hereof;

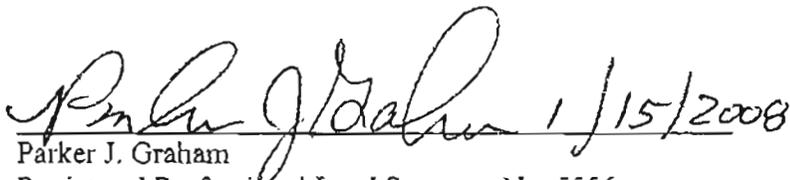
THENCE departing the proposed east right-of-way line of said Arterial T, through the interior of said Remnant Portion, the following eight (8) courses and distances:

- 1) N 68° 51' 04" E for a distance of 673.22 feet, to a calculated point on the proposed west right-of-way line of Farm to Market 1460, for the northeast corner hereof, from which a ½" iron rod with plastic cap stamped "Baker-Aicklen" found on the existing west right-of-way line of Farm to Market 1460, said point being the southeast corner of said Lot 1 bears, N 5° 41' 52" E for a distance of 267.21 feet,
- 2) S 21° 09' 07" E for a distance of 549.11 feet to a calculated point on the proposed west right-of-way line of said Farm to Market 1460, for the southeast corner hereof, from which a ½" iron rod with plastic cap stamped VARA found on the existing west right-of-way line of said Farm to Market 1460 bears, N 12° 06' 17" E for a distance of 220.01 feet,
- 3) S 68° 50' 53" W for a distance of 125.04 feet to a calculated point of curvature hereof,
- 4) with the arc of curve to the left, having a radius of 545.00 feet, an arc length of 272.74 feet, a delta angle of 28° 40' 24", and a chord which bears, S 54° 30' 41" W for a distance of 269.91 feet to a calculated point of tangency hereof,
- 5) S 40° 10' 29" W for a distance of 130.92 feet to a calculated point of curvature hereof,
- 6) with the arc of curve to the right, having a radius of 415.00 feet, an arc length of 285.59 feet, a delta angle of 39° 25' 47", and a chord which bears, S 59° 53' 22" W for a distance of 279.99 feet to a calculated compound point of curvature hereof,
- 7) with the arc of curve to the right, having a radius of 50.00 feet, an arc length of 83.42 feet, a delta angle of 95° 35' 50", and a chord which bears, N 52° 35' 49" W for a distance of 74.08 feet to a calculated point of tangency hereof on the proposed east right-of-way line of said Arterial T,
- 8) continuing on the proposed east right-of-way line of said Arterial T, N 04° 47' 55" W for a distance of 437.63 feet to a calculated point of curvature hereof,

- 9) continuing on the proposed east right-of-way line of said Arterial T, with the arc of curve to the left, having a radius of 600.64 feet, an arc length of 241.76 feet, a delta angle of $23^{\circ} 03' 42''$, and a chord which bears, N $16^{\circ} 19' 46''$ W for a distance of 240.13 feet to the POINT OF BEGINNING and containing 10.525 acres of land.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83 per GPS survey performed during November, 2007.

Surveyed under the direct supervision of the undersigned during November, 2007:

 1/15/2008

Parker J. Graham

Registered Professional Land Surveyor No. 5556

BAKER-AICKLEN & ASSOCIATES, INC.

405 Brushy Creek Road

Cedar Park, Texas 78613

(512) 260-3700

Job No.: 0608-2-002-24

Filename: W:\PROJECTS\SETON ROUND ROCK\DWG-10.525ac\METES & BOUNDS\10.525 ACRE TRACT.DOC

SKETCH TO ACCOMPANY DESCRIPTION

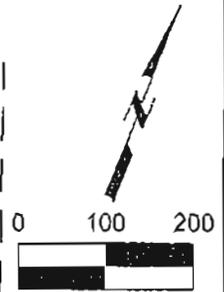
ABEL EAVES SURVEY ABSTRACT NO. 215

LEGEND

- B/A ● IRON ROD FOUND WITH "BAKER-AICKLEN" CAP
 - VARA ● IRON ROD FOUND WITH "VARA" CAP
 - △ CALCULATED POINT
- (5.418 ACRES)
WATER EASEMENT
DOC. #2004007652
O.P.R.W.C., TX

LOT 1
BLOCK A
PROPOSED
F.M. 1460
RIGHT-OF-WAY

BEGINNING FOR
REFERENCE
SETON NETWORK
SUBDIVISION
CABINET 88, SLIDES 54-57
PLAT RECORDS
WILLIAMSON COUNTY,
TEXAS



TEXAS STATE UNIVERSITY SYSTEMS
101.376 ACRES
DOC. NO. 2004014440
O.P.R.W.C., TX

S 50°40'33" E
14.47'
POINT OF
BEGINNING

R = 600.64'
DELTA = 22°48'56"
ARC = 239.18'
BRG. = S 39°16'05" E
CH. = 237.60'

AVERY RANCH CO., LTD
DOC. NO. 2002071336
O.P.R.W.C., TX

10.525 ACRE TRACT

(CALLED 1200.19 ACRES)
AVERY RANCH COMPANY, LTD
DOC. NO. 2002071336
OFFICIAL PUBLIC RECORDS
WILLIAMSON COUNTY, TEXAS

PROPOSED ARTERIAL T (88' R.O.W.)
N 04°47'55" W
437.63'

N 68°51'04" E 673.22'
R = 600.64'
DELTA = 23°03'42"
ARC = 241.76'
BRG. = N 16°19'46" W
CH. = 240.13'

S 21°08'56" E 1715.48'
S 21°09'07" E 549.11'
VARA ●
E 111.90' 21 N
120.01'

F.M. 1460 (80' R.O.W.)

R = 415.00'
DELTA = 39°25'47"
ARC = 285.59'
BRG. = S 59°53'22" W
CH. = 279.99'

R = 545.00'
DELTA = 28°40'24"
ARC = 272.74'
BRG. = S 54°30'41" W
CH. = 269.91'

S 68°50'53" W
125.04'

PROPOSED ARTERIAL (90' R.O.W.)
S 40°10'29" W
130.92'

(5.343 ACRES)
30' WIDE
WASTEWATER
EASEMENT
DOC. #2004035520
O.P.R.W.C., TX

R = 50.00'
DELTA = 96°35'50"
ARC = 83.42'
BRG. = N 52°35'49" W
CH. = 74.08'

AVERY RANCH CO.,
LTD
DOC. NO. 2002071336
O.P.R.W.C., TX

DATE: NOVEMBER 5, 2007
BY: R. BROOKS
JOB NO.: 0608-2-002-24
PAGE 4 OF 4

BA BAKER-AICKLEN
& ASSOCIATES, INC.
Engineers • Surveyors • GIS • Planning

405 BRUSHY CREEK RD.
CEDAR PARK, TX 78613
(817) 260-3700

Avery Centre PUD

**Save and Except
Legal Descriptions**

Texas A&M Health Science Center

**TRACT ONE
DONATION TRACT
DESCRIPTION**

FOR A 15.000 ACRE TRACT OF LAND SITUATED IN THE THOMAS TOBY SURVEY, ABSTRACT 625 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A REMNANT PORTION OF A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD, OF RECORD AS DOCUMENT No. 2002071336 IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 15.000 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod, with TxDOT aluminum cap, found on a point in the south right-of-way line of County Road 112 (120' right-of-way width), also being the north boundary line of the said Remnant Portion, for the most northerly northeast corner and **POINT OF BEGINNING** hereof, from which a ½" iron rod with plastic cap stamped "Baker-Aicklen" found in the south right-of-way of said County Road 112, for the most northerly northeast corner of said Remnant Portion, at the north transition point to the west right-of-way line of Farm-to-Market Road 1460 (80' right-of-way width) bears, N 85° 03' 43" E a distance of 228.96 feet;

THENCE departing the south right-of-way line of said County Road 112, crossing through the interior of said Remnant Portion, the following six (6) courses and distances:

1. S 49° 24' 12" E for a distance of 77.75 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for an angle point hereof.
2. Along the arc of a curve to the right, with a radius of 4950.00 feet, a central angle of 10°10'56", an arc length of 879.68 feet, and a chord that bears S 01° 29' 42" W a distance of 878.53 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the southeast corner hereof.
3. S 86° 49' 33" W for a distance of 752.12 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set in the west line of a 30' wide wastewater easement of record as Document No. 2004035520 in the Official Public Records of Williamson County, Texas, for the southwest corner hereof,

4. N 02° 59' 58" E for a distance of 292.33 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for an angle point hereof,
5. N 09° 02' 54" E for a distance of 245.32 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for an angle point hereof,
6. N 20° 36' 21" E for a distance of 418.68 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set in said south right-of-way line of County Road 112, being also the north boundary line of said Remnant Portion, for the northwest corner hereof, from which ½" iron rod with plastic cap stamped "Baker-Aicklen" found in the right-of-way line of County Road 112, also being the north boundary of the said Remnant Portion, at a point of curvature bears, S 85° 03' 43" W a distance of 767.18 feet,

THENCE with the south right-of-way line of said County Road 112, being also the north boundary line of said Remnant Portion, N 85° 03' 43" E for a distance of 515.53 feet to the **POINT OF BEGINNING** hereof and containing 15.000 acres of land.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83, per City of Round Rock Monuments 01-011 and 01-040.

Surveyed under the direct supervision of the undersigned during April, 2008:

Parker J. Graham 05-02-2008

Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



Job No.: 1774-2-001-10
Filename: W:\PROJECTS\AVERY A&M\METES-BOUNDS\TRACT1.DOC

TRACT TWO DESCRIPTION

FOR A 11.314 ACRE TRACT OF LAND SITUATED IN THE THOMAS TOBY SURVEY, ABSTRACT 625 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A REMNANT PORTION OF A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD, OF RECORD AS DOCUMENT No. 2002071336 IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 11.314 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT. IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN FOR REFERENCE at a ½" iron rod with plastic cap stamped "Baker-Aicklen", found on a point in the south right-of-way line of County Road 112 (120' right-of-way width), for the most northerly northeast corner of said Remnant Portion, at the north transition point to the west right-of-way line of Farm-to-Market Road 1460 (80' right-of-way width);

THENCE with the south right-of-way line of said County Road 112, S 85° 03' 43" W for a distance of 228.96 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set;

THENCE departing the south right-of-way line of said County Road 112 crossing through the interior of said Remnant Portion, the following two (2) courses and distances:

1. S 49° 24' 12" E for a distance of 77.75 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for an angle point hereof;
2. Along the arc of a curve to the right, with a radius of 4950.00 feet, a central angle of 10° 10' 56", an arc length of 879.68 feet, and a chord that bears S 01° 29' 42" W a distance of 878.53 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE continuing through said Remnant Portion, the following nine (9) courses and distances:

1. Along the arc of a curve to the right, with a radius of 4950.00 feet, a central angle of 07° 05' 29", an arc length of 612.66 feet, and a chord that bears S 10° 07' 55" W a distance of 612.27 feet to an iron rod, with TxDOT aluminum cap, found for the point of tangency;
2. S 13° 40' 43" W for a distance of 79.01 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at the point of curvature, for the most easterly southeast corner hereof;
3. Along the arc of a curve to the right, with a radius of 30.00 feet, a central angle of 89° 59' 36", an arc length of 47.12 feet, and a chord that bears S 58° 40' 31" W a distance of 42.42 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at the point of tangency, for the most southerly southeast corner hereof.

4. N 76° 19' 41" W for a distance of 415.29 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for a point of curvature,
5. Along the arc of a curve to the left, with a radius of 895.00 feet, a central angle of 23° 56' 11", an arc length of 373.90 feet, and a chord that bears N 88° 17' 46" W a distance of 371.19 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at the point of tangency.
6. S 79° 44' 09" W for a distance of 104.44 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set in the west line of a 30' wide wastewater easement of record as Document No. 2004035520 in the Official Public Records of Williamson County, Texas, for the southwest corner hereof,
7. N 31° 09' 11" E for a distance of 548.49 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for an angle point hereof.
8. N 02° 59' 58" E for a distance of 100.06 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the northwest corner hereof, and
9. N 86° 49' 33" E for a distance of 752.12 feet to the POINT OF BEGINNING hereof and containing 11.314 acres of land.

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83, per City of Round Rock Monuments 01-011 and 01-040.

Surveyed under the direct supervision of the undersigned during April, 2008:


Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



**TRACT THREE
DESCRIPTION**

FOR A 23.771 ACRE TRACT OF LAND SITUATED IN THE THOMAS TOBY SURVEY, ABSTRACT 625 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A REMNANT PORTION OF A CALLED 1200.19 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD, OF RECORD AS DOCUMENT No. 2002071336 IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 23.771 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod, with plastic cap stamped "Baker-Aicklen", set on a point in the south right-of-way line of County Road 112 (120' right-of-way width), also being the north boundary line of said Remnant Portion, for the most northerly northeast corner and **POINT OF BEGINNING** hereof, from which a ½" iron rod with plastic cap stamped "Baker-Aicklen" found in the south right-of-way of said County Road 112, for the most northerly northeast corner of said Remnant Portion, at the north transition point to the west right-of-way line of Farm-to-Market Road 1460 (80' right-of-way width) bears, N 85° 03' 43" E a distance of 1457.78 feet, also from which a ½" iron rod with plastic cap stamped "Baker-Aicklen" found in the south right-of-way line of County Road 112, also being the north boundary of the said Remnant Portion, at a point of curvature bears, S 85° 03' 43" W a distance of 53.90 feet,;

THENCE departing the south right-of-way line of said County Road 112, crossing through the interior of said Remnant Portion, the following nineteen (19) courses and distances:

1. S 05° 13' 48" E for a distance of 229.01 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at an angle point hereof,
2. S 17° 11' 39" E for a distance of 284.70 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at an angle point hereof,
3. N 88° 21' 14" E for a distance of 433.42 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set in the west line of a 30' wide wastewater easement of record as Document No. 2004035520 in the Official Public Records of Williamson County, Texas, for the most easterly northeast corner hereof,

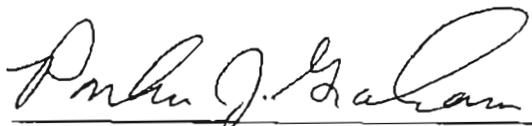
4. S 09° 02' 54" W for a distance of 86.26 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at an angle point hereof,
5. S 02° 59' 58" W for a distance of 316.28 feet, along the west line of said 30' wide wastewater easement, to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the most easterly southeast corner hereof,
6. S 88° 21' 14" W for a distance of 417.76 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at an angle point hereof,
7. S 13° 22' 43" W for a distance of 317.68 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at an angle point hereof,
8. S 10° 15' 51" E for a distance of 256.98 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the most southerly southeast corner hereof,
9. S 79° 44' 09" W for a distance of 353.00 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for a point of curvature,
10. Along the arc of a curve to the right, with a radius of 955.00 feet, a central angle of 04° 22' 34", an arc length of 72.94 feet, and a chord that bears S 81° 55' 26" W a distance of 72.93 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the point of tangency,
11. S 84° 06' 43" W for a distance of 167.29 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of curvature, for the most southerly southwest corner hereof,
12. Along the arc of a curve to the right, with a radius of 30.00 feet, a central angle of 90° 00' 00", an arc length of 47.12 feet, and a chord that bears N 50° 53' 17" W a distance of 42.43 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the point of tangency,
13. N 05° 53' 17" W for a distance of 181.08 feet to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of curvature,
14. Along the arc of a curve to the right, with a radius of 1000.00 feet, a central angle of 21° 03' 08", an arc length of 367.43 feet, and a chord that bears N 04° 38' 17" E a

distance of **365.37 feet** to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set for the point of tangency,

15. **N 15° 09' 51" E** for a distance of **115.10 feet** to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of curvature,
16. Along the arc of a curve to the left, with a radius of **1000.00 feet**, a central angle of **40° 08' 10"**, an arc length of **700.51 feet**, and a chord that bears **N 04° 54' 14" W** a distance of **686.27 feet** to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of reverse curvature, for the most westerly northwest corner hereof,
17. Along the arc of a curve to the right, with a radius of **30.00 feet**, a central angle of **95° 57' 56"**, an arc length of **50.25 feet**, and a chord that bears **N 23° 00' 38" E** a distance of **44.58 feet** to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of tangency. for the most northerly northwest corner hereof,
18. **N 70° 59' 36" E** for a distance of **223.35 feet** to a ½" iron rod with plastic cap stamped "Baker-Aicklen" set at a point of curvature, and
19. Along the arc of a curve to the right, with a radius of **1440.00 feet**, a central angle of **14° 04' 07"**, an arc length of **353.58 feet**, and a chord that bears **N 78° 01' 39" E** a distance of **352.69 feet** to the **POINT OF BEGINNING** hereof and containing 23.771 acres of land.,

Bearings shown hereon are referenced to Grid North for the Texas State Plane Coordinate System, Central Zone NAD 83, per City of Round Rock Monuments 01-011 and 01-040.

Surveyed under the direct supervision of the undersigned during April, 2008:

 *Parker J. Graham* 05-02-2008

Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



Job No.: 1774-2-001-10

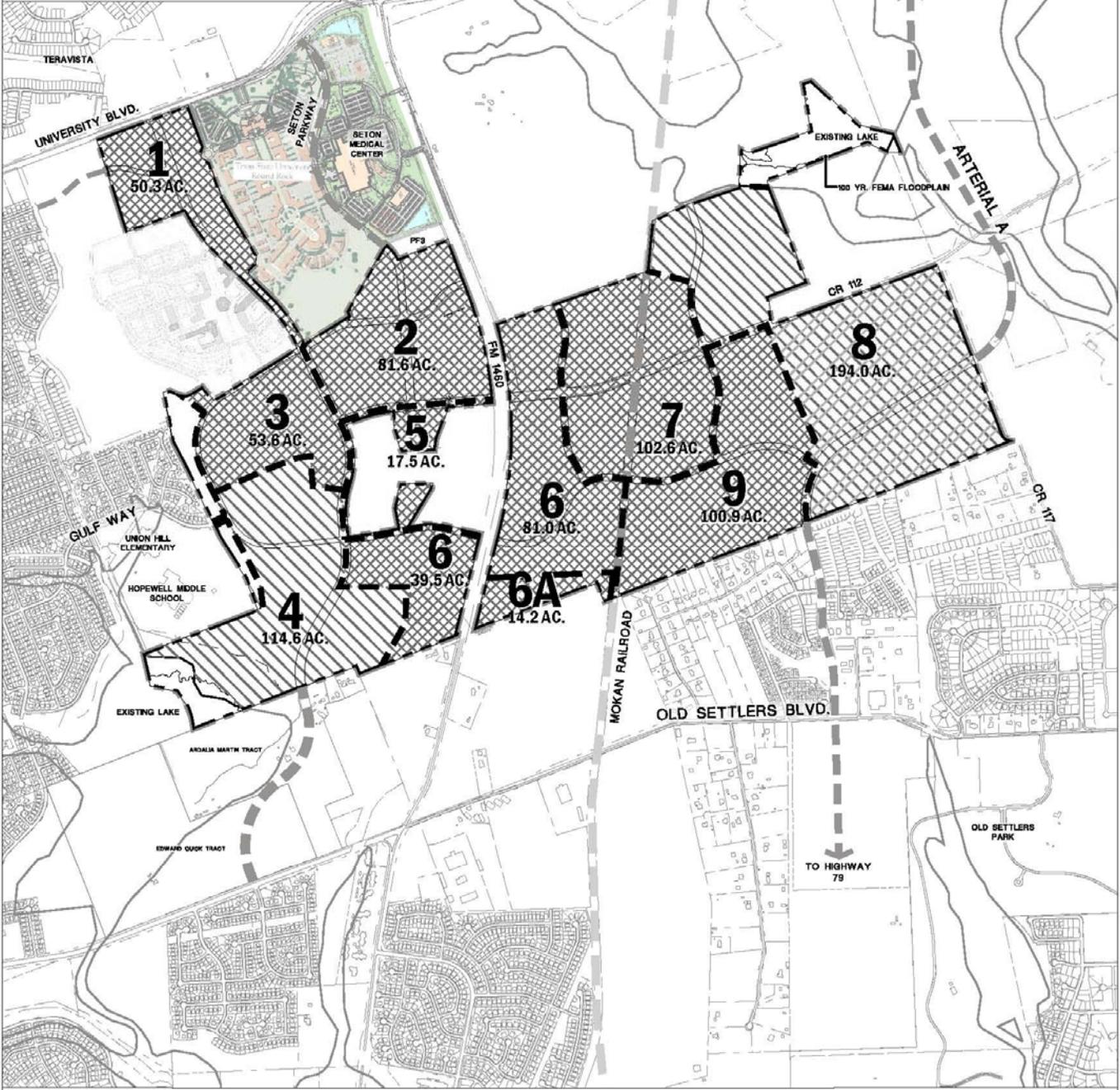
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EXHIBIT "B"

PUD LEGEND

LAND USE	AREA
 Residential	308.6 AC.
 Mixed Use	541.2 AC.
 Floodplain/Open Space Reserve/R.O.V.	57.9 AC.
TOTAL	907.7 AC.
 Potential Location of Proposed Research and Development	
 Roadway per City Transportation Plan	
 MOKAN Railroad Corridor	
*Includes area of existing lakes	



NORTH

EXHIBIT "C-1"

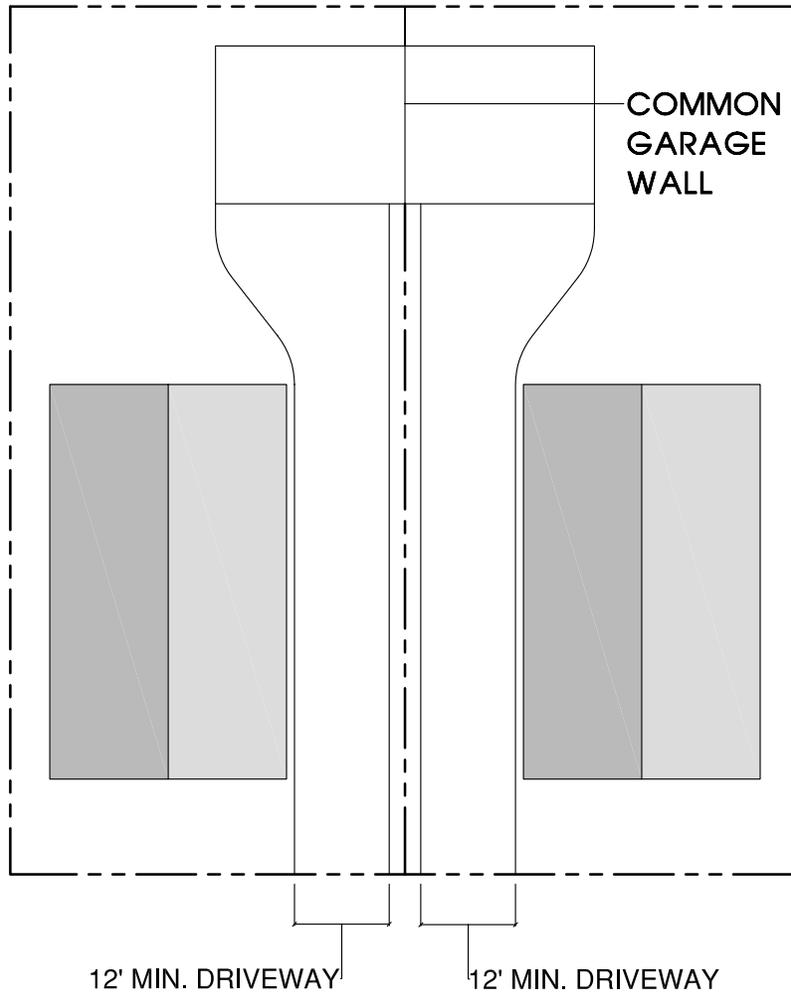
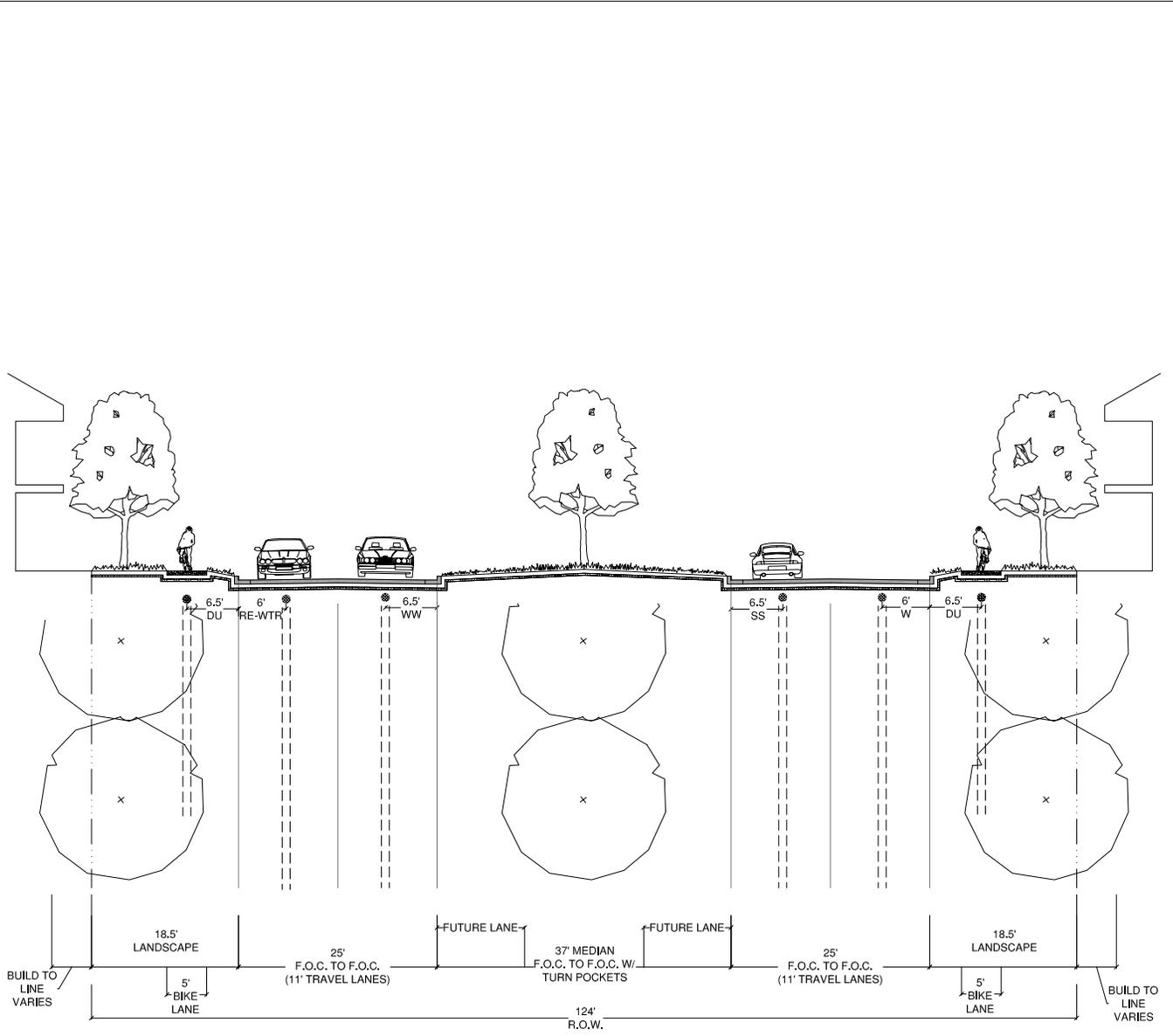
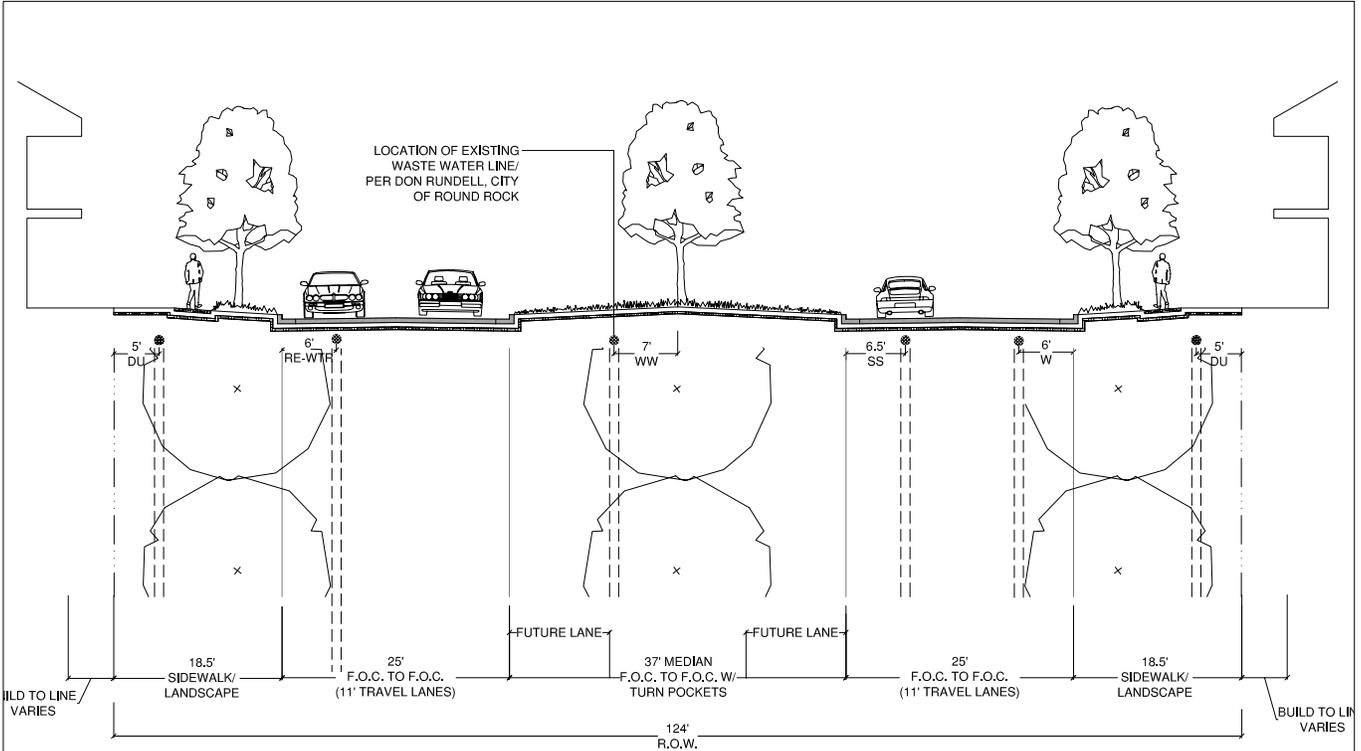


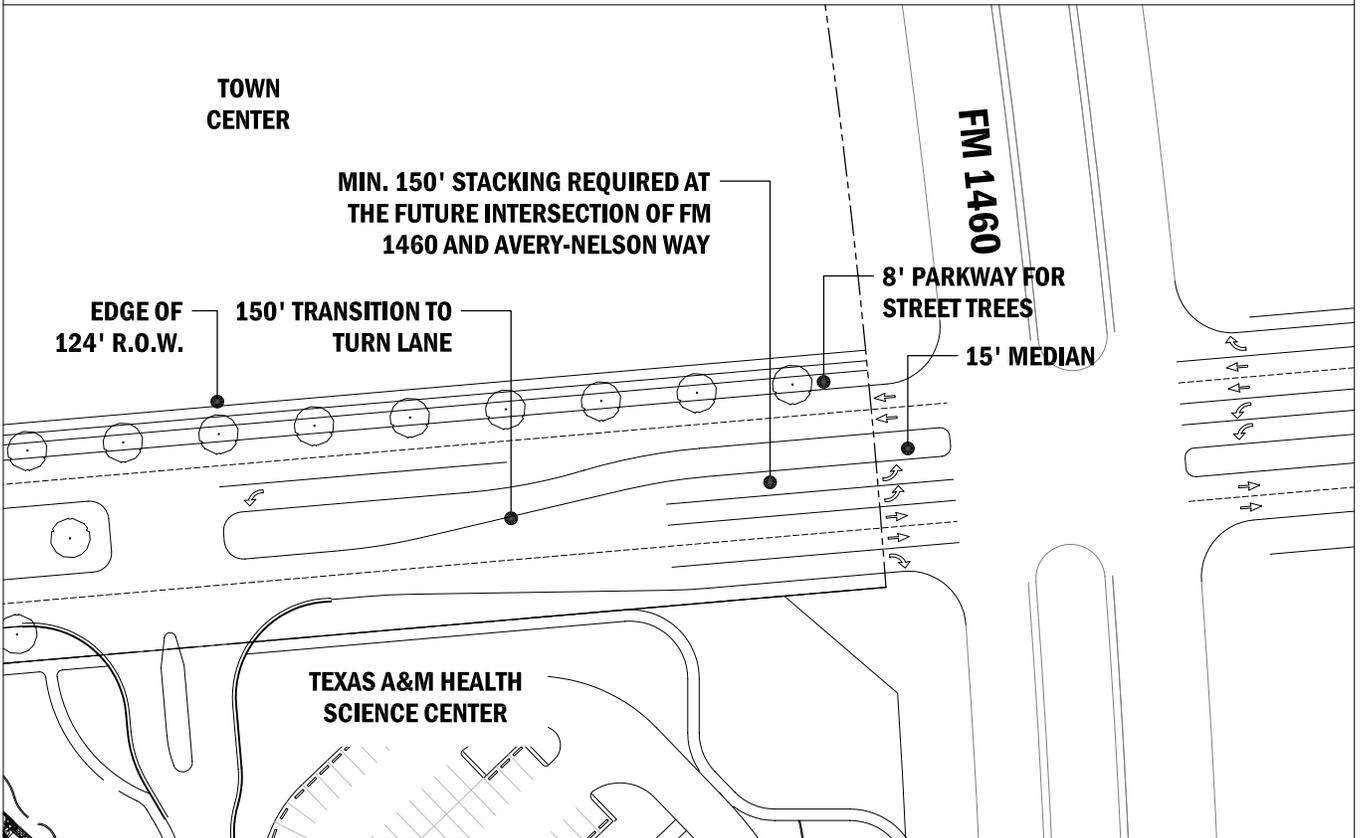
EXHIBIT "D"

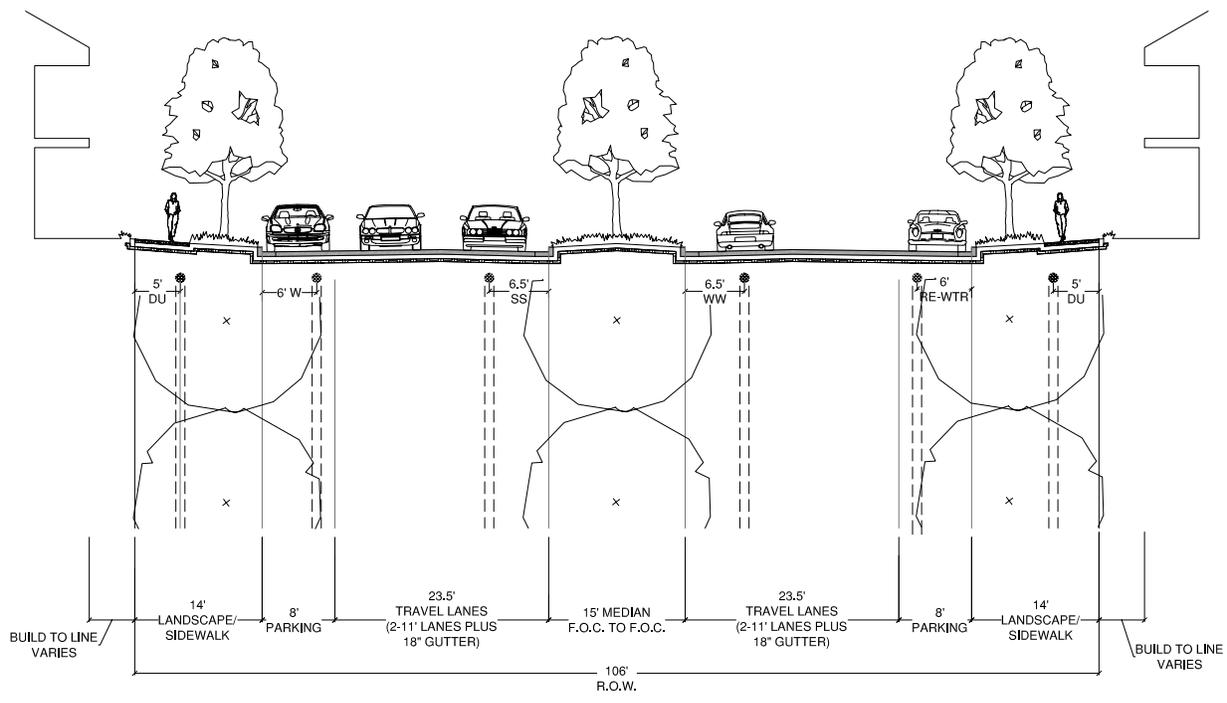


**CR 112 OPTION B: PROPOSED 4 LANE DIVIDED W/ LANDSCAPE SEPARATED 5' BIKE LANE:
 EXHIBIT-ROADWAY TYPE A. REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.
 (NORTH/SOUTH PORTION OF CR 112, KNOWN AS COLLEGE PARK DRIVE)**

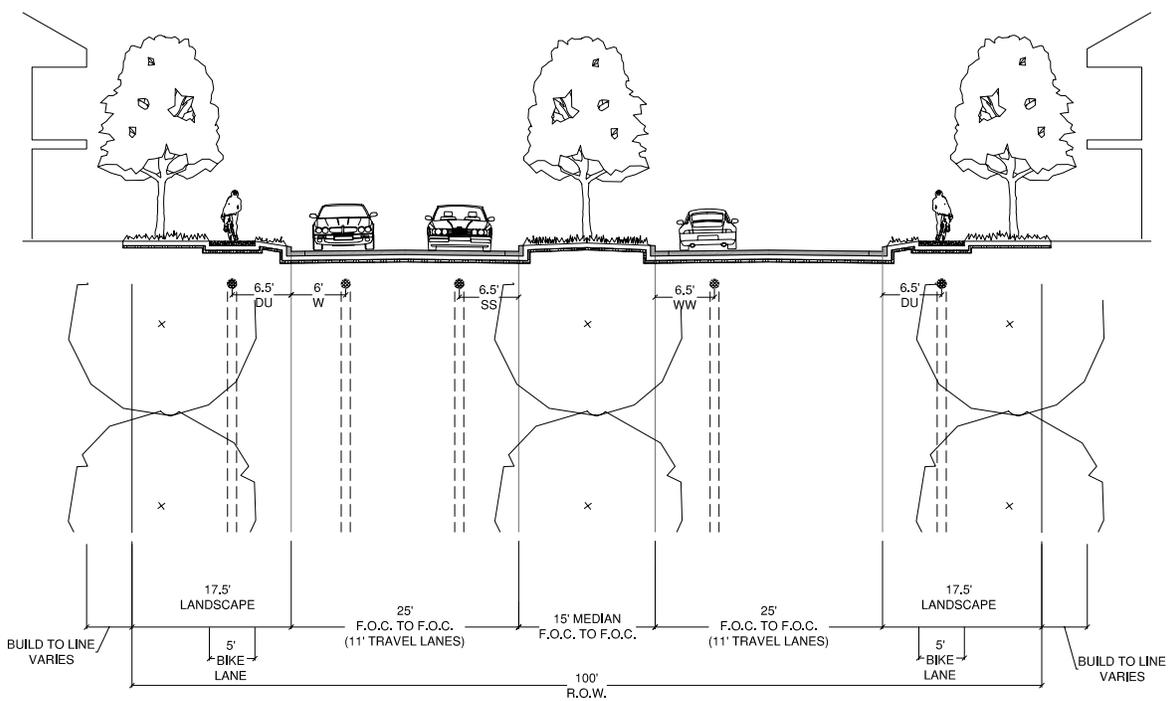


CR 112: PROPOSED 4 LANE DIVIDED W/O BIKE LANE: ROADWAY TYPE A1, REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA. (EAST/WEST PORTION OF CR 112, KNOWN AS AVERY-NELSON WAY)

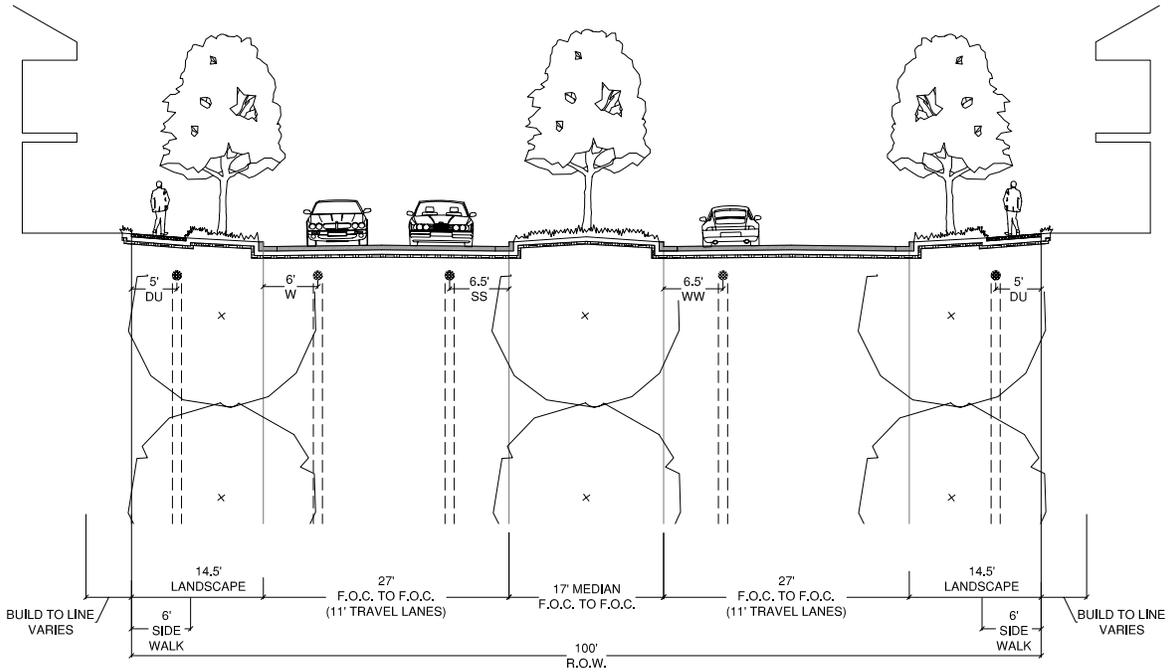




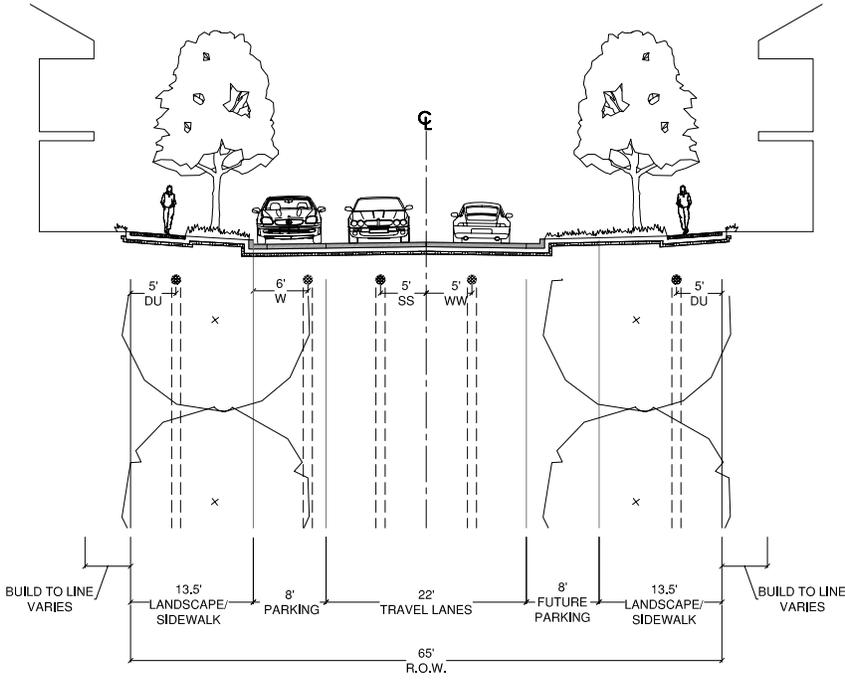
**4 LANE DIVIDED, PARALLEL PARKING: ROADWAY TYPE B,
REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.**



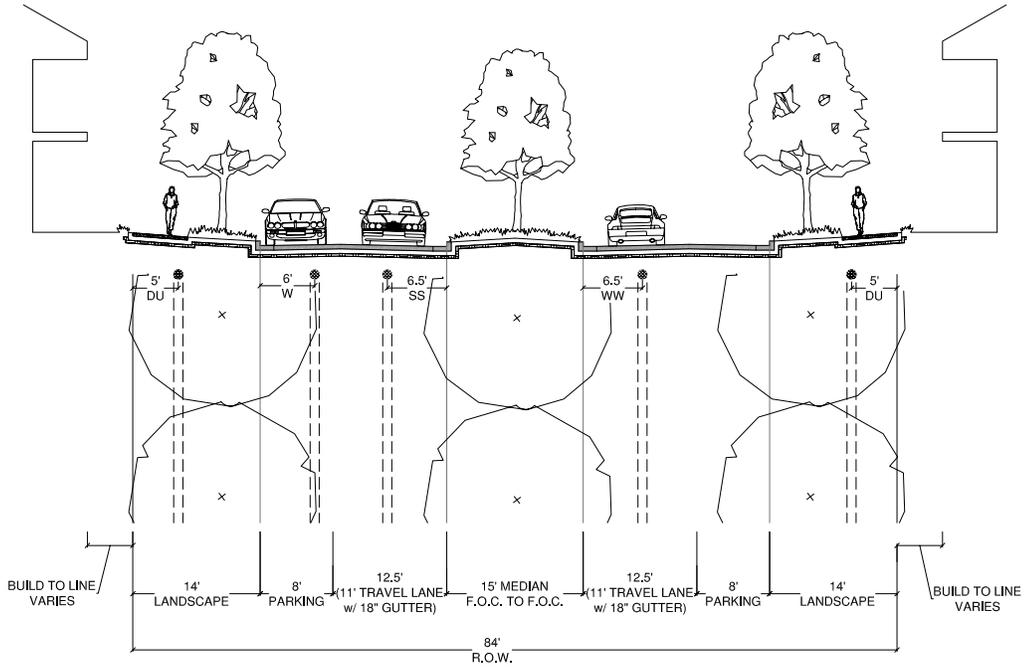
**4 LANE DIVIDED W/ BIKE LANE: ROADWAY TYPE B1,
REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.**



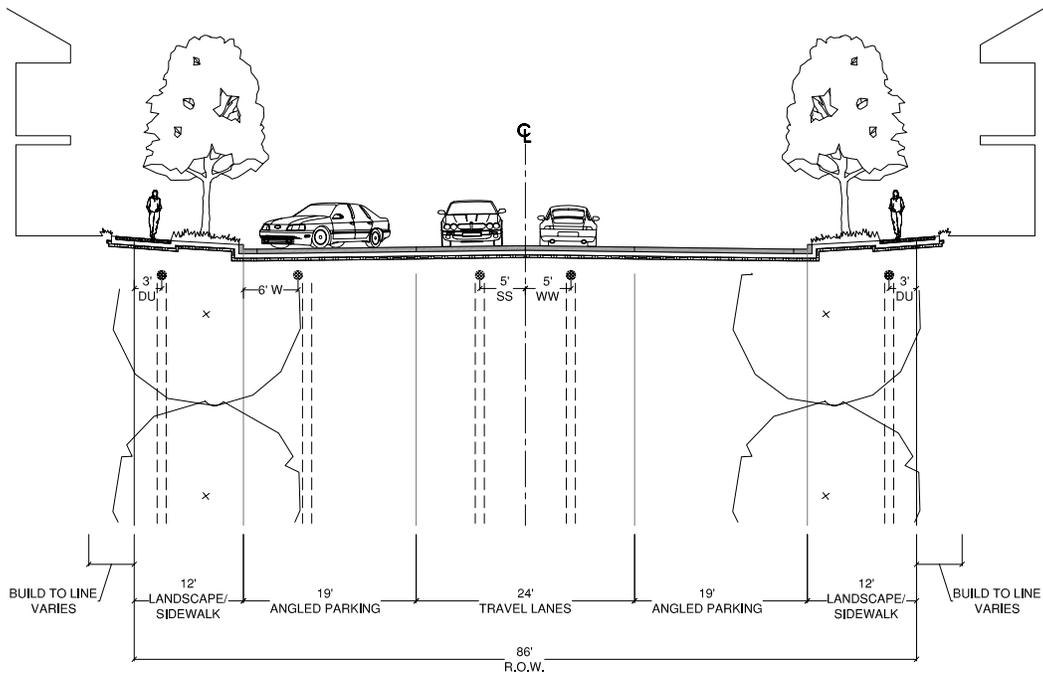
ARTERIAL A: ROADWAY TYPE C



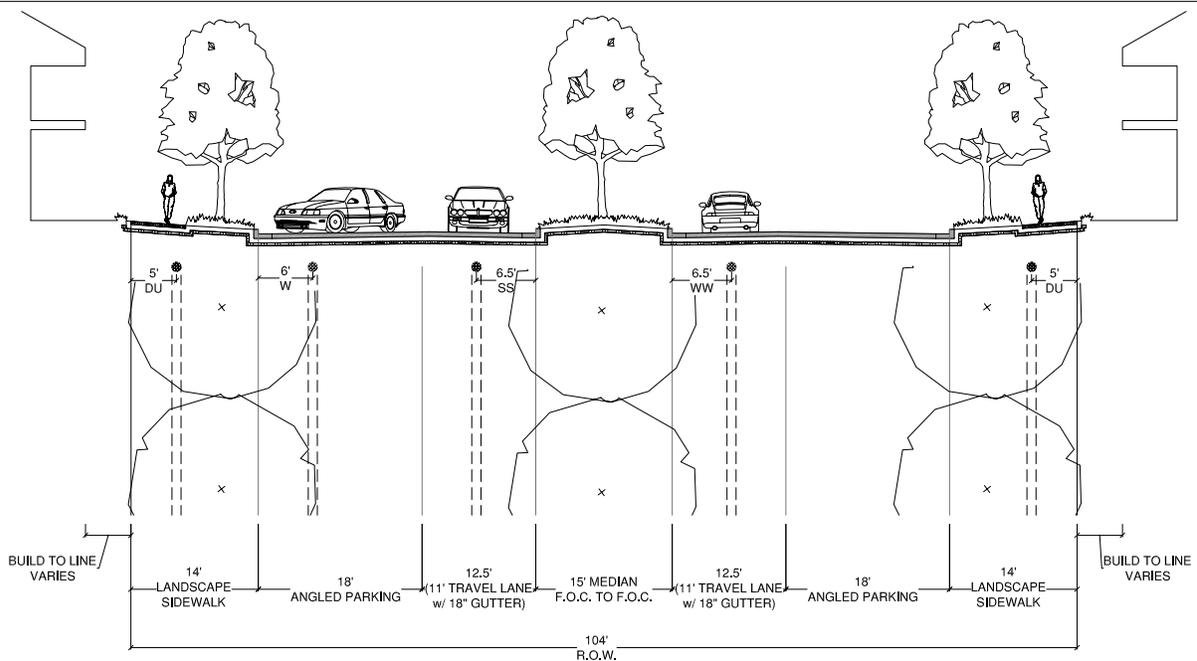
**2 LANE UNDIVIDED, PARALLEL PARKING: ROADWAY TYPE D,
REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.**



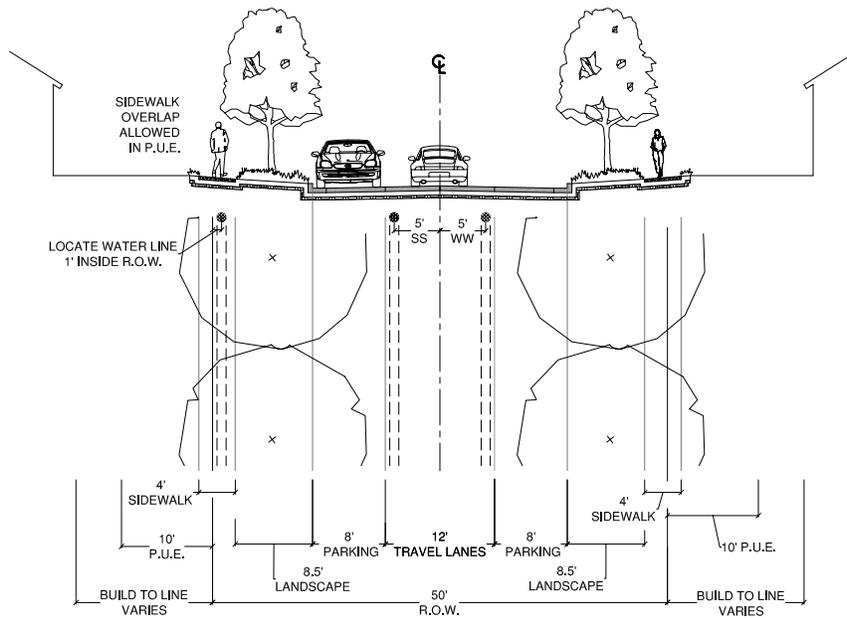
2 LANE DIVIDED, PARALLEL PARKING (INTERNAL MIXED USE STREET); ROADWAY TYPE E, REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.



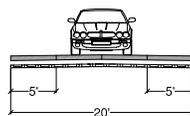
2 LANE UNDIVIDED, ANGLED PARKING (INTERNAL MIXED USE STREET AND CAMPUS STREET); ROADWAY TYPE F, REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.



**2 LANE DIVIDED, ANGLED PARKING (INTERNAL MIXED USE STREET); ROADWAY TYPE G,
REFERENCE SECTION 10 OF THE PUD FOR ADDITIONAL SIDEWALK CRITERIA.**



2 LANE UNDIVIDED, PARALLEL PARKING (LOCAL & PRIVATE STREET, RESIDENTIAL ONLY); ROADWAY TYPE H



STREET SECTION: ALLEY, TYPE I

STREET TYPE LEGEND

LAND USE

- Street Type A
- Street Type A1
- Street Type B
- Street Type B1
- Street Type C
- Street Type D

Roadways Within Mixed Use Areas, Refer to Street Types - E,F,G
 Roadways Within Residential Areas, Refer to Street Type - H,I

Note: #'s on Roadway Plan for Contextual Reference

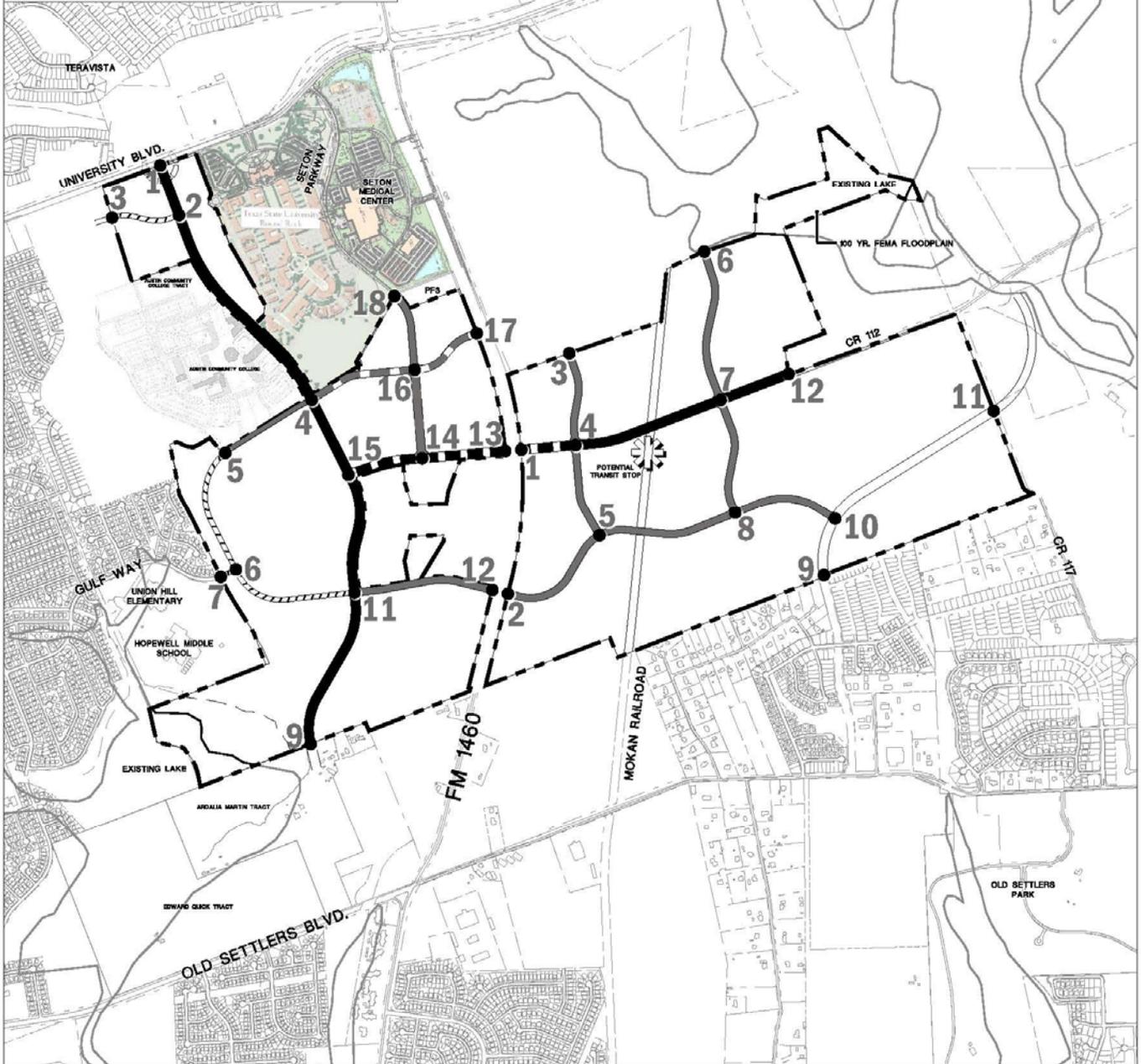


EXHIBIT "F"

Roadway Design Standards

Design Standard	Roadway Classification										
	Street A	Street A1	Street B	Street B1	Street C	Street D	Street E	Street F	Street G	Street H	Street I
Horizontal Curve (minimum feet.)	600	600	300	300	1000	600	300	300	50	50	50
Intersection Spacing (minimum feet)	300	300	300	300	300	300	150	150	150	150	150
Design Speed	35 mph	35 mph	30 mph	30 mph	45 mph	25 mph	30 mph	25 mph	25 mph	25 mph	25 mph

EXHIBIT "G"

Parking Requirements

The following table lists minimum parking requirements by land use category.

SPECIFIC USE	GENERAL REQUIREMENT
Eating Establishments	1 per 125 ft ² GFA (includes any outdoor seating and waiting areas)
Office	1 per 300 ft ² GFA
Medical Office	1 per 300 ft ² GFA
Shopping Centers larger than 100,000 ft	1 per 250 ft ² GFA (Once the total square footage for a specific project reaches 100,000 s.f., the parking ratio for all uses beyond the initial 100,000 s.f. shall be 1 per 250 ft ² GFA, including restaurants)
All other Retail Sales and Service	1 per 300 ft ² GFA
Single Family Detached	2 Garage enclosed spaces per dwelling unit
Multi Family	1.5 per one bedroom unit 2 per two bedroom unit 2.5 per 3+ bedroom unit
Townhome Residential	2 Garage enclosed spaces per dwelling unit

EXHIBIT "H"

Additional Provisions for Reduced Parking Ratios

The Urban Land Institute (ULI) has devised a parking analysis formula for Mixed Use projects based upon the land use and peak demand time frame for each use.

USE	Weekday: Midnight to 6:00 am	Weekday: 9:00 am to 4:00 pm	Weekday: 6:00 pm to Midnight	Weekend: 9:00 am to 4:00 pm	Weekend: 6:00 pm to Midnight
Residential	100%	100%	100%	100%	100%
Office	5%	100%	10%	10%	5%
Commercial and Retail	5%	100%	90%	100%	70%
Hotel	80%	80%	100%	80%	100%
Restaurant	20%	70%	100%	75%	100%
Entertainment	10%	40%	100%	80%	100%
Others	100%	100%	100%	100%	100%

Avery Centre shall be allowed to employ these national standards once the project land uses are defined for specific projects within the community, if calculations result in a reduced parking requirement from the provisions outlined in Table H.1.

EXHIBIT "I"

OPEN SPACE AND TRAILS LEGEND

LAND USE	ACRES
 Floodplain*	33.7
 Greenbelt**	97.4
 Parks***	20.0
Total: 151.1	

-  Roadway per City Transportation Plan
 -  MOKAN Railroad Corridor
 -  Potential Bike Lane
 -  Potential Trail Corridor (33,000 Linear FT, 6.3 Miles)
- *Includes area of existing lakes
 **Includes proposed detention facilities
 *** Acreage of parks varies

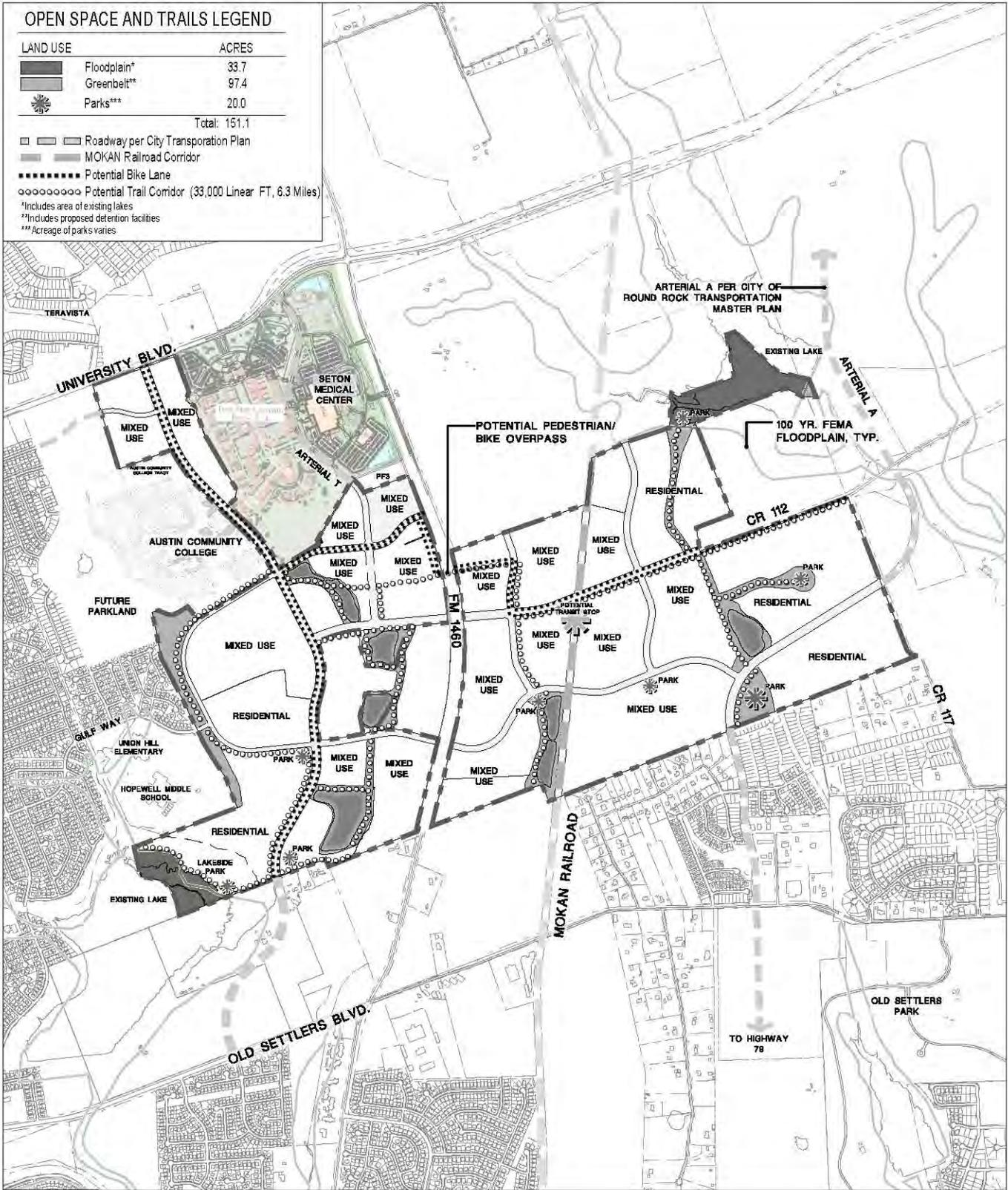


EXHIBIT "J"