#### ORDINANCE NO. O-2018-5161

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 18.389 ACRES OF LAND, OUT OF THE EPHRIAM EVANS SURVEY, ABSTRACT NO 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS. FROM INDUSTRIAL) ZONING DISTRICT TO PUD (PLANNED DEVELOPMENT) NO. 112 ZONING DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City staff proposes to amend the Official Zoning Map to rezone 18.389 acres of land, out of the Ephriam Evans Survey, Abstract No. 212 and the David Curry Survey, Abstract No. 130, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from LI (Light Industrial) zoning district to Planned Unit Development (PUD) No. 112 zoning district, and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 10th day of January, 2018, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to PUD No. 112, and

WHEREAS, on the 8th day of February, 2018, after proper notification, the City

Council held a public hearing on the requested amendment, and

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

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 46-92 and Section 46-132, Code of Ordinances (2010 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

L.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 112 meets the following goals and objectives:

- (1) The development in PUD No. 112 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 112 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 112 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 112 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 112 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

That the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as, Planned Unit Development (PUD) No. 112, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 112 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

- A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.
- C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

## Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this 814 day of

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			CRAIG City of	MORGAN Round Ro	I, Mayor ck, Texas		
ATTEST:	vO:1	1.					

EXHIBIT "A"

## METES AND BOUNDS DESCRIPTION

FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 18.389 ACRE TRACT OF LAND SURVEYED ON THE GROUND BY DIAMOND SURVEYING, INC. DURING THE MONTH OF AUGUST, 2017 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10175359.56, E=3127918.13) monumenting the northwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the southwest corner of Lot 1, University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas a subdivision recorded in Cabinet FF, Slides 380-381 of the Plat Records of Williamson County, Texas, same being on the east boundary line of a called 10.881 acre tract of land (PART 1) conveyed to the State of Texas as recorded in Volume 479, Page 85 of the Deed Records of Williamson County, Texas, same being on the east right-of-way line of Interstate Highway No. 35, for the northwest corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "CS LTD" monumenting the northwest corner of said Lot 1, bears N 02°02'52" W passing at a distance of 112.57 feet an iron rod found with cap marked "CS LTD" monumenting the northeast corner of said 10.881 acre State of Texas tract, in all a total distance of 187.02 feet;

THENCE, departing the east boundary line of said 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, with the north boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the south boundary line of Lot 1 and Lot 2 of said University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas, the following three courses and distances:

- S 81°50'22" E for a distance of 173.32 feet to a PK Nail set on top of a wall, for an angle point hereof;
- S 52°10'22" E for a distance of 172.57 feet to a 1/2" iron rod found, for an angle point hereof;
- N 75°40'22" E passing at a distance of 99.56 feet a 1/2" iron rod found monumenting the southeast corner of said Lot 1 and the southwest corner of said

Lot 2, in all a total distance of **171.06** feet to a 1/2" iron rod found monumenting the northeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the most southerly southeast corner of said Lot 2, same being on an angle point in the west boundary line of Lot 2D, Block A, Replat of Lot 2 of East Chandler Retail Center a subdivision recorded in Cabinet CC, Slides 230-233 of the Plat Records of Williamson County, Texas, for the most northerly northeast corner hereof;

THENCE, S 34°51'57" E with the east boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the west boundary line of said Lot 2D, Block A for a distance of 529.34 feet to a 1/2" iron rod found monumenting the northwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southwest corner of said Lot 2D, Block A, for an angle point hereof;

THENCE, with the north boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said Lot 2D, Block A, the following two (2) courses and distances:

- N 71°07'46" E for a distance of 229.82 feet to a 1/2" iron rod found for an angle point hereof;
- N 64°25'25" E for a distance of 164.65 feet to a 1/2" iron rod found monumenting the northeast corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the northwest corner of said 2.35 acre (TRACT 3) City of Round Rock tract;

THENCE, N 63°52'39" E with the north boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the south boundary line of Lot 2D, Block A and Lot 2I, Block A of said Replat of Lot 2 of East Chandler Retail Center, passing at a distance of 12.74 feet a 1/2" iron rod found 0.13' south of this line, in all a total distance of 238.32 feet to a 1/2" iron rod found monumenting the northeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract and the northwest corner of Lot 3, Block B, Oakmont Centre Section Five a subdivision recorded in Cabinet F, Slides 139-142 of the Plat Records of Williamson County, Texas for the most easterly northeast corner hereof;

THENCE, with the east boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the west boundary line of said Lot 3, Block B, the following three (3) courses and distances:

 S 25°55'00' E for a distance of 348.40 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 76°09'32" W for a distance of 7.24 feet;

- S 46°48'00" W for a distance of 60.46 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 00°11'34" W for a distance of 4.53 feet;
- 3. S 02°45'00" W for a distance of 120.87 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract, same being on the north boundary line of Lot 1, Final Plat of Cypress Addition, a subdivision recorded in Cabinet N, Slides 266-268 of the Plat Records of Williamson County, Texas, for the southeast corner hereof, from which a 1/2" iron rod found monumenting an angle point in the north boundary line of Lot 2 of said Final Plat of Cypress Addition, bears N 69°27'35" E for a distance of 20.21 feet;

THENCE, with the north boundary line of said Lot 1, Final Plat of Cypress Addition, the south boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract, the south boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, the following four (4) courses and distances:

- S 69°27'35" W passing at a distance of 266.18 feet a 1/2" iron rod found (spinner) monumenting the southwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract, in all a total distance of 370.88 feet to a 1/2" iron rod found monumenting an angle point hereof;
- S 67°44'06" W for a distance of 171.32 feet to a 1/2" iron rod found monumenting an angle point hereof;
- S 63°52'09" W for a distance of 101.47 feet to a 1/2" iron rod found monumenting an angle point hereof;
- 4. S 56°52'26" W for a distance of 130.20 feet to a 1/2" iron rod found monumenting the most southerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and an angle point in said north boundary line of Lot 1, Final Plat of Cypress Addition, same being on an angle point in the east boundary line of a called 26.208 acre tract of land (TRACT 3) conveyed to CRPHYH, L.P. as recorded in Document No. 2005003003 of the Official Public Records of Williamson County, Texas, for the most southerly southwest corner hereof, from which a 1/2" iron rod found monumenting the northwest corner of said Lot 1, Final Plat of Cypress Addition and an angle point in said east boundary line of the 26.208 acre CRPHYH, L.P. tract bears S 56°04'36" W for a distance of 29.17 feet;

THENCE, with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and said east boundary line of the 26.208 acre CRPHYH, L.P. tract, the following three (3) courses and distances:

- N 38°12'07" W for a distance of 204.53 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof;
- N 60°26'12" W for a distance of 633.89 feet to the center of a wastewater manhole, for an angle point hereof;
- 3. N 55°54'08" W for a distance of 66.59 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the most westerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the north corner of said 26.208 acre CRPHYH, L.P. tract, same being on the east boundary line of said 10.881 acre State of Texas tract and the east right-of-way line of said Interstate Highway No. 35, from which a TXDOT Type 1 concrete monument found monumenting the beginning of a curve to the left in said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, bears S 02°02'52" E for a distance of 47.16 feet;

THENCE, N 02°02'52" W with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35 for a distance of 547.98 feet to the POINT OF BEGINNING hereof and containing 18.389 acres of land more or less.

Bearing Basis: State Plane Coordinate System, NAD83, Texas Central Zone (4203).

Distances shown hereon are surface based on a combined surface adjustment factor of 1.00011.

A survey drawing has been prepared to accompany this metes and bounds description.

◆ DIAMOND SURVEYING, INC.

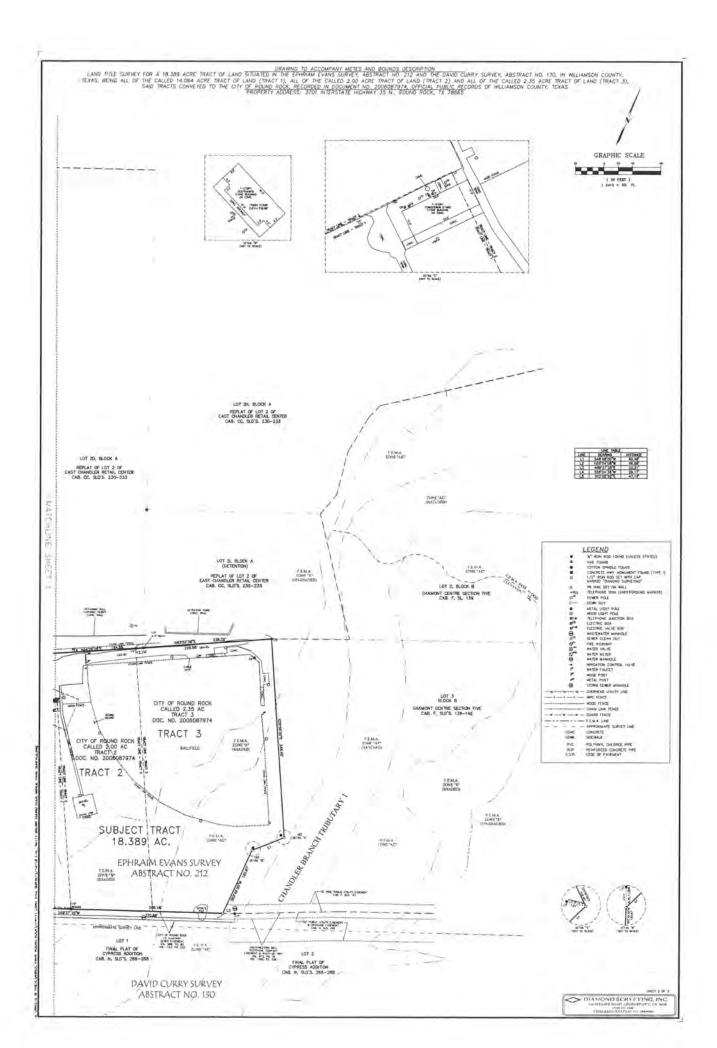
116 SKYLINE ROAD, GEORGETOWN, TX 78628 (512) 931-3100 FIRM REGISTRATION NO. 10006900

January 4, 2018

SHANE SHAFER, R.P.L.S. NO. 5281

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SHANE SHAFER



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MAMOND SURVEYING, INC



I.

#### GENERAL PROVISIONS

#### 1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

#### 2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 14.

#### 3. ZONING VIOLATION

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 1-9, Code of Ordinances, 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.

## NUTTY BROWN PLANNED UNIT DEVELOPMENT DEVELOPMENT STANDARDS

#### 1. DEFINITIONS

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

# 2. PROPERTY

This Plan covers approximately 18.41 acres of land located within the City of Round Rock, Texas, and more particularly as 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 the C-1a (General Commercial – limited) zoning district 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.

## 4.3 Concept Plan

This Plan, as depicted in **Exhibit "B"**, shall serve as the Concept Plan required by Section 36-39 of the Code, as amended.

# 4.4 Traffic Impact Analysis

A traffic impact analysis (TIA) shall not be required for the Plan.

# 5. PERMITTED USES

## 5.1 Outdoor music and entertainment venue, including:

- (1) Restaurant/bar
- (2) Stage with loading docks
- (3) Grandstands
- (4) Green Room building
- (5) Arena area for spectators
- (6) Bar and suites
- (7) Festival parking area
- (8) Food truck area
- (9) Paved Parking areas
- (10) Drive aisles
- (11) Existing restrooms building
- (12) Sidewalks
- (13) Retail sales, as an accessory use
- (14) Temporary special events such as: farmer markets, Christmas tree sales, charity events, worship services

#### 6. DEVELOPMENT STANDARDS

## 6.1 Festival Parking Area

The parking area provided to serve the venue may be provided on an unimproved surface, not subject to the provisions of the off-street parking and loading requirements of the Code. This unimproved parking area shall not exempt any part of the development from City requirements related to emergency access and fire safety.

#### 6.2 Building Design

- The restaurant/bar structure shall meet the design standards of the C-1a (General Commercial – Limited) zoning district.
- (2) All structures which are part of the outdoor music and entertainment venue shall be exempt from design standards of the C-1a (General Commercial – Limited) zoning district.

# 7. TREE REMOVAL

If the development of the site causes it to become necessary to remove one or more of the protected trees on the site, a limited number of said protected trees may be removed without being subject to the tree replacement requirements of the Code, Section 43-25. In order for the site to qualify under this section, the zoning administrator shall first calculate the total number of diameter inches of protected trees on the site. Then the developer may remove protected trees whose total diameters are not more than 60 percent of the diameter inches of all protected trees on the site. Provided however, this section shall first be applied to the smallest protected tree on the site and then to the remainder of the protected trees in ascending order according to their diameters. If the developer wishes to remove more than 60 percent of the diameter inches of all protected trees on the site, the developer shall comply with the requirements of the Code, Section 43-25 for trees in excess of said 60 percent.

## 8. SIGNS

- 8.1 Signs shall be regulated by the Code, with the following exceptions:
  - (1) Two freestanding pylon signs shall be allowed on the property, along the frontage with IH 35:
    - 8.1.1.1.1 One (1) freestanding pylon sign shall be allowed at a maximum height of sixty-feet (60'), with a maximum sign display area, per side, of 1,068 square feet. The maximum sign display area, per side, may include a maximum of 740 square feet of electronic messaging center display.
    - 8.1.1.1.2 One (1) freestanding pylon sign shall be allowed, subject to the height and display area standards of the Code.
    - (2) Advertising and informational signs on any structure, listed in Section 5.1 above, except for the restaurant/bar, which are internal to the site and not visible from a public right-of-way, shall be exempt from regulation by the Code.

## 9. COMPATIBILITY

Amplified music shall be directed in a west-northwest direction from the site, as indicated on Exhibit "C".

## 10. FINISHED FLOOR ELEVATIONS

All building structures shall be constructed with a finished floor elevation at or above FEMA (Federal Emergency Management Agency) Zone AE BFE (Base Flood Elevation), representing the 1% annual probability.

## 11. EXISTING BALL FIELD LIGHTING

The existing ball field lighting, as indicated on Exhibit "D", shall be exempt from the site lighting design and excessive illumination requirements of the Code.

#### 12. PARKLAND FEES

The Plan shall be exempt from Chapter 36, Article III - Parkland Requirement, of the Code.

## 13. ACCESS

When an access drive is provided by the City, making a connection from the Property to North Mays Street, the Owner shall incorporate this additional access into the Plan.

# 14. CHANGES TO DEVELOPMENT PLAN

## 14.1 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 Director of Planning and Development Services and the City Attorney.

## 14.2 Major Changes

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

# LIST OF EXHIBITS

Exhibit "A" Survey Field Notes

Exhibit "B" Concept Plan

Exhibit "C" Compatibility

Exhibit "D" Existing Ball Field Lights

EXHIBIT "A"

#### METES AND BOUNDS DESCRIPTION

FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 18.389 ACRE TRACT OF LAND SURVEYED ON THE GROUND BY DIAMOND SURVEYING, INC. DURING THE MONTH OF AUGUST, 2017 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10175359.56, E=3127918.13) monumenting the northwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the southwest corner of Lot 1, University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas a subdivision recorded in Cabinet FF, Slides 380-381 of the Plat Records of Williamson County, Texas, same being on the east boundary line of a called 10.881 acre tract of land (PART 1) conveyed to the State of Texas as recorded in Volume 479, Page 85 of the Deed Records of Williamson County, Texas, same being on the east right-of-way line of Interstate Highway No. 35, for the northwest corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "CS LTD" monumenting the northwest corner of said Lot 1, bears N 02°02'52" W passing at a distance of 112.57 feet an iron rod found with cap marked "CS LTD" monumenting the northeast corner of said 10.881 acre State of Texas tract, in all a total distance of 187.02 feet;

THENCE, departing the east boundary line of said 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, with the north boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the south boundary line of Lot 1 and Lot 2 of said University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas, the following three courses and distances:

- S 81°50'22" E for a distance of 173.32 feet to a PK Nail set on top of a wall, for an angle point hereof;
- S 52°10'22" E for a distance of 172.57 feet to a 1/2" iron rod found, for an angle point hereof;
- 3. N 75°40'22" E passing at a distance of 99.56 feet a 1/2" iron rod found monumenting the southeast corner of said Lot 1 and the southwest corner of said

Lot 2, in all a total distance of **171.06** feet to a 1/2" iron rod found monumenting the northeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the most southerly southeast corner of said Lot 2, same being on an angle point in the west boundary line of Lot 2D, Block A, Replat of Lot 2 of East Chandler Retail Center a subdivision recorded in Cabinet CC, Slides 230-233 of the Plat Records of Williamson County, Texas, for the most northerly northeast corner hereof;

THENCE, S 34°51'57" E with the east boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the west boundary line of said Lot 2D, Block A for a distance of 529.34 feet to a 1/2" iron rod found monumenting the northwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southwest corner of said Lot 2D, Block A, for an angle point hereof;

THENCE, with the north boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said Lot 2D, Block A, the following two (2) courses and distances:

- N 71°07'46" E for a distance of 229.82 feet to a 1/2" iron rod found for an angle point hereof;
- N 64°25'25" E for a distance of 164.65 feet to a 1/2" iron rod found monumenting the northeast corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the northwest corner of said 2.35 acre (TRACT 3) City of Round Rock tract;

THENCE, N 63°52'39" E with the north boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the south boundary line of Lot 2D, Block A and Lot 2I, Block A of said Replat of Lot 2 of East Chandler Retail Center, passing at a distance of 12.74 feet a 1/2" iron rod found 0.13' south of this line, in all a total distance of 238.32 feet to a 1/2" iron rod found monumenting the northeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract and the northwest corner of Lot 3, Block B, Oakmont Centre Section Five a subdivision recorded in Cabinet F, Slides 139-142 of the Plat Records of Williamson County, Texas for the most easterly northeast corner hereof;

THENCE, with the east boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the west boundary line of said Lot 3, Block B, the following three (3) courses and distances:

 S 25°55'00' E for a distance of 348.40 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 76°09'32" W for a distance of 7.24 feet;

- S 46°48'00" W for a distance of 60.46 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 00°11'34" W for a distance of 4.53 feet;
- 3. S 02°45'00" W for a distance of 120.87 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract, same being on the north boundary line of Lot 1, Final Plat of Cypress Addition, a subdivision recorded in Cabinet N, Slides 266-268 of the Plat Records of Williamson County, Texas, for the southeast corner hereof, from which a 1/2" iron rod found monumenting an angle point in the north boundary line of Lot 2 of said Final Plat of Cypress Addition, bears N 69°27'35" E for a distance of 20.21 feet:

THENCE, with the north boundary line of said Lot 1, Final Plat of Cypress Addition, the south boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract, the south boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, the following four (4) courses and distances:

- S 69°27'35" W passing at a distance of 266.18 feet a 1/2" iron rod found (spinner) monumenting the southwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract, in all a total distance of 370.88 feet to a 1/2" iron rod found monumenting an angle point hereof;
- S 67°44'06" W for a distance of 171.32 feet to a 1/2" iron rod found monumenting an angle point hereof;
- S 63°52'09" W for a distance of 101.47 feet to a 1/2" iron rod found monumenting an angle point hereof;
- 4. S 56°52'26" W for a distance of 130.20 feet to a 1/2" iron rod found monumenting the most southerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and an angle point in said north boundary line of Lot 1, Final Plat of Cypress Addition, same being on an angle point in the east boundary line of a called 26.208 acre tract of land (TRACT 3) conveyed to CRPHYH, L.P. as recorded in Document No. 2005003003 of the Official Public Records of Williamson County, Texas, for the most southerly southwest corner hereof, from which a 1/2" iron rod found monumenting the northwest corner of said Lot 1, Final Plat of Cypress Addition and an angle point in said east boundary line of the 26.208 acre CRPHYH, L.P. tract bears S 56°04'36" W for a distance of 29.17 feet;

THENCE, with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and said east boundary line of the 26.208 acre CRPHYH, L.P. tract, the following three (3) courses and distances:

- N 38°12'07" W for a distance of 204.53 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof;
- N 60°26'12" W for a distance of 633.89 feet to the center of a wastewater manhole, for an angle point hereof;
- 3. N 55°54'08" W for a distance of 66.59 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the most westerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the north corner of said 26.208 acre CRPHYH, L.P. tract, same being on the east boundary line of said 10.881 acre State of Texas tract and the east right-of-way line of said Interstate Highway No. 35, from which a TXDOT Type 1 concrete monument found monumenting the beginning of a curve to the left in said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, bears S 02°02'52" E for a distance of 47.16 feet:

THENCE, N 02°02'52" W with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35 for a distance of 547.98 feet to the POINT OF BEGINNING hereof and containing 18.389 acres of land more or less.

Bearing Basis: State Plane Coordinate System, NAD83, Texas Central Zone (4203).

Distances shown hereon are surface based on a combined surface adjustment factor of 1.00011.

A survey drawing has been prepared to accompany this metes and bounds description.

◆ DIAMOND SURVEYING, INC.

116 SKYLINE ROAD, GEORGETOWN, TX 78628 (512) 931-3100 FIRM REGISTRATION NO. 10006900

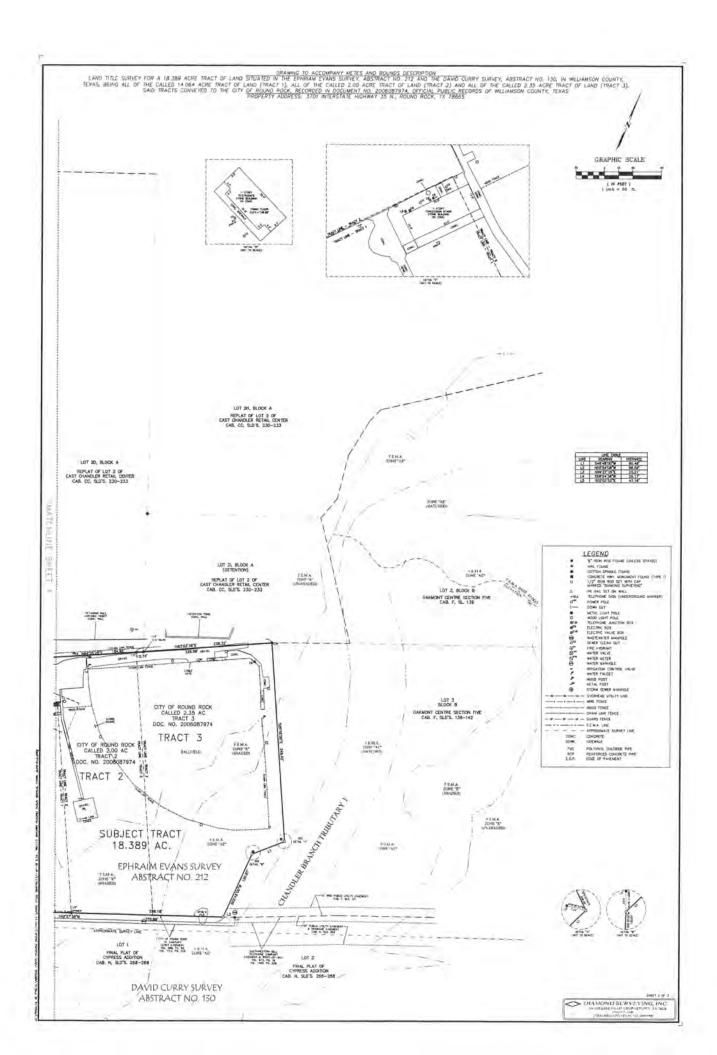
January 4, 2018

SHANE SHAFER, R.P.L.S. NO. 5281

DATE

SHANE SHAFER

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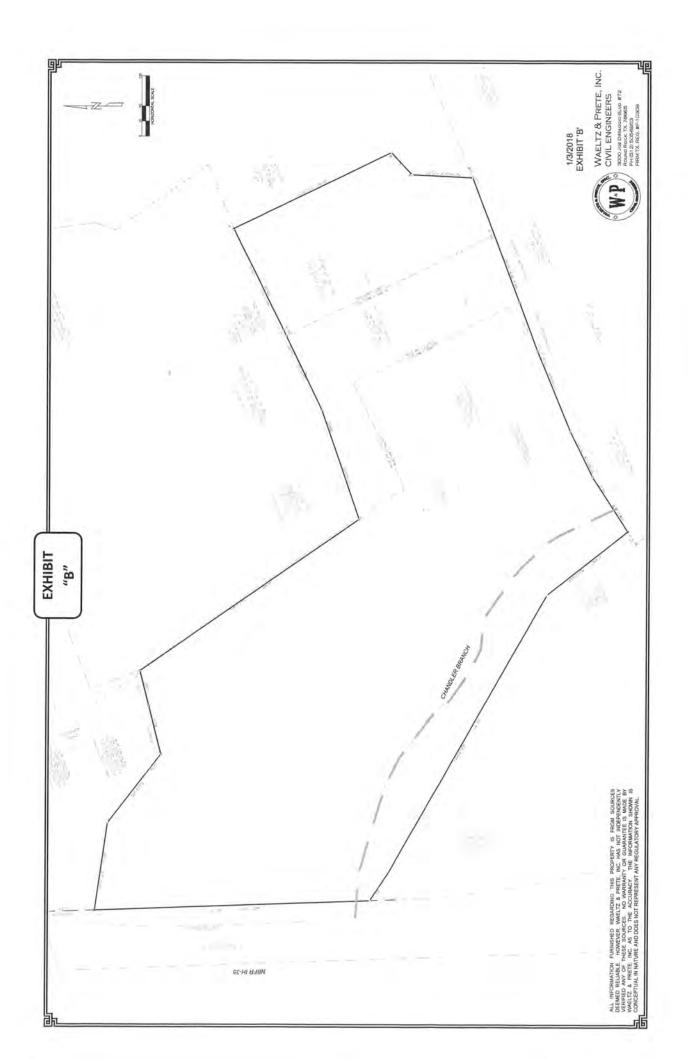
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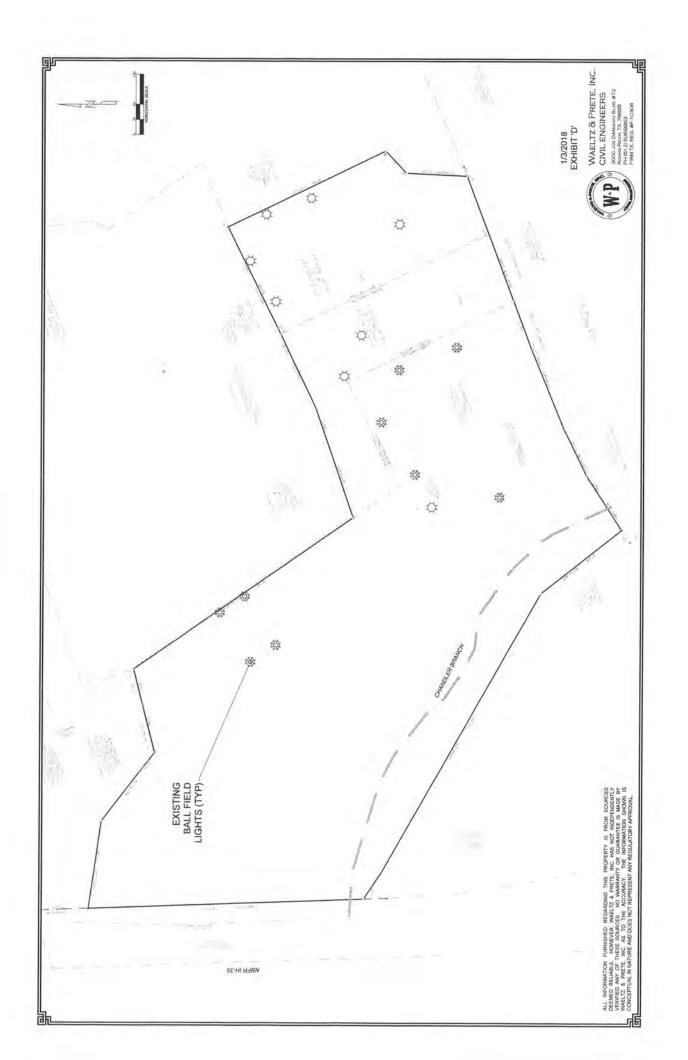
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DIAMOND SERVICING, INC.







ELECTRONICALLY RECORDED 2018011229 Williamson County, Texas Total Pages: 29

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

CITY OF ROUND ROCK

I, SARA L. WHITE, City Clerk of the City of Round Rock, Texas, do hereby certify that I am the custodian of the public records maintained by the City of Round Rock and the attached is a true and correct copy of Ordinance No. O-2018-5161 which approves Planned Unit Development No. 112 zoning district for an outdoor music amphitheater with restaurant and bar facility, located southeast of the intersection of N. IH-35 and University Blvd. This ordinance was approved and adopted at a regular meeting held by the City Council on the 8<sup>th</sup> day of February 2018, recorded in the City Council minute book no. 62.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 9<sup>th</sup> day of February 2018.

SARA L. WHITE, TRMC, City Clerk



#### **ORDINANCE NO. 0-2018-5161**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 18.389 ACRES OF LAND, OUT OF THE EPHRIAM EVANS SURVEY, ABSTRACT NO 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN ROUND ROCK, WILLIAMSON COUNTY. TEXAS. FROM (LIGHT INDUSTRIAL) ZONING DISTRICT TO PUD (PLANNED DEVELOPMENT) NO. 112 ZONING DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City staff proposes to amend the Official Zoning Map to rezone 18.389 acres of land, out of the Ephriam Evans Survey, Abstract No. 212 and the David Curry Survey, Abstract No. 130, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from LI (Light Industrial) zoning district to Planned Unit Development (PUD) No. 112 zoning district, and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 10th day of January, 2018, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to PUD No. 112, and

WHEREAS, on the 8th day of February, 2018, after proper notification, the City Council held a public hearing on the requested amendment, and

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

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 46-92 and Section 46-132, Code of Ordinances (2010 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

1.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 112 meets the following goals and objectives:

- (1) The development in PUD No. 112 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 112 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 112 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 112 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 112 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as, Planned Unit Development (PUD) No. 112, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 112 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

- **A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- **B.** The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.
- C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

#### Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this 8th day of 1224 1920, 2018.

Alternative 2.										
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ATTEST:  SARA L. WHI	L <u>L .</u> TE, Cit	NUUL y Clerk								

EXHIBIT
"A"

#### METES AND BOUNDS DESCRIPTION

FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 18.389 ACRE TRACT OF LAND SURVEYED ON THE GROUND BY DIAMOND SURVEYING, INC. DURING THE MONTH OF AUGUST, 2017 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10175359.56, E=3127918.13) monumenting the northwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the southwest corner of Lot 1, University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas a subdivision recorded in Cabinet FF, Slides 380-381 of the Plat Records of Williamson County, Texas, same being on the east boundary line of a called 10.881 acre tract of land (PART 1) conveyed to the State of Texas as recorded in Volume 479, Page 85 of the Deed Records of Williamson County, Texas, same being on the east right-of-way line of Interstate Highway No. 35, for the northwest corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "CS LTD" monumenting the northwest corner of said Lot 1, bears N 02°02'52" W passing at a distance of 112.57 feet an iron rod found with cap marked "CS LTD" monumenting the northeast corner of said 10.881 acre State of Texas tract, in all a total distance of 187.02 feet;

THENCE, departing the east boundary line of said 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, with the north boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the south boundary line of Lot 1 and Lot 2 of said University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas, the following three courses and distances:

- 1. **S 81°50'22"** E for a distance of **173.32 feet** to a PK Nail set on top of a wall, for an angle point hereof;
- 2. **S 52°10'22"** E for a distance of **172.57** feet to a 1/2" iron rod found, for an angle point hereof;
- 3. N 75°40'22" E passing at a distance of 99.56 feet a 1/2" iron rod found monumenting the southeast corner of said Lot 1 and the southwest corner of said

Lot 2, in all a total distance of **171.06** feet to a 1/2" iron rod found monumenting the northeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the most southerly southeast corner of said Lot 2, same being on an angle point in the west boundary line of Lot 2D, Block A, Replat of Lot 2 of East Chandler Retail Center a subdivision recorded in Cabinet CC, Slides 230-233 of the Plat Records of Williamson County, Texas, for the most northerly northeast corner hereof:

THENCE, **S 34°51'57"** E with the east boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the west boundary line of said Lot 2D, Block A for a distance of **529.34 feet** to a 1/2" iron rod found monumenting the northwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southwest corner of said Lot 2D, Block A, for an angle point hereof;

THENCE, with the north boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said Lot 2D, Block A, the following two (2) courses and distances:

- 1. N 71°07'46" E for a distance of 229.82 feet to a 1/2" iron rod found for an angle point hereof;
- 2. **N 64°25'25"** E for a distance of **164.65 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the northwest corner of said 2.35 acre (TRACT 3) City of Round Rock tract;

THENCE, **N** 63°52'39" **E** with the north boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the south boundary line of Lot 2D, Block A and Lot 2I, Block A of said Replat of Lot 2 of East Chandler Retail Center, passing at a distance of 12.74 feet a 1/2" iron rod found 0.13' south of this line, in all a total distance of **238.32 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract and the northwest corner of Lot 3, Block B, Oakmont Centre Section Five a subdivision recorded in Cabinet F, Slides 139-142 of the Plat Records of Williamson County, Texas for the most easterly northeast corner hereof;

THENCE, with the east boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the west boundary line of said Lot 3, Block B, the following three (3) courses and distances:

1. **S 25°55'00'** E for a distance of **348.40** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 76°09'32" W for a distance of 7.24 feet;

- 2. **S 46°48'00" W** for a distance of **60.46** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 00°11'34" W for a distance of 4.53 feet;
- 3. **S 02°45'00" W** for a distance of **120.87** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract, same being on the north boundary line of Lot 1, Final Plat of Cypress Addition, a subdivision recorded in Cabinet N, Slides 266-268 of the Plat Records of Williamson County, Texas, for the southeast corner hereof, from which a 1/2" iron rod found monumenting an angle point in the north boundary line of Lot 2 of said Final Plat of Cypress Addition, bears N 69°27'35" E for a distance of 20.21 feet;

THENCE, with the north boundary line of said Lot 1, Final Plat of Cypress Addition, the south boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract, the south boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, the following four (4) courses and distances:

- 1. S 69°27'35" W passing at a distance of 266.18 feet a 1/2" iron rod found (spinner) monumenting the southwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract, in all a total distance of 370.88 feet to a 1/2" iron rod found monumenting an angle point hereof:
- 2. **S** 67°44'06" **W** for a distance of 171.32 feet to a 1/2" iron rod found monumenting an angle point hereof;
- 3. **S 63°52'09" W** for a distance of **101.47 feet** to a 1/2" iron rod found monumenting an angle point hereof;
- 4. S 56°52'26" W for a distance of 130.20 feet to a 1/2" iron rod found monumenting the most southerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and an angle point in said north boundary line of Lot 1, Final Plat of Cypress Addition, same being on an angle point in the east boundary line of a called 26.208 acre tract of land (TRACT 3) conveyed to CRPHYH, L.P. as recorded in Document No. 2005003003 of the Official Public Records of Williamson County, Texas, for the most southerly southwest corner hereof, from which a 1/2" iron rod found monumenting the northwest corner of said Lot 1, Final Plat of Cypress Addition and an angle point in said east boundary line of the 26.208 acre CRPHYH, L.P. tract bears S 56°04'36" W for a distance of 29.17 feet;

THENCE, with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and said east boundary line of the 26.208 acre CRPHYH, L.P. tract, the following three (3) courses and distances:

- 1. **N 38°12'07" W** for a distance of **204.53 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof;
- 2. **N 60°26'12" W** for a distance of **633.89 feet** to the center of a wastewater manhole, for an angle point hereof;
- 3. **N 55°54'08" W** for a distance of **66.59** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the most westerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the north corner of said 26.208 acre CRPHYH, L.P. tract, same being on the east boundary line of said 10.881 acre State of Texas tract and the east right-of-way line of said Interstate Highway No. 35, from which a TXDOT Type 1 concrete monument found monumenting the beginning of a curve to the left in said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, bears S 02°02'52" E for a distance of 47.16 feet;

THENCE, **N 02°02'52" W** with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35 for a distance of **547.98 feet** to the **POINT OF BEGINNING** hereof and containing 18.389 acres of land more or less.

Bearing Basis: State Plane Coordinate System, NAD83, Texas Central Zone (4203).

Distances shown hereon are surface based on a combined surface adjustment factor of 1.00011.

A survey drawing has been prepared to accompany this metes and bounds description.

*➡DIAMOND SURVEYING, INC.* 

116 SKYLINE ROAD, GEORGETOWN, TX 78628 (512) 931-3100 FIRM REGISTRATION NO. 10006900

SHANE SHAFER, R.P.L.S. NO. 5281

DATE

January 4, 2018



RECORDERS MEMORANDUM

DRAWNG TO ACCOMPANY MELES AND BROWDS DESCRIPTION

LAND THE SURVEY FOR A 18.389 ACRE TRACT OF LAND STRUCTED IN THE EPHRIAM EVAIS SURVEY, ABSTRACT OF LAND 212 AND THE DRAW SURVEY, ABSTRACT OF LAND 212 AND THE DRAW SURVEY. ABSTRACT OF LAND 212 AND THE CALLED 2.0 ACRE TRACT OF LAND (TRACT 3), ALL OF THE CALLED 2.0 ACRE TRACT OF LAND

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10c) An electric transmission and/ar distribution line and adjustenances coloniest grants to Towas Paeer & Light Company, by Instrument dated August 12, 1938, recorded in Volume 282, Page 399 of the Deet Records of Williamson County, Tause Uncole to determine exact location of sold gasement due to a degle description, exement not pictually.

10b) An electric transmission ass/or distribution like and appurtendance resement granted to Tevas Power & Light Company, by instrument dated February 11, 1945, recorded in Volume 337, Poge 11 of the Deed Records of Milliamon, County, Lassa. Not a port of a longiset forcing.

10c.) The letter, conditions and stabilities at the certain CIII, case and/or Mineral Lears deted August 16, 1947, recorded in Volume 346, Page 247 of the Deed Records of Mill-mean County, Texas, executed by and between Leonard Deaders, Shripy Maria Deaders, bard Jean Essery and Mindell Essery, a Casson, and C. R. Lundelsky, a Classen, Mind & survey motitor.

10d) An electric transmission and/or distribution the and appurtenances easement granted to Texas. Power & Light Company, by Indianument dated September 15, 1948, respected in Volume 353, Page 321 of the Dead Repotes of Milliamson Country, Taxos, Not a part in subject tracts.

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10h) An accent for the flowing, permonent storage and temporty detention of water grounded to Brusty Chee Water Control and Improvement Obstact No. 1, by Metrument obtact Retinary 21, 1963, reported in Volume 459, Poge 881 of the Oeed Records of Willomath County, Tenas, Hat a part of subject through

10) An electric poses are and communication in a and oppurenced electric granted to Texpe Power & Light Company, by instrument colded Sectember 30, 1984, recorded in Volume 474, Page 118 of the Brefs Records of Wildmann County, Treat, Mot a part of elegat (1004).

10) An electric bover line and communication line and appuriements to seminet granted to Teros Pover & Light Company, by instrument colled January 8, 1985, recorded in Volume 477, Page 355 of the Beef Richard of Wilderford County, Tasks, is op pri of Trect 1 as shown harson.

10k) An examinent for the flowage, permission and temporary detention of enters granted to Brushy Crock Note: Control and Improvement District Ma. 1, by Instrument Indied Featurery 21, 1983, recorded in Notine 48,3 Page 38 of the Beed Record of Wildowsin County, Tende. May be a part of the under the State, Undels in distancement and control of side operand due to a velocity description.

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April 10, 1972, recorded in Volume 348, Page 625 of the Dead Records of Millemson County, Texas. Is
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#### RECORDERS MEMORANDUM

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I.

#### **GENERAL PROVISIONS**

#### 1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

# 2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 14.

# 3. **ZONING VIOLATION**

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 1-9, Code of Ordinances, 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.

# NUTTY BROWN PLANNED UNIT DEVELOPMENT DEVELOPMENT STANDARDS

#### 1. **DEFINITIONS**

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

# 2. PROPERTY

This Plan covers approximately 18.41 acres of land located within the City of Round Rock, Texas, and more particularly as 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 the **C-1a** (General Commercial – limited) zoning district 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.

# 4.3 Concept Plan

This Plan, as depicted in Exhibit "B", shall serve as the Concept Plan required by Section 36-39 of the Code, as amended.

# 4.4 Traffic Impact Analysis

A traffic impact analysis (TIA) shall not be required for the Plan.

#### 5. PERMITTED USES

# 5.1 Outdoor music and entertainment venue, including:

- (1) Restaurant/bar
- (2) Stage with loading docks
- (3) Grandstands
- (4) Green Room building
- (5) Arena area for spectators
- (6) Bar and suites
- (7) Festival parking area
- (8) Food truck area
- (9) Paved Parking areas
- (10) Drive aisles
- (11) Existing restrooms building
- (12) Sidewalks
- (13) Retail sales, as an accessory use
- (14) Temporary special events such as: farmer markets, Christmas tree sales, charity events, worship services

# 6. **DEVELOPMENT STANDARDS**

#### 6.1 Festival Parking Area

The parking area provided to serve the venue may be provided on an unimproved surface, not subject to the provisions of the off-street parking and loading requirements of the Code. This unimproved parking area shall not exempt any part of the development from City requirements related to emergency access and fire safety.

#### 6.2 Building Design

- (1) The restaurant/bar structure shall meet the design standards of the C-1a (General Commercial Limited) zoning district.
- (2) All structures which are part of the outdoor music and entertainment venue shall be exempt from design standards of the C-1a (General Commercial Limited) zoning district.

# 7. TREE REMOVAL

If the development of the site causes it to become necessary to remove one or more of the protected trees on the site, a limited number of said protected trees may be removed without being subject to the tree replacement requirements of the Code, Section 43-25. In order for the site to qualify under this section, the zoning administrator shall first calculate the total number of diameter inches of protected trees on the site. Then the developer may remove protected trees whose total diameters are not more than 60 percent of the diameter inches of all protected trees on the site. Provided however, this section shall first be applied to the smallest protected tree on the site and then to the remainder of the protected trees in ascending order according to their diameters. If the developer wishes to remove more than 60 percent of the diameter inches of all protected trees on the site, the developer shall comply with the requirements of the Code, Section 43-25 for trees in excess of said 60 percent.

# 8. SIGNS

- 8.1 Signs shall be regulated by the Code, with the following exceptions:
  - (1) Two freestanding pylon signs shall be allowed on the property, along the frontage with IH 35:
    - 8.1.1.1 One (1) freestanding pylon sign shall be allowed at a maximum height of sixty-feet (60'), with a maximum sign display area, per side, of 1,068 square feet. The maximum sign display area, per side, may include a maximum of 740 square feet of electronic messaging center display.
    - 8.1.1.1.2 One (1) freestanding pylon sign shall be allowed, subject to the height and display area standards of the Code.
  - (2) Advertising and informational signs on any structure, listed in Section 5.1 above, except for the restaurant/bar, which are internal to the site and not visible from a public right-of-way, shall be exempt from regulation by the Code.

# 9. COMPATIBILITY

Amplified music shall be directed in a west-northwest direction from the site, as indicated on **Exhibit** "C".

#### 10. FINISHED FLOOR ELEVATIONS

All building structures shall be constructed with a finished floor elevation at or above FEMA (Federal Emergency Management Agency) Zone AE BFE (Base Flood Elevation), representing the 1% annual probability.

# 11. EXISTING BALL FIELD LIGHTING

The existing ball field lighting, as indicated on **Exhibit "D"**, shall be exempt from the site lighting design and excessive illumination requirements of the Code.

# 12. PARKLAND FEES

The Plan shall be exempt from Chapter 36, Article III – Parkland Requirement, of the Code.

#### 13. ACCESS

When an access drive is provided by the City, making a connection from the Property to North Mays Street, the Owner shall incorporate this additional access into the Plan.

# 14. CHANGES TO DEVELOPMENT PLAN

# 14.1 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 Director of Planning and Development Services and the City Attorney.

# 14.2 Major Changes

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

# LIST OF EXHIBITS

Exhibit "A" Survey Field Notes

Exhibit "B" Concept Plan

Exhibit "C" Compatibility

Exhibit "D" Existing Ball Field Lights

EXHIBIT
"A"

# METES AND BOUNDS DESCRIPTION

FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 18.389 ACRE TRACT OF LAND SURVEYED ON THE GROUND BY DIAMOND SURVEYING, INC. DURING THE MONTH OF AUGUST, 2017 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10175359.56, E=3127918.13) monumenting the northwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the southwest corner of Lot 1, University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas a subdivision recorded in Cabinet FF, Slides 380-381 of the Plat Records of Williamson County, Texas, same being on the east boundary line of a called 10.881 acre tract of land (PART 1) conveyed to the State of Texas as recorded in Volume 479, Page 85 of the Deed Records of Williamson County, Texas, same being on the east right-of-way line of Interstate Highway No. 35, for the northwest corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "CS LTD" monumenting the northwest corner of said Lot 1, bears N 02°02'52" W passing at a distance of 112.57 feet an iron rod found with cap marked "CS LTD" monumenting the northeast corner of said 10.881 acre State of Texas tract, in all a total distance of 187.02 feet;

THENCE, departing the east boundary line of said 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, with the north boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the south boundary line of Lot 1 and Lot 2 of said University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas, the following three courses and distances:

- S 81°50'22" E for a distance of 173.32 feet to a PK Nail set on top of a wall, for an angle point hereof;
- 2. **S 52°10'22"** E for a distance of **172.57 feet** to a 1/2" iron rod found, for an angle point hereof;
- 3. N 75°40'22" E passing at a distance of 99.56 feet a 1/2" iron rod found monumenting the southeast corner of said Lot 1 and the southwest corner of said

Lot 2, in all a total distance of **171.06** feet to a 1/2" iron rod found monumenting the northeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the most southerly southeast corner of said Lot 2, same being on an angle point in the west boundary line of Lot 2D, Block A, Replat of Lot 2 of East Chandler Retail Center a subdivision recorded in Cabinet CC, Slides 230-233 of the Plat Records of Williamson County, Texas, for the most northerly northeast corner hereof;

THENCE, **S 34°51'57"** E with the east boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the west boundary line of said Lot 2D, Block A for a distance of **529.34 feet** to a 1/2" iron rod found monumenting the northwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southwest corner of said Lot 2D, Block A, for an angle point hereof;

THENCE, with the north boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said Lot 2D, Block A, the following two (2) courses and distances:

- 1. N 71°07'46" E for a distance of 229.82 feet to a 1/2" iron rod found for an angle point hereof;
- 2. **N 64°25'25"** E for a distance of **164.65 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the northwest corner of said 2.35 acre (TRACT 3) City of Round Rock tract;

THENCE, **N** 63°52'39" **E** with the north boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the south boundary line of Lot 2D, Block A and Lot 2I, Block A of said Replat of Lot 2 of East Chandler Retail Center, passing at a distance of 12.74 feet a 1/2" iron rod found 0.13' south of this line, in all a total distance of **238.32 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract and the northwest corner of Lot 3, Block B, Oakmont Centre Section Five a subdivision recorded in Cabinet F, Slides 139-142 of the Plat Records of Williamson County, Texas for the most easterly northeast corner hereof;

THENCE, with the east boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the west boundary line of said Lot 3, Block B, the following three (3) courses and distances:

1. S 25°55'00' E for a distance of 348.40 feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 76°09'32" W for a distance of 7.24 feet;

- 2. **S** 46°48'00" **W** for a distance of **60.46** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 00°11'34" W for a distance of 4.53 feet;
- 3. **S 02°45'00" W** for a distance of **120.87** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract, same being on the north boundary line of Lot 1, Final Plat of Cypress Addition, a subdivision recorded in Cabinet N, Slides 266-268 of the Plat Records of Williamson County, Texas, for the southeast corner hereof, from which a 1/2" iron rod found monumenting an angle point in the north boundary line of Lot 2 of said Final Plat of Cypress Addition, bears N 69°27'35" E for a distance of 20.21 feet;

THENCE, with the north boundary line of said Lot 1, Final Plat of Cypress Addition, the south boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract, the south boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, the following four (4) courses and distances:

- S 69°27'35" W passing at a distance of 266.18 feet a 1/2" iron rod found (spinner) monumenting the southwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract, in all a total distance of 370.88 feet to a 1/2" iron rod found monumenting an angle point hereof;
- 2. **S** 67°44'06" **W** for a distance of 171.32 feet to a 1/2" iron rod found monumenting an angle point hereof;
- 3. **S** 63°52'09" **W** for a distance of **101.47** feet to a 1/2" iron rod found monumenting an angle point hereof;
- 4. S 56°52'26" W for a distance of 130.20 feet to a 1/2" iron rod found monumenting the most southerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and an angle point in said north boundary line of Lot 1, Final Plat of Cypress Addition, same being on an angle point in the east boundary line of a called 26.208 acre tract of land (TRACT 3) conveyed to CRPHYH, L.P. as recorded in Document No. 2005003003 of the Official Public Records of Williamson County, Texas, for the most southerly southwest corner hereof, from which a 1/2" iron rod found monumenting the northwest corner of said Lot 1, Final Plat of Cypress Addition and an angle point in said east boundary line of the 26.208 acre CRPHYH, L.P. tract bears S 56°04'36" W for a distance of 29.17 feet;

THENCE, with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and said east boundary line of the 26.208 acre CRPHYH, L.P. tract, the following three (3) courses and distances:

- 1. **N 38°12'07" W** for a distance of **204.53 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof;
- 2. N 60°26'12" W for a distance of 633.89 feet to the center of a wastewater manhole, for an angle point hereof;
- 3. **N 55°54'08" W** for a distance of **66.59** feet to a 1/2" iron rod set with cap marked "Diamond Surveying", for the most westerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the north corner of said 26.208 acre CRPHYH, L.P. tract, same being on the east boundary line of said 10.881 acre State of Texas tract and the east right-of-way line of said Interstate Highway No. 35, from which a TXDOT Type 1 concrete monument found monumenting the beginning of a curve to the left in said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, bears S 02°02'52" E for a distance of 47.16 feet;

THENCE, **N 02°02'52" W** with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35 for a distance of **547.98 feet** to the **POINT OF BEGINNING** hereof and containing 18.389 acres of land more or less.

Bearing Basis: State Plane Coordinate System, NAD83, Texas Central Zone (4203).

Distances shown hereon are surface based on a combined surface adjustment factor of 1.00011.

A survey drawing has been prepared to accompany this metes and bounds description.

◇DIAMOND SURVEYING, INC.

116 SKYLINE ROAD, GEORGETOWN, TX 78628 (512) 931-3100 FIRM REGISTRATION NO. 10006900

January 4, 2018

SHANE SHAFER, R.P.L.S. NO. 5281 DATE

SHANE SHAFER

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RECORDERS MEMORANDUM

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DRAMMG TO ACCOMPANY WE'RS AND BOUMDS DESCRIPTION

LAND THE SURVEY FOR A 18-389 ACRE TRACT OF LAND STRUATED IN THE EPARAM EVANS STRUCY, ASSINACT IN 272 AND THE DAVID CURRY SURVEY, ABSTRACT IN 130, W INCLIANASON COUNTY,
TEXAS, BEING ALL OF THE CALLED 14-084 ACRE TRACT OF LAND (TRACT), ALL OF THE CALLED 2-00 ACET BRACT OF LAND (TRACT), AND ALL OF THE CALLED 2-00 ACET BRACT OF LAND (TRACT).

SAID TRACTS CONVEYED TO THE CITY OF ROUND RICK, RECORDED IN DOCUMENT INC. 2006(2014), CHRIME PRICE CONDO OF WILLIAMSON COUNTY, TEXAS

SAID TRACTS CONVEYED TO THE CITY OF ROUND RICK, RECORDED IN DOCUMENT SAY, SOURCE DOCK IT 7606.

TRACT 1: Being at at that certain tract or parcel of land containing 14.054 acres, more or less, situated in the E. Evans Survey, Abstract No. 212, Williamson County, Texas. TRACT 2: Being oil of that certain tract or parcel of land containing 2.00 acres, more or less, situated in the  $\xi$ . Evans Survey, Abstract No. 212, Willomann County, Texas. 19401 3: Being oil of that certain tract or parcel of land containing 2.25 acres, more or less, situated in the C. Erons Survey, Abstract No. 212, Millamson County, Texas.

Only those exeminate and restrictions lested in Allicet Notices. This revenires Company, title Commitment of the 2017/20194, issued by Perforage Ittle Company of Mystin, Key, either high or effective date of July 25, 2017 and on Issued date of August 07, 2017, were reviewed by the surveyor. The other conserver rector responsive hose performed by Demmed Surveying, Inc.

No) An electric tronsmission and/ar distribution line and equationances costement grounds to these. Power & Light Company, by instrument cateral sugest 12, 1938, recorded in Volume 282, Popy 139 of the Book Record of Milliamon County, Tears Underto to determine exect tocalism of said exercent due to a volume description, accement not plottable.

Not but electric (remainisten one/or distriction line and appurtenences ecoement groutes to fewar Power & Light Company, by harmment dates feturely 11, 1946, recorded in Volume 337, Page 11 of the Deer Records of Williamson County, Taxon. Not a part of subject tracts. 10c) The terms, conditions and abbuilblan of that cortis (0), See and for Morpel Leas date depaid. N. 1947, responds in Volema 5M, Page 270 in the Gald Rations of Liviniteses (Laviniteses) factors (Ratio, Ratio, Ratio,

10g) An atactic fromemission prefor distribution the and apportaneous eccement granted to Texas Power & Light Company by Instrument dated September 15, 1948, seconded to Volume 353, Page 321 of the Deed Reports of Wildemson County, Texas, Not a part of subject tracts.

10s) An undivided A 1/4th royalty interest in oil oil, gas and other mixerals, together with on rights relative thereig, sepress or implied, reserved in fellowment respected in volume 418, Page 392 of the Deed Records of Wildemon County. Issue, Not a survey matter

10f) An undivided A 1/4th royally interest in oil oil, you and other minerals, together with oil rights reading thereby, sepress or implied, reserved in instrument recorded in volume 418, Page 398 of the Dead Mercole of Wifferniero County, Texas, Net a survey mailer.

10g) An electric power line and communication line and appartenances electric granted to Texas.
Power & Light Company, by Instrument obtated December 12, 1952, recorded in Volume 457, Page 206 of the Dead Records of Williamson County, Texas, Mol a part of subject tracts.

10b) As externed for the Backge, permonent storage and tempolory detention of values granted to Brushy Creat extent Control and Improvement Ostict No. 1, by instrument detect February 21, 1983, responsed in Valuery 459, Page 651 of the Dead Reports of Williamson County, Texas, Not a part of studied Install.

100) An electric power line and contribunization line and opportenances element granted to levice. Power & Light Company, by Instrument dated September 30, 1984, recorded in Volume 474, Page 119 of the Beet Records of Wilderman Country, Texas. Not a part of public further.

10) An effect's power line and communication line and oppurtenences assument granted to Texas. Power & Light Company, by instrument dated January 8, 1955, recorded in Youthe 977, Page 388 of the Earth Records of influences County, Taxas, is a port of Fract 1 as shown hereby.

10A) An experient for the flowage, permanent storage and temporary detention of where granted to Broathy Chesk Water Control and improvement District No. 1. by instrument asted Featurry 21, 1963, recorded in Victime 433, Egop 3 of the bead Records of Witness County, Issue, May see part the earliest incident in cetamine secret facilities and county and produce description, coarment and particular.

100) An efective power line and communication the and appuritements essential greated to Texas Power & Light Company, by Instrument dated Cocember 10, 1965, recorder in Yokime ABS, Page 400, of the Deed Records of Williamson County, Yesus. Mai, a part of subject tracts.

10m) An electric passer like and communication line and appurtmentage externant granted to Texas. Power & Light Company, by instrument dated July 5, 1966, is recorded in Volume 490, Page 513 of the Desd Records of Wildemson County, Texas, is a part of Tract 1 as those hereon. 10n) A communication observed, granted to Southwestern Bell Telephone Company, by instrument dated October 28, 1977, recorded in Volume 543, Page 301 of the Beed Records of Wildowson County, Texce, is a pert of Troof 1 or shown hereon.

10e) A sonitory sewer or water times assement gravited to the City of Round Rock, by histoment noted April 10, 1972, recorded in Volume 148, Pope 825 of the Beed Rocards of Wifemanan County, Texas, is a port of Tool 1 to shown hereon.

10g) A sonitory seven or water lines sociement granted to the City of Reund Rock, by instrument dated April 20, 1078, incorded in Volume 708, Page 438 and Volume 716, Page 632 of the Dead Records of Witterson County, Taros, Not a part of subject tools.

10q) A scrittery sever or violer lines easement granted to the City of Round Rock, by ristrument dated May 19, 1978, recorded in Volume 716, Page 740 of the Deed Records of Williamson County, Texas, Is a part of Tract 1 as shown hareon.

107) A plastifies and objectenances, cothodic protection equipment and gerial markers essement granted to Exercise Expendition, by casument acted August 23, 1978, recorded in Victime 741, Page 371 of the Dass Record of microen County, Texas, Mail a part of subject tradit.

10s) An electric power line and talephone (ne and oppurtenances covernent granted to Soutineestern Bei Teichans Cambony, by instrument dated February 23, 1979, rescribed in Volume 751, Page 624 of the Beed Records of Williamson County, Texas. Not 10 pays to subject tracts. 101) The forms, conditions and stouddiess of that certain Daed for Community Pork dated October 8, 1979, recorded in Volume 778, Page 350 of the Dead Records of Milliamson County, Teres. Affects Tract 1.

10u) An electric distribution the and felebhals line and opportenances examinal groups due 18u.os. Power & Light Company, by Instrument doted September 13, 1979, recorded in Volume 182, Page 35 of the Dead Resords of Wilcomson County, Tercal Hot a port of subject froots, Inverser is allowed.

10v) the terms, conditions and situations of that certan Dead for Community Plank dated December 17, 1981, recorded in Welsone 871, Page 369 of the Seed Records of Williamson County, Texas. Affects Tool 3.

10v) The terms, conditions and aliquiations of that certain Warranty Dead dated December 16, 1981, recorded in Volume 871, Page 374 of the Dead Records of Williamson County, Texas, Affects Tract 2. 10x) A weakmaler line experient granted to the City of Round Rock, by instrument doted December 18 2003, recorded under Document No. 2003/2/8/9 of the Difficial People Records of Milliomson County, Texas, So a port of Tract 1 or a shown before.

10y) the terms, conditions and situations at that certain beed of CIII dated September 28, 2006, resoulded under Document No. 2006/087974 of the Difficial Public Records of Milliamson County, Teras. Affects tracts 1, 2 and 3.

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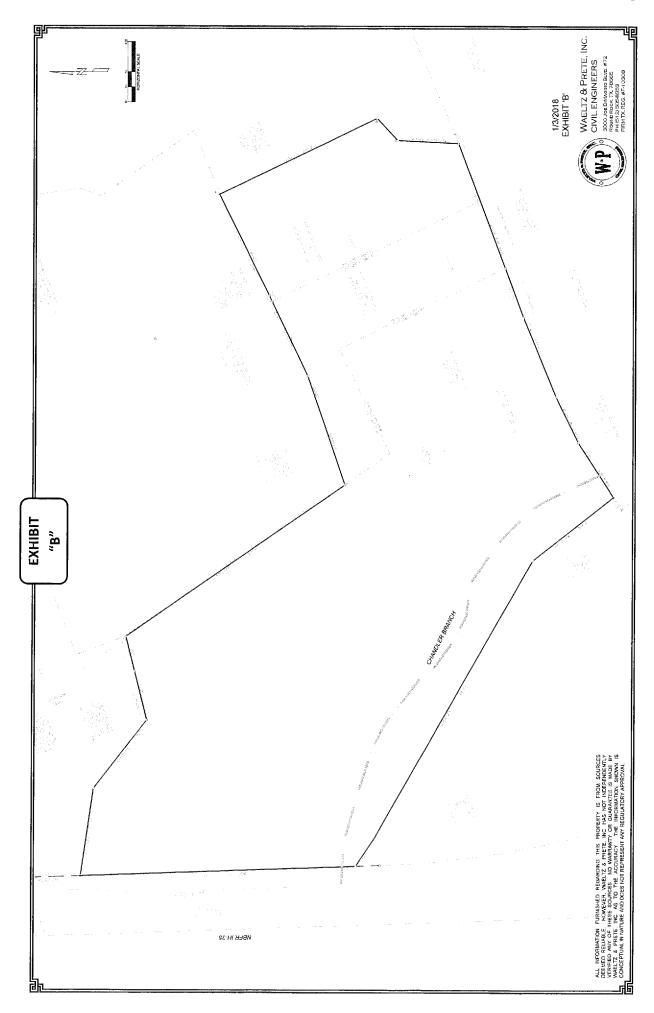
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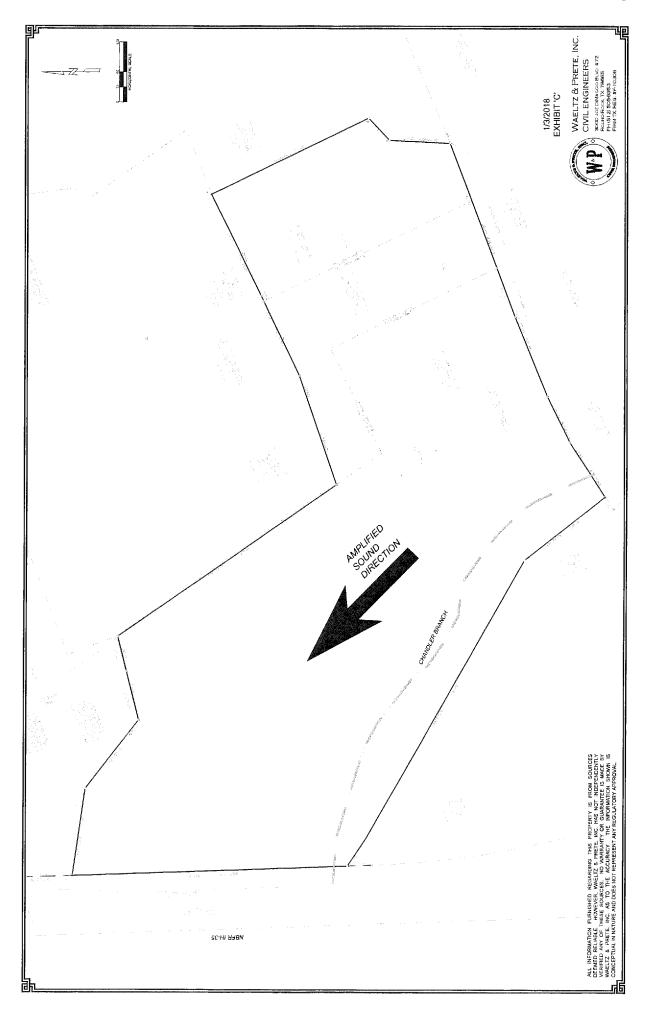


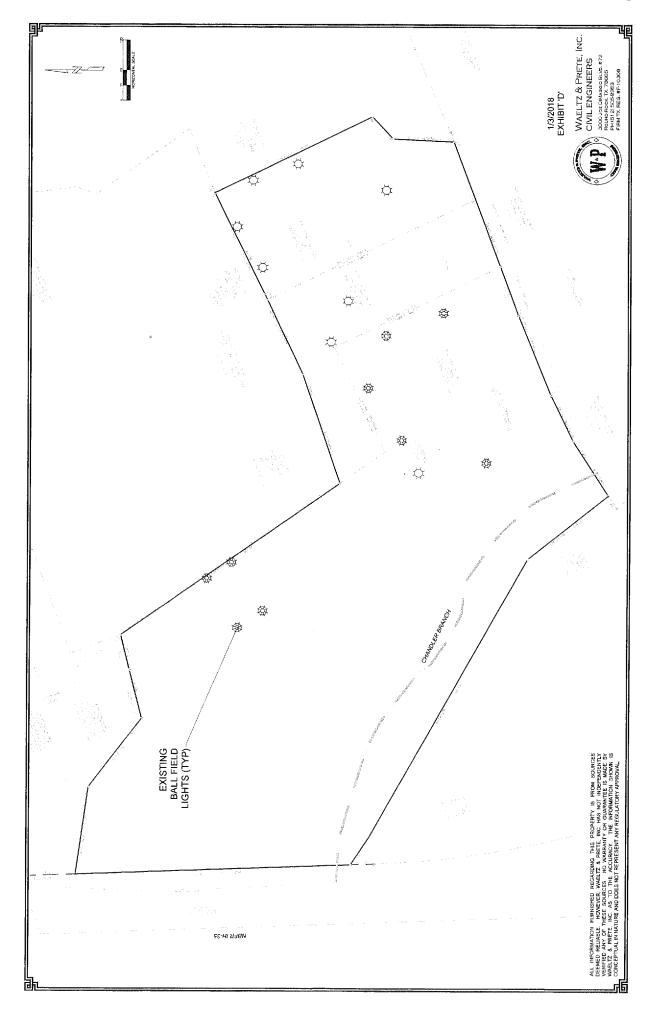


#### RECORDERS MEMORANDUM

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# ELECTRONICALLY RECORDED OFFICIAL PUBLIC RECORDS 2018011229

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Nancy E. Rister, County Clerk Williamson County, Texas