

M E M O R A N D U M

TO: Andrew Rivera, Zoning and Platting Commission Coordinator
Planning and Development Review Department

FROM: Eric J. Hammack, Real Estate Supervisor
Land Management Section
Office of Real Estate Services

DATE: April 26th, 2016

SUBJECT: F#9357-1404 - Vacation of an unconstructed portion of Right of Way, approximately located at Ben Garza Lane

Attached is the vacation review packet and the departmental comments for the above referenced right-of-way vacation request. The requested vacation is part of a proposed development of the property known as Garza Ranch, which will include right-of-way dedication for a new alignment / constructed extension of Ben Garza Lane. All affected departments and private utility franchise holders have reviewed this request and recommend approval, **subject to retaining an electrical easement and a waterline easement to protect existing infrastructure.**

The applicant has requested that this item be submitted for placement on the **May 3rd, 2016, Zoning & Platting Commission Agenda** for their consideration.

Staff contact: Eric Hammack at 974-7079 or landmanagement@austintexas.gov

Applicant: Amanda Swor, of the Drenner Group, PC

Property Owner: Rancho Garza, Ltd.

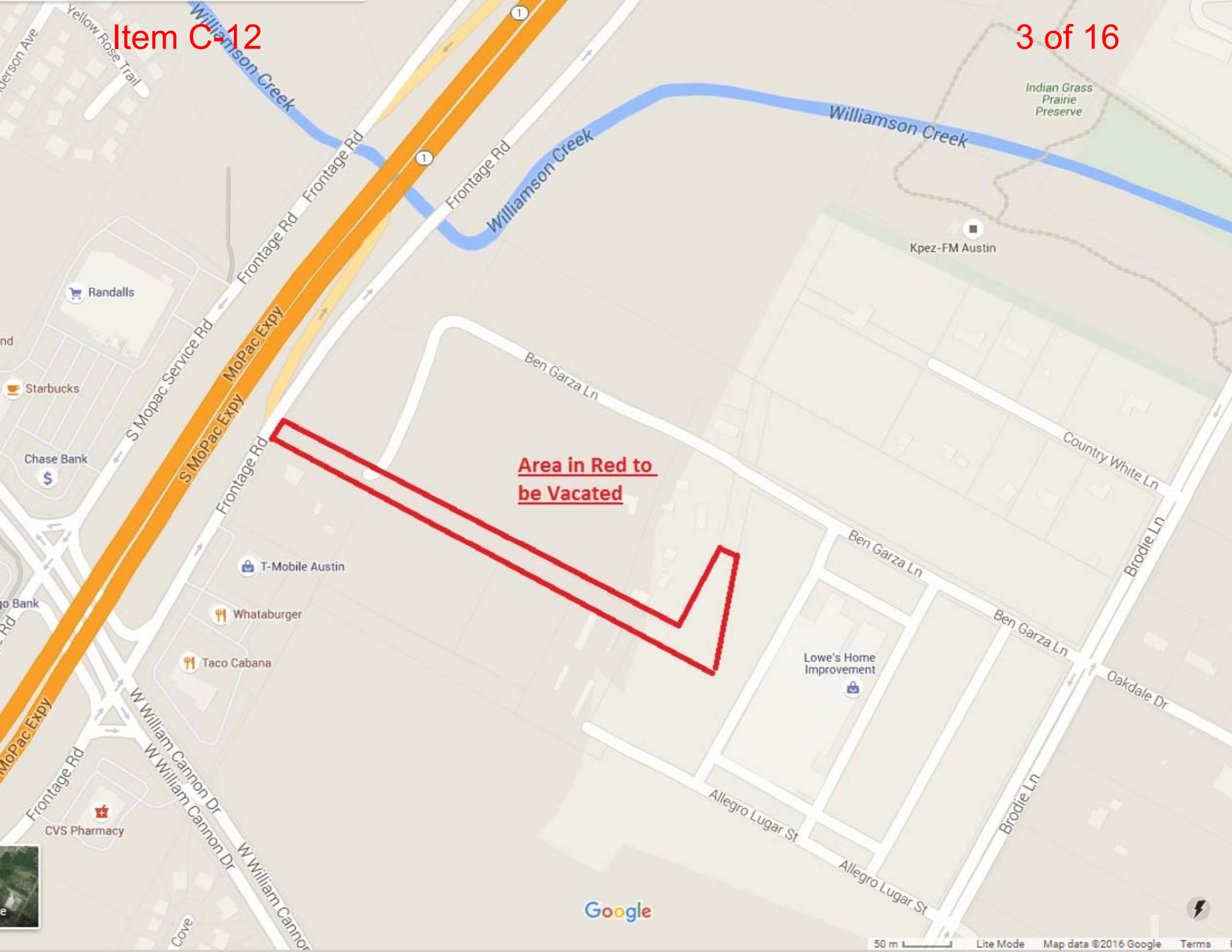
Ms. Swor or her representative will be present at the meeting to answer any questions regarding the project, if needed.

Eric Hammack, Real Estate Supervisor
Land Management Division

OFFICE OF REAL ESTATE SERVICES

DEPARTMENT COMMENTS FOR THE VACATION OF A PORTION OF
UNCONSTRUCTED RIGHT OF WAY ADJACENT TO BEN GARZA LANE

AT&T	APPROVE
AUSTIN ENERGY	APPROVE – Subject to retaining an easement for existing infrastructure.
AUSTIN TRANSPORTATION	APPROVE
AUSTIN WATER	APPROVE – Subject to concurrent dedication of a new waterline easement
CAPITAL METRO	APPROVE
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE
DEVELOPMENT SERVICES (Land Use Review-Engineering)	APPROVE
DEVELOPMENT REVIEW SERVICES (Land Use Review-Transportation)	APPROVE
EMS	APPROVE
FIRE	APPROVE
GOOGLE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PARD	APPROVE
PLANNING & ZONING (Comprehensive Planning)	REFER TO ZAP
PLANNING & ZONING (Zoning Review)	APPROVE
PUBLIC WORKS (City Engineer)	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE
WATERSHED PROTECTION (Engineering)	APPROVE



MEMORANDUM

Case No.: 9357-1404

Date: April 15, 2014

SUBJECT: ROW VACATION

() Patti Moore	AT&T	() Luis Mata	Grande Communication
() Melody Giambruno	Austin Energy	() Marilyn Shashoua	PARD
() Rob Spillar	Austin Transportation Director	() Danielle Guevara	PDRD (LUR-Engineering)
() Angela Baez	Austin Water	() Joe Almazan	PDRD (LUR-Transportation)
() Vincent Sandoval	Capital Metro	() Mark Walters	PDRD (N'borhood Planning)
() Bruna Quinonez	Code Compliance	() Wendy Rhoades	PDRD (Zoning Review)
() Brent Bright	CTM – GAATN	() Cuong Tran	City Engineer
() Milissa Warren	EMS	() Larissa Prince	Texas Gas
() David Brietzke	Fire	() Scott Wratten	Time Warner
() Fabien Villeneuve	Google	() Pam Kearfott	WPD (Engineering)

A request has been received for a vacation (0.2193 acre) of unconstructed **right of way** recorded in Volume 90, Pages 4-7, PRTC and a partial vacation (1.902 acres) of unconstructed **right of way** recorded in Volume 3513, Page 459, DRTC at Ben Garza Lane / Camino Largo Road (Adjacent to 3510 – 4003 Ben Garza Lane).

Please review this request and return your comments to Eric Hammack (974-7079), email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: April 29, 2014

APPROVAL: _____ YES _____ Yes, Subj. to Req'm't _____ No

Comments: _____

Prepared by: _____

Reviewed by: _____

Telephone: _____

Date: _____



Cunningham | Allen

April 3, 2014

Mr. Eric Hammack
Office of Real Estate Services
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Request for Right-of Way Vacation of Ben Garza Lane (Camino Largo Road)
Garza Ranch
CAI No. 390-0301

Dear Mr. Hammack:

Please allow this letter to serve as a summary of the proposed request to vacate 1.902 acres of right-of-way known as Ben Garza Lane on the Travis Central Appraisal District Tax Maps and as Camino Largo Road on the recorded final plat of Garza Ranch, recorded in Volume 90, Page 7 (Exhibit 2), of the Public Records of Travis County, Texas. The right-of-way was dedicated solely by Ben Garza, by plat (Exhibit 2) and by a deed for right-of-way dedication recorded in Volume 3513, Page 459 (Exhibit 3) of the Deed Records of Travis County, Texas. The property was not purchased by the City of Austin. See Exhibit 1 Vicinity Map.

As part of the Garza Brodie Settlement Agreement between the Garza Owners, the City of Austin, and Lowe's Home Center, recorded in Document No. 2003288756 (Exhibit 4), Section 1.04 discusses the realignment of Ben Garza Lane/Camino Largo. The agreement states that the City of Austin agrees not to oppose the realignment of Ben Garza Lane/Camino Largo Road between the Lowe's property and Mopac Blvd. as detailed in Exhibit "F" (Exhibit 5). Exhibit "F", a copy of which is included in this application, shows the existing alignment of Ben Garza Lane and Camino Largo Road that are to be vacated, and also shows the proposed new alignment of Ben Garza Lane. As the proposed new alignment for Ben Garza Lane is 2.129 acres, which is more than the area we are requesting to be vacated, under Section 14-11-7(B), of the Land Development Code states that the appraised value of the right-of-way may be offset by the value of right-of-way that is simultaneously dedicated to the City by the property owner. Therefore, appraisals of the two pieces of property that are located on the same tract of land may not be needed.

The proposed right-of-way to be vacated is surrounded by four (4) tracts of land owned by the Estate of Ben Garza, Rancho Garza, Ltd., as shown on Exhibit 6.

- Tract 1 is 2.358 acres described as Lot 1 of the Amended Plat of Garza McComis Subdivision recorded June 19, 2008, in Document No. 200800187 (Exhibit 7) of the Official Public Records of Travis County, Texas.
- Tract 2 is 6.33 acres out of the Thomas Anderson League, Survey No. 17, Abstract No. 2, Travis County, Texas, being the remainder of a 7.695 acre tract of land described as Tract 2 in a deed to Eli Garza and Earl C. McComis recorded in Volume 4210, Page 746, of the Real Property Records of Travis County, Texas (Exhibit 8).
- Tract 3 is 13.640 acres, describe as Lot 1, Block E, Garza Ranch Final Plat recorded in Volume 90, Page 7, of the Plat Records of Travis County, Texas (Exhibit 2).

Ben Garza Lane (Camino Largo Road)
R.O.W. Vacation
April 3, 2014
Page 2 of 2

- Tract 4 is 3.072 acres out of a 5.40 acre tract in the Thomas Anderson Survey conveyed to Eli Garza in Volume 6512, Page 184, of the Deed Records of Travis County, Texas (Exhibit 9).

Ben Garza Lane (Camino Largo Road) is not constructed to city or county standards. Portions of it are composed of asphalt and/or caliche. There are no utilities within the right-of-way or the area immediately surrounding it, therefore no relocation of utilities will be necessary and no easement in the area of the existing right-of-way will be required.

The land surrounding the right-of-way is part of an approximately 34.62 acre site with frontage on Mopac Expressway. The property is located within the full purpose area of the City of Austin, and is currently zoned **GR-MU-CO-NP** (Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan), which is outlined in Ordinances 20070503-057, 058 and 059 (Exhibits 10-12). Although the 34.62 acre site is vacant with the exception of a residential house on the northeast corner of the site and several unused, small buildings on the eastern property line, a recent Ordinance No. 20130926-05 (Exhibit 13), approved September 26, 2013, adopted several site specific amendments to the City Code and provided variances to certain sections of the Land Development Code which would allow the development of the property as a Vertical Mixed Use project of commercial, office, multifamily and restaurant uses. We anticipate the site development permit process to begin within six months. See Exhibit 14 for the Conceptual Development Plan.

This property that surrounds the proposed right-of-way to be vacated is bordered on west by the Mopac Service Road, on the north by the Williamson Creek West Greenbelt, on the east by a Lowe's Home Improvements Center, and on the south by a commercial shopping center and some undeveloped land.

Copies of the plats and deeds granting the right-of-way, as well as, tax maps, field notes for the right-of-way, and a copy of the Garza Brodie Settlement Agreement are included in this submittal. If there are any further questions regarding this request, or if any additional information is required, please do not hesitate to call.

Sincerely,



Jana Havelka Rice
Land Planner

Application for Street or Alley Vacation

File No. 9357-1404
Department Use OnlyDATE: 4/15/14
Department Use Only

TYPE OF VACATION

Type of Vacation: Street: _____; Alley: _____; ROW X Hundred Block: _____
 Name of Street/Alley/ROW: Ben Garza Lane/Camino Largo Road Is it constructed: Yes No
 Property address: 3510, 4003, 3712 Ben Garza Lane
 Purpose of vacation: A new Street right-of-way is being dedicated in its place on the same property.

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 04-1223-0211, 04-1223-0218, 04-1223-0220
 Survey & Abstract No.: Thomas Anderson League, Abstract No. 2
 Lot(s): _____ Block: _____ Outlot: _____
 Subdivision Name: See Attached Sheet for description of adjacent areas.
 Plat Book _____ Page Number _____ Document Number _____

Neighborhood Association Name: Oak Hill Association of Neighborhoods (OHAN)
 Address including zip code: P.O. Box 90906, Austin, Texas 78709

RELATED CASES

Existing Site Plan (circle one): YES/NO
 Subdivision: Case (circle one): YES / NO
 Zoning Case (circle one): YES / NO

FILE NUMBERS

C8-01-0010.0A
Ordinance Nos. 20070503-057, 058 & 059

PROJECT NAME, if applicable:

Name of Development Project: Garza Ranch
 Is this a S.M.A.R.T. Housing Project (circle one): YES/NO
 Is this within the Downtown Austin Plan Boundaries (circle one): YES/NO

OWNER INFORMATION

Name: Rancho Garza, Ltd. (as shown on Deed)
 Address: 17830 Serene Hills Pass Phone: (512) 461-5507 Fax No.: ()
 City: Austin County: _____ State: Texas Zip Code: 78738-1232
 Contact Person/Title: Ron White Cell Phone: ()
 Email Address: ronmarcix@gmail.com
 (If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

APPLICANT INFORMATION

Name: Jana Rice
 Firm Name: Cunningham-Allen, Inc.
 Address: 3103 Bee Caves Road, Suite 202
 City: Austin State: TX Zip Code: 78746
 Office No.: (512) 327-2946 Cell No.: (512) 658-3878 Fax No.: (512) 327-2973
 EMAIL ADDRESS: jhrice@cunningham-allen.com

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: Jana Rice
 Landowner/Applicant

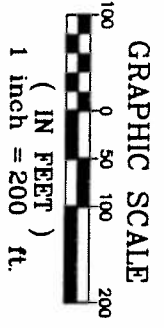
Ben Garza Lane/ Camino Largo Road Vacation

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- Tract 1 is 2.358 acres described as Lot 1 of the Amended Plat of Garza McComis Subdivision recorded June 19, 2008, in Document No. 200800187 of the Official Public Records of Travis County, Texas, and referenced in a deed recorded in Volume 6518, Page 184 of the Deed Records of Travis County, Texas.
- Tract 2 is 6.33 acres out of the Thomas Anderson League, Survey No. 17, Abstract No. 2, Travis County, Texas, being the remainder of a 7.695 acre tract of land described as Tract 2 in a deed to Eli Garza and Earl C. McComis recorded in Volume 4210, Page 746, of the Real Property Records of Travis County, Texas.
- Tract 3 is 13.640 acres, describe as Lot 1, Block E, Garza Ranch Final Plat recorded in Volume 90, Page 7, of the Plat Records of Travis County, Texas.
- Tract 4 is 3.072 acres out of a 5.40 acre tract in the Thomas Anderson Survey conveyed to Eli Garza in Volume 6512, Page 184, of the Deed Records of Travis County, Texas.

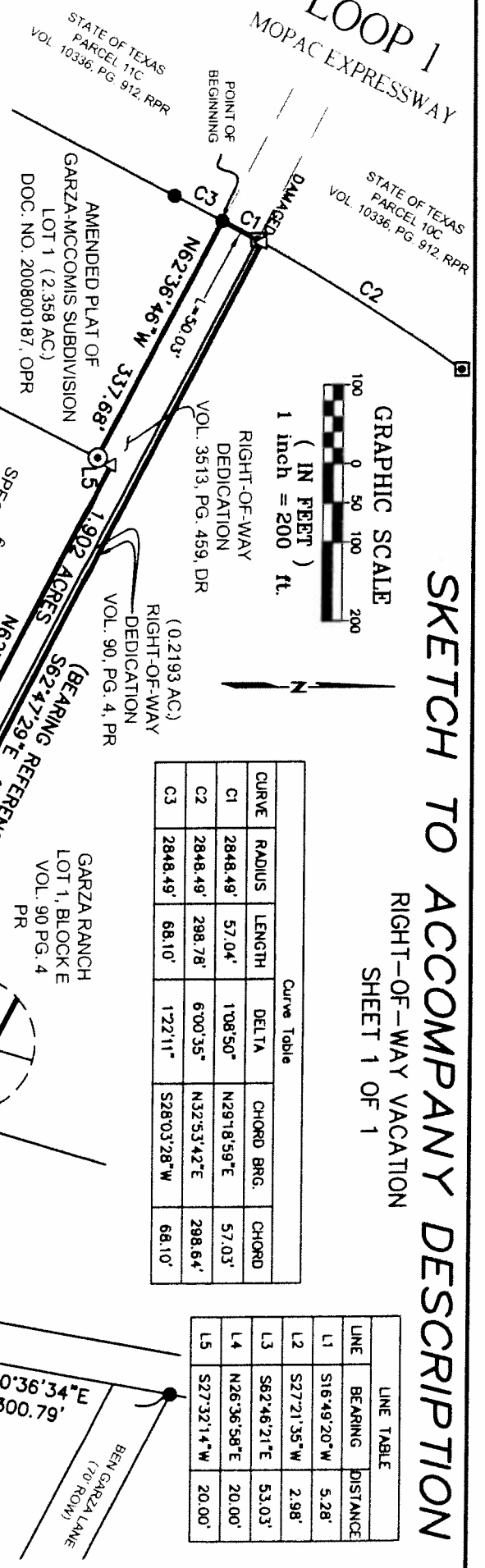
SKETCH TO ACCOMPANY DESCRIPTION

RIGHT-OF-WAY VACATION
 SHEET 1 OF 1



Curve Table					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	2848.49'	57.04'	108.50°	N2918.59°E	57.03'
C2	2848.49'	288.76'	6'00'35"	N32.53°42'E	288.64'
C3	2848.49'	68.10'	1'22'11"	S28.03°28'W	68.10'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S16°49'20"W	5.28'
L2	S27°21'35"W	2.98'
L3	S62°46'21"E	53.03'
L4	N26°36'58"E	20.00'
L5	S27°32'14"W	20.00'



REFERENCE IS HEREON MADE TO THE METES AND BOUNDS DESCRIPTION OF THIS TRACT ACCOMPANYING THIS SKETCH.

BEARING REFERENCE: SOUTH LINE OF LOT 1, BLOCK E, GARZA RANCH VOL. 90, PG 4, PLAT RECORDS TRAVIS COUNTY, TEXAS.

DATE OF LAST FIELD WORK: APRIL 3, 2012

SURVEYED BY:

TOMMY P. WATKINS, RPLS
 TX REG. NO 4549
 DATE: 4/6/2012



EARL C. MCCOMIS, TRUSTEE OF THE EARL C. MCCOMIS REVOCABLE LIVING TRUST
 (0.333 AC. VOL. 5838, PG. 1669, DR)
 DOC. NO. 2003121793, OPR

RANCHO GARZA II, LTD.
 (0.333 AC. VOL. 5833, PG. 743, DR)
 DOC. NO. 2004163680, OPR

GARZA BRODIE SUBDIVISION
 DOC NO. 200300328, OPR



3103 Bee Cave Road, Suite 202
 Austin, Texas 78746-6819
 Tel.: (512) 327-2946
 Fax: (512) 327-2973

- LEGEND**
- 5/8" IRON PIPE FOUND (UNLESS STATED)
 - 1/2" IRON ROD FOUND (UNLESS STATED)
 - CONCRETE HWY. MONUMENT FOUND (TYPE II)
 - CALCULATED POINT
 - PLAT RECORDS
 - DEED RECORDS
 - REAL PROPERTY RECORDS
 - OFFICIAL PUBLIC RECORDS

THOMAS ANDERSON
LEAGUE NO. 17
SURVEY NO. 17

EXHIBIT 1
2.O.W. DEDICATION DEED

3513 10/16/57

THE STATE OF TEXAS *

COUNTY OF TRAVIS 778 * 352

7-2085

WHEREAS, Ben Garza and the undersigned, Rosa Garza, did, on or about the 31st day of October, A.D., 1957, dedicate to the use of the public, for the consideration therein mentioned, that certain right of way across that real property in the Thomas Anderson Survey, Travis County, Texas, which said right of way dedication is recorded in Vol. 1824, Pages 451-452, of the Deed Records of Travis County, Texas, and whereas, the description of the property conveyed in said dedication is inaccurate and erroneous, and the calls in such description do not close; and

WHEREAS, to prevent difficulties hereafter it is expedient to correct said errors; and

WHEREAS, since the execution of said right of way dedication the said Ben Garza died, testate in Travis County, Texas leaving the undersigned as independent executrix and sole beneficiary of his estate.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That I, Rosa Garza, of Travis County, Texas, have DEDICATED and by these presents do DEDICATE perpetually to the Public for use as a street and roadway the following described tract or parcel of land on a larger tract of land in the Thomas Anderson Survey, Travis County, Texas, which was conveyed to Ben Garza by deed of record in Vol. 460, Pages 564-566, Deed Records of Travis County, Texas, and which parcel of land so dedicated to the public use for street and roadway purposes is described by metes and bounds as follows, to-wit:

BEGINNING AT a point in the east line of the said Garza tract and the west line of Brodie Lane; and from which point the southeast corner of the said Garza tract bears S30° 26' W 634.90 feet;

THENCE N60° 00' W 1127.07 feet to a point;

THENCE S13° 32' W 307.29 feet to a point;

THENCE N60° 00' W 269.73 to a point in the east line of a 7.695 acre tract conveyed to Tender Meat Broiler Ranch;

THENCE N29° 24' E 20.00 feet to an iron stake at the northeast corner of said 7.695 acre tract;

THENCE N60° 00' W 927.8 feet to an iron stake at the northwest corner of said 7.695 acre tract;

7-2087

THENCE with the west line of said 7.695 acre tract, S30° 09' W 20.00 feet to a point;

THENCE N60° 00' W 438.15 feet to the point of curvature of a curve whose intersection angle is 15° 38', whose tangent distance is 189.32 feet and whose radius is 1379.08 feet;

THENCE following said curving line to the left an arc distance of 376.29 feet the chord of which arc bears N 67° 49' W 375.12 feet to the point of tangency of said curve.

THENCE N75° 38' W 377.42 feet to a point in the west fence line of the said Garza tract, and from which point the southwest corner of the said Garza tract bears S20° 27' W 1382.27 feet;

THENCE N30° 27' E 21.81 feet to a point.

THENCE N30° 52' E 31.08 feet to a point.

THENCE S75° 38' E 362.77 feet to the point of curvature of a curve whose intersection angle is 15° 38', whose tangent distance is 196.18 feet, and whose radius is 1428.08 feet.

THENCE following said curving line on the right an arc distance of 389.93 feet; the chord of which arc bears S67° 49' E 388.72 feet to the point of tangency of said curve;

THENCE S60° 00' E 1568.82 feet to a point;

THENCE N13° 23' E 307.29 feet to a point;

THENCE S60° 00' E 1184.61 feet to a point in the west line of Brodie

THENCE with the west line of Brodie Lane, S30° 26' W 50.00 feet to the point of BEGINNING.

TO HAVE AND TO HOLD to the public perpetually, the rights and benefits in and to the roadway and street as above described.

WITNESS MY HAND this the 29 day of July, A. D. 1968.

Rosa Garza
Rosa Garza, individually
and as independent executrix of the estate of Ben Garza, deceased

7-2088

THE STATE OF TEXAS *
*
COUNTY OF TRAVIS *

BEFORE ME, the undersigned authority, on this day personally
appeared Rosa Garza, known to me to be the person whose name is sub-
scribed to the foregoing instrument, and acknowledged to me that she
executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day
of July, A.D. 1968

(NOTARY SEAL)

Jonathan M. Bryan
Notary Public in and for
Travis County, Texas

FILED
AUG 12 3 06 PM '68
CLERK OF COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the
date and at the time stamped herein by me; and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Travis County, Texas, as Stamped herein by me, on

AUG 12 1968

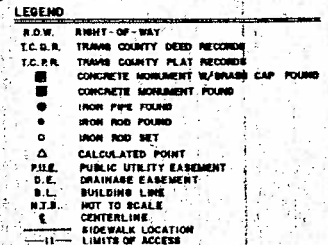


Emilie Limburg
COUNTY CLERK
TRAVIS COUNTY, TEXAS

3513 461

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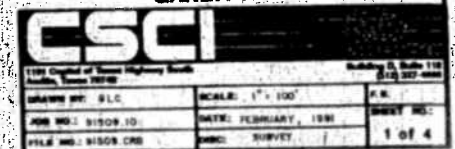
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L1	N44°17'11"W	53.54'
L2	N67°25'00"W	33.54'
L3	S40°51'05"E	60.00'
L4	N1°43'44"E	50.23'
L5	N48°40'43"W	81.10'
L6	N85°00'09"W	80.88'
L7	S5°17'35"E	30.00'
L8	S40°54'08"E	125.00'



Vol. 90 Page 4
PLAT RECORD, TARRANT COUNTY, TEXAS

GARZA RANCH



C8-91-0019.0A

C8-91-5019.0A

Item C-12 RANCH

BLOCK E LOT 1
(See map D 214)

14 of 16

SCALE: 1" = 100'
FEBRUARY, 1991
THAVIS CO., TEXAS

LEGEND

- R.L.W. RIGHT-OF-WAY
- T.C.D.R. TRAVIS COUNTY DEED RECORDS
- T.C.P.R. TRAVIS COUNTY PLAT RECORDS
- 18" CONCRETE MONUMENT FOUND
- 18" CONCRETE MONUMENT FOUND
- 18" IRON PIPE FOUND
- 18" IRON ROD FOUND
- 18" IRON ROD SET
- 18" CALCULATED POINT
- 18" PUBLIC UTILITY EASEMENT
- 18" DRAINAGE EASEMENT
- 18" BUILDING LINE
- 18" NOT TO SCALE
- 18" CENTERLINE
- 18" SIDEWALK LOCATION
- 18" LIMITS OF ACCESS

38.42 AC.
ELI J. GARZA
V.7884 R.700
T.C.D.R. (TRACT TWO)

WILLIAM CANNON DR.
CITY OF AUSTIN
V. 2418 R. 193

LOT 1
2029 AC

LOT 2
2491 AC

LOT 3
0000 AC

BLOCK B

LOT 4
3.2800 AC

DETAIL C
N.T.S.

DETAIL B
N.T.S.

BLOCK D
LOT 1
5.4453 AC

7.695 AC. (TRACT TWO)
ELI J. GARZA & E.C. MCCOMBS
V. 4210 R. 715 T.C.D.R.

DETAIL A
N.T.S.

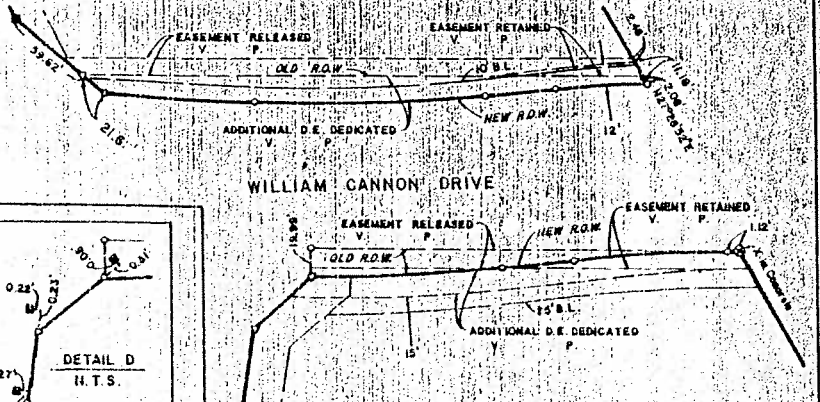
1.59 AC. (TRACT ONE)
ELI J. GARZA & E.C. MCCOMBS
V. 4210 R. 715 T.C.D.R.

61.08 AC.
MOTOROLA, INC.
V. 5337 R. 415
T.C.D.R.

BLOCK C
LOT 1
3.9020 AC

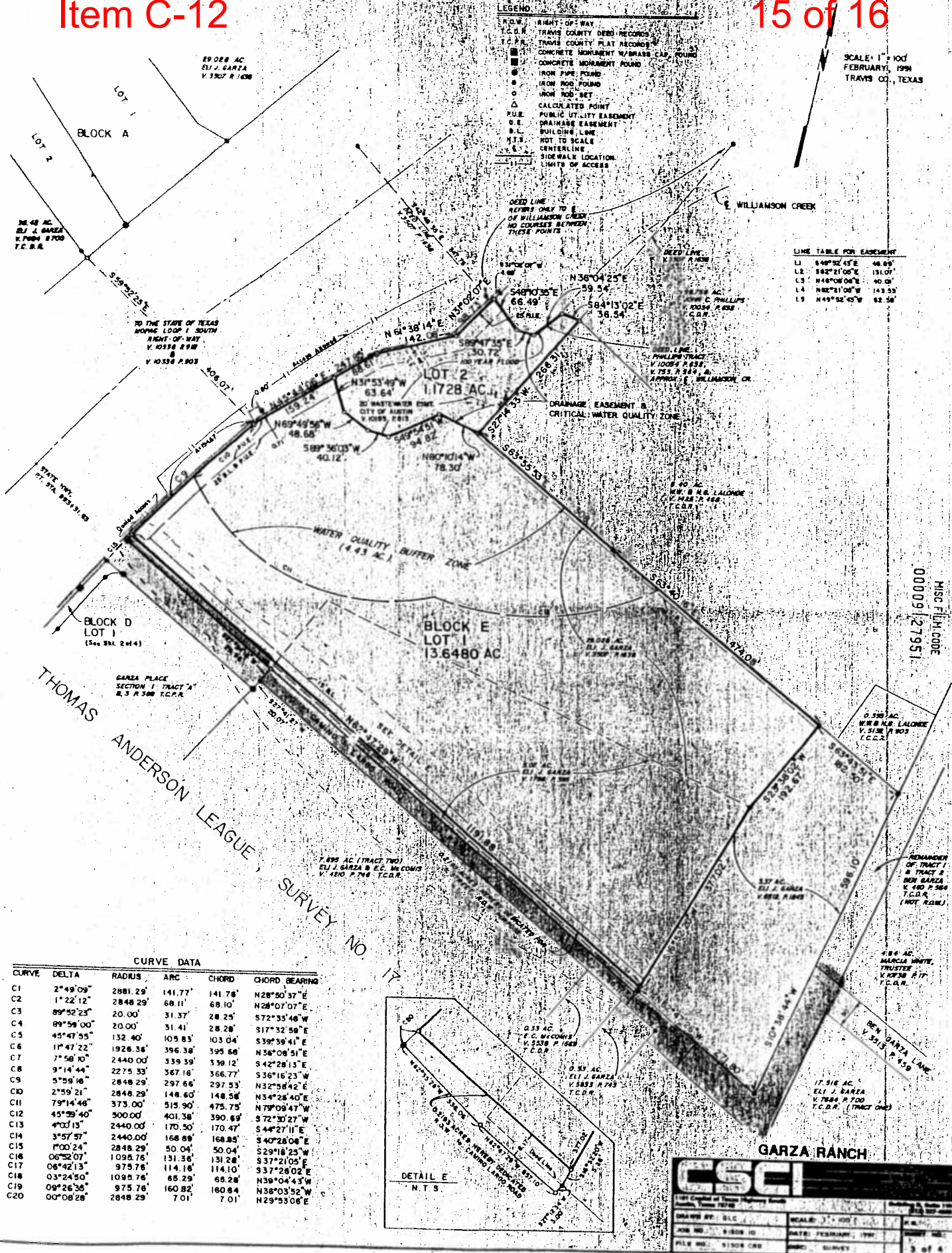
SANROCKBURN SUBDIVISION
A. 77 P. 845 T.C.D.R.

THOMAS ANDERSON LEAGUE, SURVEY NO. 17



DETAIL D
N.T.S.

GARZA RANCH



Vol. 90 Page 16

STATE OF TEXAS)
COUNTY OF TRAVIS)

THAT, I, ELI J. GARZA, A SINGLE MAN, BEING THE OWNER OF 34.6040 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON SURVEY NO. 17, TRAVIS COUNTY, TEXAS, BEING ALL THAT 5.07 ACRE TRACT DESCRIBED IN VOLUME 1788, PAGE 395, AND PORTIONS OF THOSE TRACTS OF 29.028 ACRES DESCRIBED IN VOLUME 1507, PAGE 1635 AND 38.42 ACRES DESCRIBED IN VOLUME 768, PAGE 700 ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; DO HEREBY SUBDIVIDE THE SAID 34.6040 ACRES, TO BE KNOWN AS "GARZA RANCH" IN ACCORDANCE WITH THE PLAT AS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS FOR THE PURPOSES EXPRESSED, SUBJECT TO ANY RESTRICTIONS AND/OR EASEMENTS HERETOFORE GRANTED.

WITNESS MY HAND AND SEAL THIS 22 DAY OF April, 1991, A.D.

Eli J. Garza

ELI J. GARZA
3712 BEN GARZA LANE
AUSTIN, TEXAS 78745

STATE OF TEXAS)
COUNTY OF TRAVIS)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY DID PERSONALLY APPEAR ELI JAMES GARZA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SUCH CAPACITY FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 24TH DAY OF April, 1991, A.D.

Patricia May

PATRICIA MAY
NOTARY PUBLIC IN AND FOR THE COUNTY
OF TRAVIS, STATE OF TEXAS

I, JERRY FULTS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 13 OF THE AUSTIN CITY CODE, 1981; IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

SURVEYED BY:

Jerry Fults
JERRY FULTS
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 1999
CAPITAL SURVEYING COMPANY
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D, SUITE 110
AUSTIN, TEXAS 78746

DATE 2-28-91



I, RICHARD H. MALONE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING PORTIONS OF TITLE 13 OF THE AUSTIN CITY CODE OF 1981 AS AMENDED, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Richard H. Malone
RICHARD H. MALONE
REGISTERED PROFESSIONAL ENGINEER NO. 41865
MURFEE ENGINEERING COMPANY
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D, SUITE 110
AUSTIN, TEXAS 78746

DATE 2/28/91



THE 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANELS #481026-02550, DATED JANUARY 2, 1987 FOR TRAVIS COUNTY, TEXAS.

ENGINEERING BY:

James F. Scalf
JAMES F. SCAFF
REGISTERED PROFESSIONAL ENGINEER NO. 54777
MURFEE ENGINEERING COMPANY
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D, SUITE 110
AUSTIN, TEXAS 78746

DATE 2-28-91



GENERAL NOTES:

- SIDEWALKS SHALL BE CONSTRUCTED ALONG THE SUBDIVISION SIDE OF MUPAC BOULEVARD (LOOP 1). WILLIAM CANNON DRIVE, AND CANNON LARGO ROAD SUCH SIDEWALKS SHALL BE COMPLETED PRIOR TO THE ACCEPTANCE OF ANY TYPE I, II, OR IV DRIVEWAY APPROACH AND/OR CERTIFICATE OF COMPLIANCE OR OCCUPANCY.
- FACILITIES FOR OFF-STREET LOADING AND UNLOADING SHALL BE PROVIDED FOR ALL NON-RESIDENTIAL LOTS.
- PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFF SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY FLOWING OR OTHER APPROVED METHODS. ALL PROPOSED CONSTRUCTION OR SITE ALTERATION REQUIRES APPROVAL OF A SEPARATE DEVELOPMENT PERMIT.
- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEM.
- WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY FOR REVIEW.
- THIS SUBDIVISION SHALL BE DEVELOPED, CONSTRUCTED, AND MAINTAINED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF CHAPTER 13-2 ARTICLE V AND CHAPTER 13-7 ARTICLE 1. LAND IN THIS SUBDIVISION IS RESTRICTED TO THE INTERVIEWS COVER LIMITATION OF CHAPTER 13-2, ARTICLE V DATED JUNE 1, 1988.
- ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE OWNER OR HIS/HER ASSIGNS.
- NO BUILDING, FENCE, LANDSCAPING, OR OTHER STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.

THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A SUBDIVISION CONSTRUCTION AGREEMENT BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN DATED 10/17/90, 1991, A.D., THE SUBDIVISION IS FOR THE CONSTRUCTION OF ALL STREETS AND FACILITIES NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT.

FOR THE CONSTRUCTION AGREEMENT PERTAINING TO THIS SUBDIVISION, SEE SEPARATE INSTRUMENT RECORDED IN 11519, PAGE 52 IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BLOCK 8 LOT 2 AND BLOCK A LOT 1 WILL BE DEDEDICATED TO THE CITY OF AUSTIN AS AN EXTENSION OF THE WILLIAMSON CREEK GREENBELT. THIS DEDICATION WILL TAKE PLACE PRIOR TO OR SIMULTANEOUSLY WITH FINAL PLAT APPROVAL.

TRANSFER OF INTERVIEWS COVER BETWEEN LOTS IN THIS SUBDIVISION SHALL BE PERMITTED IN ACCORDANCE WITH THE FOLLOWING TABLE.

DONATING TRACTS				RECEIVING TRACTS			
BLOCK	LOT	TRANSFER AVAILABLE (SQ)		BLOCK	LOT	TRANSFER REC. (SQ)	
A	1 & 2	34.846		B	2	5.182	
B	2	11.728		B	3	4.356	
				B	4	18.288	
TOTAL		46.574		C	1	0	
				D	1	17.308	
				E	1	0	
				TOTAL		46.574	

BLOCK A LOT 2 IS HEREBY RESTRICTED FROM DEVELOPMENT EXCEPT FOR APPROVED UTILITY LAND DRAINAGE EXTENSIONS.

FOR RESTRICTIVE COVENANTS APPLICABLE TO THIS SUBDIVISION SEE VOL. 11519 PAGE 49 OF THE DEED RECORDS OF TRAVIS COUNTY.

FOR LOT 1, BLOCK D AND LOT 1, BLOCK E OFF-SITE DRAINAGE EASEMENTS WILL BE DEDICATED AS REQUIRED PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT UNLESS SUCH HAS ALREADY BEEN PROVIDED BY DOWNSTREAM DEVELOPMENT.

A JOINT ACCESS AGREEMENT WILL BE PROVIDED FOR BLOCK 8 LOTS 1, 2, AND 3 PRIOR TO DEVELOPMENT.

PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.

EROSION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON INDIVIDUAL LOTS, INCLUDING DETACHED SINGLE FAMILY AND DUPLEX CONSTRUCTION, IN ACCORDANCE WITH THE CITY OF AUSTIN'S ENVIRONMENTAL CRITERIA MANUAL.

THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITIES FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS, WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLACING MAY BE REQUIRED; AT THE OWNER'S SOLE EXPENSE IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

ALL STREETS IN THIS SUBDIVISION WILL BE CONSTRUCTED TO CITY OF AUSTIN STANDARDS.

ACCESS TO LOT 1, BLOCK A FROM YELLOW HOLE TRAIL IS PROHIBITED.

ACCESS TO MUPAC LOOP 1 SOUTH AND WILLIAM CANNON BLVD. SHALL BE GOVERNED BY SECTION 13-5-84.

APPROVED FOR ACCEPTANCE

Carolyn Parker

MAY 8, 1991

DEPARTMENT OF PLANNING AND DEVELOPMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE COMMISSION OF THE CITY OF AUSTIN ON THE 11th DAY OF MAY, 1991, A.D.

M. Scott Roberts
M. SCOTT ROBERTS, CHAIRMAN

Carolyn Parker
DR. CAROLYN PARKER, SECRETARY

STATE OF TEXAS)
COUNTY OF TRAVIS)

I, DANA DEBEAUVOUR, CLERK OF TRAVIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING INSTRUMENT, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN THE CLERK'S OFFICE ON THE 11th DAY OF September, 1991, A.D. AT 4:15 O'CLOCK P.M. AND DULY RECORDED IN THE 11th DAY OF September, 1991, A.D. AT 4:15 O'CLOCK P.M. IN THE PLAT RECORDS OF SAID COUNTY, IN BOOK NO. 90 PAGE 4,567.

WITNESS MY HAND AND SEAL OF THE OFFICE OF COUNTY CLERK, THE 11th DAY OF September, 1991, A.D.

DANA DEBEAUVOUR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

BY *K. Terrell*
DEPUTY



FILED FOR RECORD, THIS THE 11th DAY OF September, 1991, A.D. AT 4:15 O'CLOCK P.M.

DANA DEBEAUVOUR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

BY *K. Terrell*
DEPUTY



GARZA RANCH

THIS INSTRUMENT WAS FILED FOR RECORD IN THE CLERK'S OFFICE OF TRAVIS COUNTY, TEXAS, ON THE <u>11th</u> DAY OF <u>September</u> , 1991, A.D. AT <u>4:15</u> O'CLOCK <u>P.M.</u>	
PLAT NO. <u>90</u>	PAGE NO. <u>4,567</u>
FILE NO. <u>9109 CND</u>	BOOK NO. <u>90</u>
DATE: <u>February, 1991</u>	
SHEET NO. <u>4 of 4</u>	