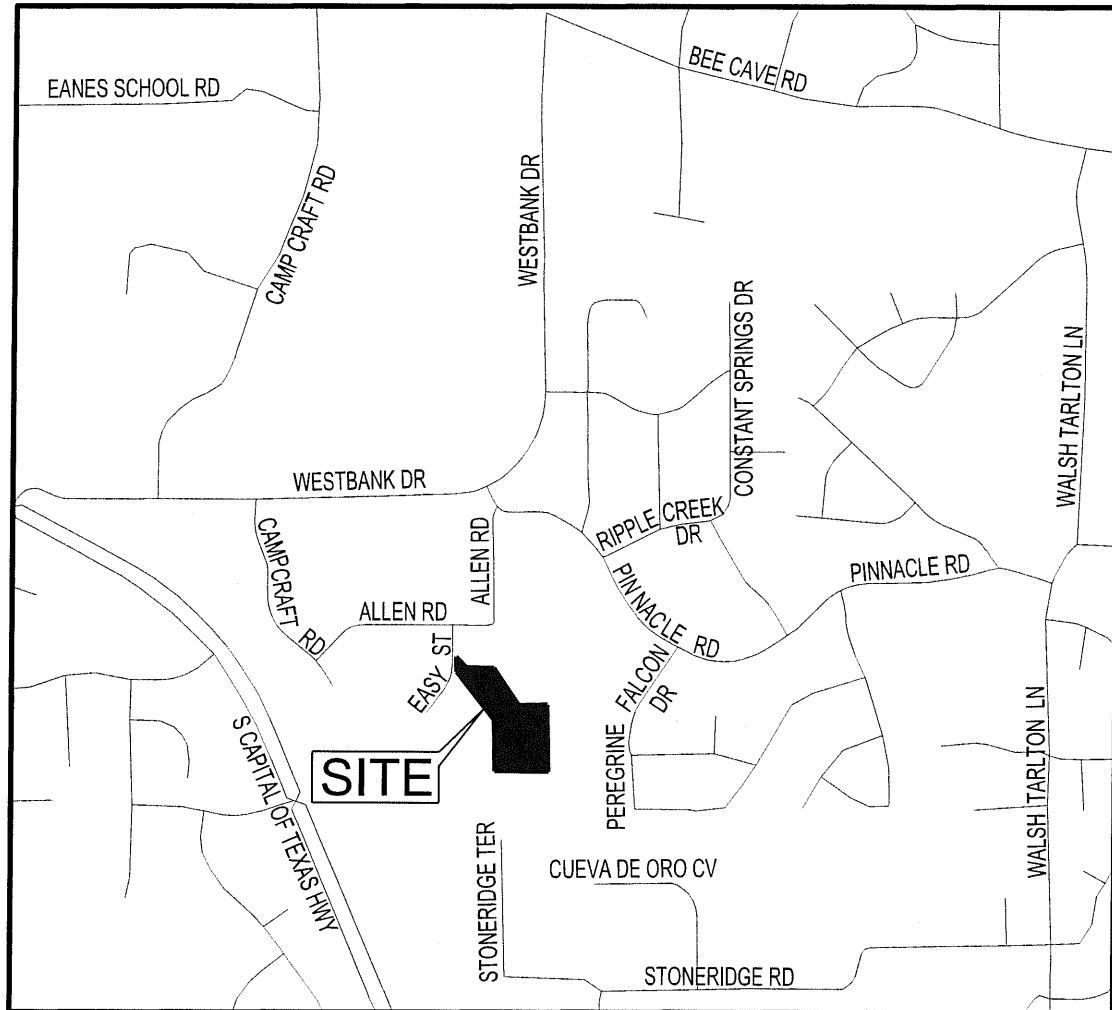


SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2016-0053.0A**ZAP DATE:** December 6, 2016**SUBDIVISION NAME:** Golemon Subdivision**AREA:** 3.49 acres**LOTS:** 2**APPLICANT:** Kinnan Golemon**AGENT:** Urban Design Group
(Don Sansom)**ADDRESS OF SUBDIVISION:** 3607 Pinnacle Rd**GRIDS:** E22**COUNTY:** Travis**WATERSHED:** Eanes Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-2**DISTRICT:** 8**LAND USE:** Residential**VARIANCE:** LDC 25-4-175(2) Flag lot variance**SIDEWALKS:** Sidewalks will be constructed along Easy Street.

DEPARTMENT COMMENTS: The request is for the approval of the resubdivision of Lot 4 of Pinnacle Oaks Subdivision, with a flag lot variance. The plat is comprised of two lots on 3.49 acres. The applicant proposes to resubdivide an existing lot into two lots for residential use. The existing house will be located on Lot 4B. The applicant's flag lot variance request letter is attached. As required by LDC 25-4-175(2) for the flag lot variance, the applicant has obtained approvals from the Austin Fire Dept., Austin Water Utility, Austin Electric, the environmental reviewer, and the tree reviewer. With the variance, the proposed lots comply with zoning requirements for use, lot width and lot size.

STAFF RECOMMENDATION: The staff recommends approval of the plat and the variance. The resubdivision and variance meet all applicable State and City of Austin Land Development Code requirements.

ZONING AND PLATTING COMMISSION ACTION:**CASE MANAGER:** Steve Hopkins**PHONE:** 512-974-3175**E-mail:** steve.hopkins@austintexas.gov



LOCATION MAP

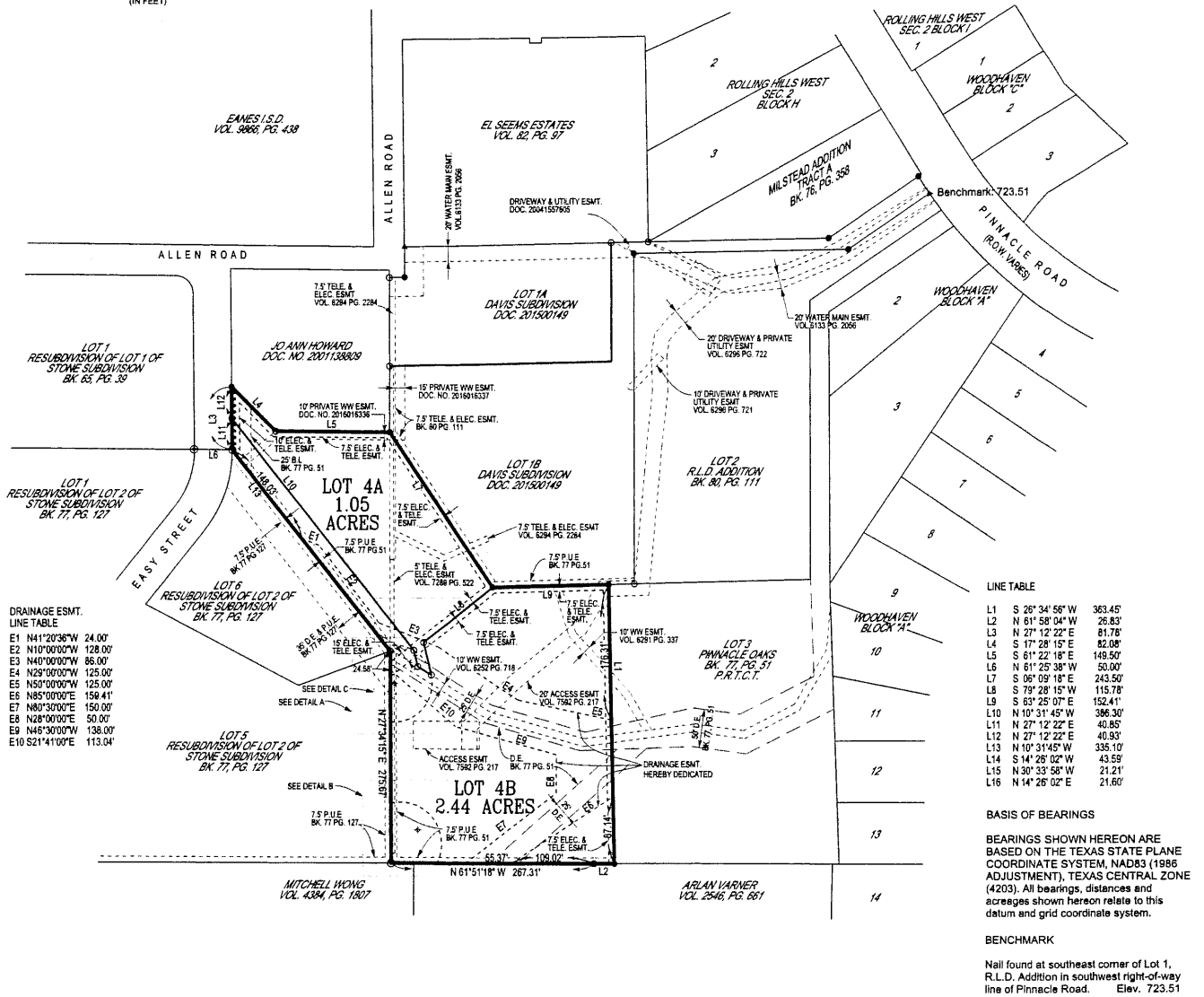
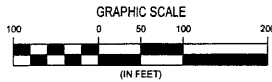
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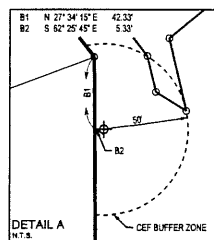
GOLEMON SUBDIVISION
AUSTIN, TEXAS 78746

UDG
Urban Design Group
TX Registered Engineering Firm #F-1843
3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040

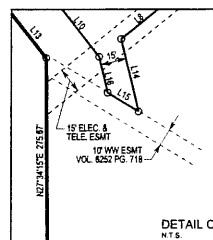
GOLEMON SUBDIVISION
A RESUBDIVISION OF LOT 4, PINNACLE OAKS



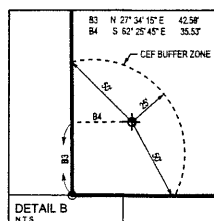
LOCATION MAP
NO SCALE




DETAIL A
N.T.S.



DETAIL C
N.T.S.



DETAIL B
NTS

- ### LEGEND
- | | |
|---|--|
| ● | IRON ROD FOUND |
| ○ | IRON ROD WITH CAP SET (UDG #2433) |
| ⊙ | IRON PIPE FOUND |
| ▲ | NAIL FOUND |
| D.E. | DRAINAGE EASEMENT |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| B.L. | BUILDING LINE |
| | REQUIRED SIDEWALK |
| ⊕ | CRITICAL ENVIRONMENTAL FEATURE |
|  | CRITICAL ENVIRONMENTAL FEATURE BUFFER ZONE |



Urban Design Group PC
TX Registered Engineering Firm #E-1843
TBP.LS Firm # 10065900
3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040
C8-2016-0053.0A

THE STATE OF TEXAS:
COUNTY OF TRAVIS:

GOLEMON SUBDIVISION

A RESUBDIVISION OF LOT 4, PINNACLE OAKS

KNOW ALL MEN BY THESE PRESENTS:

THAT R. KINNAN GOLEMON AND WIFE, JACQUELINE B. GOLEMON, OWNERS OF LOT 4, PINNACLE OAKS, A SUBDIVISION RECORDED IN BOOK 77, PAGE 51, PLAT RECORDS, TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL IMPROVEMENTS AND APPURTENANCES THERETO, SAID LOT 4 BEING DESCRIBED IN A DEED RECORDED IN VOLUME 7122, PAGE 890, DEED RECORDS OF SAID COUNTY, SAID SUBDIVISION HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212.015 OF THE LOCAL GOVERNMENT CODE, DO HEREBY RESUBDIVIDE SAID LOT IN ACCORDANCE WITH THIS PLAT, TO BE KNOWN AS THE GOLEMON SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL EASEMENTS AS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

R. Kinnan Golemon
R. KINNAN GOLEMON

Jacqueline B. Golemon
JACQUELINE B. GOLEMON

THE STATE OF TEXAS:
COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED R. KINNAN GOLEMON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS 7 DAY OF Nov, 2016 A.D.

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS



(PRINT NAME) Jennifer G. Pearman MY COMMISSION EXPIRES: May 30, 2018
THE STATE OF TEXAS:
COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JACQUELINE B. GOLEMON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS 7 DAY OF Nov, 2016 A.D.

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS



(PRINT NAME) Jennifer G. Pearman MY COMMISSION EXPIRES: May 30, 2018

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL-PURPOSE CITY LIMITS JURISDICTION OF THE CITY OF AUSTIN ON THIS THE _____ DAY OF _____, 2016 A.D.

A VARIANCE OF SECTION 25-4-175 OF THE LAND DEVELOPMENT CODE, WAS GRANTED BY THE ZONING & PLATTING COMMISSION ON _____, 2016.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING AND PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS, THIS, THE _____ DAY OF _____, 2016.

THOMAS WEBER, CHAIR

JOLENE KIOLBASSA, SECRETARY

SURVEYOR'S CERTIFICATION:

I, JOHN NOELL, 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 25 OF THE AUSTIN CITY CODE, OF 1988, AS AMENDED, IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND.

AS SURVEYED BY:
URBAN DESIGN GROUP PC
3660 STONERIDGE ROAD, E-101
AUSTIN, TEXAS 78746
(512) 347-0040

John Noell 11-8-16
JOHN NOELL, REGISTERED PROFESSIONAL LAND SURVEYOR 2433 DATE



URBAN DESIGN GROUP
TBPLS 10065900

ENGINEER'S CERTIFICATIONS:

I, DONALD J. SANSON, 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 RELATED PORTIONS OF TITLE 25, AUSTIN CITY CODE AS AMENDED.

FLOODPLAIN NOTE
THE 100 YEAR FLOODPLAIN OF THE WATERCOURSES ON THE PROPERTY IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN HEREON.

Donald J. Sanson 11-8-16
DONALD J. SANSON, P.E. NO. 60300 DATE



URBAN DESIGN GROUP PC
3660 STONERIDGE ROAD, SUITE E101
AUSTIN, TEXAS 78746

THE STATE OF TEXAS:
COUNTY OF TRAVIS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2016 A.D. AT _____ O'CLOCK _____ M., AND DULY RECORDED ON THE _____ DAY OF _____, 2016 A.D. AT _____ O'CLOCK _____ M. IN DOCUMENT NUMBER _____ OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY OF _____, 2016 A.D.

DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

DEPUTY

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE _____ DAY OF _____, 2016 A.D.

J. RODNEY GONZALES, DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

NOTES:

1. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN AND TRAVIS COUNTY.
2. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNS.
3. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
4. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.
5. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED IN ADDITION TO THOSE INDICATED FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-8 OF THE AUSTIN LAND DEVELOPMENT CODE.
6. ALL ELECTRIC EASEMENTS MUST BE SHOWN ON ALL PLAN SHEETS, LEFT CLEAR FOR ELECTRIC USE AND MAINTENANCE ON A 24/7 BASIS IN PERPETUITY AND MAINTAIN NECESSARY CLEARANCES FROM ANY PROPOSED STRUCTURES, VEGETATION, ETC. AT ALL TIMES. NECESSARY CLEARANCE INFORMATION (AE, OSHA, NESC & NEC) MAY BE FOUND IN AUSTIN ENERGY'S DESIGN CRITERIA MANUAL - SECTION 1.5.3.9 THE MANUAL IS AVAILABLE ON AUSTIN ENERGY'S WEBSITE UNDER CONTRACTORS / ELECTRIC SERVICE DESIGN & PLANNING.
7. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
8. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
9. RELOCATION OF ELECTRIC FACILITIES REQUESTED BY OWNER SHALL BE AT OWNER'S EXPENSE.
10. NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
11. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
12. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ORDINANCE REQUIREMENTS.
13. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF THE SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF THE PLANS TO CONSTRUCT THE IMPROVEMENTS DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
14. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
15. ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS AND WATER AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
16. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR OWNER OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT, INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS AND/OR CERTIFICATES OF OCCUPANCY.
17. THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES, NO OBJECTS, INCLUDING BUT NOT LIMITED TO BUILDINGS, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE AUSTIN WATER UTILITY.
18. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG EASY STREET AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT. THE REQUIRED SIDEWALK SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALK MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR THE UTILITY COMPANY.
19. ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO A PUBLIC STREET FOR EMERGENCY RESPONDERS.
20. ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, PINNACLE OAKS, SHALL APPLY TO THIS RESUBDIVISION PLAT.
21. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS SHALL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. STORMWATER RUNOFF PEAK FLOW RATES SHALL NOT BE INCREASED IN ACCORDANCE WITH THE CITY'S DRAINAGE POLICIES BY PONDING OR OTHER APPROVED METHODS. MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE OWNER'S RESPONSIBILITY.
22. THIS PROJECT IS SUBJECT TO THE VOID AND WATER FLOW MITIGATION RULE (CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL AND CITY OF AUSTIN STANDARDS SPECIFICATIONS MANUAL).
23. AN ADMINISTRATIVE VARIANCE TO LDC 25-8-281(B) ALLOWS SINGLE FAMILY TO INCLUDE A CEF OR BE LOCATED WITHIN 50-FT OF A CEF, AND TO LDC 25-8-281(C)(1)(A) TO PROVIDE A CEF BUFFER OF LESS THAN 150-FT. ALL PERMANENT FENCING MUST BE INSTALLED AT THE PERIMETER OF THE CEF BUFFER PRIOR TO THE INITIATION OF ANY CONSTRUCTION OR CLEARING ACTIVITY. THE FENCE MATERIAL SHALL BE IN ACCORDANCE WITH COA ITEM NO. 7015 OF THE SSM, UNLESS OTHER MATERIALS ARE APPROVED BY THE CITY OF AUSTIN. A LOCKABLE ACCESS GATE SHALL BE INSTALLED FOR EACH CEF BUFFER. PLEASE CALL 512-974-2550 AT LEAST 72 HOURS IN ADVANCE TO SCHEDULE A FENCE INSPECTION WITH AN ERM GEOLOGIST.
24. AN INCREASE IN EMERGENCY VEHICLE ACCESS DISTANCE HAS BEEN APPROVED FOR LOT 4B, AS REQUESTED BY THE OWNER, PER EXCEPTION 3 TO SECTION 503.1.1 OF THE CITY OF AUSTIN FIRE CODE IN EFFECT ON JULY 20, 2016. THIS EXCEPTION IS LIMITED TO CONSTRUCTION OF NO MORE THAN TWO SINGLE FAMILY RESIDENCES IMPACTED BY THE INCREASED EMERGENCY VEHICLE ACCESS DISTANCE.
25. A FEE-IN-LIEU OF PARKLAND DEDICATION HAS BEEN PAID FOR 1 DWELLING UNIT.
26. SLOPES IN EXCESS OF 15% EXIST ON LOTS 4A AND 4B. CONSTRUCTION ON SLOPES IS LIMITED PER THE LAND DEVELOPMENT CODE.



Urban Design Group PC
TX Registered Engineering Firm #E-1843
TBPLS Firm # 10065900
3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040



Urban Design Group

October 20, 2016

Zoning and Platting Commission
City of Austin, Texas
c/o Steve Haskins
Planning and Development Review Department

Re: C8-2016-0053.0A
Golemon Subdivision
3607 Pinnacle Road
VARIANCE REQUEST LETTER – FLAG LOT IN A SINGLE-FAMILY
RESIDENTIAL SUBDIVISION ON PREVIOUSLY PLATTED LAND –
Section 25-4-175 (A)(2)

Dear Zoning and Platting Commission Members,

The proposed Golemon Subdivision involves subdividing Lot 4 of Pinnacle Oaks into two (2) lots. Lot 4 of Pinnacle Oaks is 3.5 acres in size. The proposed Golemon Subdivision subdivides Lot 4 into Lot 4A (1.04 acres in size) and Lot 4B (2.46 acres in size).

Lot 4 of Pinnacle Oaks is an existing residential lot having frontage on Easy Street and has been platted as such since 1978.

The proposed Golemon Subdivision will create a 50 foot wide flag lot for Lot 4A and a 40 foot wide flag lot for Lot 4B (measured at the 25 foot front building setback line). Vehicular access to Lot 4A will be by a proposed driveway onto Easy Street. Vehicular access to the existing home on Lot 4B will continue to be provided by an existing shared driveway and private utility easement to Pinnacle Road.

The following information is provided in accordance with the criteria for consideration of the flag lot variance contained in Section 25-4-175 (A)(2) of the City's Land Development Code.

1. Access for Emergency Responders.

All access to the proposed Lot 4A of the Golemon Subdivision will be by way of Easy Street upon which Lot 4A fronts.

For 36 years all access to Lot 4 of Pinnacle Oaks, including emergency access, has been from Pinnacle Road through the Driveway and Private Utility Easement established in 1978 and recorded in Volume 6296 at Page 716 of the Deed Records of Travis County, Texas, a copy of which is enclosed as Attachment 1. All access to the proposed Lot 4B of the Golemon Subdivision will continue to be by way of the same driveway and utility easement.

The adequacy of access by emergency responders as to both Lots 4A and 4B has been approved by the Fire Department as evidenced by Attachment 2.

10-20-16 Golemon Sub Variance Request Ltr.docx

October 17, 2016

Page 2

2. Adequate Room for Utilities.

The proposed Lot 4A will be served with Austin utilities by way of Easy Street and the existing wastewater line that abuts the lot.

The proposed Lot 4B has been served with Austin water, wastewater and electricity for 36 years and will remain so served in this way. The adequacy of utility service to both Lots 4A and 4B has been approved by the Austin Water Utility and Austin Energy as evidenced by Attachment 3.

3. Enhancement of Environmental and Tree Protection.

The proposed flag lot configuration will 1) retain the existing shared driveway and utilities that provide access and service to the existing home on Lot 4B; and 2) minimize the disturbance of trees and construction on slopes to provide utilities and access. An alternative plan, without the flag lots, would require construction of a public roadway into the property from Easy Street and significantly increase the disturbance. The proposed flag lot configuration avoids such disturbance and thus further protects and preserves the trees and other environmental features of the property.

The positive environmental aspects of the proposed flag lot configuration have been approved by the City's Environmental Review staff as evidenced by Attachment 4.

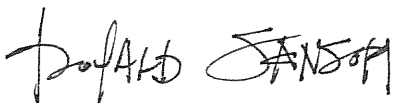
4. Compatible with Surrounding Neighborhood.

As shown on Attachment 5, the Golemon Subdivision is adjacent to other large acreage lots. Proposed Lot 4A is adjacent to a 0.97 acre tract on the north, Lot 1B of the Davis Subdivision on the east (2.11 acres), and Lot 6 of the Resub. of Lot 2 of the Stone Subdivision on the west (1.02 acres). Proposed Lot 4B is adjacent to Lot 1B of the Davis Subdivision on the north (2.11 acres), Lot 3 of Pinnacle Oaks on the east (2.58 acres), and Lot 5 of the Resub. of Lot 2 of the Stone Subdivision on the west (1.02 acres). The proposed Golemon Subdivision, consisting of the 1.04 acre Lot 4A and 2.46 acre Lot 4B, is very compatible with the surrounding neighborhood.

5. A copy of the existing private deed restrictions is attached as Attachment 6. This deed restriction permits the Golemon Subdivision, consisting of the subdivision of Lot 4, Pinnacle Oaks into two lots.

It is respectfully requested that the flag lot variance be approved for the proposed Golemon Subdivision based on its adherence to the City's adopted criteria.

Sincerely,
URBAN DESIGN GROUP PC



Donald Sansom, P.E.

Attachments:

1. Driveway and Private Utility Easement
2. Excerpt from COA Update 1 (indicating clearance by the Fire Department reviewer)
3. Water and Wastewater Service Plan approved by Austin Water Utility and Driveway and Utility Plan approved by Austin Energy
4. Email from Pamela Abee-Taulli (indicating approval of the plat for environmental review)
5. Exhibits illustrating the uses and sizes of the properties adjoining the subject tract
6. Private Deed Restrictions

ATTACHMENT 1
Driveway and Private Utility Easement

SEP 11 1985 * 1500

DRIVEWAY AND PRIVATE UTILITY EASEMENT~~1-85-2391~~

1-85-9022

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, Robert L. Davis and Robert L. Davis, Trustee, herein-after called "Owners", are the owners of all of the lots in Pinnacle Oaks, a subdivision in Travis County, Texas, according to the map or plat thereof of record in Book 77, Page 51, Plat Records of Travis County, Texas (collectively called "the Property"); and,

WHEREAS, Owners contemplate the sale of various lots in such subdivision and the construction of improvements thereon; and,

WHEREAS, said Owners contemplate the construction of a common driveway upon and construction of private utility lines in the real property described in Exhibit "A" which is attached hereto and made a part hereof for all purposes (the "Easement Tracts"); and,

WHEREAS, Owners desire to create a common driveway easement and common private utility easement in the Easement Tracts for the use and benefit of all of the owners of all lots in said Pinnacle Oaks Subdivision, and their respective successors in title to said lots:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Robert L. Davis and Robert L. Davis, Trustee, for a full valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, and for the benefits to accrue to them as Owners of the Property (and to the successors in title to lots out of the Property) have GRANTED and CONVEYED, and by these presents do GRANT and CONVEY unto each owner of a lot in the said Pinnacle Oaks Subdivision, and the successors in title to each such lot, an easement to construct and perpetually maintain private utility lines in, upon and under the Easement Tracts, and to construct a common driveway upon and across the Easement Tracts for purposes of ingress and egress to and from the various lots in said Pinnacle Oaks Subdivision, together with free and uninterrupted ingress and egress to and for the owners of said lots in, along, upon and out of said Easement.

DEED RECORDS
Travis County, Texas

6296

716

1-85-9023
~~1-85-2392~~

TO HAVE AND TO HOLD the same perpetually, provided, however, that the easements granted herein are subject to the following conditions:

1. The cost of constructing and maintaining a driveway in said Easement Tracts shall be shared among the owners of lots in said Pinnacle Oaks Subdivision, and their successors in title, with the owner of each lot to bear the proportion of the total cost equal to the ratio which the acreage in his lot bears to the total acreage in said Pinnacle Oaks Subdivision;

2. Any party constructing private utilities within the Easement Tracts shall restore the surface of said Easement Tracts to the condition in which the same was found before such work was undertaken after completion thereof.

The easements granted herein shall be common easements for use only by the owners of lots in Pinnacle Oaks Subdivision, their successors and assigns, and not for the use and benefit of the public, and shall be appurtenant to and run with the title to the said lots in Pinnacle Oaks Subdivision; and each owner of the lot in the said Pinnacle Oaks Subdivision may encumber his interest in the easements granted herein in favor of a mortgagee making a loan with respect to his lot in said Pinnacle Oaks Subdivision.

The easements granted herein may be modified only by written agreement of all of the owners of lots in Pinnacle Oaks Subdivision, and if the location of a private utility easement is to be changed, with the written approval of the Water and Waste Water Department of the City of Austin, Texas.

EXECUTED this 11th day of August, 1978.

Robert L. Davis, Trustee
Robert L. Davis, Trustee

Robert L. Davis
Robert L. Davis

THE STATE OF TEXAS S
COUNTY OF TRAVIS S

~~1-85-2393~~

1-85-9024

BEFORE ME, the undersigned authority, on this day personally appeared Robert L. Davis, Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of August, 1978.

NOTARY SEAL

Diane Darley
Notary Public in and for
Travis County, Texas

DIANE DARLEY

THE STATE OF TEXAS S
COUNTY OF TRAVIS S

BEFORE ME, the undersigned authority, on this day personally appeared Robert L. Davis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of August, 1978.

NOTARY SEAL

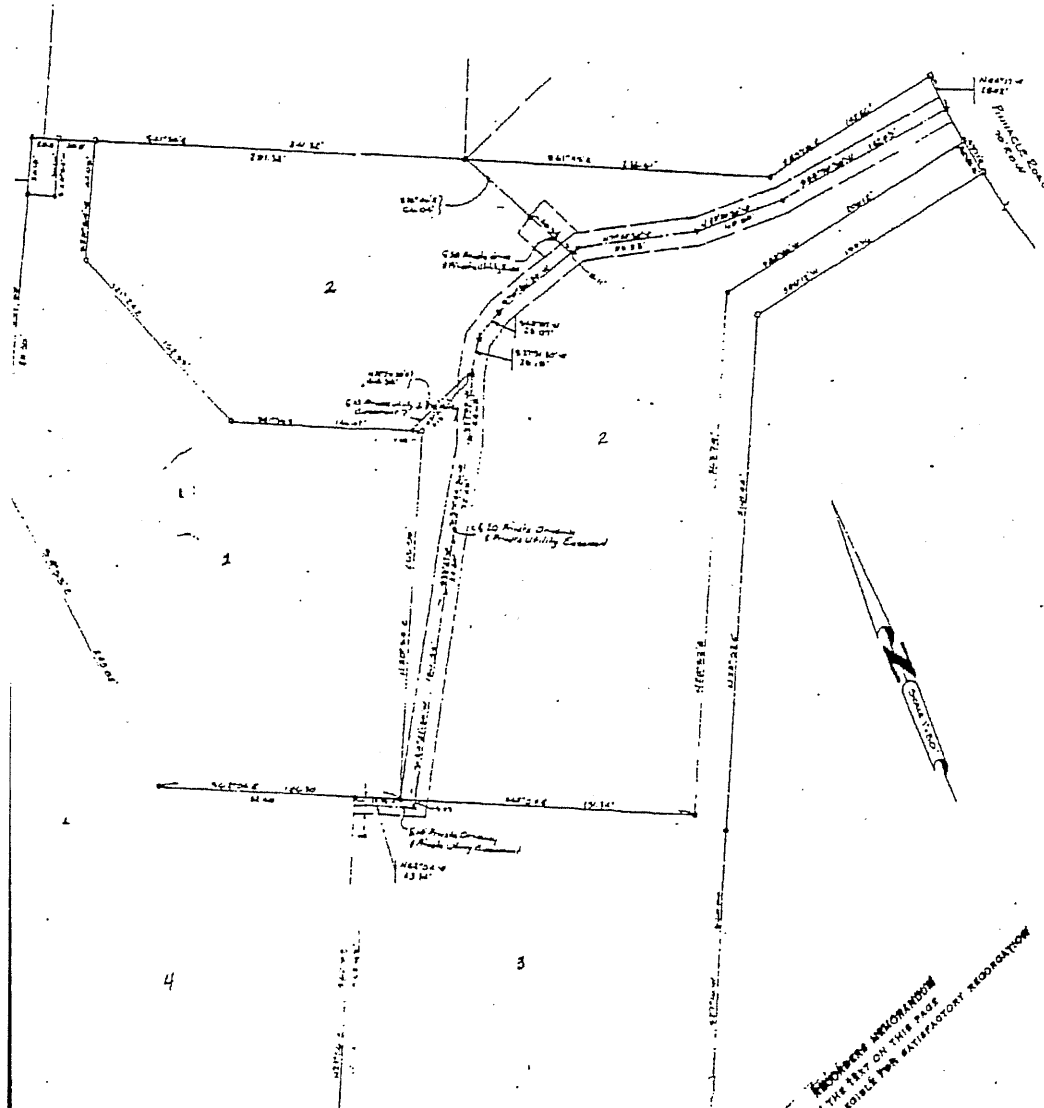
Diane Darley
Notary Public in and for
Travis County, Texas

DIANE DARLEY

PINNACLE OAKS
DRIVEWAY & PRIVATE
UTILITY EASEMENTS

~~1-85-2394~~

1-85-9025



RECORDERS INFORMATION
ALL OF PART OF THE TEXT ON THIS PAGE
HAS NOT CLEARLY LEGIBLE FOR SATISFACTORY REPRODUCTION

EXHIBIT "A"

THOMAS J. DODD
Registered Public Surveyor No. 1882

WILEY E. MARX
Registered Public Surveyor No. 1931

DODD SURVEYING CO.

2619D JONES ROAD • AUSTIN, TEXAS 78745 • (512) 892-2515

~~1-85-2395~~

1-85-9026

FIELD NOTES

FIELD NOTES FOR A THIRTY (30) FOOT STRIP OF LAND (PRIVATE DRIVE AND PRIVATE UTILITY EASEMENT) BEING OUT OF AND A PART OF THE PATTERSON MOORE SURVEY NO. 70, SITUATED IN TRAVIS COUNTY, TEXAS, SAME BEING OUT OF AND A PART OF LOT 2, OF PINNACLE OAKS, A SUBDIVISION OF RECORD IN PLAT BOOK 77, PAGE 51, OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS, THE CENTERLINE OF SAID THIRTY (30) FOOT STRIP OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at the most easterly northeast corner of said Lot 2,

THENCE, N 85°06'W, 142.86 feet, N 61°45'W, 236.61 feet and S 26°46'E, 66.04 feet to the PLACE OF BEGINNING.

THENCE, S 26°46'E, with the centerline of said private drive and private utility easement 40.34 feet to a point in the center of a twenty (20) foot private drive and private utility easement for the POINT OF TERMINATION.

EXHIBIT "A"

1-85-2396

THOMAS J. DODD
Registered Public Surveyor No. 1882

WILEY E. MARX
Registered Public Surveyor No. 1931

DODD SURVEYING CO.

2619D JONES ROAD • AUSTIN, TEXAS 78745 • (512) 892-2515

1-85-9027

FIELD NOTES

DRIVEWAY AND

FIELD NOTES FOR A TEN (10) FOOT STRIP OF LAND (PRIVATE UTILITY EASEMENT), BEING OUT OF AND A PART OF THE PATTERSON MOORE SURVEY NO. 70, SITUATED IN TRAVIS COUNTY, TEXAS, SAME BEING OUT OF AND A PART OF LOT 2 OF PINNACLE OAKS, A SUBDIVISION OF RECORD IN PLAT BOOK 77, PAGE 51 OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS, THE CENTERLINE OF SAID TEN (10) FOOT STRIP OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the northerly line of Lot 1, of said Pinnacle Oaks from which the most easterly northeast corner of said Lot 1 bears S 61°56'E, 7.46 feet,

THENCE, with the centerline of said ten (10) foot strip of land, N 72°24'30"E, 60.36 feet to a point in the centerline of a twenty (20) foot private drive and private utility easement for the POINT OF TERMINATION.

EXHIBIT "A"

THOMAS J. DODD
Registered Public Surveyor No. 1882

WILEY E. MARX
Registered Public Surveyor No. 1931

DODD SURVEYING CO.

2619D JONES ROAD • AUSTIN, TEXAS 78745 • (512) 892-2515

- 85-2397

1-85-9028

FIELD NOTES

FIELD NOTES FOR A TWENTY (20) FOOT STRIP OF LAND (PRIVATE DRIVE AND PRIVATE UTILITY EASEMENT) BEING OUT OF AND A PART OF THE PATTERSON MOORE SURVEY NO. 70, SITUATED IN TRAVIS COUNTY, TEXAS, SAME BEING OUT OF AND A PART OF LOTS 2 AND 3 OF PINNACLE OAKS, A SUBDIVISION OF RECORD IN PLAT BOOK 77, PAGE 51 OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS, THE CENTERLINE OF SAID TWENTY (20) FOOT STRIP OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the west R.O.W. line of Pinnacle Road, from which the most easterly northeast corner of said Lot 2, bears N 04°17'W, 28.02 feet,

THENCE, with the centerline of said twenty (20) foot strip of land the following ten (10) courses and distances numbered 1 through 10,

1. S 88°30'30"W, 142.03 feet to a point,
2. N 83°20'30"W, 69.59 feet to a point,
3. N 71°44'30"W, 93.53 feet to a point,
4. S 79°36'30"W, 75.84 feet to a point,
5. S 69°07'W, 25.07 feet to a point,
6. S 37°31'30"W, 25.19 feet to a point,
7. S 27°09'W, 44.68 feet to a point,
8. S 35°34'30"W, 72.49 feet to a point,
9. S 33°27'W, 34.80 feet to a point,
10. S 34°21'30"W, 150.34 feet to a TURNING POINT,

THENCE, with the centerline of a ten (10) foot private drive and private utility easement, N 62°04'W, 43.34 feet to a point in the west line of said Lot 3 for the POINT OF TERMINATION.

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

COUNTY OF TRAVIS

SEP 11 1978



Louis Shugart
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

SEP 11 4 29 PM '78

Louis Shugart
COUNTY CLERK
TRAVIS COUNTY, TEXAS

ATTACHMENT 2
Excerpt from COA Update 1
(Indicating clearance by the Fire Department reviewer)

*EXCERPT FROM:*CITY OF AUSTIN – DEVELOPMENT SERVICES DEPARTMENT
SUBDIVISION APPLICATION – MASTER COMMENT REPORT

CASE NUMBER: C8-2016-0053.0A
REVISION #: 00 UPDATE: U1
CASE MANAGER: Steve Hopkins PHONE #: 512-974-3175

PROJECT NAME: 3607 PINNACLE RD (W/R C8-2015-0044.0A)
LOCATION: 3607 PINNACLE RD

SUBMITTAL DATE: July 27, 2016
REPORT DUE DATE: August 10, 2016
FINAL REPORT DATE: August 11, 2016

Fire For Site Plan Review - Cora Urgena - 512-974-0184

FR 1 Add the following plat note:

"An increase in emergency vehicle access distance has been approved for Lot(s) XXXXX, as requested by the owner, per exception 3 to section 503.1.1 of the City of Austin fire code in effect on _____. This exception is limited to construction of no more than two single family residences impacted by the increased emergency vehicle access distance."

Update #1 - Addressed.

FR 2. Provide documentation which verifies that two fire hydrants are provided within 600 feet.

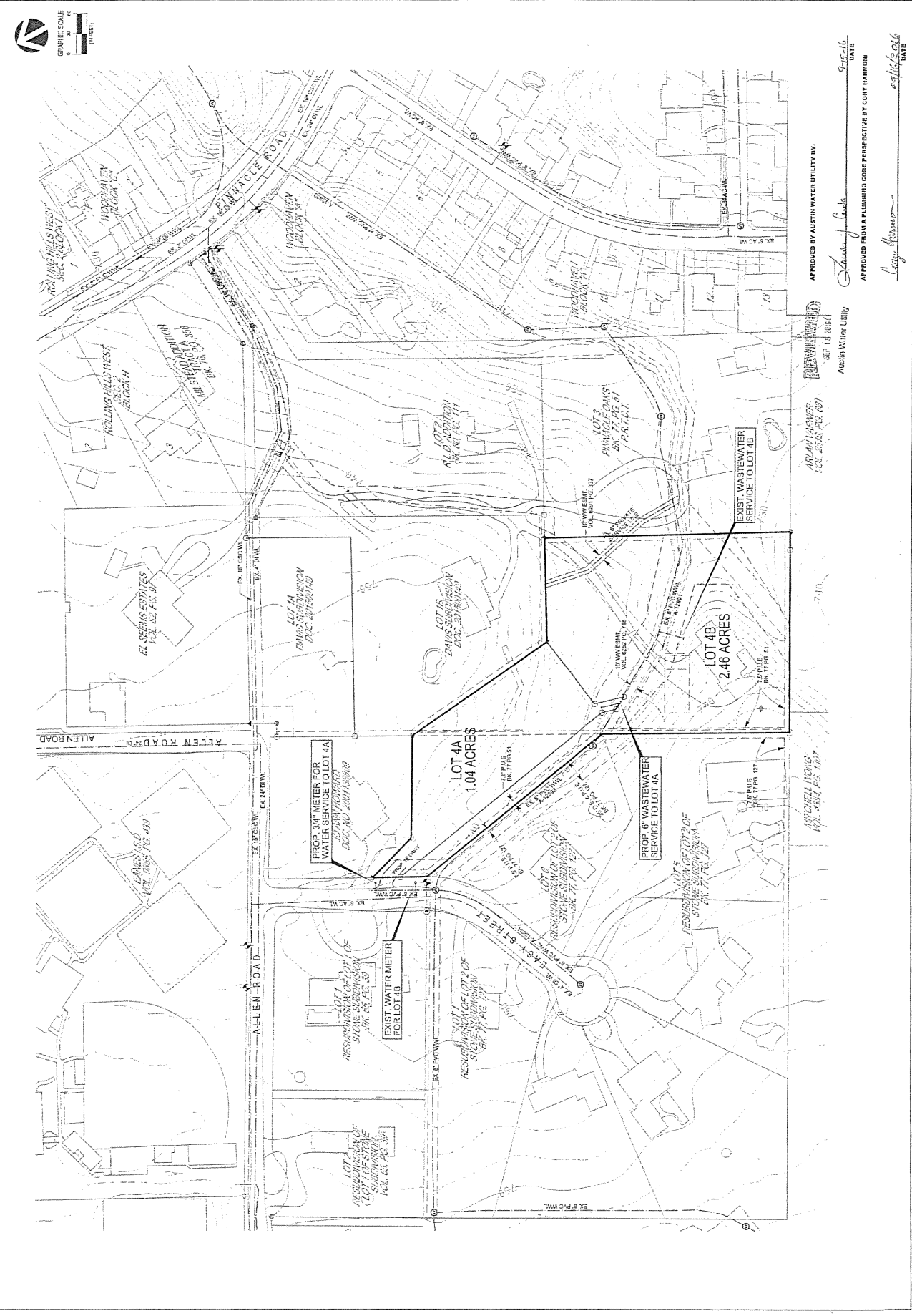
Update #1 - Addressed. Existing house is less than 3600 square feet, therefore, only one fire hydrant is required. Also, the house is existing.

APPROVED – UPDATE 1 – 08/08/2016

ATTACHMENT 3

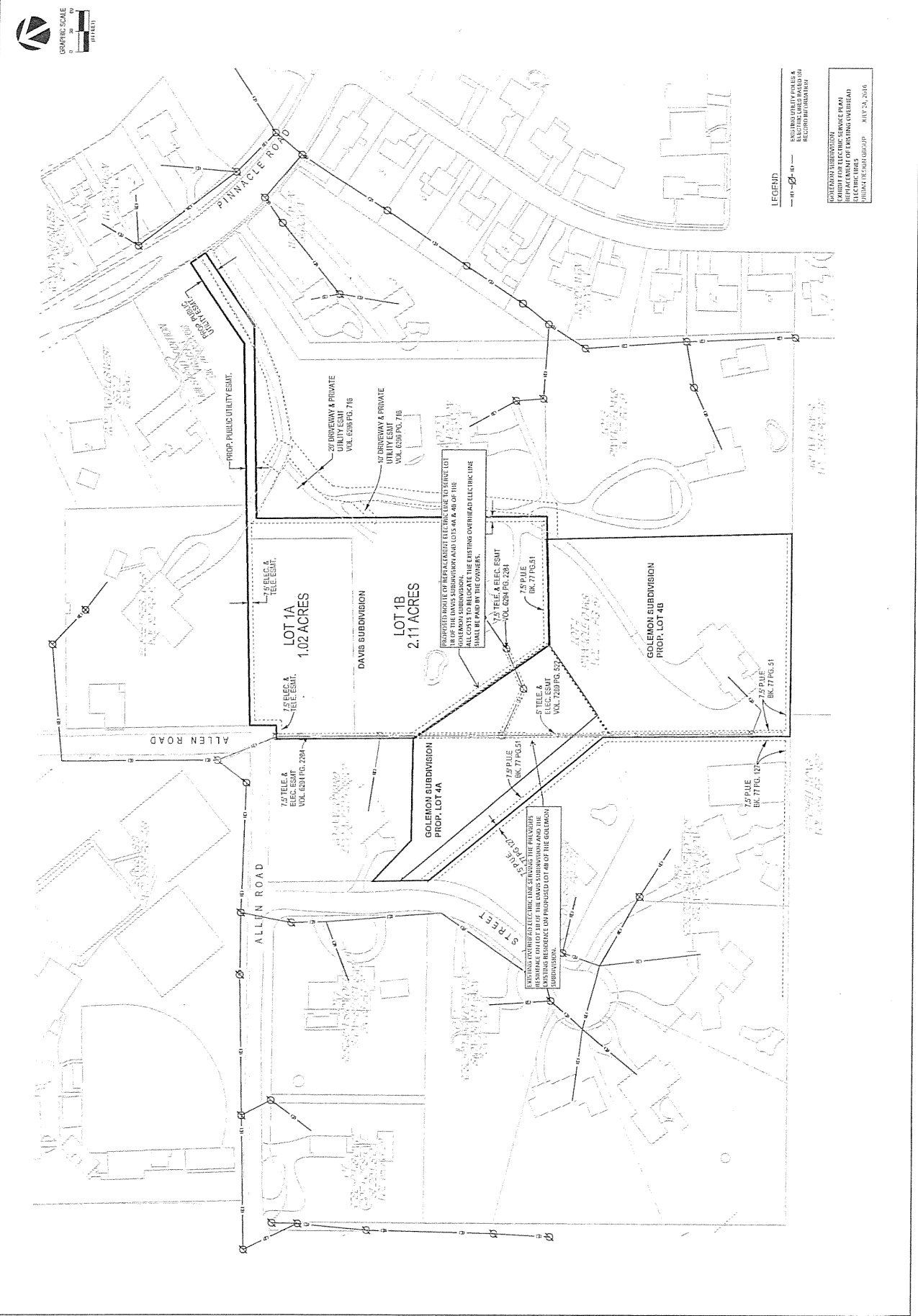
Water and Wastewater Service Plan approved by Austin Water Utility
And Utility Plan approved by Austin Energy

RELEASED BY DONALD J. SARGENT, P.E. FOR REVIEW ONLY NOT FOR CONSTRUCTION 04-2018		WATER & WASTEWATER SERVICE EXHIBIT Austin, Texas 78746		UDG UTILITY DESIGN GROUP, INC. 10000 N. Mopac Expressway, Suite 200 Austin, Texas 78753 512.331.0000 www.udginc.com		SHEET NUMBER 19	
--	--	--	--	--	--	--------------------	--



APPROVED BY DONALD J. SARGENT, P.E. FOR REVIEW ONLY NOT FOR CONSTRUCTION 04-2018		WATER & WASTEWATER SERVICE EXHIBIT Austin, Texas 78746		UDG UTILITY DESIGN GROUP, INC. 10000 N. Mopac Expressway, Suite 200 Austin, Texas 78753 512.331.0000 www.udginc.com		SHEET NUMBER 19	
--	--	--	--	--	--	--------------------	--

ELECTRIC SERVICE EXHIBIT		GOLMON SUBDIVISION Austin, Texas 78745	UDG UNIVERSITY DESIGN GROUP 3000 E. 17th Street Austin, Texas 78745 512.717.0000	AS SHOWN DATE: 11/11/2016 BY: [Signature] CHECKED BY: [Signature] APPROVED BY: [Signature]	
DATE:	11/11/2016			SHEET NO. 1	OF 1



From: Salinas, Steven (Ernie) [mailto:Ernie.Salinas@austinenergy.com]
Sent: Tuesday, September 20, 2016 8:03 AM
To: 'Don Sansom' <dsansom@udg.com>
Cc: Neal, Jennifer (Jenna) <Jenna.Neal@austinenergy.com>; Long, Robert <Robert.Long@austinenergy.com>
Subject: 8-Golemon Subdivision, C8-201-0053.0A

Don,

As long as you remember that AE will need a 20' wide all weather road to access our poles, and that the new overhead electric lines falls in the new to be easement which you show at 7.5' wide.

Thank you and please don't hesitate to contact me with any questions.

Ernie Salinas | Electric Distribution Designer Lead |
512-505-7667 | Ernie.Salinas@austinenergy.com

From: Don Sansom [mailto:dsansom@udg.com]
Sent: Monday, September 19, 2016 5:59 PM
To: Salinas, Steven (Ernie)
Cc: Neal, Jennifer (Jenna)
Subject: 7-Golemon Subdivision, C8-201-0053.0A

Ernie,

We have updated our previous drawing for this proposed flag lot subdivision to better depict the existing and proposed utility service improvements.

We have provided on the attached Driveway – Utility Plan the existing and proposed water and wastewater services; easements; and locations of protected trees, in accordance with AE's requirements.

Can you please review and confirm that the updated plan, showing the removal and schematic design for the replacement of the existing overhead electric lines, is acceptable, per our previous discussions?

Please call me if you have any questions.

Thank you,

Don Sansom, P.E.
Urban Design Group
3660 Stoneridge Road, Suite E101
Austin, Texas 78746
512-347-0040 x 111
dsansom@udg.com

From: Kellogg, Eben [mailto:Eben.Kellogg@austinenergy.com]
Sent: Monday, October 17, 2016 12:38 PM
To: Hopkins, Steve <Steve.Hopkins@austintexas.gov>
Cc: Don Sansom <dsansom@udg.com>; Salinas, Steven (Ernie) <Ernie.Salinas@austinenergy.com>
Subject: Golemon Subdivision, C8-2016-0053.0A

Steve –

Per ongoing communication with AE design and Mr. Sansom, the following subdivision has provided electric easements (7.5) for service.

Provisional comment from AE Lead Design – Mr. Salinas;
(AE) 1. will need a 20' wide all weather road to access our poles and 2. The new overhead electric lines and facilities/poles will fall in the newly dedicated 7.5' wide Electric Easement.

Don, Please continue to work with Ernie and his team on the construction phase to implement necessary infrastructure to serve this project.

If you have further questions, please let me know.
Thank you.

Eben Kellogg | Property Agent
Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
512.322.6050

ATTACHMENT 4
Email from Pamela Abee-Taulli
(Indicating approval of the plat for environmental review)

From: Abee-Taulli, Pamela [mailto:Pamela.Abee-Taulli@austintexas.gov]
Sent: Wednesday, October 19, 2016 11:39 AM
To: Hopkins, Steve <Steve.Hopkins@austintexas.gov>
Cc: dsansom@udg.com
Subject: 3607 Pinnacle Rd (W/R C8-2015-0044.0A) Formerly Golemon C8-2016-0053.0A

Steve,

I have approved this plan for environmental review. The flag lot issue has been resolved for me by inclusion of a plat note stating that there are slopes exceeding 15% on the lot and that any subsequent development will have to comply with applicable regulations.

Thanks,

Please note new email address:

pamela.abee-taulli@austintexas.gov

Pamela Abee-Taulli

Environmental Review Specialist

City of Austin Development Services Department

One Texas Center, 4th Floor

505 Barton Springs Rd.

512.974.1879

Pamela.taulli@austintexas.gov



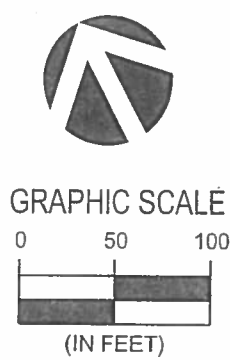
Development
SERVICES DEPARTMENT
Building A Better Austin Together

ATTACHMENT 5

Exhibits illustrating the uses and sizes of the properties adjoining the subject tract

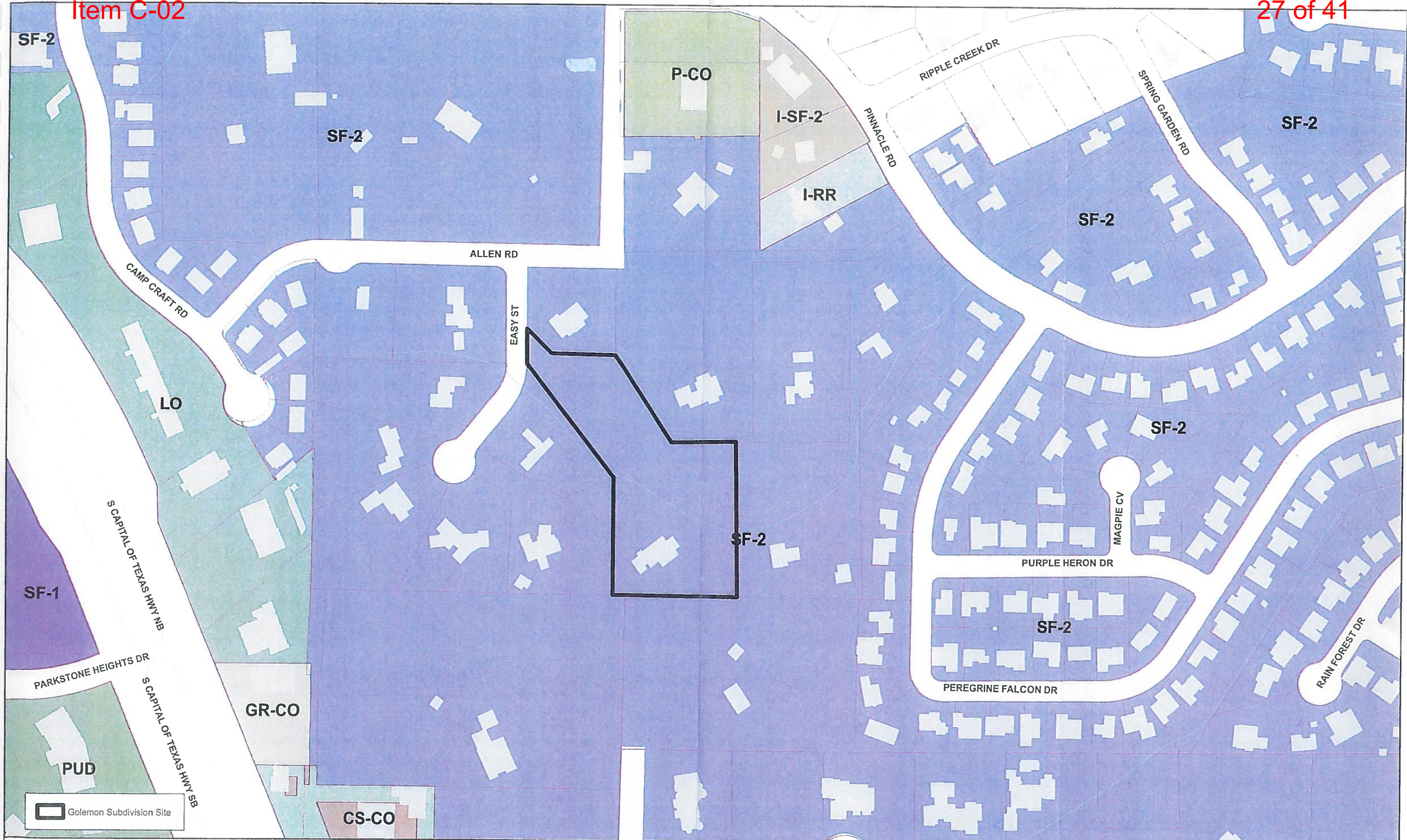


GOLEMON SUBDIVISION
ATTACHMENT 5
ADJOINING PROPERTIES



3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040

UDG
Urban Design Group PC
TX Registered Engineering Firm #C-1843



GOLEMON SUBDIVISION - ZONING MAP



TX Registered Engineering Firm #F-1843
3660 Stoneridge Rd., E101
Austin, TX 78746
512.347.0040

ATTACHMENT 6
Private Deed Restrictions



AFTER RECORDING, RETURN TO:

Robert L. Davis
Brown McCarroll, L.L.P.
111 Congress Avenue, Suite 1400
Austin, Texas 78701

RESTRICTIVE COVENANTS

THE STATE OF TEXAS

§

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF TRAVIS

§

WHEREAS, the undersigned are the owners (individually an Owner and collectively, the "Owners") of all of the Lots described in Exhibit "A" which is attached hereto and made a part hereof for all purposes (individually, a "Lot" and collectively, the "Property"), which Property is located in Travis County, Texas; and

WHEREAS, the undersigned have agreed that the Property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreements in writing.

NOW, THEREFORE, the undersigned, all of the Owners of the Property, agree that from and after the date hereof, the Property shall be held, transferred, sold and conveyed subject to the restrictions and agreements set forth herein (the "Restrictions"), which are as follows:

1. Except as permitted herein, no Owner shall have the right to subdivide or re-plat any Lot which constitutes a part of the Property. Notwithstanding the foregoing, the undersigned agree that the following subdivision shall be permitted, but no further subdivision of any Lot, or any Lot created by the permitted subdivision, shall be allowed:

(a) A one-time subdivision of Lot 4, Pinnacle Oaks (as shown on Exhibit "A"), into two lots, one lot being at least one acre and approximately one acre, and located as shown on Exhibit "B" which is attached hereto and made a part hereof for all purposes, and the other lot being the remainder of said Lot 4, Pinnacle Oaks; provided, however, that all access to the one-acre lot created by such subdivision shall be to Easy Street only and no access shall be permitted from such lot to the common driveway serving the other Lots, but the remainder of Lot 4, Pinnacle Oaks, shall continue to have access to such common driveway; and

(b) A one-time subdivision of Lot 1, R.L.D. Addition (as shown on Exhibit "A"), into two lots, one lot being at least one acre and approximately one acre, and located as shown on Exhibit "C" which is attached hereto and made a part hereof for all purposes, and the other lot being the remainder of said Lot 1, R.L.D. Addition; provided, however, that all access to the one-acre lot created by such subdivision shall be to Allen Road only and no access from such lot shall be permitted to the common driveway serving the other Lots, but

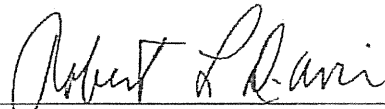
the remainder of Lot 1, R.L.D. Addition shall continue to have access to such common driveway.

2. These Restrictions shall run with the Property and be binding on all Owners, their successors and assigns, and all subsequent owners of all or any part of the Property for a period of fifty (50) years from the date that these Restrictions are recorded, after which time such Restrictions shall automatically be extended for successive periods of ten (10) years each, unless an instrument signed by all of the then Owners of any portion of the Property has been recorded, agreeing to change such Restrictions in whole or in part.

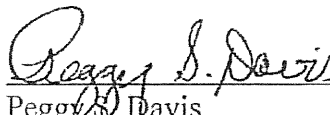
3. If the Owner of any Lot in the Property, or their heirs, executors, administrators, successors or assigns shall violate or attempt to violate any of these Restrictions, it shall be lawful for any person or persons owning any Lot encumbered by these Restrictions to prosecute any proceedings against the person or persons violating or attempting to violate any of these Restrictions. The failure of any Owner to perform its obligations hereunder would result in irreparable damage to the other Owners of Lots out of the Property, thus the breach of any provision of these Restrictions may not only give rise to an action for damages at law, but also may be enjoined by an action for a specific performance in any court of competent jurisdiction. In the event enforcement actions are instituted and the enforcing party recovers, then in addition to the remedies specified above, court costs and reasonable attorneys' fees shall be assessed against the violating party. Failure to enforce any covenant or agreement contained in these Restrictions shall in no event be deemed a waiver of the right to do so thereafter.

4. These Restrictions may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall together constitute one and the same instrument.

EXECUTED to be effective this 12th day of April, 2010.



Robert L. Davis



Peggy S. Davis

C. Morris Davis

June Davis

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

the remainder of Lot 1, R.L.D. Addition shall continue to have access to such common driveway.

2. These Restrictions shall run with the Property and be binding on all Owners, their successors and assigns, and all subsequent owners of all or any part of the Property for a period of fifty (50) years from the date that these Restrictions are recorded, after which time such Restrictions shall automatically be extended for successive periods of ten (10) years each, unless an instrument signed by all of the then Owners of any portion of the Property has been recorded, agreeing to change such Restrictions in whole or in part.

3. If the Owner of any Lot in the Property, or their heirs, executors, administrators, successors or assigns shall violate or attempt to violate any of these Restrictions, it shall be lawful for any person or persons owning any Lot encumbered by these Restrictions to prosecute any proceedings against the person or persons violating or attempting to violate any of these Restrictions. The failure of any Owner to perform its obligations hereunder would result in irreparable damage to the other Owners of Lots out of the Property, thus the breach of any provision of these Restrictions may not only give rise to an action for damages at law, but also may be enjoined by an action for a specific performance in any court of competent jurisdiction. In the event enforcement actions are instituted and the enforcing party recovers, then in addition to the remedies specified above, court costs and reasonable attorneys' fees shall be assessed against the violating party. Failure to enforce any covenant or agreement contained in these Restrictions shall in no event be deemed a waiver of the right to do so thereafter.

4. These Restrictions may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall together constitute one and the same instrument.

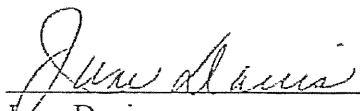
EXECUTED to be effective this 12th day of April, 2010.

Robert L. Davis

Peggy S. Davis

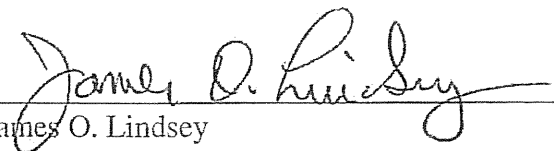


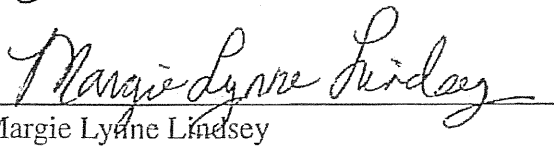
C. Morris Davis



June Davis

[SIGNATURES CONTINUE ON FOLLOWING PAGE]


James O. Lindsey


Margie Lynne Lindsey

R. Kinnan Golemon

Jacqueline Golemon

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by Robert L. Davis.

Notary Public, State of Texas

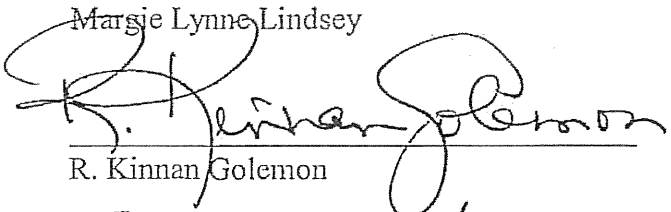
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by Peggy S. Davis.

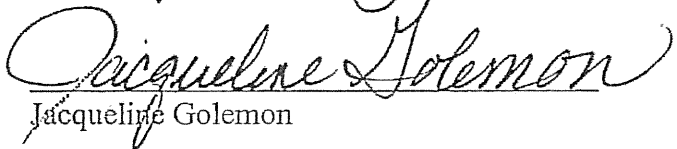
Notary Public, State of Texas

James O. Lindsey

Marsie Lynne Lindsey



R. Kinnan Golemon



Jacqueline Golemon

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by Robert L. Davis.

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by Peggy S. Davis.

Notary Public, State of Texas

James O. Lindsey

Margie Lynne Lindsey

R. Kinnan Golemon

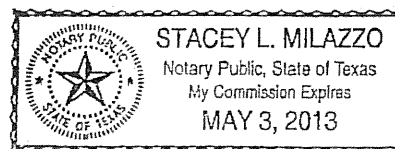
Jacqueline Golemon

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 19th day of March, 2010, by Robert L. Davis.

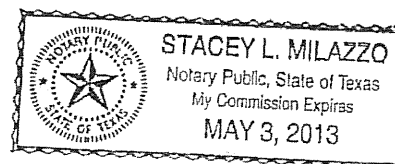
Stacey L. Milazzo
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §



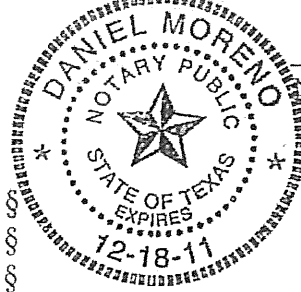
This instrument was acknowledged before me on the 19th day of March, 2010, by Peggy S. Davis.

Stacey L. Milazzo
Notary Public, State of Texas



THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

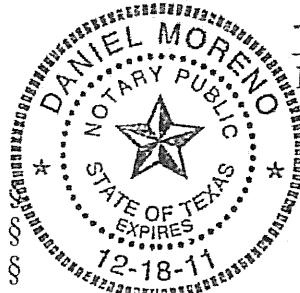
This instrument was acknowledged before me on the 20th day of March, 2010, by C. Morris Davis.



[Signature]
 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 20th day of March, 2010, by June Davis.



[Signature]
 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by James O. Lindsey.

 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by Margie Lynne Lindsey.

 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by C. Morris Davis.

 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2010, by June Davis.

 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

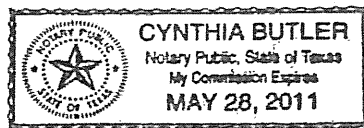
This instrument was acknowledged before me on the 25th day of MARCH, 2010, by James O. Lindsey.



Cynthia Butler
 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
 COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 25th day of March, 2010, by Margie Lynne Lindsey.

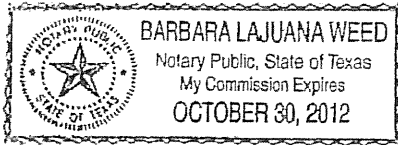


Cynthia Butler
 Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 12 day of April, 2010, by
R. Kinnan Golemon.

(Seal)

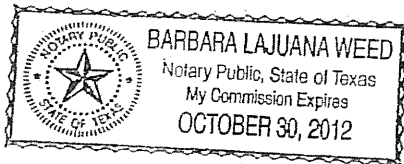


Barbara Lajuana Weed
Notary Public, State of Texas

My Commission Expires: 10/30/12

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 12 day of April, 2010, by
Jacqueline Golemon.



Barbara Lajuana Weed
Notary Public, State of Texas

Exhibit "A"Property

<u>Owner</u>	<u>Lot</u>
Robert L. Davis and Peggy S. Davis	Lot 1, R.L.D. Addition, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 80, Page 111 of the Plat Records of Travis County, Texas
C. Morris Davis and June Davis	Lot 3, Pinnacle Oaks, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 77, Page 51 of the Plat Records of Travis County, Texas
James O. Lindsey and Margie Lindsey	Lot 2, R.L.D. Addition, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 8, Page 41 of the Plat Records of Travis County, Texas
R. Kinnan Golemon and Jacqueline Golemon	Lot 4, Pinnacle Oaks, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 77, Page 51 of the Plat Records of Travis County, Texas.

Exhibit "B"

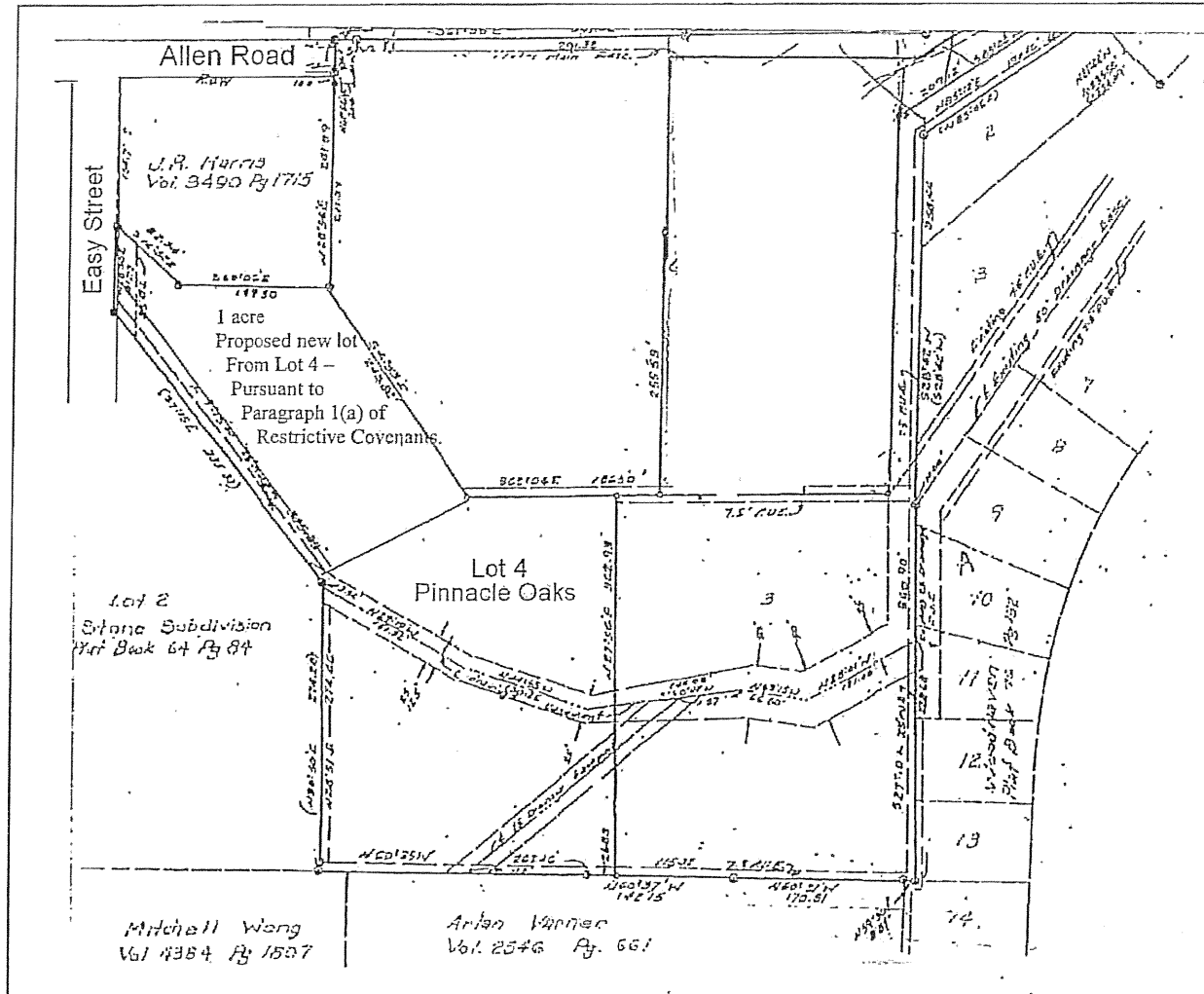
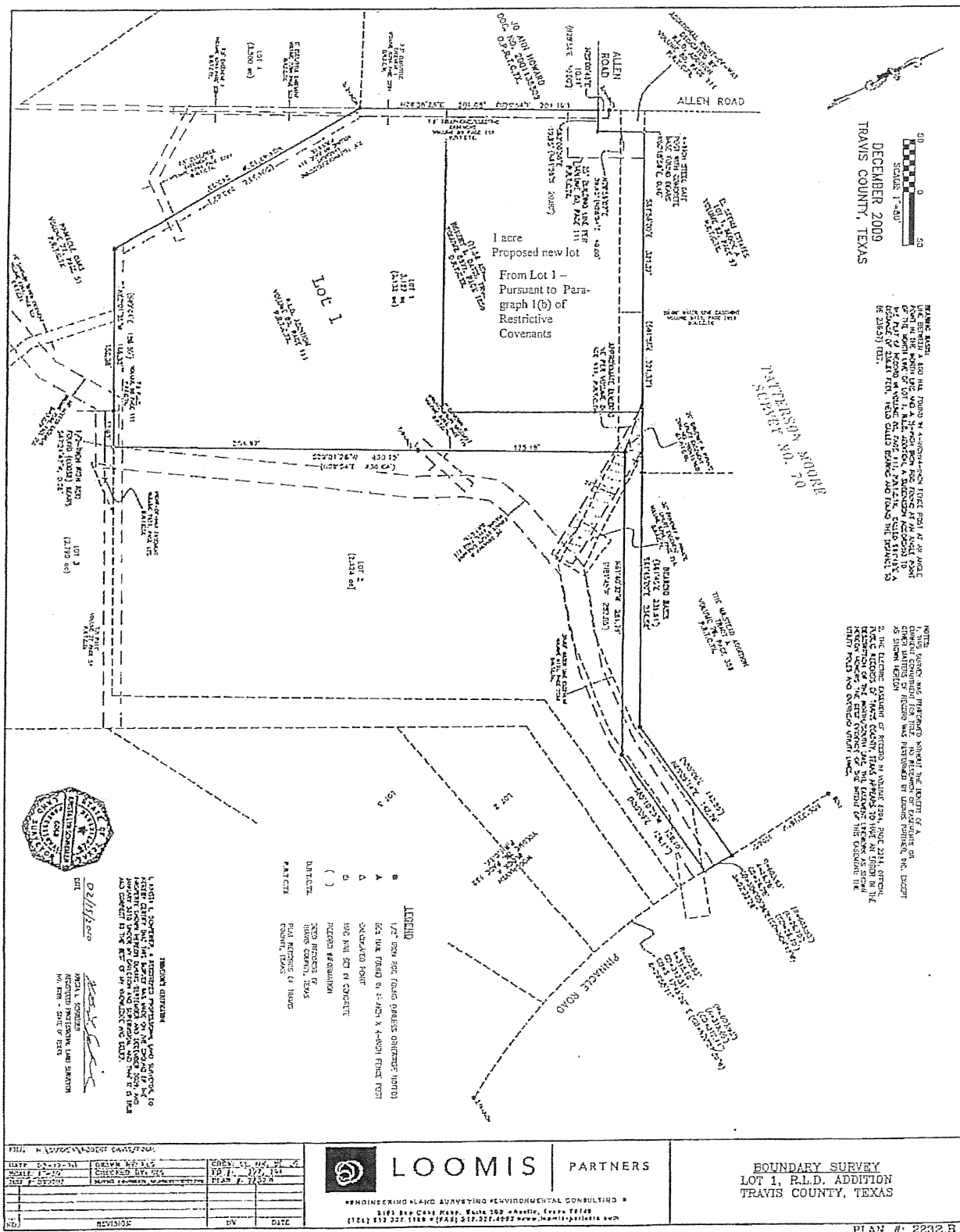


Exhibit "C"



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