

H04/1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2018-0039

LOCATION: 4201 CLAWSON ROAD



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 250'

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday April 09, 2018

CASE NUMBER: C15-2018-0013

<input checked="" type="checkbox"/>	Y	Brooke Bailey
<input checked="" type="checkbox"/>	Y	William Burkhardt
<input checked="" type="checkbox"/>	Y	Christopher Covo
<input checked="" type="checkbox"/>	Y	Eric Goff
<input checked="" type="checkbox"/>	Y	Melissa Hawthorne
<input checked="" type="checkbox"/>	Y	Bryan King
<input checked="" type="checkbox"/>	Y	Don Leighton-Burwell
<input type="checkbox"/>	-	Rahm McDaniel (OUT)
<input checked="" type="checkbox"/>	Y	Veronica Rivera
<input checked="" type="checkbox"/>	Y	James Valadez
<input checked="" type="checkbox"/>	Y	Michael Von Ohlen
<input checked="" type="checkbox"/>	Y	Kelly Blume (Alternate)
<input type="checkbox"/>	-	Martha Gonzalez (Alternate)
<input type="checkbox"/>	-	Pim Mayo (Alternate)

APPLICANT: Hector Avila

OWNER: A New Hope Investments, LLC

ADDRESS: 4201 CLAWSON RD

VARIANCE REQUESTED: The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum lot area from 5,750 square feet (required) to 4,361 square feet (requested, existing); and to

B. decrease the minimum lot width from 50 feet (required) to 40 feet (requested, existing)

in order to erect a new single family residence in a "SF-3", Family Residence zoning district.

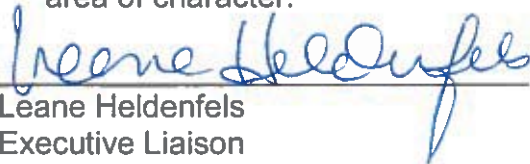
(Note: this property does meet exception from platting/land status requirements, however it does not meet sub-standard lot requirements since it was deed divided into its current configuration after 1946, therefore the lot size and width must meet current zoning requirements before permits for a new home can be issued on it.)

BOARD'S DECISION: April 9, 2019 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant limited to .4 FAR, Board Member Veronica Rivera second on an 11-0 vote; **GRANTED LIMITED TO .4 FAR.**

EXPIRATION DATE: APRIL 9, 2019

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the current configuration has been the same since 1953
2. (a) The hardship for which the variance is requested is unique to the property in that: are unable to rebuild due to the lots configuration, minimum lot frontage for SF-3 is 50' and minimum lot size is 5750
(b) The hardship is not general to the area in which the property is located because: this lot is in the same configuration since 1953 and was a home present there.
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: they are asking for the same use as the homes around it and will make it uniform with the area of character.


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

From: [Heldenfels, Leane](#)
To: [Ramirez, Diana](#)
Subject: [REDACTED]
Date: Monday, September 03, 2018 2:36:13 PM
Attachments: [clawson_20180828_0001.pdf](#)
[20180828162908729.pdf](#)

From: [REDACTED]
[REDACTED]
Cc: Heldenfels, Leane
Subject: Re: Fwd: 4201 Clawson Road

Ms. Heldenfels:

Attached is the information that you have requested.

- 1) new proposed one lot subdivision showing the correct area as 4,320 square feet
- 2) prior survey which I am claiming to be incorrect

Hope this helps, and please contact me at any time with your questions or concerns.

Holt Carson
www.hciaustin.com

From: [Heldenfels, Leane](#)
To: [Ramirez, Diana](#)
Subject: [REDACTED]

Date: Monday, September 03, 2018 2:29:51 PM

From: [REDACTED]
Date: Mon, Aug 13, 2018, 3:25 PM
Subject: Re: 4201 Clawson Rd
To: [REDACTED]

Hi Heather,

Thanks for getting back to me. As per our phone conversation, we have to get a new subdivision plat formed due to the City's request to make an illegal lot legal. A problem arose when my civil engineer hired her contact to create the subdivision plat and their survey does not match the survey you provided on 5/5/16. According to that surveyor, Exacta's survey was off by 40 sqft and the lines don't close.

Due to the alleged discrepancy, we will have to file for a new variance (after we've been already approved for one using the size of the lot in your survey), and the likelihood of getting approved after already granting the first variance seems slim (this is according to Leanne Heldenfels of the Board of Adjustments in the City of Austin). Because the error seems to come from Exacta's end, we would have to find a way to resolve this issue. Unfortunately, going through another variance review, getting it granted, and then proceeding with the subdivision is expensive and time consuming, and we want to avoid going through that at all costs.

The best solution to this issue is to find someone that would create the new subdivision plat using Exacta's survey. That way, we can avoid that whole variance mess and I don't have to bother you guys with this. The people we hired would not, and they will not stamp something they feel has been done incorrectly. If you can help me with this, it would be greatly appreciated. I work with you guys a lot so I hope you can find a way to help! We only need a subdivision plat for this property and it has to coincide with Exacta's survey.

Another concern is the timeframe. We have to pay for the variance review by tomorrow to apply for September's board meeting. I hate to spring this on you like this, but I just found out about this issue during the weekend. The sooner I can get any additional information from your end, the better. Please email or call me if you have any questions. 512-595-1890.

Thanks a ton,



Eddy Salazar

A New Hope Investments, LLC

m: 512-595-1890

f: 512-593-5073

w: www.ANewHopeREI.com



On Mon, Aug 13, 2018 at 12:50 PM, [REDACTED] wrote:
Good Afternoon Eddy,
I am sorry but this is not a service that we provide.

Thank you!



Office: 866-735-1916

Direct: 786-718-1856

Email: [REDACTED]

Supervisor Email: [REDACTED]



On Mon, Aug 13, 2018 at 11:59 AM, Eddy Salaza wrote:
Hi Heather,

Hope you're well. Please call me at your earliest convenience as this is a time sensitive matter. We need a subdivision plat for a new subdivision and we'd like to use Exacta since they already did the survey plus tree & topo. I need to discuss the situation with you because it's a bit complicated with the City of Austin and they're giving us until tomorrow to figure out which direction we're taking.

My phone number is 512-595-1890 or 305-775-5702. I look forward to hearing from you.

Thanks,

Eddy Salazar

--



Eddy Salazar

A New Hope Investments, LLC

m: 512-595-1890

f: 512-593-5073

w: www.ANewHopeREI.com



This is page 1 of 2 and is not valid without all pages.

CLAWSON NEW HOPE

PLAT PREPARATION DATE: June 12, 2018
APPLICATION SUBMITTAL DATE:

CLAWSON ROAD (50')

Lot 8A
Resubdivision of the
West One-Half (1/2)
of Lot 8 Banister Heights
Volume 14 Page 66



Formerly
Thomas B. Wiley, Jr.
Volume 9609 Page 575
Special Warranty Deed
Gullamine E. Smith
Document No. 2014051279

Jeffrey A. Twining
Warranty Deed
Document No. 2000174839

Formerly
W.S. Garrison et al
General Warranty Deed
Volume 10326 Page 3
Document No. 2016091904

Hipple Hollow Homes, LP
General Warranty Deed
Document No. 2016091904

LOT 1

40.00'
N29°56'32"E
4.320
Square Feet

Cedarview Properties, LLC
Doc. 2012085726
Formerly
Cecilia Gayle Ponder
Warranty Deed
Volume 5942 Page 1622

Max Willman
General Warranty Deed
Document No. 2012044866

Formerly
John R. Newman
Warranty Deed
Volume 6770 Page 712

MORGAN LANE (50')

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THE STATE OF TEXAS
THE COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS:
That, A New Hope Investments, LLC, owner of a portion of Lot 9, Banister Heights,
a subdivision in Travis County, Texas, according to the map or plat thereof recorded
in Volume 3 Page 256 of the Plat Records of Travis County, Texas, as conveyed
to it by General Warranty Deed recorded in Document Number 2016094534
of the Official Public Records of Travis County, Texas,
said subdivision having been approved for resubdivision pursuant to the
public notification and hearing provision of Chapter 212.014, of the Local Government Code,
do hereby resubdivide a portion of Lot 9 in accordance with the attached map or plat
shown hereon to be known as
CLAWSON NEW HOPE
and do hereby dedicate to the Public the use of all streets and easements shown hereon,
subject to any easements and/or restrictions heretofore granted and not released.

WITNESS MY HAND this the ____ day of _____, A.D. 20 ____

A New Hope Investments, LLC
15701 Da Fortuna Drive
Austin, Texas 78738

THE COUNTY OF TRAVIS
THE STATE OF TEXAS
I, the undersigned authority, on this ____ day of _____, A.D.,
20____, did personally appear
the person whose name is subscribed to the foregoing instrument of writing, and he acknowledged
before me that he executed the same for the purposes and considerations therein expressed.

NOTARY PUBLIC
Printed Name _____
Commission Expires _____

SCALE: 1" = 20'



Legend

- ① 1/2" Iron Rod Found
- ② 1/2" Iron Rod Found with plastic cap
- ③ Imprinted with "Holt Carson, Inc."
- ④ 1/2" Iron Rod Set with plastic cap
- ⑤ Imprinted with "Holt Carson, Inc."
- ⑥ Chiseled X Mark Found
- ⑦ ETE = Electric and Telecommunications Easement
- ⑧ Sidewalk
- ⑨ Record Dimension



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # 05-2018-0013 ROW # 11904310 Tax # 0406090129
TCAD ✓

Section 1: Applicant Statement

Street Address: 4201 Clawson Road 78704

Subdivision Legal Description:

S40 FT of W100 FT of N106 Ft Lot 9 Banister Hieghts

Lot(s): 9

Block(s): _____

Outlot: _____

Division: Banister Hights

Zoning District: SF-3

I/We Hector Avila

on behalf of myself/ourselves as

authorized agent for A New Hope Investments LLC

affirm that on

Month March, Day 7, Year 2018

, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: SF3 use home

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Minimum lot size, this lot is 4361SF and minimum lot frontage, the frontage is 40'

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

They are unable to rebuild due to the lots configuration, minimum lot frontage for SF 3 is 50' and minimum lot size is 5750.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

This current configuration as been the same since 1953 and there used to be a structure here prior to 2017

b) The hardship is not general to the area in which the property is located because:

This lot was in the same configuration since 1953 and there was a home present there.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

We are asking for the same use as the homes around it. This will make it uniform

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

We are asking for the previous use to be listed as its current use

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

This is a residential neighborhood and this will be a residential home. There used to be a home on this lot prior to 2017 and the traffic will be as it always was before.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

A new home erected will be built to current code and standards.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

The use being asked for, will be the use it has always been used for.

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: 

Date: 3/8/18

Applicant Name (typed or printed): Hector Avila

Applicant Mailing Address: 1008 S Center

City: Austin

State: Texas

Zip: 78704

Phone (will be public information): 512-791-0517

Email (optional – will be public information): 

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: 

Date: 03/09/18

Owner Name (typed or printed): A New Hope Investments LLC

Owner Mailing Address: 15701 De Fortuna Dr

City: Austin

State: TX

Zip: 78738

Phone (will be public information): 512-595-1890

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: Hector Avila

Agent Mailing Address: 1008 S Center

City: Austin

State: TX

Zip: 78704

Phone (will be public information): 512-791-0517

Email (optional – will be public information): 

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

EXACTA

TEXAS SURVEYORS, INC.

7416 Canal Drive, Lake Worth, FL 33467
LB# 10193731 | exacta365.com | p: 866.735.1916 | f: 866.744.2882



H04/13

PROPERTY ADDRESS: 4201 CLAWSON ROAD AUSTIN, TEXAS 78704

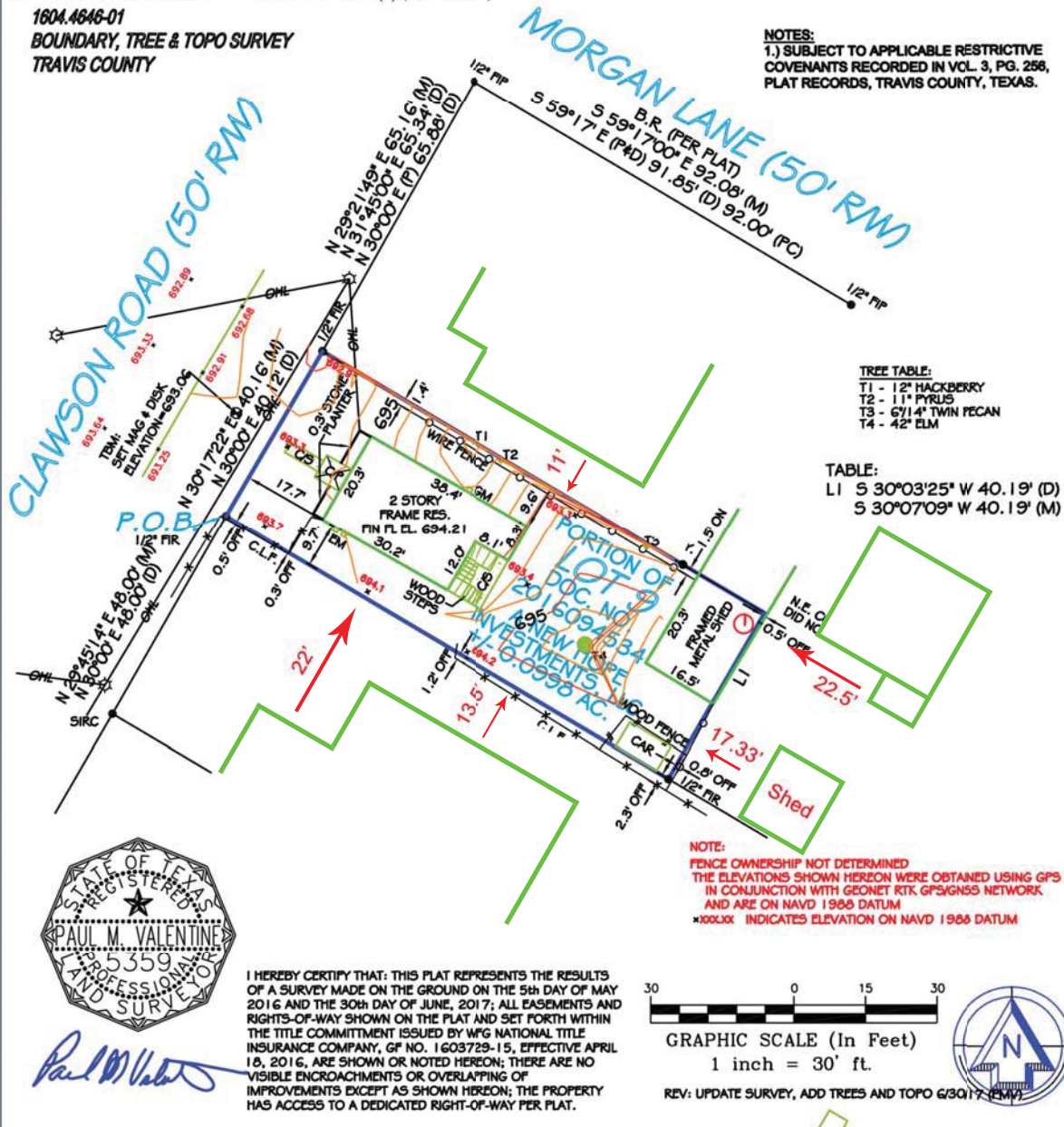
SURVEY NUMBER: 1604.4646-01

FIELD WORK DATE: 6/30/2017

REVISION DATE(S): (REV.1 7/3/2017)

1604.4646-01

BOUNDARY, TREE & TOPO SURVEY
TRAVIS COUNTY



Paul M. Valentine

I HEREBY CERTIFY THAT: THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON THE 5th DAY OF MAY 2016 AND THE 30th DAY OF JUNE, 2017; ALL EASEMENTS AND RIGHTS-OF-WAY SHOWN ON THE PLAT AND SET FORTH WITHIN THE TITLE COMMITMENT ISSUED BY WFG NATIONAL TITLE INSURANCE COMPANY, GP NO. 1603729-15, EFFECTIVE APRIL 18, 2016, ARE SHOWN OR NOTED HEREON; THERE ARE NO VISIBLE ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN HEREON; THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER PLAT.

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 09/26/08.

CLIENT NUMBER:

DATE: 7/3/2017

BUYER: A NEW HOPE INVESTMENTS, LLC

SELLER: A NEW HOPE INVESTMENTS, LLC

CERTIFIED TO: A NEW HOPE INVESTMENTS, LLC

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST

1. FRAMED METAL SHED OVER REAR AND SIDE LOT LINES

POWERED BY:

surveystars

www.surveystars.com

EXACTA

TEXAS SURVEYORS, INC.

LB# 10193731
exacta365.com
p: 866.735.1916
f: 866.744.2882

7416 Canal Drive, Lake Worth, FL 33467

1 Site Plan

[illegible]

[illegible]



OCHONA

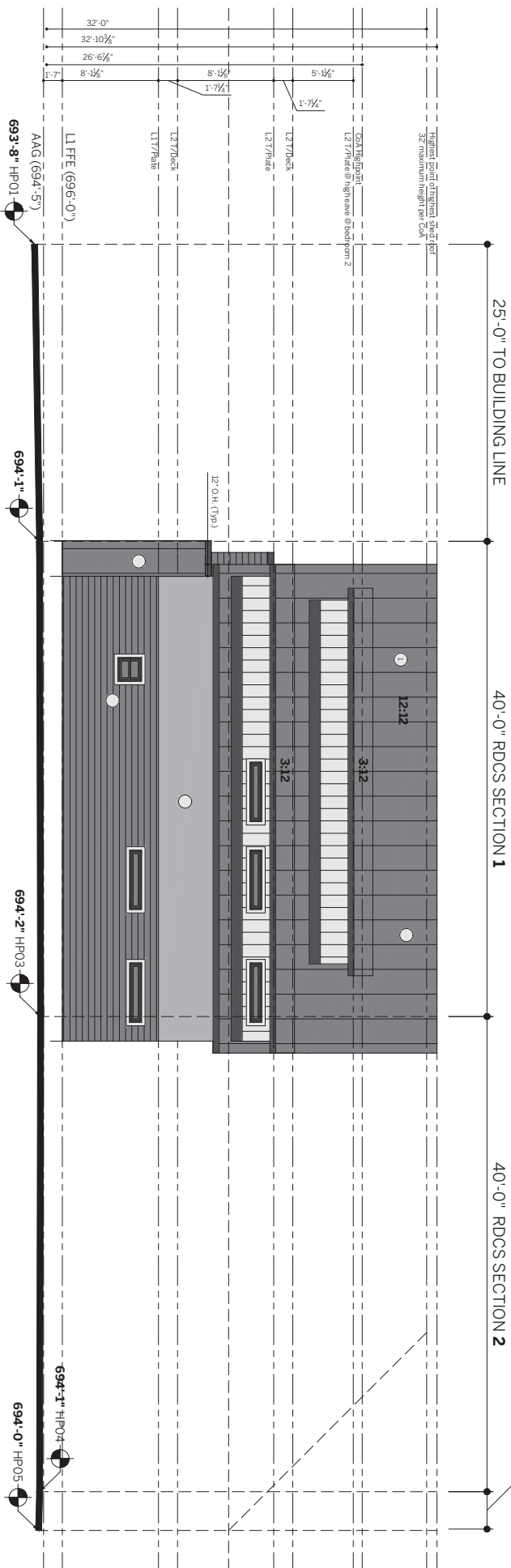
NEW HOUSE AT
4201 CLAWSON RD
AUSTIN, TEXAS 78704

ISSUE DATE: 07 Aug 2017

SHEET TYPE: Elevations, Bldg 1

A202

<p>LOC TITLE 25, CHAPTER 25.5, SUBCHAPTER 1, ARTICLE 26, 4.1.B, (10)</p> <p>A structure may extend beyond a setback, parapet, fence, or garage or parked car, with a total horizontal length not more than 18 feet on each side of the building, measured along the intersection with the setback plane.</p> <p>ARCHITECT'S NOTE: NO PROVISIONS FOR "HABITABILITY" OF SPACES UNDER THE JUDGE CRITCH FENCE. THE SPACES UNDER THE FENCE ARE NOT TO BE USED FOR CIRCULATION, INCLUDING SPACE USED FOR VERTICAL CIRCULATION.</p>	<p>LOC TITLE 25, CHAPTER 25.5, SUBCHAPTER 1, ARTICLE 26, 4.1.A</p> <p>Height shall be measured vertically from the average of the highest and lowest grades adjacent to the building, to, or a platform or ramp top. The gabled roof or dormer with the highest <u>average height</u>.</p>
--	--



1 Elevation, Bldg 1, Right

[illegible]



N/A	1,200	4,360	N/A
Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
1	1945	DUPLEX	N/A
Baths	Yr Built	Type	Sale Date

Owner Information

Owner Name:	Minette Rose	Tax Billing Zip:	78723
Owner Name 2:	Minette Maurice Jr	Tax Billing Zip+4:	4742
Tax Billing Address:	5605 Manor Rd	Owner Occupied:	No
Tax Billing City & State:	Austin, TX		

Location Information

School District :	01	Mapsco:	208-F6
School District Name:	Austin ISD	MLS Area:	6
Census Tract:	20.05	Zip Code:	78704
Subdivision:	Banister Heights	Zip + 4:	7609
6th Grade School District/School Name:	Fulmore	Flood Zone Date:	09/26/2008
Elementary School District:	Galindo	Flood Zone Code:	X
Middle School District/School Name:	Fulmore	Flood Zone Panel:	48453C0585H
Neighborhood Code:	K3005-K3005	Carrier Route:	C060
High School District/School Name:	Travis		

Tax Information

Property ID 1:	308007	Tax Area (113):	0A
Property ID 2:	04060901290000	Tax Appraisal Area:	0A
Property ID 3:	308007	% Improved:	50%
Legal Description:	S40 FT OF W100 FT OF N106 FT LOT 9 BANISTER HEIGHTS		
Actual Tax Year:	2015	Lot:	9
Actual Tax:	\$4,438		

Assessment & Tax

Assessment Year	2015	2014	2013
Market Value - Total	\$193,276	\$203,198	\$167,063
Market Value - Land	\$96,000	\$152,000	\$128,000
Market Value - Improved	\$97,276	\$51,198	\$39,063
Assessed Value - Total	\$193,276	\$203,198	\$167,063
Assessed Value - Land	\$96,000	\$152,000	\$128,000
Assessed Value - Improved	\$97,276	\$51,198	\$39,063
YOY Assessed Change (\$)	-\$9,922	\$36,135	
YOY Assessed Change (%)	-4.88%	21.63%	
Tax Amount - Estimated	Tax Year	Change (\$)	Change (%)
\$4,115	2013		
\$4,836	2014	\$721	17.51%
\$4,438	2015	-\$398	-8.23%
Jurisdiction	Tax Type	Tax Amount	Tax Rate
Austin ISD	Actual	\$2,323.18	1.202
City Of Austin	Actual	\$886.94	.4589

Courtesy of AUSTIN CENTRAL TX REALTY INFORMATION SVC

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Property Detail

Generated on 05/11/2016

Page 1 of 3

Travis County	Actual	\$805.77	41.69
Travis Co Hospital Dist	Actual	\$227.64	.11778
Austin Comm Coll Dist	Actual	\$194.24	.1005
Total Estimated Tax Rate			2.2961

Characteristics

County Use Code:	Duplex	Roof Shape:	Gable
Land Use:	Duplex	Construction:	Wood
Lot Acres:	0.1001	Year Built:	1945
Gross Area:	1,256	Foundation:	Pier
Building Sq Ft:	1,200	# of Buildings:	1
Above Gnd Sq Ft:	1,200	Building Type:	Duplex
Ground Floor Area:	600	Lot Depth:	100
2nd Floor Area:	600	Lot Area:	4,360
Garage Type:	Detached Garage	Lot Frontage:	40
Garage Sq Ft:	320	No. of Porches:	1
Stories:	2	Parking Type:	Detached Garage
Total Baths:	1	Patio/Deck 1 Area:	104
Full Baths:	1	Porch 1 Area:	30
Porch:	Open Porch	No. of Patios:	1
Patio Type:	Terrace	Num Stories:	2
Roof Type:	Gable	Porch Type:	Open Porch
Roof Material:	Composition Shingle	County Use Description:	Duplex-B2

Features

Feature Type	Unit	Size/Qty	Year Built	Value
1st Floor	S	600	1945	\$24,145
2nd Floor	S	600	1945	\$21,731
Porch Open 1st F	S	30	1945	\$208
Garage Det 1st F	S	320	1945	\$4,439
Bathroom	U	1	1945	
Storage Att	S	56	1945	\$442
Terrace Uncoverd	S	104	1945	\$233

Estimated Value

RealAVM™ (1):	\$333,017	Confidence Score (2):	71
RealAVM™ Range:	\$273,074 - \$392,960	Forecast Standard Deviation (3):	18
Value As Of:	04/29/2016		

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 60 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

Last Market Sale & Sales History

Recording Date	08/09/2006			
Sale/Settlement Date	08/07/2006	11/21/1996	01/24/1992	02/06/1965
Document Number	153037	12823-45	11633-639	2893-236
Document Type	Warranty Deed	Special Warranty Deed	Quit Claim Deed	Warranty Deed
Buyer Name	Minette Maurice Jr & Rose	Minette Maurice Jr Trust The Ws & E L Garrison 1994		Garrison W S
Seller Name	Garrison W S & E L 1994 Trust	Minette Maurice Jr Trustee Of		Owner Record
Multi/Split Sale Type		Multiple	Multiple	
Title Company	Austin Title			

Mortgage History

Mortgage Date	08/24/2006
Mortgage Amount	\$101,250

Courtesy of AUSTIN CENTRAL TX REALTY INFORMATION SVC

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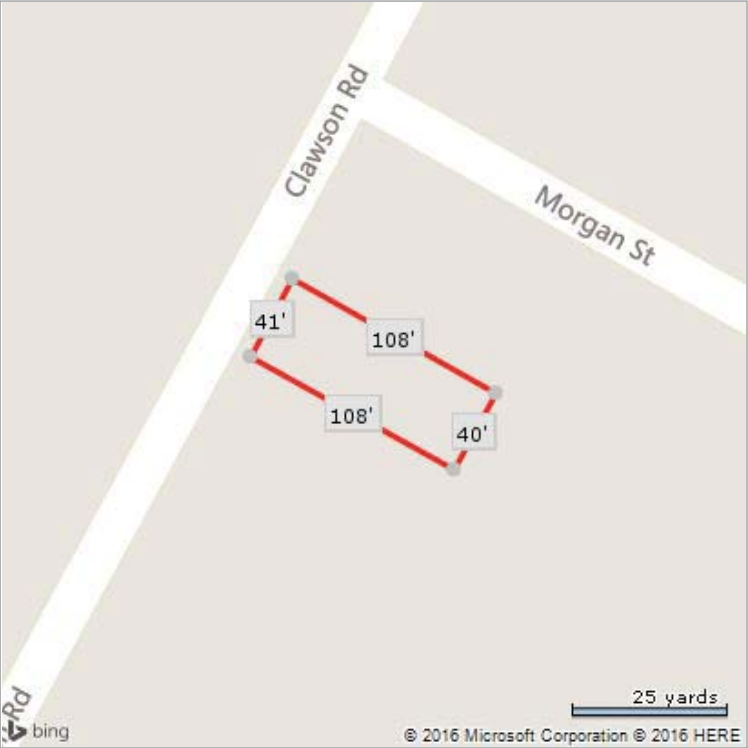
Property Detail

Generated on 05/11/2016

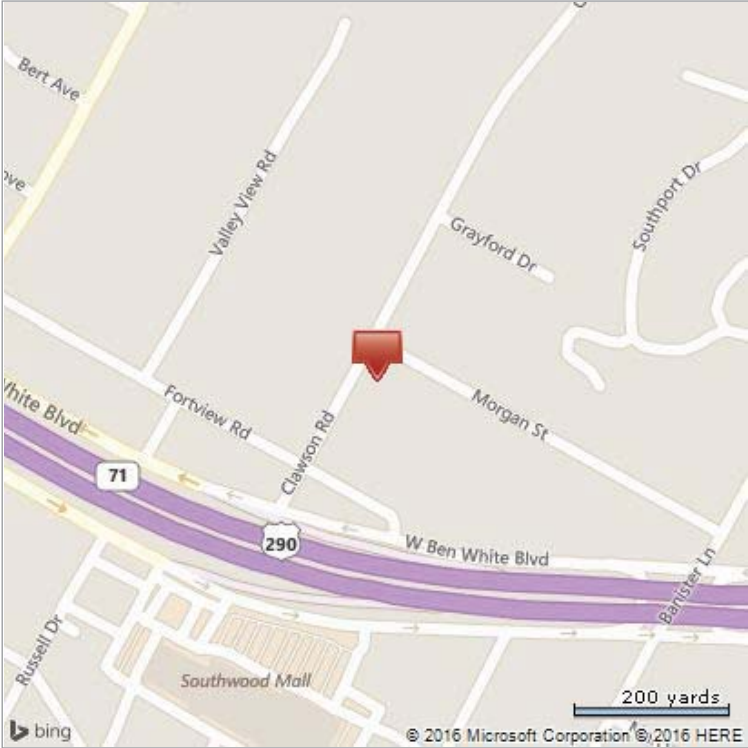
Page 2 of 3

Mortgage Lender	First Franklin Corp
Mortgage Type	Conventional
Mortgage Code	Refi

Property Map



*Lot Dimensions are Estimated



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Property Detail

THE STATE OF TEXAS :
COUNTY OF TRAVIS : KNOW ALL MEN BY THESE PRESENTS:

That we, Chlen Felps and wife, Emma Lee Felps, of Marengo County, Alabama, for the consideration hereinafter stated paid and secured to be paid by T. E. Fisher, of Travis County, Texas, in the manner hereinafter stated, have GRANTED, SOLD, AND CONVEYED, and by these presents do GRANT, SELL, AND CONVEY, unto the said T. E. Fisher the following described real property in Travis County, Texas, together with all improvements thereon, to wit:

A part of Lot No. 9, in Banister Heights, a subdivision of a part of the Goodrich Estate, out of the Isaac Decker League, in Travis County, Texas, according to the map or plat of said subdivision recorded in Book "3", Page 256, Plat Records of Travis County, Texas, fully described by metes and bounds as follows, to wit:

Beginning at a point in the West line of said Lot No. 9 and in the East line of Clawson Road, which point is South 30° West 106 feet from the Northwest corner of said lot; thence South 59° 17' East 100 feet to a point for corner; thence North 30° East 40 feet to a point for corner; thence North 59° 17' West 100 feet to a point for corner in the West line of said Lot No. 9 and in the East line of Clawson Road; thence along the West line of said Lot No. 9 and the East line of Clawson Road South 30° West 40 feet to the place of beginning.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said T. E. Fisher, his heirs and assigns, forever; and we do hereby bind ourselves, our heirs, executors, and administrators, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said T. E. Fisher, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof; except, however, that this conveyance is made subject to all of the reservations, covenants, conditions, restrictions, and easements of record in Travis County, Texas, that are applicable to

the property hereby conveyed, as well as subject to all ad valorem taxes for the year 1953.

The consideration for this conveyance is as follows: A full valuable cash consideration to us in hand paid by the said T. E. Fisher, the receipt whereof is hereby acknowledged, and for the payment of which no lien, express or implied, is retained against the property and premises hereby conveyed, and the assumption on the part of the said T. E. Fisher, effected by his acceptance of this conveyance, of the payment of, and his express promise and agreement to pay, that certain promissory note dated April 17, 1951, for the principal sum of \$7,889.34, made, executed, and delivered by Ohlen Felps and wife, Emma Lee Felps, payable to the order of The Calcasieu Lumber Company, at Austin, Texas, which is fully described in the deed of trust dated April 17, 1951, recorded in Book "1175", Page 174, Deed of Trust Records of Travis County, Texas, from Ohlen Felps and wife, Emma Lee Felps, to N. S. Johns, Trustee, and reference is here made to said deed of trust and its record for a full description of said promissory note and of the liens securing its payment.

Witness our hands, this 20th day of February, 1953.

(\$8.80 U. S. Int. Rev. Stamp Can.)

Ohlen Felps
Emma Lee Felps

THE STATE OF ALABAMA :

COUNTY OF MARENGO :

Before me, the undersigned authority, on this day personally appeared Ohlen Felps, 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 also before me on this day personally appeared Emma Lee Felps, wife of Ohlen Felps, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Emma Lee Felps, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 20th day of February, 1953.

Wilbur E. Miller
Notary Public, Marengo County, Alabama

Filed for Record March 5, 1953 at 4 P.M.

42 Recorded March 9, 1953 at 8:45 A. M.

THE STATE OF TEXAS :
COUNTY OF TRAVIS : KNOW ALL MEN BY THESE PRESENTS:

That we, Chlen Felps and wife, Emma Lee Felps, of Marengo County, Alabama, for the consideration hereinafter stated paid and secured to be paid by T. E. Fisher, of Travis County, Texas, in the manner hereinafter stated, have GRANTED, SOLD, AND CONVEYED, and by these presents do GRANT, SELL, AND CONVEY, unto the said T. E. Fisher the following described real property in Travis County, Texas, together with all improvements thereon, to wit:

A part of Lot No. 9, in Banister Heights, a subdivision of a part of the Goodrich Estate, out of the Isaac Decker League, in Travis County, Texas, according to the map or plat of said subdivision recorded in Book "3", Page 256, Plat Records of Travis County, Texas, fully described by metes and bounds as follows, to wit:

Beginning at a point in the North line of said Lot No. 9 and in the South line of Morgan Lane, which point is 100 feet Easterly from the Northwest corner of said lot; thence Easterly along the North line of said Lot No. 9 and the South line of Morgan Lane 74.25 feet to the Northeast corner of said lot; thence Southerly along the East line of said Lot No. 9, 106 feet to a point for corner; thence Westerly and on a line parallel to the North line of said Lot No. 9 74.25 feet to a point for corner; thence Northerly and on a line parallel to the East line of said Lot No. 9 106 feet to the place of beginning.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said T. E. Fisher, his heirs and assigns, forever; and we do hereby bind ourselves, our heirs, executors, and administrators, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said T. E. Fisher, his heirs and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof; except, however, that this conveyance is made subject to all of the reservations, covenants, conditions, restrictions, and

accounts of record in Travis County, Texas, that are applicable to the property hereby conveyed, as well as subject to all ad valorem taxes for the year 1953.

The consideration for this conveyance is as follows: A full valuable cash consideration to us in hand paid by the said T. E. Fisher, the receipt whereof is hereby acknowledged, and for the payment of which no lien, express or implied, is retained against the property and premises hereby conveyed, and the assumption on the part of the said T. E. Fisher, effected by his acceptance of this conveyance, of the payment of, and his express promise and agreement to pay, that certain promissory note dated January 10, 1950, for the principal sum of \$9,500.00, made, executed, and delivered by Ohlen Felps and wife, Emma Lee Felps, payable to the order of The Calcasieu Lumber Company, at Austin, Texas, which is fully described in the deed of trust dated January 10, 1950, recorded in Book "1008", Page 72, Deed of Trust Records of Travis County, Texas, from Ohlen Felps and wife, Emma Lee Felps, to H. S. Johns, Trustee, and reference is here made to said deed of trust and its record for a full description of said promissory note and of the liens securing its payment.

Witness our hands, this 20th day of February, 1953.

(\$10.45 U. S. Int. Rev. Stamps Can.)

Ohlen Felps
Emma Lee Felps

THE STATE OF ALABAMA :

COUNTY OF MARENGO :

Before me, the undersigned authority, on this day personally appeared Ohlen Felps, 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 also before me on this day personally appeared Emma Lee Felps, wife of Ohlen Felps, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Emma Lee Felps, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 2nd day of February, 1953.

Michael B. McCreary

Filed for Record March 5, 1953 at 4 P.M. Recorded March 9, 1953 at 8:40 A.M.