

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2018-0128 – 2323 South Lamar      DISTRICT: 5

ZONING FROM: LO-CO and GR-CO

TO: LO-V-CO and GR-CO

ADDRESS: 2323 South Lamar Boulevard, 2421 Bluebonnet Lane, and 2315 South Lamar Boulevard

SITE AREA: 0.642 Acres

PROPERTY OWNERS:  
2323 South Lamar, LTD  
(Kirk Rudy)

AGENT:  
Armbrust & Brown, PLLC  
(Richard Suttle)

CASE MANAGER: Heather Chaffin (512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov))

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning from LO-CO and GR-CO to LO-V-CO and GR-CO, with the following conditions:

1. Maximum of 2,000 vehicular trips per day,
2. Access to Bluebonnet Lane limited to one driveway,
3. The following land uses shall be prohibited: automotive repair services, automotive sales, automotive rentals, automotive washing (of any type), pawn shop services, exterminating services, and funeral services.

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

February 12, 2019:

CITY COUNCIL ACTION:

March 7, 2019:

ORDINANCE NUMBER:

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**CASE MANAGER COMMENTS:**

The proposed rezoning is for property located on the east side of Bluebonnet Lane, slightly south of the intersection with South Lamar Boulevard. The property is currently undeveloped. The rezoning area is comprised of portions of three separate lots that are under the same ownership. The rezoning request proposes adding vertical mixed use building (-V) to the existing zoning on the property, which is currently zoned LO-CO and GR-CO zoning. The applicant proposes redevelopment of the three lots as a single mixed use/multifamily project. The remainder of the three lots is already zoned GR-V-CO and is located along South Lamar Boulevard, a Core Transit Corridor. The GR-V-CO portion of the lots, to the north, is currently developed with a disused parking lot and an automotive repair shop. Northeast of the rezoning tract is property zoned CS-V that is developed with affordable multifamily land use (Bluebonnet Studios). East of the rezoning tract is property zoned LO that is developed with multifamily land use. Also east of the property is land zoned MF-2-CO that is currently under construction with multifamily land use. Further east of these properties are SF-3 lots developed with single family land uses. South and west of the property, across Bluebonnet Lane, are properties zoned LO-MU-CO and MF-2 that are each developed with multifamily land use. Northwest of the rezoning tract, also across Bluebonnet Lane, is limited retail land use (Walgreens). *Please see Exhibits A and B—Zoning Map and Aerial Exhibit.*

The rezoning tract and the remainders of the lots were rezoned in 2008, and conditional overlays were attached. *Please see Exhibit C-Zoning Ordinance.* The Applicant proposes retaining all existing conditions on the rezoning tract, which includes the following:

1. Maximum of 2,000 vehicular trips per day;
2. Access to Bluebonnet Lane limited to one driveway; and,
3. The following land uses shall be prohibited: automotive repair services, automotive sales, automotive rentals, automotive washing (of any type), pawn shop services, exterminating services, and funeral services.

A private restrictive covenant (RC) was also placed on the property in 2008. The RC is between the property owner and the South Lamar Neighborhood Association and is still binding. Since it is a private RC, the City is not responsible for enforcement. *Please see Exhibit D-Private Restrictive Covenant.* The RC establishes:

1. No “fast-food” restaurants;
2. Drive-thru facilities are prohibited (all types);
3. Buffering between Tract 1 and adjacent single family use (note- adjacent property is under construction as multifamily use);
4. Redevelopment shall comply with COA Neighborhood Compatibility Standards and Tree Ordinance; and,
5. At time of site development permitting, the owner shall work with COA staff to detain/grade to address site conditions and “make reasonable efforts to improve existing offsite drainage conditions.”

Staff has not received correspondence specifying support or opposition to the requested rezoning, but Staff has received correspondence regarding existing encumbrances—liens,

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easements, deed restrictions, etc. The property owner has provided this information to Staff, and it has been passed on to the requestor(s). Staff is attaching a copy of the subdivision plat which shows all existing easements. *Please see Exhibits D, E, and F- Correspondence, Private Restrictive Covenant, and Subdivision Plat.*

#### STAFF RECOMMENDATION:

Staff supports the requested rezoning to LO-V-CO and GR-V-CO, with the conditions listed above. Adding vertical mixed use on the rezoning tract will allow the rezoning tract to be redeveloped as single development with the remainder of the lots. If rezoned, the three lots would have more cohesive zoning that includes the V designation that is permitted along South Lamar Boulevard. This would allow redevelopment consistent with other mixed use and multifamily projects along this Core Transit Corridor.

#### BASIS OF RECOMMENDATION:

1. *Granting of the request should result in an equal treatment of similarly situated properties.*

Adding the V designation to the rezoning tract will result in equal treatment as the remainder of the lots they are a part of. The addition of V to these tracts reflects the similar treatment of several other properties in the vicinity, which is a Core Transit Corridor.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

Currently, the LO-CO and GR-CO zoning on the subject tract does not allow residential development. Adding the V designation will allow the development of a cohesive multifamily project along a Core Transit Corridor, meeting many of the goals of the Strategic Housing Blueprint.

#### EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO-CO, GR-CO	Undeveloped
North	GR-V-CO, CS-V	Parking lot, Automotive repair services
South	MF-2-CO, SF-3	Multifamily (under construction), Single family residential
East	LO, SF-3	Multifamily residential, Single family residential
West	GR-CO, LO-CO, LO-MU-CO, MF-2	Limited retail services, Multifamily residential

NEIGHBORHOOD PLANNING AREA: South Lamar Combined (Suspended)

TIA: N/A

WATERSHED: West Bouldin Creek

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NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association  
 Austin Neighborhoods Council  
 Friends of Austin Neighborhoods  
 Neighborhood Empowerment Foundation  
 PERRY GRID 614  
 Friends of Zilker  
 South Lamar Neighborhood Association  
 TNR BCP – Travis County Natural Resources

AISD  
 Bike Austin  
 Preservation Austin  
 South Central Coalition  
 Sierra Club  
 Save our Springs Alliance  
 The Village at Kinney Court  
 SELTexas

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
<b>C14-2008-0070 – South Lamar and Bluebonnet; 2323 and 2315 South Lamar Boulevard, 2421 Bluebonnet Lane</b>	<b>SF-2 and CS to GR</b>	<b>08-26-08- Rec LO-CO for Tract 1, GR-CO for Tract 2, GR-V-CO for Tract 3.</b>	<b>11-20-08 - LO-CO for Tract 1, GR-CO for Tract 2, GR-V-CO for Tract 3 (CO for 2,000 vpd, access to Bluebonnet limited to 1 driveway, prohibited uses –automotive, pawn shop, exterminating, funeral services)</b>
<b>C14-2008-0019 – South Lamar Vertical Mixed Use</b>	<b>CS to CS-V</b>	<b>05-13-08 - Rec CS-V</b>	<b>06-18-08 – Apvd CS-V</b>
C14-2013-0056 – 2505 & 2507 Bluebonnet Rezoning	SF-3 to MF-2	09-10-13 –Rec MF-6-CO	10-17-13 – Approved MF-2-CO (CO – limit to 18 res units, 20 units/ acre, max height of 30 ft or 2 stories, rooftop access limited)
C14-2009-0039 Danziger 2 2305 Bluebonnet Lane	LO to MF-3-CO	06-23-09- Rec MF-3-CO (CO for bldg. coverage (50%) and impervious cover (65%).	07-23-09 – Approved MF-3-CO (CO for 200 trips, max of 7 res units, max bldg. coverage 50%, max impervious coverage 65%)

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EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Bluebonnet Lane	Varies (55'-64')	25'	Collector	Yes	Yes, shared lane	Yes, Routes 3, 300, 484

OTHER STAFF COMMENTS:COMPREHENSIVE PLANNING

Connectivity: Public sidewalks are located along both sides of South Lamar Blvd. A Cap Metro Transit Stop is located less than 100 ft. away from the project area. Bike lanes are located intermittently along South Lamar Blvd. There is no urban trail within a quarter mile of this property. The Walkscore for this property 79/100, Very Walkable, meaning most errands may be accomplished on foot. The connectivity and mobility options in the area are above average. Imagine Austin: The Imagine Austin Growth Concept Map identifies this section of South Lamar Boulevard as an Activity Corridor. Activity corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. The following Imagine Austin policies are applicable to this case and support 'complete communities.'

- ☐ LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.
- ☐ LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based upon the property: (1) being located along a major Activity Corridor, which supports vertical mixed use and residential projects; (2) the project including an affordable housing component, which is much needed throughout Austin; and (3) the above average mobility and connectivity options in the area, contributing toward making this corridor a 'complete community' this proposed vertical mixed use project appears to support by the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban

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Watershed by Chapter 25-8 of the City's Land Development Code.

2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Some trees may be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

#### SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

#### TRANSPORTATION

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations will be required at the time of site plan application. Coordination will be required with Austin Transportation Department and Corridor Planning Office to determine the mitigations at the time of the site plan application.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]

TR3. Bluebonnet Lane requires 64 feet of right-of-way in accordance with the TCM. 32 feet of right-of-way should be dedicated from the centerline of Bluebonnet Lane in accordance with the TCM at the time of the subdivision and/or site plan application, whichever comes first. LDC 25-6-55; TCM, Tables 1-7, 1-12.

TR4. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR5. It is recommended that the applicant provide joint access for the three tracts to Bluebonnet Lane through one (1) driveway.

TR6. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR7. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Bluebonnet Lane. Mike Schofield, Bicycle Program,



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Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR8. FYI – the existing driveways and sidewalks along Bluebonnet Lane will be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

TR9. Existing Street Characteristics:

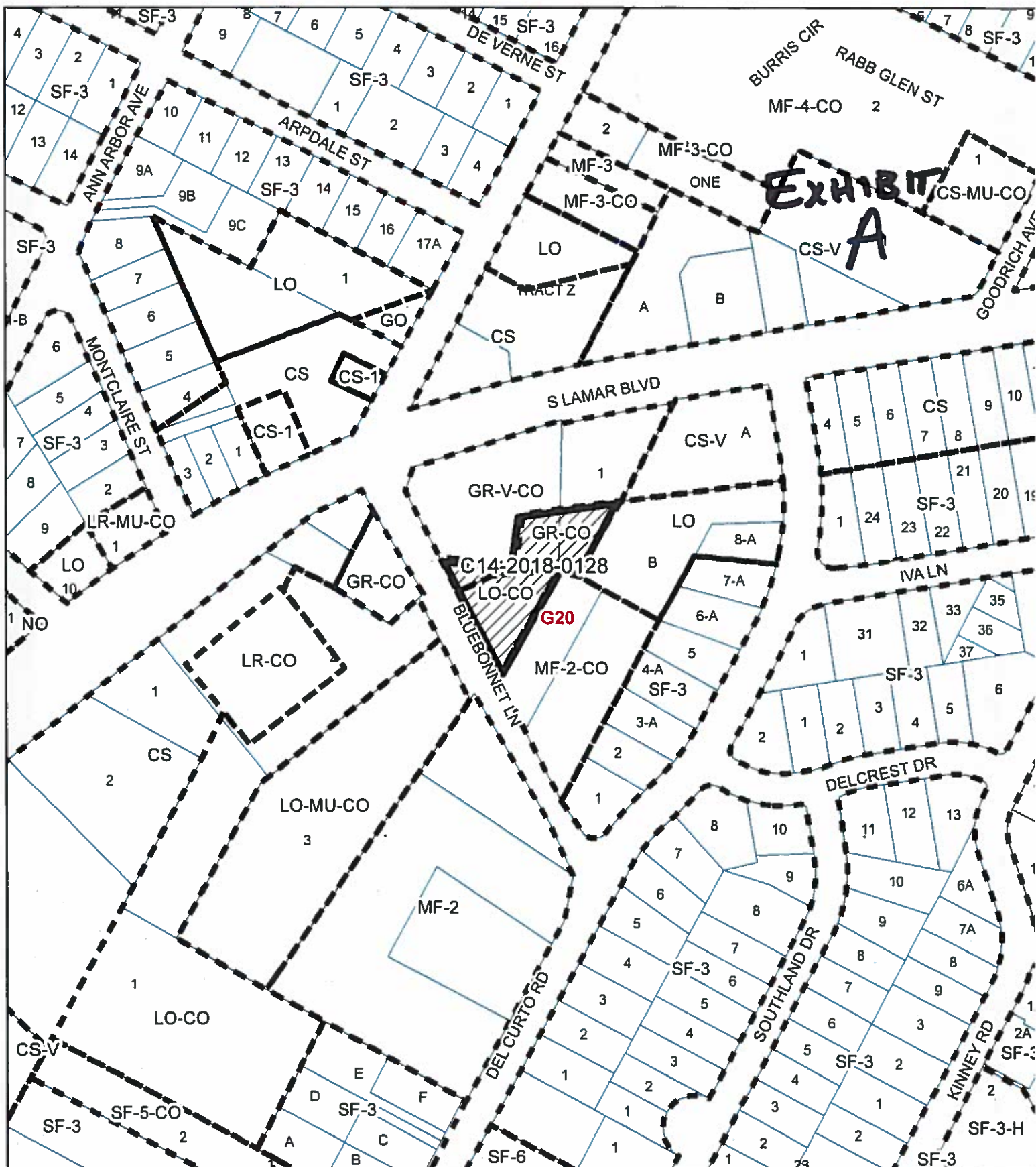
Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Bluebonnet Lane	Varies (55'-64')	25'	Collector	Yes	Yes, shared lane	Yes, Routes 3, 300, 484

#### WATER UTILITY

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

#### INDEX OF EXHIBITS TO FOLLOW

- A. Zoning Map
- B. Aerial Exhibit
- C. Zoning Ordinance
- D. Correspondence
- E. Private Restrictive Covenant
- F. Subdivision Plat



## 2323 SOUTH LAMAR

ZONING CASE#: C14-2018-0128

LOCATION: 2323 S. LAMAR

SUBJECT AREA: 62 ACRES

GRID: G20

MANAGER: HEATHER CHAFFIN



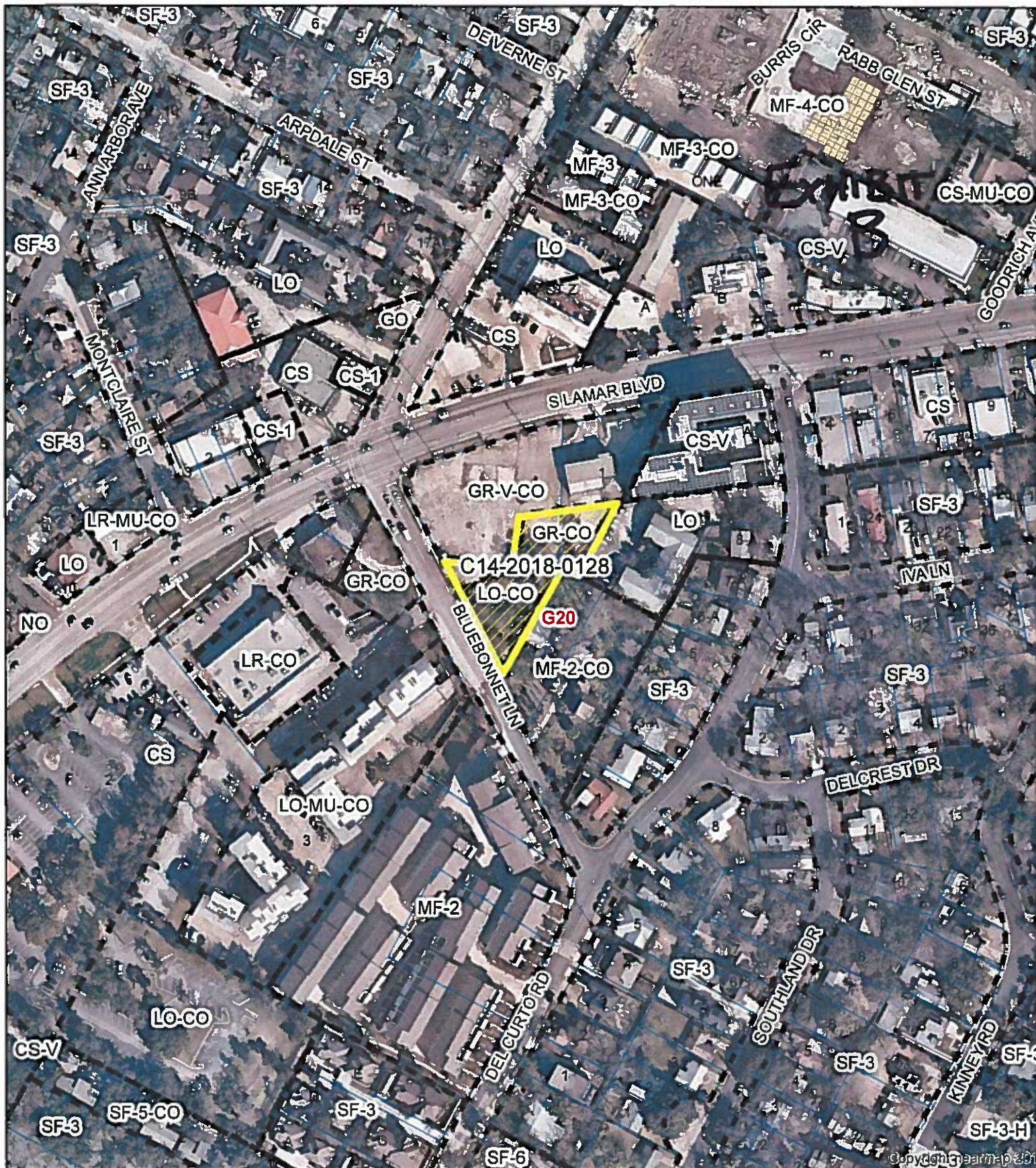
- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

1" = 200'



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made.



**2323 SOUTH LAMAR**

ZONING CASE#: C14-2018-0128





LOCATION: 2323 S. LAMAR

SUBJECT AREA: 62 ACRES

GRID: G20

MANAGER: HEATHER CHAFFIN



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

1" = 200'



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ORDINANCE NO. 20081120-096**EXHIBIT  
C**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2323 SOUTH LAMAR BOULEVARD, 2315 SOUTH LAMAR BOULEVARD, AND 2421 BLUEBONNET LANE FROM FAMILY RESIDENCE (SF-2) DISTRICT AND GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT ONE, COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT TWO, AND COMMUNITY COMMERCIAL-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (GR-V-CO) COMBINING DISTRICT FOR TRACT THREE..**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No. C14-2008-0070, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to limited office-conditional overlay (LO-CO) combining district.

A 0.295 acre (12,832 sq. ft.) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract Two: From family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district.

A 0.347 acre (15,097 sq. ft.) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and,

Tract Three: From general commercial services (CS) district to community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district.

A 1.241 acre (54,038 sq. ft.) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance (the "Property"),

locally known as 2323 South Lamar Boulevard, 2315 South Lamar Boulevard, and 2421 Bluebonnet Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. Access from the Property to Bluebonnet Lane is limited to one driveway cut.

C. The following uses are prohibited uses of Tracts Two and Three:

Automotive repair services

Automotive sales

Exterminating services

Pawn shop services

Automotive rentals

Automotive washing (of any type)

Funeral services


Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on December 1, 2008.

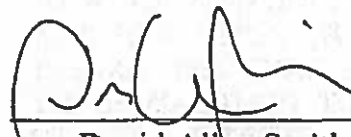
**PASSED AND APPROVED**

\_\_\_\_\_, November 20, 2008

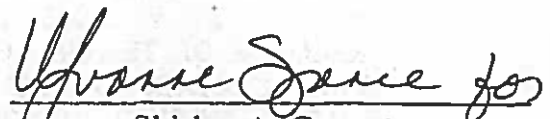
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§  
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\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Shirley A. Gentry  
City Clerk

## EXHIBIT A

TRACT 1  
FIELD NOTE DESCRIPTION OF A  
12,832 SQUARE FEET (0.295 ACRE) TRACT OF LAND

DESCRIBING A 12,832 SQUARE FEET (0.295 ACRE) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), AND BEING ALL OF THAT CERTAIN CALLED 0.30 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO MARY JEANNETTE JOHNSON ROUW OF RECORD IN VOLUME 10663, PAGE 197, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN CALLED 227 S.F. TRACT QUITCLAIMED BY MARY JEANNETTE JOHNSON ROUW AND ROBERT H. ROUW TO BLUE EYED INVESTMENTS CORPORATION AND R.L. WHEAT ENTERPRISES, INC. BY QUITCLAIM DEED OF RECORD IN DOCUMENT NO. 2003216109, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 12,832 SQUARE FEET (S.F.) TRACT OF LAND HAVING BEEN CONVEYED TO TALISMAN PARTNERS, LTD. BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2005094008, O.P.R.T.C.T. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod found in the easterly right-of-way (r.o.w.) line of Blue Bonnet Lane (a variable width r.o.w. at this location), for the northwest corner of said 0.295 acre tract, same being the southwest corner of that certain called 46,513 s.f. tract conveyed to Talisman Partners, Ltd. of record in Document No. 2003248089, O.P.R.T.C.T.;

THENCE departing the easterly R.O.W. line of said Blue Bonnet Lane, with the common line of the northerly line of said Talisman Partners 0.295 acre tract and the southerly line of said 46,513 s.f. tract the following two (2) courses and distances:

- 1) North 67 degrees 52 minutes 44 seconds East, a distance of 63.66 feet to a ½-inch iron rod found for an angle point of the herein described tract;
- 2) South 89 degrees 34 minutes 22 seconds East, a distance of 25.91 feet to a ½-inch iron rod with orange plastic cap stamped "Wallace Group" found for an angle point of the herein described tract;

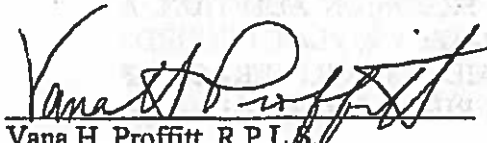
THENCE North 86 degrees 17 minutes 26 seconds East, a distance of 79.13 feet with the common line of the northerly line of the herein described tract and the southerly line of said 46,513 s.f. tract;



Tract 1  
Page 2

THENCE South 32 degrees 09 minutes 57 seconds West, a distance of 191.29 feet with the southeast line of said 0.295 acre Talisman tract, same being the northwest line of that certain called 0.389 acre tract conveyed to Gabriel M. Davis and Roberta E. Leahy by deed of record in Document No. 2000157804, O.P.R.T.C.T. to a ½-inch iron rod found in the easterly R.O.W. of said Blue Bonnet Lane for the most southerly corner of the herein described tract;

THENCE North 24 degrees 59 minutes 41 seconds West, a distance of 146.77 feet with the easterly R.O.W. line of said Blue Bonnet Lane, same being the westerly line of said 0.295 acre Talisman tract and the herein described tract to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 12,832 square feet (0.295 acre) of land, more or less, based on the survey made by The Wallace Group, Inc. on December 23, 2003 and March 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

02-01-2008



Bearings based on deed calls for the westerly line of the adjacent tract to the north recorded in Document No. 2000133679, O.P.R.T.C.T., same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;

## EXHIBIT B

TRACT 2  
FIELD NOTE DESCRIPTION OF A  
15,097 SQUARE FEET (0.347 ACRE) TRACT

DESCRIBING A 15,097 SQUARE FEET (0.347 ACRE) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 46,513 S.F. TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO TALISMAN PARTNERS, LTD., RECORDED IN DOCUMENT NO. 2003248089, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 15,097 S.F. TRACT ALSO BEING A PORTION OF LOT 1, PRECISION ADDITION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 322, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.); SAID 15,097 S.F. TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod found in the easterly right-of-way (r.o.w.) line of Blue Bonnet Lane (a variable width r.o.w. at this location), at the northwest corner of a called 12,832 square feet (0.295 acre) tract of land having been conveyed to Talisman Partners, Ltd. by Special Warranty Deed of record in Document No. 2005094008, O.P.R.T.C.T.; same being the southwest corner of that certain called 46,513 s.f. tract conveyed to Talisman Partners, Ltd. of record in Document No. 2003248089, O.P.R.T.C.T.; and from said beginning point run the following eleven (11) courses and distances:

THENCE with the east line of Blue Bonnet Lane, a variable width right-of-way (r.o.w.) and the west line of said 46,513 s.f. tract, same being the west line of said Lot 2, Theodore Low Heights Subdivision by courses 1 and 2 as follows:

- 1) North 25°05'13" West, a distance of 56.68 feet to a ½-inch iron rod found at the southwest corner of a r.o.w. widening tract recorded in Volume 1753, Page 443, D.R.T.C.T.;
- 2) South 82°24'47" East, a distance of 6.02 feet to a ½-inch iron rod found at the southeast corner of said r.o.w. widening tract;

THENCE through the interior of said 46,513 s.f. tract and Lot 1, Precision Addition by courses 3 - 5 as follows:

- 3) South 81°26'52" East, a distance of 105.38 feet to a point for an interior ell corner;
- 4) North 10°27'00" East, a distance of 80.36 feet to a point for an exterior ell corner;
- 5) North 84°16'14" East, a distance of 155.08 feet to a point for the northeast corner of the herein described tract, same being the southwest corner of Tract A, F.M. Del Curto Resubdivision of Tract B of F.M. Del Curto Resubdivision of Lots 1 and 2 and Portions of Lots 3, 26, 27, 28, 29 & 30 of Delcrest Addition and of Lots 6, 7 and 8

Tract 2  
Page 2

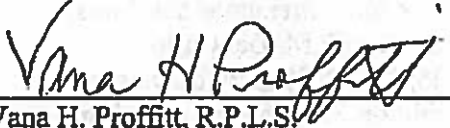
Block A of Delcrest Addition Section 2, of record in Book 17, Page 90, P.R.T.C.T.; from which point a cotton spindle found bears South 83°50'34" East, a distance of 0.34 feet;

THENCE with the east line of said Lot 1, Precision Addition courses 6 and 7 as follows:

- 6) South 30°43'18" West, a distance of 125.65 feet to a ½-inch iron rod found;
- 7) South 15°26'52" West, a distance of 2.01 feet to a PK nail found in concrete footing of a rock wall at the southeast corner of said Lot 1, Precision Addition;

THENCE with the south line of said Lot 1, Precision Addition, and said 46,513 s.f. tract by courses 8-11 as follows:

- 8) North 70°17'27" West, a distance of 28.10 feet to a ½-inch iron rod found;
- 9) South 86°17'26" West, a distance of 79.13 feet to a ½-inch iron rod found with plastic cap stamped "Wallace Group" at an angle point;
- 10) North 89°34'22" West, a distance of 25.91 feet to a ½-inch iron rod found at an angle point;
- 11) South 67°52'44" West, a distance of 63.66 feet to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 15,097 square feet (0.347 acres) of land, more or less, based on a survey made by The Wallace Group, Inc. on March 30, 2003 and January 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

02-01-2008



Bearings based on the westerly line of said tract as called for in deed of record in Document No. 2000133679, same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;

## EXHIBIT C

TRACT 3  
FIELD NOTE DESCRIPTION OF A  
54,038 SQUARE FEET (1.241 ACRE) TRACT

DESCRIBING A 54,038 SQUARE FOOT (S.F.) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 46,513 S.F. TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO TALISMAN PARTNERS, LTD., RECORDED IN DOCUMENT NO. 2003248089, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 54,038 S.F. TRACT ALSO BEING A PORTION OF LOT 1, PRECISION ADDITION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 322, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.); SAID 54,038 S.F. TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton spindle found at the northeast corner of said Lot 1, Precision Addition; and from said beginning point run the following ten (10) courses and distances:

THENCE with the east line of said Lot 1, Precision Addition by course 1 as follows:

- 1) South 30°43'18" West, a distance of 176.32 feet to a point for corner at the southwest corner of Tract A, F.M. Del Curto Resubdivision of Tract B of F.M. Del Curto Resubdivision of Lots 1 and 2 and Portions of Lots 3, 26, 27, 28, 29 & 30 of Delcrest Addition and of Lots 6, 7 and 8 Block A of Delcrest Addition Section 2, of record in Book 17, Page 90, P.R.T.C.T.; from which point a cotton spindle found bears South 83°50'34" East, a distance of 0.34 feet;

THENCE through the interior of said Lot 1, Precision Addition, and said 46,513 s.f. tract by courses 2 – 4 as follows:

- 2) South 84°16'14" West, a distance of 155.08 feet to a point for an interior ell corner;
- 3) South 10°27'00" West, a distance of 80.36 feet to a point for an exterior ell corner;
- 4) North 81°26'52" West, a distance of 105.38 feet to a ½-inch iron rod found in asphalt in the east right-of-way (r.o.w.) line of Blue Bonnet Lane, a variable width roadway, as partially widened by instrument of record in Volume 1753, Page 443, D.R.T.C.T.; from which point a ½-inch iron rod found in the west line of said Lot 2, Theodore Low Heights Subdivision at the southwest corner of said r.o.w. widening tract recorded in Volume 1753, Page 443, D.R.T.C.T. bears North 82°24'47" West, a distance of 6.02 feet;

THENCE with the common line of the westerly line of said 46,513 s.f. tract and the easterly r.o.w. line of said Blue Bonnet Lane, by courses 5 and 6 as follows:

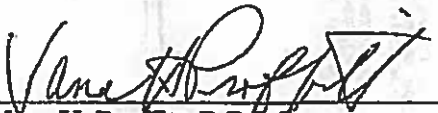


Tract 3  
Page 2

- 5) North 25 degrees 04 minutes 00 seconds West, a distance of 124.80 feet to a ½-inch iron rod found for the most southerly northwest corner of the herein described tract and said 46,513 s.f. tract, said point marking the southerly end of the cutback corner at the intersection of the easterly r.o.w. line of said Blue Bonnet Lane and the southerly r.o.w. line of South Lamar Boulevard (a roadway with a variable width r.o.w.);
- 6) North 29 degrees 02 minutes 50 seconds East, a distance of 46.15 feet to a ½-inch iron rod found for the most northerly northwest corner of the herein described tract and said 46,513 s.f. tract, said point marking the northerly end of the cutback corner at the intersection of the easterly r.o.w. line of said Blue Bonnet Lane and the southerly r.o.w. line of said South Lamar Boulevard, said point also being the beginning of a curve to the right;

THENCE with the common line of the southerly r.o.w. line of said South Lamar Boulevard and the northerly and easterly line of said 46,513 square feet tract and the northerly line of said Lot 1, Precision Addition by courses 7 - 10 as follows:

- 7) Along a curve to the right, with a radius of 1869.86 feet, an arc length of 238.75 feet, and a long chord bearing North 75 degrees 49 minutes 53 seconds East, a distance of 238.59 feet to a point for corner;
- 8) South 04 degrees 38 minutes 26 seconds West, a distance of 5.18 feet with the easterly line of said 46,513 s.f. tract to a cotton spindle found at the northwest corner of said Lot 1, Precision Addition; said point also being in the south line of a 5 foot wide r.o.w. strip dedicated per said Precision Addition plat;
- 9) Along a curve to the right, with a radius of 1864.86 feet, an arc length of 111.30 feet, and a long chord bearing North 81°05'01" East, a distance of 111.28 feet to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 54,038 square feet (1.241 acres) of land, more or less, based on a survey made by The Wallace Group, Inc. on March 30, 2003 and January 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

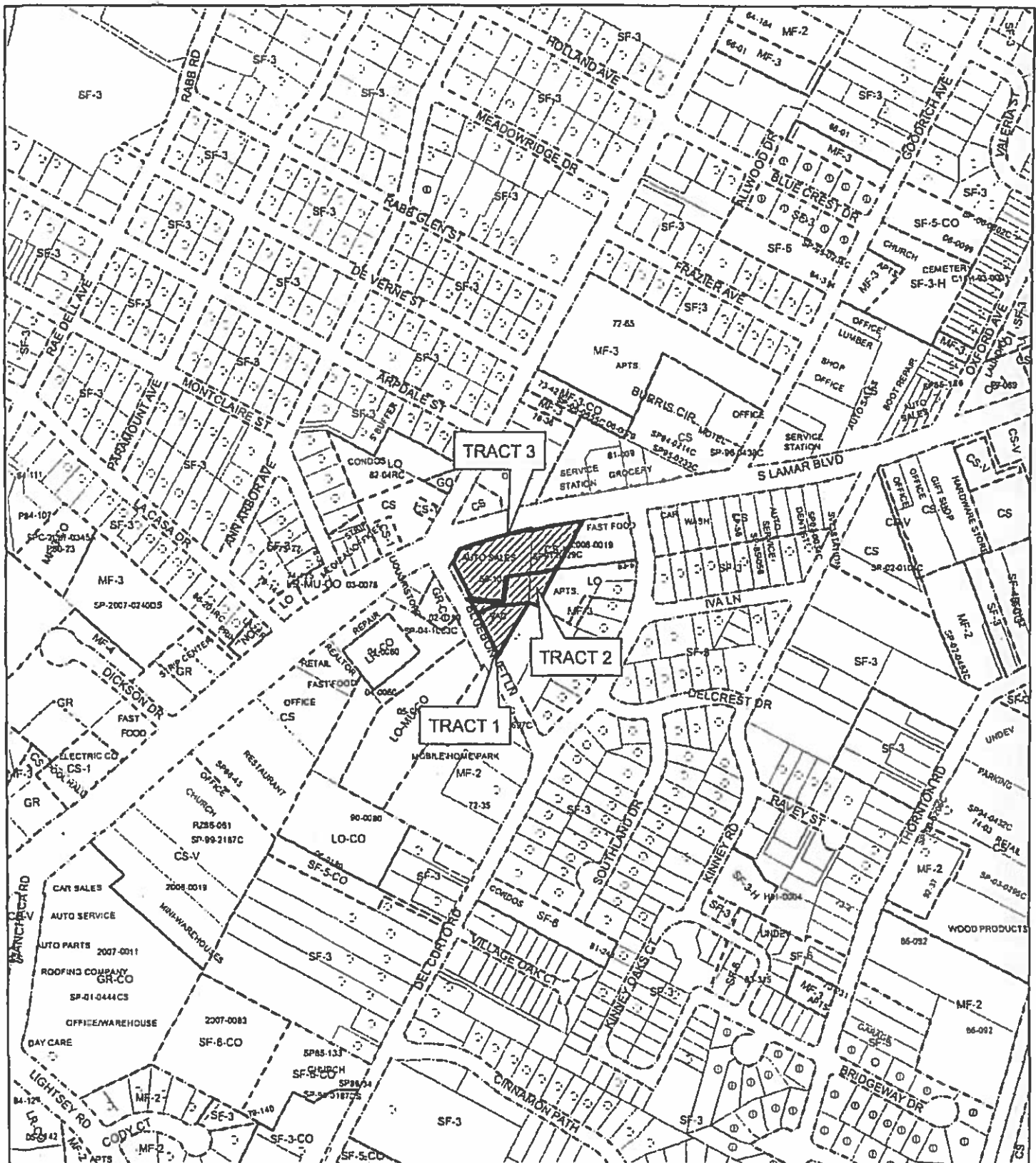
02-01-2008



Bearings based on the westerly line of said tract as called for in deed of record in Document No. 2000133679, same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;







## ZONING EXHIBIT D



SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

ZONING CASE#: C14-2008-0070  
 ADDRESS: 2323 S LAMAR BLVD  
 SUBJECT AREA: 1.883 ACRES  
 GRID: G20  
 MANAGER: C. PATTERSON



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.  
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

**Chaffin, Heather**

---

**Subject:** FW: rezoning C14-2018-0128, 2323 S Lamar

**EXHIBIT  
D**

**From:** latherton

**Sent:** Sunday, January 20, 2019 4:08 PM

**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>

**Cc:** Jeff Jack ; District 5 <District5@austintexas.gov>

**Subject:** rezoning C14-2018-0128, 2323 S Lamar

Ms. Chaffin:

This is regarding the rezoning application C14-2018-0128, submitted for two parcels on Bluebonnet with the address 2323 S Lamar.

I am requesting that Kirk Rudy, the owner's representative, provide copies of the subdivision plat notes, deed restrictions, and/or restrictive covenants that apply to this property and that they be included in the case file and staff report submitted to the Planning Commission.

I have copied this message to Jeff Jack, another nearby resident who is interested in this rezoning.

Thank you,

Lorraine Atherton

2009 Arpdale

Austin, TX 78704

(District 5 resident)



RESTRICT 2009003056

11 PGS

**EXHIBIT  
E**

Zoning Case No. C14-2008-0070

**PRIVATE**  
**RESTRICTIVE COVENANT**

**OWNER:** Talisman Partners, Ltd., a Texas limited partnership

**ADDRESS:** 2323 and 2315 South Lamar Boulevard and 2421 Bluebonnet Lane, Austin Texas

**CONSIDERATION:** Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the South Lamar Neighborhood Association to the Owner, the receipt and sufficiency of which is acknowledged.

**PROPERTY:** Tract One: A 0.295 acre (12,832 sq. feet) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein;

Tract Two: A 0.347 acre (15,097 sq. ft.) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" attached hereto and incorporated herein; and

Tract Three: A 1.241 acre (54,038 sq. ft.) tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" attached hereto and incorporated herein.

Collectively, Tracts One, Two, and Three are referred to herein as "the Property".

WHEREAS, the Owner of the Property and the South Lamar Neighborhood Association have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Drive Thru facilities are prohibited as an accessory to freestanding fast-food restaurants on the Property. Fast-food restaurants shall be limited to those restaurants that are commonly known as fast food restaurants: McDonalds, Burger King, Wendy's, Jack in the Box, Kentucky Fried Chicken, Taco Bell, and similar restaurants. Drive Thru facilities are expressly permitted for non-freestanding fast food restaurants and all other types of retail or commercial uses permitted by the zoning for the Property.

2. Owner shall provide buffering between Tract One and the adjacent single family use which shall consist of landscaping and/or a privacy wall or other buffering technique as determined by the Owner.
3. Development of the Property shall comply with the City of Austin's Neighborhood Compatibility Standards and the City's Tree Ordinance requirements as such are in effect on the date of this Restrictive Covenant.
4. Owner agrees to work with City of Austin Development Staff at time of Administrative Site Plan application to provide on site detention and grading that not only addresses site conditions but will make reasonable efforts to improve existing offsite drainage conditions.
5. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the South Lamar Neighborhood Association to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
6. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
7. This agreement may be modified, amended, or terminated only by joint action of both, (a) the South Lamar Neighborhood Association or its successor in interest and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 20th day of November, 2008.

**OWNER:**

**Talisman Partners, Ltd**  
**A Texas limited partnership**

By: ~~Talisman Group, Inc., its General Partner~~

By:   
James T. Ross

Its: President



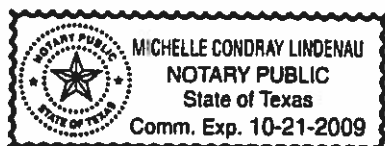
THE STATE OF TEXAS

§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on this the 20th day of November, 2008, by James T. Ross, President of Talisman Group, Inc., the General Partner of Talisman Partners, Ltd, a Texas limited partnership, on behalf of said limited partnership.



*Michelle Condray Lindenau*  
Notary Public, State of Texas

*My Commission Expires 10-21-09*

After Recording, Please Return to:

Henry H. Gilmore  
DuBois Bryant & Campbell, LLP  
700 Lavaca, Ste. 1300  
Austin, Texas 78701

TRACT I  
FIELD NOTE DESCRIPTION OF A  
12,832 SQUARE FEET (0.295 ACRE) TRACT OF LAND

DESCRIBING A 12,832 SQUARE FEET (0.295 ACRE) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), AND BEING ALL OF THAT CERTAIN CALLED 0.30 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO MARY JEANNETTE JOHNSON ROUW OF RECORD IN VOLUME 10663, PAGE 197, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN CALLED 227 S.F. TRACT QUITCLAIMED BY MARY JEANNETTE JOHNSON ROUW AND ROBERT H. ROUW TO BLUE EYED INVESTMENTS CORPORATION AND R.L. WHEAT ENTERPRISES, INC. BY QUITCLAIM DEED OF RECORD IN DOCUMENT NO. 2003216109, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 12,832 SQUARE FEET (S.F.) TRACT OF LAND HAVING BEEN CONVEYED TO TALISMAN PARTNERS, LTD. BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2005094008, O.P.R.T.C.T. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found in the easterly right-of-way (r.o.w.) line of Blue Bonnet Lane (a variable width r.o.w. at this location), for the northwest corner of said 0.295 acre tract, same being the southwest corner of that certain called 46,513 s.f. tract conveyed to Talisman Partners, Ltd. of record in Document No. 2003248089, O.P.R.T.C.T.;

THENCE departing the easterly R.O.W. line of said Blue Bonnet Lane, with the common line of the northerly line of said Talisman Partners 0.295 acre tract and the southerly line of said 46,513 s.f. tract the following two (2) courses and distances:

- 1) North 67 degrees 52 minutes 44 seconds East, a distance of 63.66 feet to a 1/2-inch iron rod found for an angle point of the herein described tract;
- 2) South 89 degrees 34 minutes 22 seconds East, a distance of 25.91 feet to a 1/2-inch iron rod with orange plastic cap stamped "Wallace Group" found for an angle point of the herein described tract;


THENCE North 86 degrees 17 minutes 26 seconds East, a distance of 79.13 feet with the common line of the northerly line of the herein described tract and the southerly line of said 46,513 s.f. tract;

EXHIBIT A

Tract 1  
Page 2

THENCE South 32 degrees 09 minutes 57 seconds West, a distance of 191.29 feet with the southeast line of said 0.295 acre Talisman tract, same being the northwest line of that certain called 0.389 acre tract conveyed to Gabriel M. Davis and Roberta E. Leahy by deed of record in Document No. 2000157804, O.P.R.T.C.T. to a 1/4-inch iron rod found in the easterly R.O.W. of said Blue Bonnet Lane for the most southerly corner of the herein described tract;

THENCE North 24 degrees 59 minutes 41 seconds West, a distance of 146.77 feet with the easterly R.O.W. line of said Blue Bonnet Lane, same being the westerly line of said 0.295 acre Talisman tract and the herein described tract to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 12,832 square feet (0.295 acre) of land, more or less, based on the survey made by The Wallace Group, Inc. on December 23, 2003 and March 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

02-01-2008



Bearings based on deed calls for the westerly line of the adjacent tract to the north recorded in Document No. 2000133679, O.P.R.T.C.T., same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;

TRACT 2  
FIELD NOTE DESCRIPTION OF A  
15,097 SQUARE FEET (0.347 ACRE) TRACT

DESCRIBING A 15,097 SQUARE FEET (0.347 ACRE) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 46,513 S.F. TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO TALISMAN PARTNERS, LTD., RECORDED IN DOCUMENT NO. 2003248089, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 15,097 S.F. TRACT ALSO BEING A PORTION OF LOT 1, PRECISION ADDITION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 322, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.); SAID 15,097 S.F. TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod found in the easterly right-of-way (r.o.w.) line of Blue Bonnet Lane (a variable width r.o.w. at this location), at the northwest corner of a called 12,832 square feet (0.295 acre) tract of land having been conveyed to Talisman Partners, Ltd. by Special Warranty Deed of record in Document No. 2005094008, O.P.R.T.C.T.; same being the southwest corner of that certain called 46,513 s.f. tract conveyed to Talisman Partners, Ltd. of record in Document No. 2003248089, O.P.R.T.C.T.; and from said beginning point run the following eleven (11) courses and distances:

THENCE with the east line of Blue Bonnet Lane, a variable width right-of-way (r.o.w.) and the west line of said 46,513 s.f. tract, same being the west line of said Lot 2, Theodore Low Heights Subdivision by courses 1 and 2 as follows:

- 1) North 25°05'13" West, a distance of 56.68 feet to a ½-inch iron rod found at the southwest corner of a r.o.w. widening tract recorded in Volume 1753, Page 443, D.R.T.C.T.;
- 2) South 82°24'47" East, a distance of 6.02 feet to a ½-inch iron rod found at the southeast corner of said r.o.w. widening tract;

THENCE through the interior of said 46,513 s.f. tract and Lot 1, Precision Addition by courses 3 - 5 as follows:

- 3) South 81°26'52" East, a distance of 105.38 feet to a point for an interior ell corner;
- 4) North 10°27'00" East, a distance of 80.36 feet to a point for an exterior ell corner;
- 5) North 84°16'14" East, a distance of 155.08 feet to a point for the northeast corner of the herein described tract, same being the southwest corner of Tract A, F.M. Del Curto Resubdivision of Tract B of F.M. Del Curto Resubdivision of Lots 1 and 2 and Portions of Lots 3, 26, 27, 28, 29 & 30 of Delcrest Addition and of Lots 6, 7 and 8

Tract 2  
Page 2


Block A of Delcrest Addition Section 2, of record in Book 17, Page 90, P.R.T.C.T.; from which point a cotton spindle found bears South 83°50'34" East, a distance of 0.34 feet;

THENCE with the east line of said Lot 1, Precision Addition courses 6 and 7 as follows:

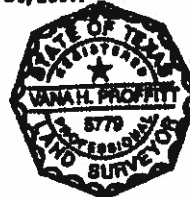
- 6) South 30°43'18" West, a distance of 125.65 feet to a ½-inch iron rod found;
- 7) South 15°26'52" West, a distance of 2.01 feet to a PK nail found in concrete footing of a rock wall at the southeast corner of said Lot 1, Precision Addition;

THENCE with the south line of said Lot 1, Precision Addition, and said 46,513 s.f. tract by courses 8-11 as follows:

- 8) North 70°17'27" West, a distance of 28.10 feet to a ½-inch iron rod found;
- 9) South 86°17'26" West, a distance of 79.13 feet to a ½-inch iron rod found with plastic cap stamped "Wallace Group" at an angle point;
- 10) North 89°34'22" West, a distance of 25.91 feet to a ½-inch iron rod found at an angle point;
- 11) South 67°52'44" West, a distance of 63.66 feet to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 15,097 square feet (0.347 acres) of land, more or less, based on a survey made by The Wallace Group, Inc. on March 30, 2003 and January 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

02-01-2008



Bearings based on the westerly line of said tract as called for in deed of record in Document No. 2000133679, same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;



TRACT 3  
FIELD NOTE DESCRIPTION OF A  
54,038 SQUARE FEET (1.241 ACRE) TRACT

DESCRIBING A 54,038 SQUARE FOOT (S.F.) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 46,513 S.F. TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO TALISMAN PARTNERS, LTD., RECORDED IN DOCUMENT NO. 2003248089, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING A PORTION OF LOT 2, THEODORE LOW HEIGHTS SUBDIVISION OF RECORD IN VOLUME 445, PAGE 581, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 54,038 S.F. TRACT ALSO BEING A PORTION OF LOT 1, PRECISION ADDITION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 322, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.); SAID 54,038 S.F. TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton spindle found at the northeast corner of said Lot 1, Precision Addition; and from said beginning point run the following ten (10) courses and distances:

THENCE with the east line of said Lot 1, Precision Addition by course 1 as follows:

- 1) South 30°43'18" West, a distance of 176.32 feet to a point for corner at the southwest corner of Tract A, F.M. Del Curto Resubdivision of Tract B of F.M. Del Curto Resubdivision of Lots 1 and 2 and Portions of Lots 3, 26, 27, 28, 29 & 30 of Delcrest Addition and of Lots 6, 7 and 8 Block A of Delcrest Addition Section 2, of record in Book 17, Page 90, P.R.T.C.T.; from which point a cotton spindle found bears South 83°50'34" East, a distance of 0.34 feet;

THENCE through the interior of said Lot 1, Precision Addition, and said 46,513 s.f. tract by courses 2 - 4 as follows:

- 2) South 84°16'14" West, a distance of 155.08 feet to a point for an interior ell corner;
- 3) South 10°27'00" West, a distance of 80.36 feet to a point for an exterior ell corner;
- 4) North 81°26'52" West, a distance of 105.38 feet to a 1/2-inch iron rod found in asphalt in the east right-of-way (r.o.w.) line of Blue Bonnet Lane, a variable width roadway, as partially widened by instrument of record in Volume 1753, Page 443, D.R.T.C.T.; from which point a 1/2-inch iron rod found in the west line of said Lot 2, Theodore Low Heights Subdivision at the southwest corner of said r.o.w. widening tract recorded in Volume 1753, Page 443, D.R.T.C.T. bears North 82°24'47" West, a distance of 6.02 feet;


THENCE with the common line of the westerly line of said 46,513 s.f. tract and the easterly r.o.w. line of said Blue Bonnet Lane, by courses 5 and 6 as follows:

Tract 3  
Page 2

- 5) North 25 degrees 04 minutes 00 seconds West, a distance of 124.80 feet to a 1/4-inch iron rod found for the most southerly northwest corner of the herein described tract and said 46,513 s.f. tract, said point marking the southerly end of the cutback corner at the intersection of the easterly r.o.w. line of said Blue Bonnet Lane and the southerly r.o.w. line of South Lamar Boulevard (a roadway with a variable width r.o.w.);
- 6) North 29 degrees 02 minutes 50 seconds East, a distance of 46.15 feet to a 1/4-inch iron rod found for the most northerly northwest corner of the herein described tract and said 46,513 s.f. tract, said point marking the northerly end of the cutback corner at the intersection of the easterly r.o.w. line of said Blue Bonnet Lane and the southerly r.o.w. line of said South Lamar Boulevard, said point also being the beginning of a curve to the right;

THENCE with the common line of the southerly r.o.w. line of said South Lamar Boulevard and the northerly and easterly line of said 46,513 square feet tract and the northerly line of said Lot 1, Precision Addition by courses 7 - 10 as follows:

- 7) Along a curve to the right, with a radius of 1869.86 feet, an arc length of 238.75 feet, and a long chord bearing North 75 degrees 49 minutes 53 seconds East, a distance of 238.59 feet to a point for corner;
- 8) South 04 degrees 38 minutes 26 seconds West, a distance of 5.18 feet with the easterly line of said 46,513 s.f. tract to a cotton spindle found at the northwest corner of said Lot 1, Precision Addition; said point also being in the south line of a 5 foot wide r.o.w. strip dedicated per said Precision Addition plat;
- 9) Along a curve to the right, with a radius of 1864.86 feet, an arc length of 111.30 feet, and a long chord bearing North 81°05'01" East, a distance of 111.28 feet to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 54,038 square feet (1.241 acres) of land, more or less, based on a survey made by The Wallace Group, Inc. on March 30, 2003 and January 30, 2007.

  
Vana H. Proffitt, R.P.L.S.  
The Wallace Group, Inc.  
1 Chisholm Trail, Suite 130  
Round Rock, Texas 78681

02-01-2008



Bearings based on the westerly line of said tract as called for in deed of record in Document No. 2000133679, same being the easterly line of Blue Bonnet Lane having a deed call bearing and distance of North 25 degrees 04 minutes West, 124.82 feet;



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



2009 Jan 09 11:05 AM 2009003056

BARTHOD \$56.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS





