



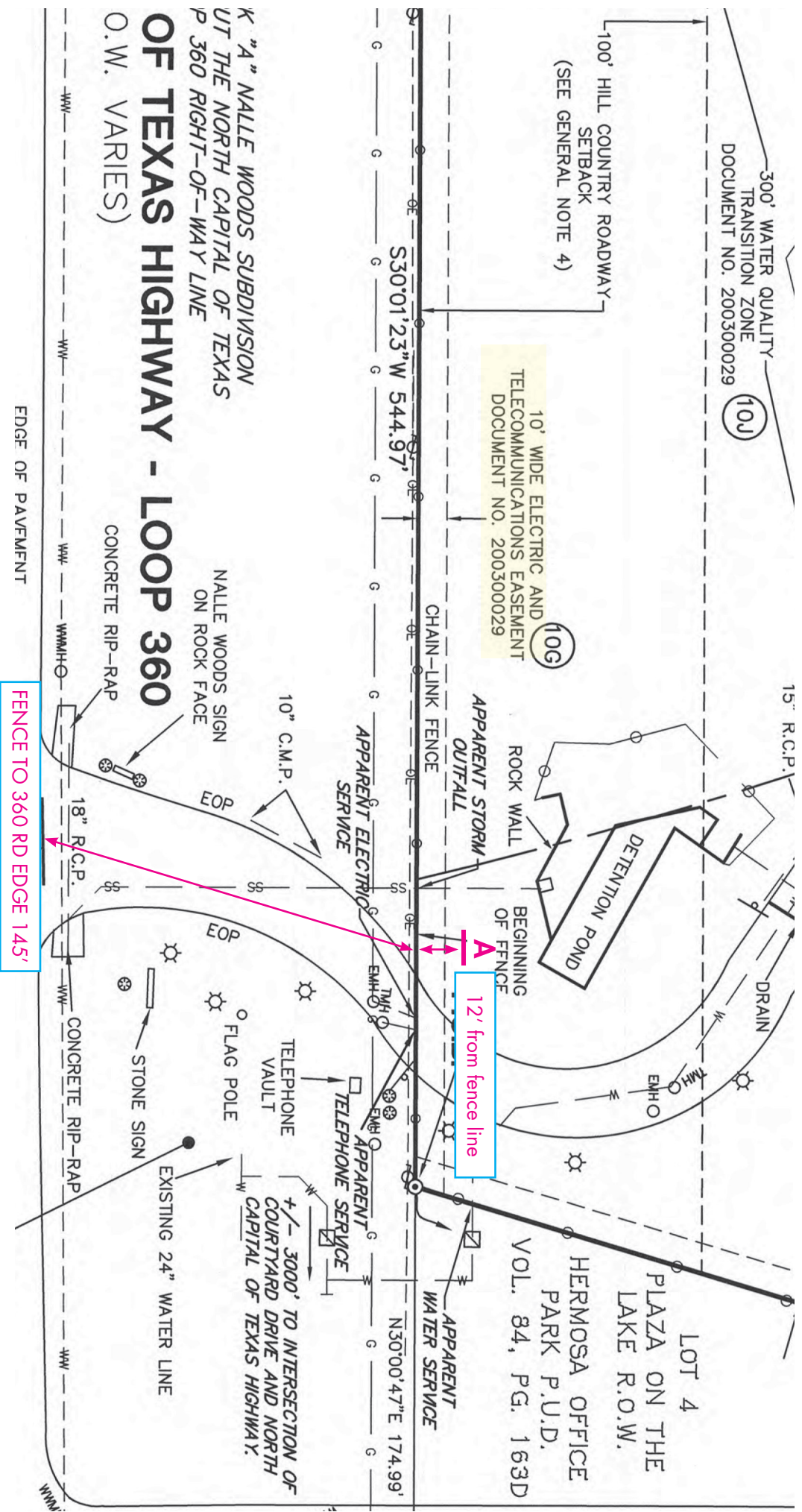




**NALLE WOODS**  
IDENTITY LOCATION LEFT SIDE OF DRIVE  
4700 N Capital of Texas Hwy.  
Austin, TX 78746

## Close-up Of Sign Location

**ROBINSON CREATIVE INC.**  
960 S. Kimball Ave., Ste. 1200  
50 thlake, Texas 76092  
P: 817.748.5057  
F: 817.416.7833  
RobinsonCreativeInc.com






# NALLE WOODS


## IDENTITY CONCEPT

4700 N Capital of Texas Hwy.  
Austin, TX 78746



PROPOSED IDENTITY		
<b>Quantity:</b> 1 S/F	<b>Aluminum Panel Sign:</b> Single faced aluminum panel cobient; front face individual illuminated aluminum channel letters for NALLE WOODS and APARTMENTS; illuminated front face channel leaf with halo-iti and painted aluminum color applique panels	<b>Overall Size:</b> 28' 6" w x 20" h <b>Sign:</b> 28' 6" w x 5' 8" h x 8" d <b>Base:</b> Post scaffolding
<b>Scaffolding Structure:</b> Steel square, treed and painted poles; post height varies because of land slope. Terrain around post to be natural landscaped with native plants.	<b>Colors &amp; Finishes:</b> Colors shown may not exactly match manufacturer's color chart swatch or actual sample. <div>    </div> <div>             Paint matched to Pantone 716 C              White              Point matched to Pantone 7463 C           </div>	





**ROBINSON  
CREATIVE**

ROBINSON CREATIVE INC.  
980 S. Kimball Ave., Ste. 120  
Schlake, Texas 76092  
P: 817.748.5057  
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**NALLE WOODS**  
**PROPOSED IDENTITY LOCATION, LEFT SIDE OF DRIVE**  
4700 N Capital of Texas Hwy.  
Austin, TX 78746



Proposed sign location



Close-up looking up the drive




Looking up from driveway entrance. Proposed location is 145 feet from entrance of drive



HWY 360 (Pink Line) Identity A. (Yellow Line) Powerline above, 6' high fence



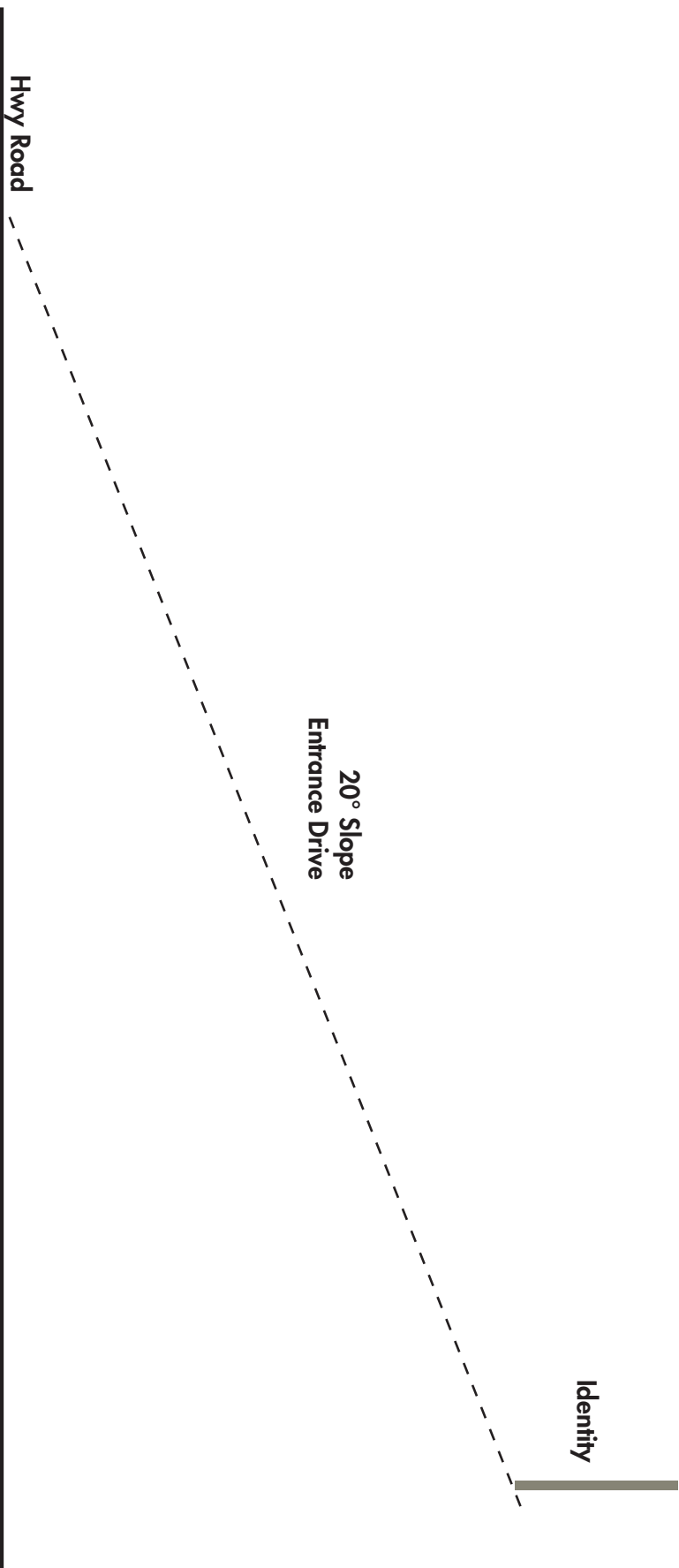


**ROBINSON  
CREATIVE**

ROBINSON CREATIVE INC.  
600 S. Kimball Ave., Ste. 120  
Southlake, Texas 76092  
P: 817.748.5057  
F: 817.416.7833  
RobinsonCreativeInc.com

D-1/36

**NALLE WOODS**  
**HWY TO IDENTITY SLOPE - 145' DISTANCE**  
4700 N Capital of Texas Hwy.  
Austin, TX 78746

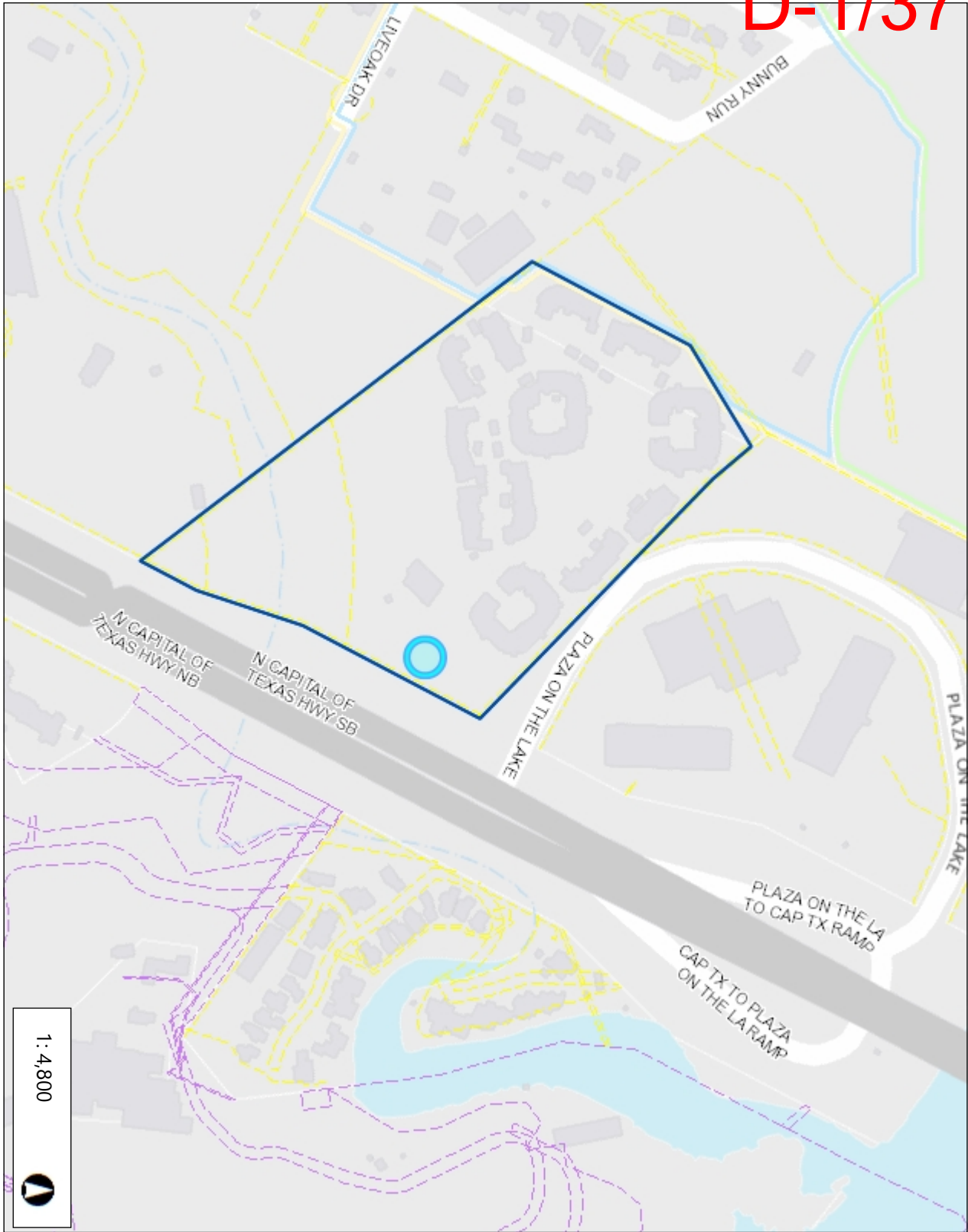




Property Profile

STRUCTURES ONLY

D-1/37



1:4,800



Legend

- Street Labels
- Easement Lines
- UNKNOWN
- DEDICATED
- PROPOSED
- RELEASED
- Jurisdiction
- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTION
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ

Notes

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

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

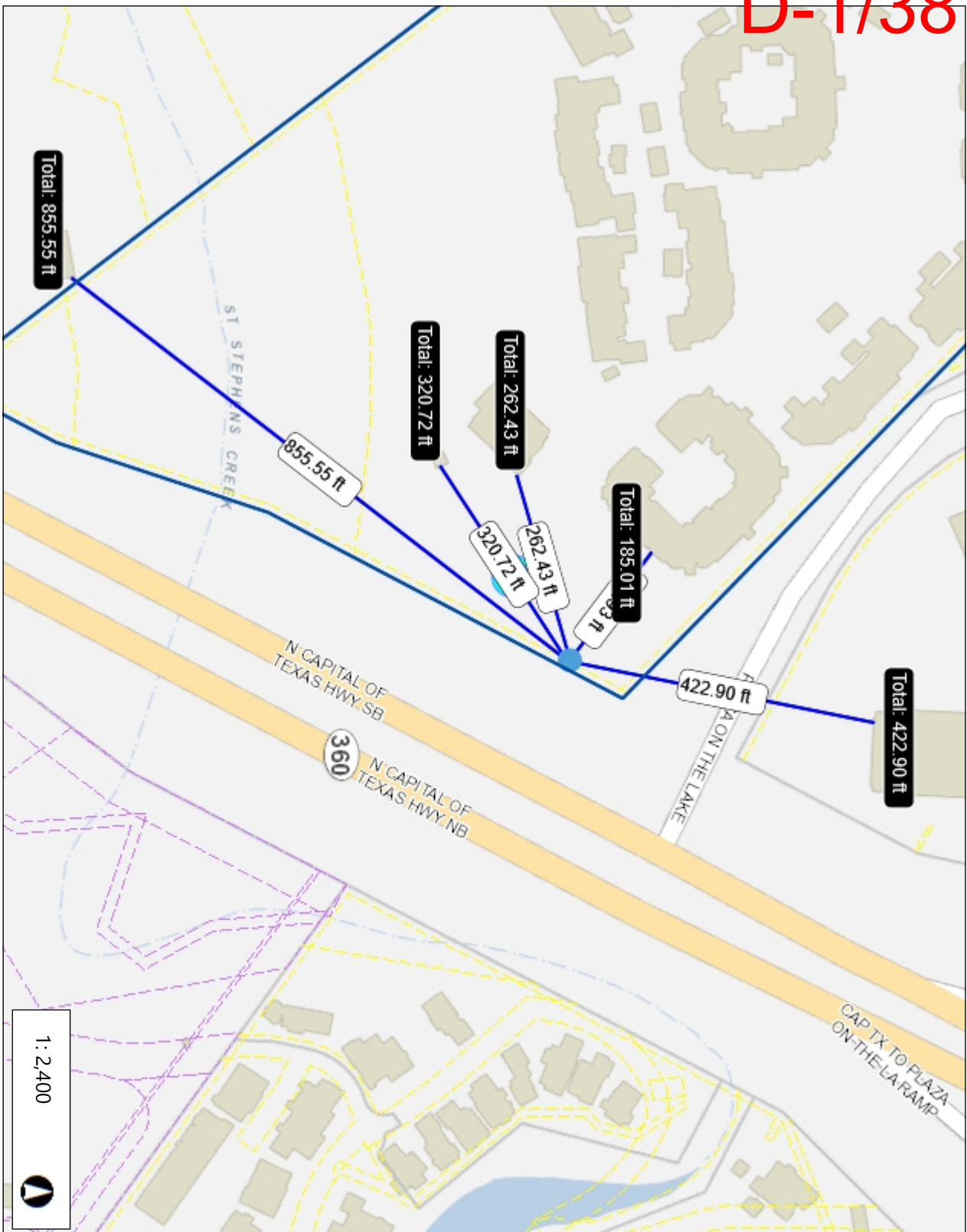
Date Printed:





# Property Profile

## ADJACENT PROPERTIES & STRUCTURES



1: 2,400

### Legend

- Street Labels
- Easement Lines
- UNKNOWN
- DEDICATED
- PROPOSED
- RELEASED
- Jurisdiction
- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTION
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ

### Notes

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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ELECTRONICALLY RECORDED

2019024155

TRV

9

PGS

## Special Warranty Deed

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

STATE OF NEW YORK       §  
                                      §  
 COUNTY OF NEW YORK   §

4700 NALLE WOODS REALTY COMPANY LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) cash and other good and valuable consideration to it in hand paid by the Grantees referenced below, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY (i) an undivided twenty-one and 8,499/10,000ths percent (21.8499%) interest to MORNINGSIDE DES PLAINES, LLC, an Illinois limited liability company, and (ii) an undivided seventy-eight and 1,501/10,000ths percent (78.1501%) interest to MORNINGSIDE 770, LLC, an Illinois limited liability company (collectively, "Grantees"), in and to the land described in Exhibits A-1 and A-2 attached hereto and made a part hereof for all purposes, together with all of Grantor's right, title, and interest in and to adjacent streets, alleys, rights-of-way, and any adjacent strips and gores of real estate (collectively, the "Land"); all improvements located on the Land (the "Improvements"); and all rights, titles, and interests appurtenant to the Land and the Improvements (collectively, the "Property"), subject only to the matters described in Exhibit B attached hereto and made a part hereof for all purposes ("Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantees, their respective successors and assigns forever, subject only to the Permitted Encumbrances; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property, subject only to the Permitted Encumbrances, unto said Grantees, their respective successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

**[Remainder of Page Intentionally Left Blank]**



EXECUTED to be effective the 21 day of February, 2019.

GRANTOR:

4700 NALLE WOODS REALTY COMPANY LLC

By: Commingled Pension Trust Fund (Strategic Property) of JPMorgan Chase Bank, N.A.

By: JPMorgan Chase Bank, N.A.,  
not individually, but solely in its  
capacity as trustee

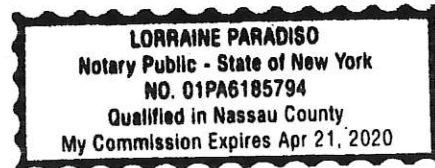
By:   
Name: Andrew Ruffo  
Title: Vice President

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF NEW YORK )

On the 13<sup>th</sup> day of February in the year 2019 before me, the undersigned, personally appeared Andrew Ruffo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of Individual  
Taking the Acknowledgment

Lorraine Paradiso



Grantees' Mailing Address:

c/o Morningside Group, 223 West Erie St., Third Floor, Chicago, IL 60654

EXHIBIT A

Description of Land

Being all of that certain 23.784 acre tract of land, more or less, out of the Antonio Rodriguez Survey No. 4, Abstract 656, and the Burke Trammell Survey No. 3, situated in the City of Austin, Travis County, Texas, the same being all of Lot 1, Block "A", NALLE WOODS SUBDIVISION, a subdivision of record in Document No. 200300029 of the Official Public Records of Travis County, Texas; said 23.784 acres being more particularly described by metes and bounds shown on Exhibit "A-1" attached hereto and made a part hereof.



EXHIBIT A-1Description of Land (Cont'd)**DESCRIPTION OF 23.784 ACRES**

DESCRIPTION OF A 23.784 ACRE TRACT OF LAND OUT OF THE ANTONIO RODRIGUEZ SURVEY NO. 4, ABSTRACT 656, AND THE BURKE TRAMMELL SURVEY NO. 3, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF LOT 1, BLOCK "A" NALLE WOODS SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 23.784 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a iron pipe found in the westerly right-of-way line of Capital of Texas Highway - Loop 360 (R.O.W. Varies), being the southeasterly corner of Lot 4, a private Right-of-Way dedicated as Plaza on the Lake, of record in Volume 84, Page 163D of the Plat Records of Travis County, Texas, same being the northeasterly corner of said Lot 1 and hereof;

**THENCE**, along the westerly right-of-way line of Capital of Texas Highway - Loop 360, for the easterly line of said Lot 1 and hereof, the following three (3) courses and distances:

- 1) S30°01'23"W, a distance of 544.97 feet to a concrete highway monument found at Highway Station 419+00, 200 feet right for an angle point;
- 2) S20°35'16"W, a distance of 303.93 feet to a concrete highway monument found at highway station 422+00, 150 feet right for an angle point;
- 3) S30°02'34"W, a distance of 172.84 feet to a railroad spike found at the northeasterly corner of Lot 1, Block "A" Lake Side Addition, Amended Plat of Lots 40, 41, 42, 45, 46, 49, 50, 53 and 54, a subdivision of record in Document No. 200000160 of said Official Public Records, being the southeasterly corner of said Lot 1, Block "A", Nalle Woods Subdivision and hereof;

**THENCE**, leaving the westerly right-of-way line of Capital of Texas Highway - Loop 360, along the northerly lines of said Lot 1, Block "A" and Lot 2, Block "A" of said Lake Side Addition, Amended Plat of Lots 40, 41, 42, 45, 46, 49, 50, 53 and 54, for the southerly line of said Lot 1, Block "A", Nalle Woods Subdivision and hereof, the following four (4) courses and distances:

- 1) N35°03'59"W, a distance of 588.30 feet to a 1/2 inch iron rod found for an angle point;
- 2) N34°56'20"W, a distance of 179.01 feet to a 1/2 inch iron rod found for an angle point;

- 3) N35°08'01"W, passing at a distance of 392.10 feet a 1/2 inch iron rod found, and continuing for a total distance of 406.90 feet to a 1/2 inch iron rod found at the common northerly corner of said Lot 1, Block "A" and Lot 2, Block "A", of said Lake Side Addition Amended;
- 4) N34°56'31"W, a distance of 166.98 feet to a 1/2 inch iron rod with cap set for the southwesterly corner of said Lot 1, Block "A", Nalle Woods Subdivision and hereof;

**THENCE**, leaving the northerly line of said Lot 2, Block "A", along the westerly line of said Lot 1, Block "A", Nalle Woods Subdivision for the westerly line hereof, the following two (2) courses and distances:

- 1) N30°14'08"E, a distance of 487.31 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N61°11'39"E, a distance of 320.75 feet to a 1/2 inch iron rod with cap set in the southerly line of Lot 7 Hermosa Office Park P.U.D., a subdivision of record in Volume 84, Page 163D of said Plat Records, for the northwesterly corner of said Lot 1, Block "A", Nalle Woods Subdivision and hereof, from which a PK Nail found at the southwesterly corner of said Lot 7 bears N37°51'39"W, a distance of 66.36 feet;

**THENCE**, along the southerly lines of said Lot 7 and said Plaza on the Lake Lot 4, being the northerly line of said Lot 1, Block "A", Nalle Woods Subdivision, for the northerly line hereof, the following three (3) courses and distances:

- 1) S37°51'39"E, a distance of 137.12 feet to a 1/2 inch iron rod found for an angle point;
- 2) S43°30'09"E, a distance of 21.86 feet to a 1/2 inch iron rod found for an angle point;
- 3) S43°30'34"E, passing at a distance of 322.26 feet a 1/2 inch iron rod found at the southeasterly corner of said Lot 7, and continuing for a total distance of 887.10 feet to the **POINT OF BEGINNING**, containing an area of 23.784 acres (1,036,037 sq. ft.) of land, more or less, within these metes and bounds.



Exhibit B

Permitted Encumbrances

Real property taxes and all assessments and unpaid installments thereof which are not delinquent.

Any and all residential leases with no right to purchase and no right of first refusal, recorded or unrecorded, with rights of tenants in possession

Correction Conservation Deed recorded under Document No. 2002190615; Restrictive Covenant Regarding Unified Development and Maintenance of Drainage Facilities recorded under Document No. 2003029504; Plat recorded under Document No. 200300029 and Amended and Restated Agreement recorded under Document No. 2010119303, all of the Official Public Records of Travis County, Texas.

A 10 foot wide electric utility easement granted by George S. Nalle, Jr. and Anne Byrd Nalle to the City of Austin in instrument dated October 20, 1997, filed for record on October 22, 1997, recorded in Volume 13049, Page 350 of the Real Property Records of Travis County, Texas, the same shown on the Plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised July 17, 2010, Project No. 1219-03.92.

Terms, conditions and stipulations, including, but not limited to (i) development rights and building restrictions, (ii) Hill Country Conservancy Use Area, and (iii) building setback tract, contained in the Correction Conservation Deed establishing the Nalle Bunny Run Wildlife Preserve dated November 28, 2000, by and between Nalle Bunny Run Farm Family Limited Partnership and Hill Country Conservancy recorded under Document No. 2002190615 of the Official Public Records of Travis County, Texas.

Terms, conditions and stipulations of that certain Easement and Memorandum of Agreement (and Residential Services Agreement referenced therein) in favor of Time Warner Cable dated April 24, 2003, and recorded under Document No. 2003116442 of the Official Public Records of Travis County, Texas.

The terms, conditions and stipulations set out in that certain Memorandum of Contract by and between Nalle Woods, Ltd., and Southwestern Bell Telephone, L.P. dated June 18, 2003, recorded under Document No. 2003187200 of the Official Public Records of Travis County, Texas.

An electric utility easement extending 5 feet on all sides of the actual installed location of the electric facilities granted by Nalle Woods, Ltd., to the City of Austin in instrument dated October 28, 2003, filed for record on November 20, 2003, under Document No. 2003272129 of the Official Public Records of Travis County, Texas.

A 10 foot wide electric easement created by the Plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

A 10 foot wide electric and telecommunications easement created by the Plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

A 200 foot wide right-of-way reservation created by the Plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

A drainage easement containing 3.90 acres of land across the southern corner of the property created by the plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

A 300 foot wide water quality transition zone created by the Plat recorded under Document No. 200300029 of the Official Public Records of Travis County, Texas; as located and limited by ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

Fence outsets along a portion of the northeast property line as shown on ALTA/ACSM Land Title Survey prepared by John T. Bilnoski, R.P.L.S. No. 4998 of Bury & Partners, Inc., dated October 14, 2005, last revised November 11, 2005, Project No. 1219-03.92.

The terms, conditions and stipulations set out in that certain Amended and Restated Agreement dated August 16, 2010, recorded under Document No. 2010119303 of the Official Public Records of Travis County, Texas.



Terms, conditions and stipulations of that certain Memorandum of Agreement (together with the right to provide certain Services referenced therein) in favor of Time Warner Cable, and recorded under Document No. 2017009777 of the Official Public Records of Travis County, Texas.

D-1/47

11-GF# 201801008 JPB  
RETURN TO: HERITAGE TITLE  
401 CONGRESS, SUITE 1500  
AUSTIN, TEXAS 78701



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Dana Debeauvoir*

DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

February 21 2019 02:50 PM

FEE: \$ 58.00 2019024155

## § 25-10-124 - SCENIC ROADWAY SIGN DISTRICT REGULATIONS.

(A) This section applies to a scenic roadway sign district. (B) One freestanding sign is permitted on a lot. (1) The sign area may not exceed the lesser of: (a) 0.4 square feet for each linear foot of street frontage; or (b) 64 square feet. (2) The sign height may not exceed 12 feet. (C) Wall signs are permitted. (D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building. (E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways. (F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters. (G) In addition to the sign setback requirements established by Section 25-10-191 ( Sign Setback Requirements ), a sign or sign support must be installed at least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a sign permitted by Section 25-10-102(F) ( Signs Associated with Political Elections ).

Source: Sections 13-2-867 and 13-2-868; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. 20170817-072 , Pt. 10, 8-28-17.



## **NALLE WOODS**

4700 N Capital of Texas Hwy,  
Loop 360  
Austin, TX 78746

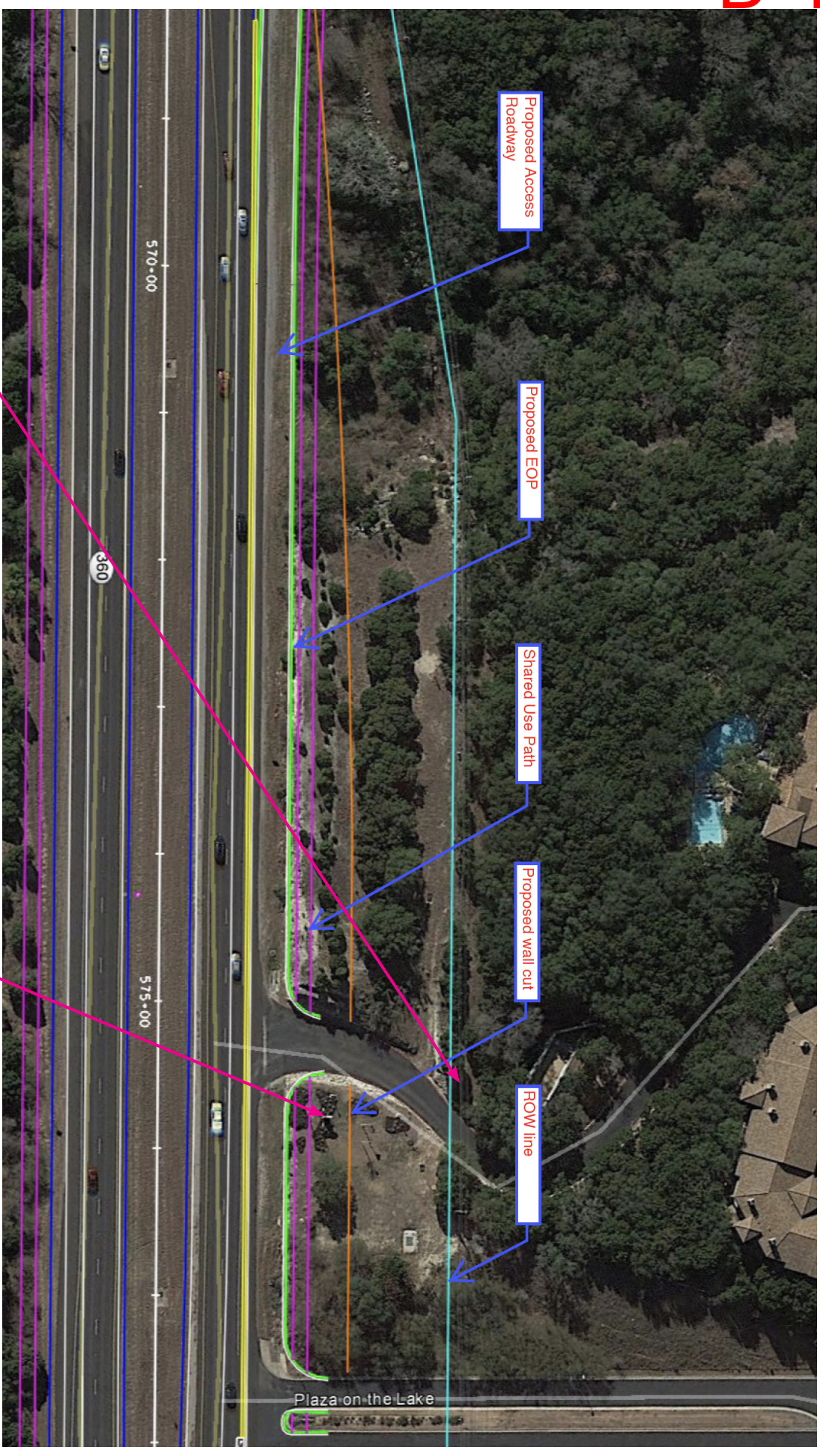
### **SIGN VARIANCE REQUEST**

**D-1/49**

## **NALLE WOODS APARTMENTS REQUEST A VARIANCE FOR PROPERTY IDENTIFICATION SIGNAGE DUE TO VISIBILITY HARDSHIPS**

- Property line begins 141' back from Capital of Texas Hwy (Loop 360) curb and behind TxDOT land.
- TxDOT acknowledges hardships and granted land lease for property identification for 14 years.
- The land lease has been discontinued. A 2-Year excavation construction project is about to begin adding an access lane and shared use path. This will not allow any identification for the property.
- Removing of the TxDOT cliff will reveal an even higher cliff elevation from 560 (original sign) to 570 (proposed sign). 360 Hwy is at 540 elevation.
- Concerns that emergency responders and guests will find it difficult to properly identify the property.
- Scenic Roadway sign code allows a 64 sq. ft. sign at a 12' height with individually lit letters. At 153' with a 12' setback from right-of-way back) the proposed sign is over 140' further than the 12' setback that is allowed from the street right-of-way.
- The proposed sign is over 260' setback from the opposite side of traffic.
- Using a standard visibility chart calculated at 250' distance at a 60 MPH speed, 36" letters are required for maximum legibility.
- Proposed sign not inconsistent with size of signs of neighboring property.

**EXHIBIT 1 - TXDOT EXPANSION OF N CAPITAL TEXAS HWY (LOOP 360)**



Proposed Sign Location

Existing Sign on TxDOT Property