



MEMORANDUM

TO: Andrew Rivera, Planning Commission

FROM: Mashell Smith, Property Agent Senior
Land Management, Development Services Department

DATE: May 5, 2022

SUBJECT: F#2021-071146 Street Right-of-Way Vacation 0.7732 of an acre of Sky Mountain Dr.

Attached is the Application Packet and Master Comment Report pertaining to the right-of-way vacation application for an approximately 0.7732 of an acre portion of land commonly known as Sky Mountain Dr. The right of way is partially paved. The proposed vacation tract will be added to the abutting parcels. The abutting properties are owned by LMC Sky Mountain Holdings, LLC, a Delaware limited liability company. Per the transmittal letter dated May 11, 2021, received by the City of Austin, applicant states: the reclaimed area will be used for private multifamily development and its associated improvements." The proposed vacation tract is currently associated with active site plan SP-2021-0079C.

All affected departments and private utility franchise stakeholders have reviewed the application and recommend approval, subject to the reviewers' conditions shown on the attached Master Comment Report. Austin Water and Grande have "Approved with Conditions".

Per City Code §14-11-71 – Notice to Interested Property Owners Public notice will be sent to owners within 300' of the area to be vacated. The director of the Public Works Department may approve the application after the 10th day that the notice is issued; and an affected property owner may submit comments regarding the proposed vacation.

The applicant has requested that this item be submitted for placement on the **May 10, 2022, Planning Commission Agenda.**

Staff contact: Mashell Smith, Land Management, Property Agent Senior
Development Services Department, 512-974-7079, mashell.smith@austintexas.gov

Applicant: Reese Hurley//LJA Engineering
512-439-4700//rhurley@lja.com

Abutting Landowners: LMC Sky Mountain Holdings, LLC, a Delaware limited liability company

The applicant and/or property owner's representative will be present at the meeting to answer any questions regarding future development and vacation request.

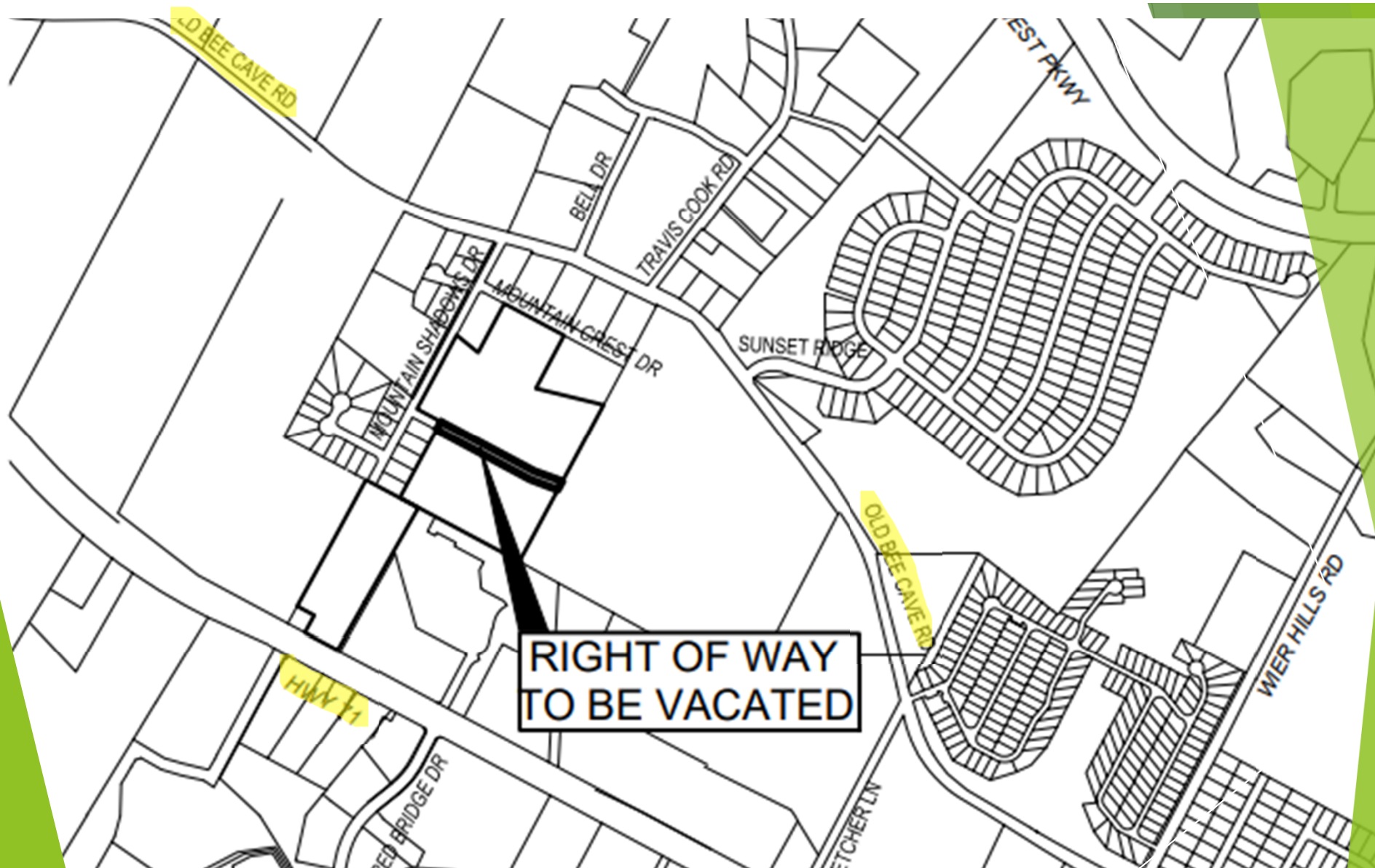
Attachments:
Summary of Review Comments Report and Application Packet

Vacation application
of a portion of
Sky Mountain Dr.
Traversing from
Mountain Shadows Dr.
Between
Old Bee Caves Rd.
and Hwy 71

File 2021-071146

Planning Commission

- District 8



Totaling: 33,682 Square Feet

- Owner:
LMC Sky Mountain Holdings, LLC
- Public Notice to property owners
within 300' April 21, 2022 (113)

All affected departments and private utility franchise stakeholders have reviewed the request and recommend approval subject to the two below:

Approved With Conditions	Eric Sermenio	512-972-0497	04/01/2022	04/01/2022
Comments:	Austin Water is okay with the partial ROW vacation request as long the city of Austin retains a wastewater easement to cover the existing wastewater manhole (asset ID # 305193) and two 8-inch polyvinylchloride wastewater line(s) segments (via project numbers 93-0012 & 2003-0768) within portion of the partial ROW vacation area.			
Approved With Conditions	Daniel Pina		06/15/2021	06/15/2021
Comments:	Grande has no objections but with conditions of full reimbursement for the cost of construction if Grande will need to relocate Daniel Piña Utility Coordinator- Austin/San Marcos Grande Communications® Cell:737-346-7155 daniel.pina@mygrande.com grandecom			

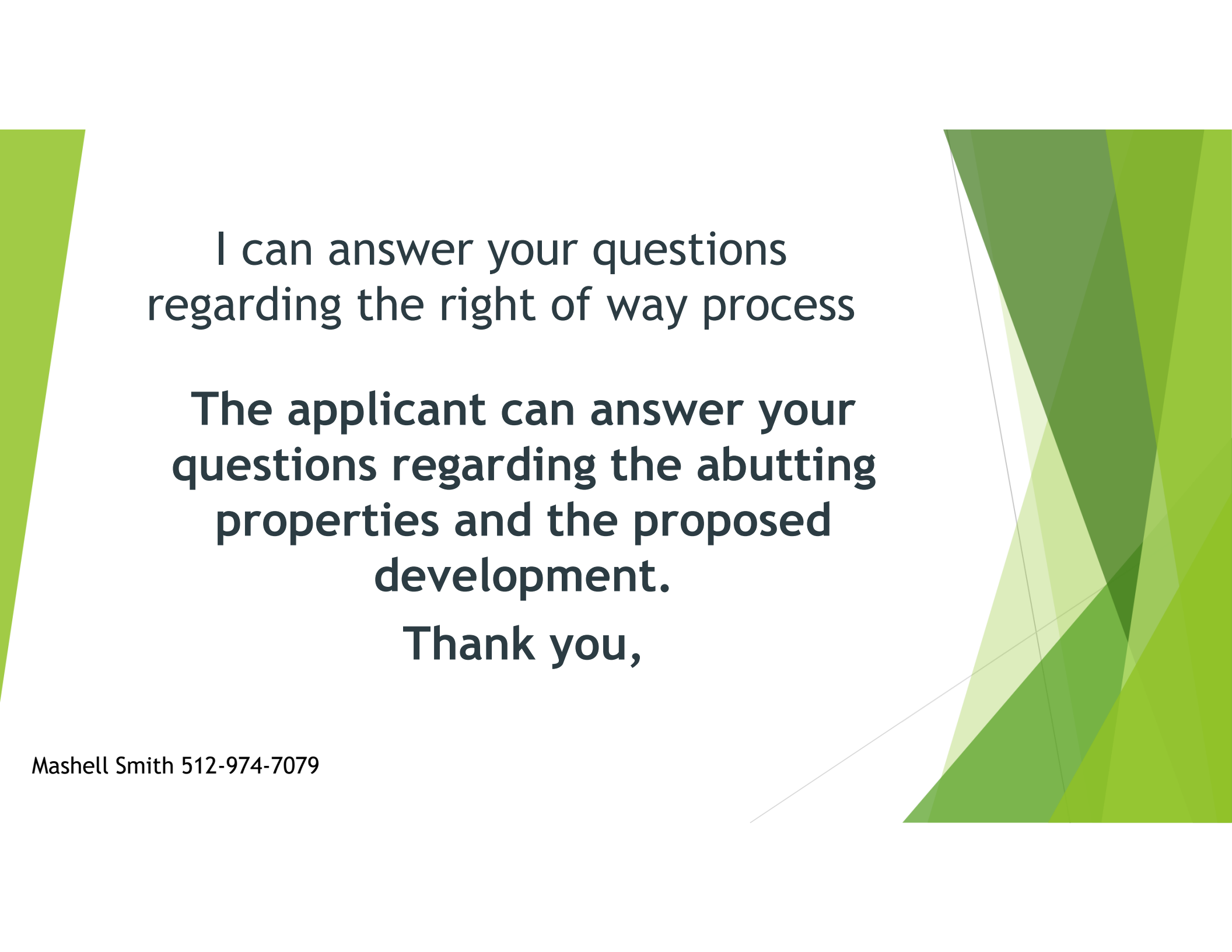
How do you plan to develop the area to be vacated?

- The reclaimed area will be used for private multifamily development and its associated improvements.

Site Development Plans were formally submitted and are now in process.
(SP-2021-0079C)

- Not S.M.A.R.T. Housing





I can answer your questions
regarding the right of way process

The applicant can answer your
questions regarding the abutting
properties and the proposed
development.

Thank you,

Mashell Smith 512-974-7079

CITY OF AUSTIN - R.O.W. VACATION

MASTER COMMENT REPORT

As of: April 01, 2022

PROJECT NUMBER: 2021-071146 LM

PROJECT NAME: 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)

LOCATION: 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735



<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM AT&T (SWBT)				
Approved	Mashell Smith	(512) 974-7079	07/23/2021	07/23/2021
Comments:	Approved Chris Cowen cc2753@att.com 7/22/21			

LM ATD Review

Rejected	Alison Mills	512-974-7166	07/20/2021
Comments:	applicant is currently in discussion with ATD regarding revisions and next steps.		

As of: April 01, 2022**PROJECT NUMBER:** 2021-071146 LM**PROJECT NAME:** 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)**LOCATION:** 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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Approved	Alison Mills	512-974-7166	07/29/2021	07/29/2021
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Comments:	Applicant communicated constraints and ATD now supports ROW vacation.			
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LM Austin Resource Recovery Review

Approved	Heather Ketten	512-974-1954	06/21/2021	06/21/2021
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Comments:	We approve this vacation, as there should not be any interruptions to ARR services in this area.			
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As of: April 01, 2022**PROJECT NUMBER:** 2021-071146 LM**PROJECT NAME:** 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)**LOCATION:** 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM AW Infrastructure Management

Rejected	Eric Sermeno	512-972-0497	06/03/2021	
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Comments: Austin Water cannot release the ROW until the wastewater line in question has been properly removed/abandoned and as-built records have been turned in to AW infrastructure records. Once the inspector turns in those plans, they review/approve or reject acceptance due to lack of additional documentation for AW purposes.

Approved With Conditions	Eric Sermeno	512-972-0497	04/01/2022	04/01/2022
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Comments: Austin Water is okay with the partial request as long the city of Austin retains a wastewater easement to cover the existing wastewater manhole (asset ID # 305193) and two 8-inch polyvinylchloride wastewater line(s) segments (via project numbers 93-0012 & 2003-0768) within portion of the partial ROW vacation area.

CONDITIONS ACKNOWLEDGED, WILL COMPLY.

A handwritten signature in blue ink, appearing to be "DS", inside a blue rectangular box.

LM Capital Metro

Approved	Mashell Smith	(512) 974-7079	07/01/2021	07/01/2021
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Comments: Hello The following work is Approved by Cap Metro. Please proceed with permitting. Any questions please reach out to me. 512-417-6387.

Ron Foster@capmetro.org
Ron Foster

As of: April 01, 2022**PROJECT NUMBER:** 2021-071146 LM**PROJECT NAME:** 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)**LOCATION:** 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM Drainage Engineering Review

Approved	Christine Perez	512-974-3568	06/16/2021	06/16/2021
Comments:	None			

LM Electric Review

Rejected	Rosario Navarro	512-322-6754	06/08/2021	
Comments:	Denied. Austin Energy has facilities in this ROW. Either the facilities must be removed or this area retained as an easement.			

Approved	Rosario Navarro	512-322-6754	02/24/2022	02/24/2022
Comments:	AE approved.			

As of: April 01, 2022**PROJECT NUMBER:** 2021-071146 LM**PROJECT NAME:** 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)**LOCATION:** 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM EMS Review

Approved	Milissa Warren	(512)972-7234	06/19/2021	06/19/2021
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Comments:	EMS will support staff recommendation on this request.
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LM Fire For Site Plan Review

Approved	Tom Migl	512-974-0164	06/15/2021	06/15/2021
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Comments:	None
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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM GAATN Review

Approved	Carlos DeMatos	(512) 974-6513	06/01/2021	06/01/2021
Comments:	None			

LM Google Fiber Texas

Approved	Stephany Roy		06/17/2021	06/17/2021
Comments:	Google Fiber has no conflicts and approves the ROW Vacation. Kari McNelly Telecommunications Planner			

As of: April 01, 2022

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM Grande Communications

Approved With Conditions

Daniel Pina

06/15/2021

06/15/2021

Comments: Grande has no objections but with conditions of full reimbursement for the cost of construction if Grande will need to relocate
 Daniel Piña
 Utility Coordinator- Austin/San Marcos
 Grande Communications®
 Cell: 737-346-7155
 daniel.pina@mygrande.com
 grandecom

CONDITIONS ACKNOWLEDGED, WILL COMPLY.

A handwritten signature in blue ink, with the initials "DS" above it, enclosed in a blue rectangular box.

LM PARD / Planning & Design Review

Approved

Robynne Heymans

512-974-9549

06/22/2021

06/22/2021**Comments:** None

As of: April 01, 2022**PROJECT NUMBER:** 2021-071146 LM**PROJECT NAME:** 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)**LOCATION:** 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM PAZ Long Range Planning Review

Approved	Kathleen Fox	512-974-7877	08/16/2021	08/16/2021
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Comments: Proposal does not conflict with the policies of the Imagine Austin Comprehensive Plan.

LM PAZ Zoning Review

Approved	Wendy Rhoades	512-974-7719	05/27/2021	05/27/2021
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Comments: No comments; Approved

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM PWD Sidewalks & Special Projects Review

Approved	Eric Dusza	512-974-6504	06/07/2021	06/07/2021
Comments:	None			

LM PWD Urban Trails Review

Approved	Katie Wettick	512-974-3529	05/28/2021	05/28/2021
Comments:	No trails immediately nearby.			

As of: April 01, 2022

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM PWD-OCE Review

Approved	Jose Ramos	512-974-8763	06/10/2021	06/10/2021
Comments:	None			

LM Texas Gas Services

Approved	Aaron Diaz		06/21/2021	06/21/2021
Comments:	Approved- No conflicts expected. Aaron Diaz Engineer I P: 512-465-1132 C: 512-348-4650 Aaron.Diaz@onegas.com			

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM Time Warner Cable / Charter

Approved	Timothy White	512-974-2221	07/14/2021	07/14/2021
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Comments: Charter Communications does not have a need for an easement on the property as described in the accompanying document.

Troy T. Smith Jr | Construction Supervisor | D-512.682-8593|C-512.748-1425 CTX Construction, 810 W Howard Ln, Austin, TX 78753 Troy.
Smith1@Charter.com

LM Transportation Planning

Approved	Martin Laws	512-974-6351	06/22/2021	06/22/2021
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Comments: None

As of: April 01, 2022

PROJECT NUMBER: 2021-071146 LM
PROJECT NAME: 2021 071146 LM (8701, 8702, 8709 & 8800 Sky Mountain Dr.)



LOCATION: 8709 SKY MOUNTAIN DR, AUSTIN, TX 78735

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LM Urban Design Review

No Comment	Aaron Jenkins		05/27/2021	05/27/2021
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Comments: This is outside of the areas reviewed by Urban Design

LM Watershed Engineering Review

Approved	Shamir Dorsey	512-974-6099	06/17/2021	06/17/2021
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Comments: No objection to the release of the ROW.

As of: April 01, 2022

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Mobility Bond Review

No Review Required	CPO Mobility Reviewers		06/02/2021	06/02/2021
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Comments: This does not fall within the Corridor Construction Program Limits.

APPLICATION FOR STREET OR ALLEY VACATION

File No. **2021-071146 LM**

Department Use Only

DATE: **May 27, 2021**

Department Use Only

TYPE OF VACATION

Type of Vacation: Street: _____; Alley: _____; ROW X Hundred Block: 8700-8800
Name of Street/Alley/ROW: Sky Mountain Drive Is it constructed: Yes ☐ No ☒
Property address: 8701-8800 Sky Mountain Dr, Austin, TX 78735
Purpose of vacation: ROW was never constructed and proposed development on adjacent tracts want to develop on it

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 01-0144-0402, 01-0144-01401, 01-0144-0502, 01-0144-0505
Survey & Abstract No.: _____
Lot(s): N/A Block: L, M, P, Q Outlot: N/A
Subdivision Name: Mountain Shadows
Plat Book 25 Page Number 2 Document Number N/A

Neighborhood Association Name: Mountain Shadows Cove Neighborhood Association
Address including zip code: c/o Current President of Assn, P.O. Box 92378, Austin, TX 78709

RELATED CASES

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

FILE NUMBERS

SP-2021-0079C
C8-1965-2867, C8-2020-0198.0APA
C14-2020-0023

PROJECT NAME, if applicable:

Name of Development Project: Sky Mountain
Is this a S.M.A.R.T. Housing Project (circle one): YES ☐ NO ☒
Is this within the Downtown Austin Plan Boundaries (circle one): YES ☐ NO ☒
Braxton Adamson

OWNER INFORMATION

Name: LMC Sky Mountain Holdings, LLC (as shown on Deed)
Address: 500 N. Akard St #3400 Phone: () Fax No.: ()
City: Dallas County: Dallas State: TX Zip Code: 75201
Contact Person/Title: _____ Cell Phone: ()
Email Address: Braxton.Adamson@livelmc.com
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

APPLICANT INFORMATION

Name: Reese B. Hurley, P.E.
Firm Name: LJA Engineering, Inc.
Address: 7500 Rialto Blvd, Bldg 2, Ste 100
City: Austin State: TX Zip Code: 78735
Office No.: (512) 439-4700 Cell No.: () Fax No.: ()
EMAIL ADDRESS: rhurley@LJA.com

The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the nonrefundable application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) All documents related to this transaction and a **certified check** for the appraised value must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By:


Landowner/Applicant

May 11, 2021

City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: Proposed Partial R.O.W. Vacation Application
Sky Mountain Drive

To whom it may concern:

Please accept the attached application and supporting documents for purposes of requesting a partial vacation for the Sky Mountain Drive R.O.W. The reasoning for the request is that the landowner desires to acquire the R.O.W. area for purposes of development. The portion of the existing R.O.W. to be vacated, as indicated by the attached metes and bounds, is currently unimproved R.O.W. The R.O.W. is only inclusive of old, damaged, and inoperable light wastewater infrastructure as well as an Overhead single phase power line with poles and two street lamps.

Conversations are underway currently with Austin Water to begin the abandonment/removal process of the existing wastewater infrastructure. It is expected that the old wastewater infrastructure can be allowed to be removed as part of a site plan exemption. An application has already been filed with Austin Energy for the removal of the existing single phase overhead line and streetlamps.

The following information is provided to answer the questions asked by the application.

- 1) The project is to be a multifamily residential development.
- 2) The R.O.W. was dedicated via the Mountain Shadows Subdivision Plat, Volume 25, Page 2, O.P.R.T.C.T. (C8-1965-2867). The Plat was recorded in the County in 1965.
- 3) The R.O.W. was dedicated by Plat, therefore it was not purchased via street deed.
- 4) The R.O.W. portion to be vacated is located within the same subdivision as the development. Once the desired R.O.W is vacated, a resubdivision plat is to be processed to absorb the vacated R.O.W. area into the future lots. A draft copy of the proposed Final Plat can be provided once requested but a metes and bounds exhibit is attached that shows the area to be vacated. Currently, the proposed resubdivision is going through the Project Assessment Process (C8-2020-0198.0APA).
- 5) Where to be vacated, The R.O.W. is unimproved, is unpaved, and is thus not a functioning street where adjacent to the developer's property. There are no inhabitants/residences that use the existing R.O.W. for property access.
- 6) There is light existing wastewater infrastructure, and an overhead single phase power line with a couple of streetlamps / poles.
- 7) The reclaimed area will be used for private multifamily development and its associated improvements.
- 8) Site Development Plans were formally submitted and are now in process. (SP-2021-0079C).
- 9) Yes, the project is to be done with a UDA.
- 10) Not a S.M.A.R.T. Housing project.
- 11) Sometime in 2022 is the anticipated time frame to begin construction.

- 12) All of the existing subdivision is zoned MF-1-NP. Please see the attached PDF exhibit for surrounding zoning information.
- 13) The existing uses have also been shown on the attached PDF exhibit.
- 14) There are no existing parking facilities served by the R.O.W. to be vacated and the site is undeveloped.
- 15) Onsite Parking will be required for 289 multifamily units.
- 16) All proposed parking will be private and located on the site.
- 17) There is a private restrictive covenant in place that forbids access to the proposed multifamily development via Sky Mountain Drive. The improved portion of the Sky Mountain R.O.W. to remain can only be used for emergency access only. All access to the proposed project will come from SH 71. Because of this, the Sky Mountain R.O.W. no longer has any use for the developer and the City has no future plans for it.
- 18) The project is not located in the DAP.
- 19) The project is not located in the UT boundary.
- 20) The vacation of the unimproved R.O.W. has no impact on the Imagine Austin Comprehensive Plan.

Sincerely,



Reese Hurley, P.E.
Project Manager
LJA Engineering, Inc.

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.7732 ACRE, (33,682 SQUARE FEET), OUT OF THE A.F. BELL SURVEY NO. 75, ABSTRACT NO. 86, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF SKY MOUNTAIN DRIVE (50' RIGHT-OF-WAY) DEDICATED IN VOLUME 25, PAGE 2 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), SAID 0.7732 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

COMMENCING at a 1/2-inch iron rod found in the north right-of-way line of said Sky Mountain Drive, being the common south corner of Lot H and Lot L of Mountain Shadows, a subdivision recorded in Volume 25, Page 2 (P.R.T.C.T.), from which a cotton gin spindle found for the southwest corner of said Lot H, being in the north right-of-way line of said Sky Mountain Drive, being in the east right-of-way line of Mountain Shadows Drive (50' right-of-way), bears, N61°52'51"W, a distance of 139.82 feet;

THENCE, with the north right-of-way line of said Sky Mountain Drive and the south line of said Lot L, S61°52'51"E, a distance of 25.00 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the northwest corner and **POINT OF BEGINNING** hereof;

THENCE, with the north right-of-way line of said Sky Mountain Drive, in part with the south line of said Lot L, and in part with the south line of Lot P, of said Mountain Shadows the following two (2) courses and distances:

- 1) **S61°52'51"E**, at a distance of 324.92 feet passing a 1/2-inch iron rod found for the common south corner of said Lot L and said Lot P, continuing for a total distance of **523.32** feet to a 1/2-inch iron rod found for an angle point hereof, and
- 2) **S69°47'42"E**, a distance of **152.49** feet to a 1/2-inch iron rod found for the northeast corner hereof, said point being the northeast corner of the eastern terminus of said Sky Mountain Drive, being the southeast corner of said Lot P, and being in the west line of a called 39.970 acre tract ("Tract 1") conveyed to Fairfield Hill Country LP in Document No. 2020247768 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), from which a 1/2-inch iron rod found for the northeast corner of said Lot P, for the southeast corner of Lot O, of said Mountain Shadows, being in the west line of said Fairfield Hill Country tract, bears, N28°09'33"E, a distance of 450.13 feet;

THENCE, with the eastern terminus of said Sky Mountain Drive and the west line of said Fairfield Hill Country tract, **S28°09'33"W**, a distance of **49.96** feet to a 1/2-inch iron rod found for the southeast corner hereof, said point being the southeast corner of the eastern terminus of said Sky Mountain Drive, and being the northeast corner of Lot Q of said Mountain Shadows;

THENCE, with the south right-of-way line of said Sky Mountain Drive, in part with the north line of said Lot Q, and in part with the north line of Lot M of said Mountain Shadows, the following two (2) courses and distances:

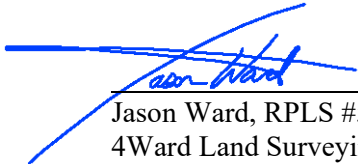
- 1) **N69°56'36"W**, a distance of **149.23** feet to a 1/2-inch iron rod found for an angle point hereof, and
- 2) **N61°52'44"W**, at a distance of 201.63 feet passing a 1/2-inch iron rod found for the common north corner of said Lot Q and said Lot M, continuing for a total distance of **526.69** feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the southwest corner hereof, from which a 1/2-inch iron rod found in the south right-of-way line of said Sky Mountain Drive, being the northwest corner of said Lot M, also being the northeast corner of Lot 1, A Subdivision of Block I, Mountain Shadows, a subdivision recorded in Volume 26, Page 43 (P.R.T.C.T.), bears, N61°52'44"W, a distance of 25.00 feet;

THENCE, over and across said Sky Mountain Drive, **N28°14'50"E**, a distance of **49.88** feet to the **POINT OF BEGINNING** and containing 0.7732 Acre, (33,682 Sq. Ft.) of land more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000081372178. See attached sketch (reference drawing: 00930_Sky Mountain Dr ROW Vacation.dwg.)

COA GRID #B21



Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

5/25/2021



[B]

LOT 4 LOT 3 LOT 2 LOT 1

(140.00')
[140.00']
139.79'

[A]

139.82'
(140.00')

N28°11'51"E 431.21'
(N30°42'00"E 430.79')

LOT H
[C]

(N30°42'00"E 404.60')
N28°12'59"E 404.99'

25.00'

L3

25.00'

P.O.C.
GRID N: 10,064,600.70
GRID E: 3,066,647.87

LOT M
[C]

(N59°29'00"W 691.66')
S61°52'44"E 691.47'

N61°52'44"W 526.69'

325.05'

P.O.B.
GRID N: 10,064,588.92
GRID E: 3,066,669.92

LOT L
[C]

MOUNTAIN SHADOWS
VOL. 25, PG. 2
P.R.T.C.T.

N61°52'51"E 523.32'

324.92'

(N61°52'51"W 688.14')
(N59°29'00"W 688.34')

N28°17'57"E 381.31'
(N30°42'00"E 380.00')

RIGHT-OF-WAY VACATION
0.7732 ACRES(S)
33,682 SQUARE FEET

(201.66')
201.63'

198.40'
(198.34')

S69°47'42"E 152.49'
(S67°05'00"E 152.96')

(L2)

L2

L1
(L1)

LOT Q
[C]

0.192 ACRE.
WASTEWATER EASEMENT
VOL. 13253, PG. 228
R.P.R.T.C.T.

LOT P
[C]

A. F. BELL
SURVEY NO. 75
ABSTRACT NO. 86

LOT O

N28°09'33"E 450.13'
(N30°38'00"E 449.60')

CALLED 39.970 ACRES ("TRACT 1")
FAIRFIELD HILL COUNTRY LP
DOC. NO. 2020247768, O.P.R.T.C.T.

0 60 120

**0.7732 ACRE
RIGHT-OF-WAY
VACATION
City of Austin,
Travis County, Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	5/25/2021
Project:	00930
Scale:	1" = 120'
Reviewer:	DV
Tech:	DV
Field Crew:	JZ/JC
Survey Date:	JAN. 2020
Sheet:	1 OF 2

[A]
SKY MOUNTAIN DRIVE
(50' R.O.W.)

[B]
 A SUBDIVISION OF
 BLOCK I
 MOUNTAIN SHADOWS
 VOL. 26, PG. 43
 P.R.T.C.T.

[C]
 OWNER: LMC SKY
 HOLDINGS, LLC
 DOC. NO. 2020209889
 O.P.R.T.C.T.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S28°09'33"W	49.96'
L2	N69°56'36"W	149.23'
L3	N28°14'50"E	49.88'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L1)	S30°38'00"W	50.76'
(L2)	N67°05'00"W	149.50'

LEGEND	
	PROPOSED BOUNDARY LINE
	EXISTING EASEMENTS
	EXISTING PROPERTY LINES
	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
	1/2" IRON ROD FOUND (UNLESS NOTED)
	COTTON SPINDLE FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 25, PG. 2
[[.....]]	RECORD INFORMATION PER PLAT VOL. 26, PG. 43

5/25/2021



NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000081372178.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

0.7732 ACRE
RIGHT-OF-WAY
VACATION
City of Austin,
Travis County, Texas

 A Limited Liability Company PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300	COA GRID #B21
	Date: 5/25/2021
	Project: 00930
	Scale: N/A
	Reviewer: DV
	Tech: DV
	Field Crew: JZ/JC
Survey Date: JAN. 2020 Sheet: 2 OF 2	

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Nov 03, 2020 08:47 AM Fee: \$70.00

2020209889

Electronically Recorded

This page is
intentionally added for
electronic file stamp.

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

02/ATC/AUT 20096012-004

Special Warranty Deed

Date: NOVEMBER 02, 2020

Grantor: Legacy Performance Capital, LLC , a Texas limited liability company

Grantor's Mailing Address: 2101 Lakeway Blvd., Ste 130, Lakeway, Texas 78734

Grantee: LMC Sky Mountain Holdings, LLC, a Delaware limited liability company

Grantee's Mailing Address: 500 N. Akard Street, Suite 3400, Dallas, Texas 75201

Consideration: Good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Tract 1: Blocks H, K, L, M, P and Q, Mountain Shadows Subdivision, a subdivision in Travis County, Texas according to the plat or map thereof recorded in Volume 25, Page 2 of the plat records of Travis County, Texas;

Tract 2: Lots 1 and 2, Cedar Oaks Subdivision, an Addition in Travis County, Texas according to the plat or map thereof recorded in Volume 60, Page 17 of the Plat records of Travis County, Texas; and

Tract 3: A 2.945 acre tract of land, out of the Augustine Bowles Survey No. 93, Abstract No. 101, Evan Williams Survey No. 294, Abstract No. 829, AF Bell Survey No. 75, Abstract No. 86 and being all of and the same property as 2.92 acre tract conveyed to Legacy Performance Capital, LLC of record in Document No. 2020183077 of the Official Public Records of Travis County, Texas (O.P.R.), and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein;

all of said Property being more fully described by metes and bounds in Exhibit "B" attached hereto and incorporated herein.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Seller's Temporary Residential Lease between Legacy Performance Capital, LLC and Judith Elaine Leggett affecting Tract 1, Block K, which is hereby assigned to Grantee, and the matters shown in Exhibit "C" attached hereto and incorporated herein, but only to the extent the same are valid, in existence and affect the Property or the use thereof.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors, and assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, when the claim is made by, through or under Grantor, but not otherwise.

Ad valorem property taxes on the Property for the current year having been prorated, payment thereof is assumed by Grantee.


When the context requires, singular nouns and pronouns include the plural.

[Signature Page Follows]

Grantor:

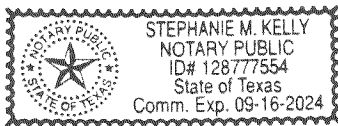
Legacy Performance Capital, LLC,
a Texas limited liability company

By: Jalufka, LLC, a Texas limited liability
company, its Manager

By: 
Philip Jalufka, President

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this 30th day of October, 2020,
by Philip Jalufka, President of Jaulfka, LLC, the Manager of Legacy Performance Capital, LLC,
on behalf of said limited liability company.



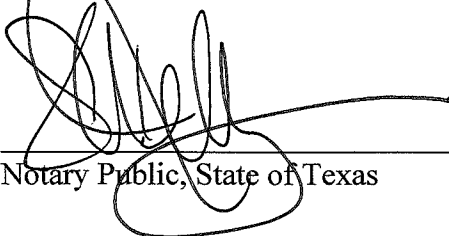

Notary Public, State of Texas

Exhibit "A"
Legal Description of 2.945 Acre Tract

A **2.945 acre** tract of land, out of the Augustine Bowles Survey No. 93, Abstract No. 101, Evan Williams Survey No. 294, Abstract No. 829, AF Bell Survey No. 75, Abstract No. 86 and being all of and the same property as 2.92 acre tract conveyed to Legacy Performance Capital, LLC of record in Document No. 2020183077 of the Official Public Records of Travis County, Texas (O.P.R.), and being more particularly described by metes and bounds as follows:

BEGINNING at a found iron rod with a cap stamped "Doucet & Assoc" in the northeast right-of-way line of State Highway 71, a variable width right-of-way, for the west corner of a 5.00 acre tract of record conveyed to the City of Austin in Volume 12846 Page 1731 of the O.P.R., the south corner of the 2.92 acre tract and the tract described herein, from which a Texas Department of Transportation Type I Monument, a concrete monument in the northeast right-of-way line of State Highway 71 bears, S 61°54'58" E, a distance of 685.28 feet;

THENCE: N 61°54'58" W along and with the northeast right-of-way line of State Highway 71 and the southwest line of the 2.92 acre tract, a distance of **50.48 feet** to a found iron rod, for the south corner of Lot 2 of Cedar Oaks Subdivision, a plat of record in Volume 60, Page 17, of the Plat Records of Travis County, Texas and conveyed to Legacy Performance Capital, LLC of record in Document No. 2020183077 of the O.P.R., from which a Texas Department of Transportation Type II Monument, a brass disk in concrete in the northeast right-of-way line of State Highway 71 bears, N61°54'58" W, a distance of 227.40 feet;

THENCE: departing the northeast right-of-way line of State Highway 71 along and with the common lines of Lot 2 and the 2.92 acre tract, the following two (2) courses:

1. **N 28°37'27" E**, a distance of **511.90 feet** to a point, for an interior corner of the tract described herein, and
2. **N 61°56'33" W**, a distance of **239.83 feet** to a found iron rod with a cap stamped "Doucet & Assoc" in the southeast line of a 53.357 acre tract of record conveyed to Donald Marx in Volume 9111 Page 681 O.P.R., for the north corner of Lot 2, the west corner of the 2.92 acre tract and the tract described herein;

THENCE: N 28°35'20" E, along and with the southeast line of the 53.357 acre tract and the northwest line the 2.92 acre tract, a distance of **330.35 feet** to a found cotton spindle in the southwest line of Lot D of Mountain Shadows, for the northeast corner of the 53.537 acre tract, the northwest corner of the 2.92 acre tract and the tract described herein;

THENCE: S 62°01'20" E, along and with the southwest line Lot 1, Block A of the Mountain Shadows Village, a plat of record in Document No. 200100288 O.P.R., the termination right-of-way line of Mountain Shadows Drive, a 50.00 foot right-of-way, Lot 5, Block I of Mountain Shadows, a subdivision plat of record in Volume 25 Page 43 of the Plat Records of Travis County, Texas, Block M of Mountain Shadows, a subdivision plat of record in Volume 25, Page 2, of the Plat Records of Travis County as conveyed to Roberta Jean Hudson of record in Document No. 2017122019 O.P.R. and the northeast line of the 2.92 acre tract, a distance of 7.50 feet passing a found iron rod for the southwest corner of the termination right-of-way line of Mountain Shadows Drive and at a distance of 197.44 feet passing a found iron rod, for the south corner of Lot 5, the west corner of Block M and continuing for a total distance of 305.85 feet to a found iron rod with a cap stamped "4Award Boundary", for the north corner of a 5.829 acre tract of record conveyed to Travis County in Document No. 2002249524 O.P.R., the east corner of the 2.92 acre tract and the tract described herein;

THENCE: S 29°39'58" W, along and with the northwest line the 5.829 acre tract and the 5.00 acre tract, the southeast line of the 2.92 acre tract, at a distance of 252.91 passing a found iron rod for the common corner of the 5.829 acre tract and the 5.00 acre tract and continuing for a total distance of 842.98 feet to the POINT OF BEGINNING and containing 2.945 acres more or less, in Travis County, Texas. Said tract being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane Central Zone.

Exhibit "B"
Field Notes for the Property

A 23.05 acre tract of land, out of the Augustine Bowles Survey No. 93, Abstract No. 101, Evan Williams Survey No. 294, Abstract No. 829, AF Bell Survey No. 75, Abstract No. 86 and being all of Block H, K, L, M, P, and Q, Mountain Shadows, a subdivision plat of record in Volume 25, Page 2, of the Plat Records of Travis County, Texas, Lots 2 and 1, Cedar Oaks Subdivision, a plat of record in Volume 60, Page 17, of the Plat Records of Travis County, Texas and a 2.92 acre tract conveyed to Legacy Performance Capital, LLC of record in Document No. 2020183077 of the Official Public Records of Travis County, Texas (O.P.R.), and being more particularly described by metes and bounds as follows:

BEGINNING at a found iron rod with a cap stamped "Doucet & Assoc" in the northeast right-of-way line of State Highway 71, a variable width right-of-way, for the west corner of a 5.00 acre tract of record conveyed to the City of Austin in Volume 12846 Page 1731 of the OPR, the south corner of the 2.92 acre tract and the tract described herein, from which a Texas Department of Transportation Type I Monument, a concrete monument in the northeast right-of-way line of State Highway 71 bears, S 61°54'58" E, a distance of 685.28 feet;

THENCE: N 61°54'58" W along and with the northeast right-of-way line of State Highway 71 and the southwest line of the 2.92 acre tract and Lots 1 and 2 of the Cedar Oaks Subdivision, at a distance of 50.48 feet passing a found 1/2" iron rod for the common corner of the 2.92 acre tract and Lot 2 and continuing for a total distance of **190.08 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the south corner of a called 0.23 of an acre tract of record conveyed to the City of Austin in Volume 1942 Page 212 OPR per Travis County Appraisal District, a west corner of Lot 1 and the tract described herein, from which a Texas Department of Transportation Type II Monument, a brass disk in concrete in the northeast right-of-way line of State Highway 71 bears, N61°54'58" W, a distance of 87.80 feet;

THENCE: departing the northeast right-of-way line of State Highway 71 along and with the common lines of the 0.23 of an acre tract and Lot 1, the following two (2) courses:

1. **N 28°38'16" E**, a distance of **100.00 feet** to a set PK nail with washer stamped "KFW Surveying", for an interior corner of the tract described herein, and
2. **N 61°54'58" W**, a distance of **100.00 feet** to a point in the southeast line of a 53.357 acre tract of record conveyed to Donald Marx in Volume 9111 Page 681 OPR, for the north corner of the 0.23 of an acre tract, the west corner of Lot 1 and the tract described herein, from which a found iron pipe bears, 525°21'14" W, a distance of 0.58 feet;

THENCE: N 28°35'20" E, along and with the southeast line of the 53.357 acre tract and the northwest line of Lots 1 and 2 and the 2.92 acre tract, at a distance of 182.48 feet passing a found iron pipe for the common corner of Lots 1 and 2 and at a distance of 411.78 feet passing a found iron rod with a cap stamped "Doucet & Assoc" for the common corner between Lot 2 and the 2.92 acre tract and continuing for a total distance of **742.13 feet** to a found cotton spindle in the southwest line of Lot 1, Block A of the Mountain Shadows Village, a resubdivision of Lot D Mountain Shadows, of record in Document Number 200100288 of the OPR, for the northeast corner of the 53.537 acre tract, the northwest corner of the 2.92 acre tract and the westerly northwest corner of the tract described herein;

THENCE: S 62°01'20" E, along and with the southwest line Lot 1, Block A, the termination right-of-way line of Mountain Shadows Drive, a 50.00 foot right-of-way and Lot 5, Block I of Mountain Shadows, a subdivision plat of record in Volume 26 Page 43 of the Plat Records of Travis County, Texas as conveyed to Artaza Gustavo & Anastasia Bourgeois of record in Document No. 2020161514 of the OPR and the northeast line of the 2.92 acre tract, at a distance of 7.50 feet passing a found iron rod for the southwest corner of the termination right-of-way line of Mountain Shadows Drive and continuing for a total distance of **197.44 feet** to a found iron rod, for the south corner of Lot 5, the west corner of Block M as conveyed to Roberta Jean Hudson of record in Document No. 2017122019 of the OPR and an interior corner of the tract described herein;

THENCE: N 28°12'03" E, along and with the southeast line of Lots 5-1, Block I and the northwest line of Block M, a distance of **399.87 feet** to a found iron rod in the south right-of-way line of Sky Mountain Drive, a 50.00 foot right-of-way, for the easterly corner of Lot 1 as conveyed to Eric T. & Clara M. Edwards Dey of record in Document No. 2001031995 of the OPR and the north corner of Block M;

THENCE: N 28°18'13" E, across Sky Mountain Drive , a distance of **49.83 feet** to a found iron rod in the north right-of-way line of Sky Mountain Drive, for the west corner of Block L as conveyed to Judith Elaine Leggett of record in Volume 12014 Page 1697 of the OPR and south corner of Block H as conveyed to Harold A. Hudson Jr. of record in Document No. 2018030999 of the OPR and an interior corner of the tract described herein;

THENCE: N 61°52'50" W, along and with the common line of Sky Mountain Drive and Block H, a distance of **139.86 feet** to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", at the right-of-way intersection of Sky Mountain Drive with Mountain Shadows Drive and for the southwest corner of Block H and a westerly corner of the tract described herein;

THENCE: N 28°11'52" E, along and with the common line of Mountain Shadows Drive and Block H, a distance of **431.21 feet** to a found iron rod, for the southwest corner of Block G of Mountain Shadows as conveyed to 8707 Mountain Crest, LLC of record in Document No. 2009157701 of the OPR,

the northwest corner of Block H and a westerly corner of the tract described herein;

THENCE: S 51°16'03" E, leaving the right-of-way line of Mountain Shadows Drive and along and with the common line of Block H and Block G, a distance of **142.35 feet** to a found iron rod, for the common corner of Blocks H, G, K & L and an interior corner the tract described herein;

THENCE: N 28°13'00" E, along and with the common line of Block G and Block K as conveyed to Judith Elaine Leggett of record in Volume 8471 Page 187 of the OPR, a distance of **286.42 feet** to a found iron rod in the south right-of-way line of Mountain Crest Drive, a 50.00 foot right-of-way, for the northeast corner of Block G, the north corner of Block K and the tract described herein;

THENCE: S 61°51'02" E, along and with the common line of Mountain Crest Drive and Block K, a distance of **349.32 feet** to a found iron rod, for the northwest corner of Block O of Mountain Shadows as conveyed to Series 1 of record in Document No. 2014151855 of the OPR for the easterly corner of Block K and a northeast corner of the tract described herein;

THENCE: S 28°00'14" W, along and with the common line of Block O and Block K, a distance of **309.92 feet** to a found iron rod, for the common corner of Blocks K, O, P & L and an interior corner the tract described herein;

THENCE: S 76°19'50" E, along and with the common line of Block O and Block P as conveyed to Judith Elaine Leggett of record in Volume 12014 Page 1697 of the OPR, a distance of **359.94 feet** to a found iron rod in the northwest line of a 39.970 acre tract of record conveyed to Bell Fund V Estancia, LLC in Document No. 2015015453 OPR, for the common corner of Blocks O & P and the most easterly corner the tract described herein;

THENCE: S 28°09'34" W, along and with the common line of Block P, the termination right-of-way line of Sky Mountain Drive and Block Q of Mountain Shadows as conveyed to Roberta Jean Hudson of record in Document No. 2017122019 O.P.R., and the 39.970 acre tract, at a distance of 450.13 passing a found iron rod for the south corner of Block P and the northeast termination corner of Sky Mountain Drive, at a distance of 500.17 feet passing a found iron rod for the easterly corner of Block Q and the southeast termination corner of Sky Mountain Drive and continuing for a total distance of **919.23 feet** to a found iron pipe in the northeast line of the remaining portion of Lot 1 of Wesco Acres, a plat of record in Volume 81 Page 89 of the Plat Records of Travis County, Texas, for the westerly corner of the 39.970 acre tract and the south corner of Block Q and a southeast corner of the tract described herein;

THENCE: N 62°01'20" W, along and with the northeast line of the remaining portion of Lot 1 of Wesco Acres and a 5.829 acre tract of record conveyed to Travis County in Document No. 2002249524 OPR and the southwest line of Block Q & Block M, at a distance of 350.16 feet passing a found PK nail for the common corner of Block Q & Block M and continuing

for a total distance of **591.22 feet** to a found iron rod with a cap stamped "4Award Boundary", for the north corner of the 5.829 acre tract and the northeast corner of the 2.92 acre tract and for an interior corner of the tract described herein;

THENCE: S 29°39'58" W, along and with the northwest line the 5.829 acre tract and the 5.00 acre tract, the southeast line of the 2.92 acre tract, at a distance of 252.91 passing a found iron rod for the common corner of the 5.829 acre tract and the 5.00 acre tract and continuing for a total distance of **842.98 feet** to the **POINT OF BEGINNING** and containing 23.05 acres more or less, in Travis County, Texas. Said tract being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane Central Zone.

SAVE AND EXCEPT: 0.8007 of an acre tract of land, being known as Sky Mountain Drive, a 50 foot right-of-way as dedicated by the Mountain Shadows Plat, a subdivision plat of record in Volume 25, Page 2, of the Plat Records of Travis County, Texas. Containing a total acreage of **22.25 acres** more or less, in Travis County, Texas.

Exhibit "C"
Permitted Encumbrances

1. The following restrictive covenants:

Tract 1: Document No. 2020156799, Official Public Records of Travis County, Texas.

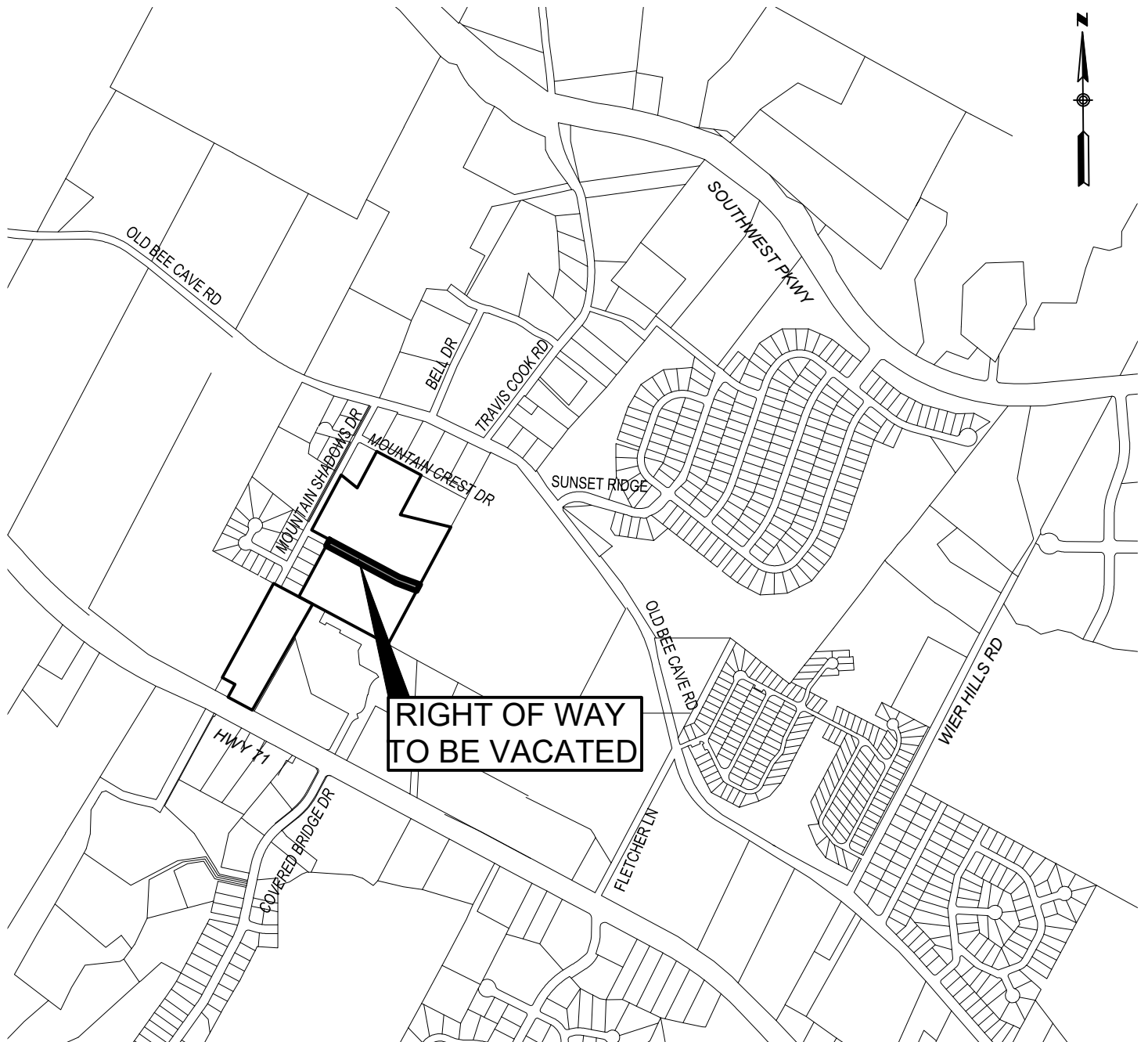
Tract 2: Volume 10433, Page 175, Real Property Records, Travis County, Texas, as amended in Document No. 2020164458, and Document No. 2020156799, Official Public Records of Travis County, Texas.

Tract 3: Document No. 2020156799, Official Public Records of Travis County, Texas

2. A 5' public utility and drainage easement reserved along the rear property lines of all lots, as shown on the plat of record in Volume 25, Page 2, of the Plat Records of Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 1, All Blocks)
3. 15' water line easement granted to Travis County Water Control & Improvement District No 9, as described in Volume 1819, Page 172, of the Deed Records of Travis County, Texas, to the extent that the same may affect the subject property, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 2 and Tract 3)
4. A 5,397 square foot wastewater easement granted to the City of Austin, as described in Volume 12014, Page 1718, of the Real Property Records of Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 1, Block P)
5. Water easement granted to the City of Austin, by instrument recorded in/under Volume 12339, Page 1216, of the Real Property Records of Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 2)
6. Water easement granted to the City of Austin, by instrument recorded in/under Volume 12339, Page 1221, of the Real Property Records of Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 3)
7. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, recorded in the Real Property Records of Travis County, Texas. (All Tracts)
8. Electric lines and Systems and Telephone Easement, Right of Way and/or Agreement granted to the City of Austin, by instrument dated December 5, 1983, recorded in/under Volume 8413, Page 722, of the Deed Records of Travis County, Texas, as shown on

Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 1, Block Q)

9. Wastewater Easement, Right of Way and/or Agreement granted to the City of Austin, by instrument dated August 21 1998, recorded in/under Volume 13253, Page 228, Real Property Records, Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 1, Block Q)
10. A 5,302 square foot wastewater easement granted to the City of Austin, as described in Volume 12014, Page 1723, Real Property Records, Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672 (Tract 1, Block L)
11. A 7.5' public utility easement along the westerly lot line as set out on plat recorded in Volume 60, Page 17, Plat Records of Travis County, Texas, as shown on Survey dated October 30, 2020 prepared by Teresa A. Seidel, a Registered Professional Land Surveyor No. 5672. (Tract 2, Lots 1 and 2)



RIGHT OF WAY
TO BE VACATED

LJA Engineering, Inc.

7500 Rialto Boulevard
Building II, Suite 100
Austin, Texas 78735



Phone 512.439.4700
Fax 512.439.4716
FRN - F-1386

**SKY MOUNTAIN
RIGHT OF WAY VACATION
LOCATION MAP**

EXHIBIT #

1 OF 1

Travis CAD

Property Search Results > 101502 LMC SKY MOUNTAIN HOLDINGS LLC for Year 2021

Tax Year: 2021

Property

Account

Property ID: 101502 Legal Description: BLK L MOUNTAIN SHADOWS
Geographic ID: 0101440402 Zoning: RR
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address: 8800 SKY MOUNTAIN DR Mapsco:
TX 78735
Neighborhood: NACRE Map ID: 010247
Neighborhood CD: _NACRE

Owner

Name: LMC SKY MOUNTAIN HOLDINGS LLC Owner ID: 1860995
Mailing Address: 500 N AKARD ST STE 3400 % Ownership: 100.000000000000%
DALLAS, TX 75201-6640

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$88,200	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$88,200	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$88,200	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$88,200	

Taxing Jurisdiction

Owner: LMC SKY MOUNTAIN HOLDINGS LLC
% Ownership: 100.000000000000%
Total Value: \$88,200

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
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01	AUSTIN ISD	1.102700	\$88,200	\$88,200	\$972.59	
02	CITY OF AUSTIN	0.533500	\$88,200	\$88,200	\$470.54	
03	TRAVIS COUNTY	0.374359	\$88,200	\$88,200	\$330.18	
0A	TRAVIS CENTRAL APP DIST	0.000000	\$88,200	\$88,200	\$0.00	
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$88,200	\$88,200	\$97.29	
68	AUSTIN COMM COLL DIST	0.105800	\$88,200	\$88,200	\$93.32	
Total Tax Rate:		2.226665				
				Taxes w/Current Exemptions:	\$1,963.92	
				Taxes w/o Exemptions:	\$1,963.92	

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	3.1500	137214.00	0.00	0.00	\$88,200	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	\$0	\$88,200	0	88,200	\$0	\$88,200
2020	\$0	\$88,200	0	88,200	\$0	\$88,200
2019	\$0	\$88,200	0	88,200	\$0	\$88,200
2018	\$0	\$88,200	0	88,200	\$0	\$88,200
2017	\$0	\$88,200	0	88,200	\$0	\$88,200
2016	\$0	\$88,200	0	88,200	\$0	\$88,200

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGACY PERFORMANCE CAPITAL LLC	LMC SKY MOUNTAIN HOLDINGS LLC			2020209889
2	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGGETT JUDITH ELAINE	LEGACY PERFORMANCE CAPITAL LLC			2020209887
3	1/1/2013							

Questions Please Call (512) 834-9317

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Property Search Results > 101510 LMC SKY MOUNTAIN HOLDINGS LLC for Year 2021

Tax Year: 2021

Property

Account

Property ID: 101510 Legal Description: BLK M MOUNTAIN SHADOWS MH S#5646C
Geographic ID: 0101440502 Zoning: RR
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address: 8709 SKY MOUNTAIN DR TX 78735 Mapsco:
Neighborhood: NACRE Map ID: 010247
Neighborhood CD: _NACRE

Owner

Name: LMC SKY MOUNTAIN HOLDINGS LLC Owner ID: 1860995
Mailing Address: 500 N AKARD ST STE 3400 % Ownership: 100.000000000000%
DALLAS, TX 75201-6640

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$89,880	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$89,880	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$89,880	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$89,880	

Taxing Jurisdiction

Owner: LMC SKY MOUNTAIN HOLDINGS LLC
% Ownership: 100.000000000000%
Total Value: \$89,880

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
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01	AUSTIN ISD	1.102700	\$89,880	\$89,880	\$991.10	
02	CITY OF AUSTIN	0.533500	\$89,880	\$89,880	\$479.50	
03	TRAVIS COUNTY	0.374359	\$89,880	\$89,880	\$336.47	
0A	TRAVIS CENTRAL APP DIST	0.000000	\$89,880	\$89,880	\$0.00	
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$89,880	\$89,880	\$99.14	
68	AUSTIN COMM COLL DIST	0.105800	\$89,880	\$89,880	\$95.09	
Total Tax Rate:		2.226665				
				Taxes w/Current Exemptions:	\$2,001.30	
				Taxes w/o Exemptions:	\$2,001.33	

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	3.2100	139827.60	0.00	0.00	\$89,880	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	\$0	\$89,880	0	89,880	\$0	\$89,880
2020	\$1,021	\$89,880	0	90,901	\$0	\$90,901
2019	\$1,021	\$89,880	0	90,901	\$0	\$90,901
2018	\$1,026	\$89,880	0	90,906	\$0	\$90,906
2017	\$4,196	\$89,880	0	94,076	\$2,721	\$91,355
2016	\$4,196	\$89,880	0	94,076	\$11,026	\$83,050

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGACY PERFORMANCE CAPITAL LLC	LMC SKY MOUNTAIN HOLDINGS LLC			2020209889
2	11/2/2020	SW	SPECIAL WARRANTY DEED	HUDSON ROBERTA JEAN	LEGACY PERFORMANCE CAPITAL LLC			2020209888
3	7/31/2017	WD	WARRANTY DEED	HUDSON HAROLD A	HUDSON ROBERTA JEAN			2017122019

Questions Please Call (512) 834-9317

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Property Search > 101501 LMC SKY MOUNTAIN HOLDINGS LLC Tax Year: 2021
for Year 2021

Property

Account

Property ID: 101501 Legal Description: BLK P MOUNTAIN SHADOWS
Geographic ID: 0101440401 Zoning: RR
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address: 8702 SKY MOUNTAIN DR Mapsco:
TX 78735
Neighborhood: NACRE Map ID: 010247
Neighborhood CD: _NACRE

Owner

Name: LMC SKY MOUNTAIN HOLDINGS LLC Owner ID: 1860995
Mailing Address: 500 N AKARD ST STE 3400 % Ownership: 100.000000000000%
DALLAS, TX 75201-6640
Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$93,240	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$93,240	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$93,240	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$93,240	

Taxing Jurisdiction

Owner: LMC SKY MOUNTAIN HOLDINGS LLC
% Ownership: 100.000000000000%
Total Value: \$93,240

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
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01	AUSTIN ISD	1.102700	\$93,240	\$93,240	\$1,028.16	
02	CITY OF AUSTIN	0.533500	\$93,240	\$93,240	\$497.44	
03	TRAVIS COUNTY	0.374359	\$93,240	\$93,240	\$349.06	
0A	TRAVIS CENTRAL APP DIST	0.000000	\$93,240	\$93,240	\$0.00	
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$93,240	\$93,240	\$102.85	
68	AUSTIN COMM COLL DIST	0.105800	\$93,240	\$93,240	\$98.65	
Total Tax Rate:		2.226665				
				Taxes w/Current Exemptions:	\$2,076.16	
				Taxes w/o Exemptions:	\$2,076.14	

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	3.3300	145054.80	0.00	0.00	\$93,240	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	\$0	\$93,240	0	93,240	\$0	\$93,240
2020	\$0	\$93,240	0	93,240	\$0	\$93,240
2019	\$0	\$93,240	0	93,240	\$0	\$93,240
2018	\$0	\$93,240	0	93,240	\$0	\$93,240
2017	\$0	\$93,240	0	93,240	\$0	\$93,240
2016	\$0	\$93,240	0	93,240	\$0	\$93,240

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGACY PERFORMANCE CAPITAL LLC	LMC SKY MOUNTAIN HOLDINGS LLC			2020209889
2	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGGETT JUDITH ELAINE	LEGACY PERFORMANCE CAPITAL LLC			2020209887
3	1/1/2013							

Questions Please Call (512) 834-9317

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Travis CAD

Property Search > 101512 LMC SKY MOUNTAIN HOLDINGS LLC Tax Year: 2021
for Year 2021

Property

Account

Property ID: 101512 Legal Description: BLK Q MOUNTAIN SHADOWS
Geographic ID: 0101440505 Zoning: RR
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address: 8701 SKY MOUNTAIN DR Mapsco:
TX 78735
Neighborhood: NACRE Map ID: 010247
Neighborhood CD: _NACRE

Owner

Name: LMC SKY MOUNTAIN HOLDINGS LLC Owner ID: 1860995
Mailing Address: 500 N AKARD ST STE 3400 % Ownership: 100.000000000000%
DALLAS, TX 75201-6640

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$92,120	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$92,120	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$92,120	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$92,120	

Taxing Jurisdiction

Owner: LMC SKY MOUNTAIN HOLDINGS LLC
% Ownership: 100.000000000000%
Total Value: \$92,120

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
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01	AUSTIN ISD	1.102700	\$92,120	\$92,120	\$1,015.81	
02	CITY OF AUSTIN	0.533500	\$92,120	\$92,120	\$491.46	
03	TRAVIS COUNTY	0.374359	\$92,120	\$92,120	\$344.86	
0A	TRAVIS CENTRAL APP DIST	0.000000	\$92,120	\$92,120	\$0.00	
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$92,120	\$92,120	\$101.61	
68	AUSTIN COMM COLL DIST	0.105800	\$92,120	\$92,120	\$97.46	
Total Tax Rate:		2.226665				
				Taxes w/Current Exemptions:	\$2,051.20	
				Taxes w/o Exemptions:	\$2,051.20	

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	3.2900	143312.40	0.00	0.00	\$92,120	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	\$0	\$92,120	0	92,120	\$0	\$92,120
2020	\$0	\$92,120	0	92,120	\$0	\$92,120
2019	\$0	\$92,120	0	92,120	\$0	\$92,120
2018	\$0	\$92,120	0	92,120	\$0	\$92,120
2017	\$0	\$60,113	0	60,113	\$0	\$60,113
2016	\$0	\$60,113	0	60,113	\$0	\$60,113

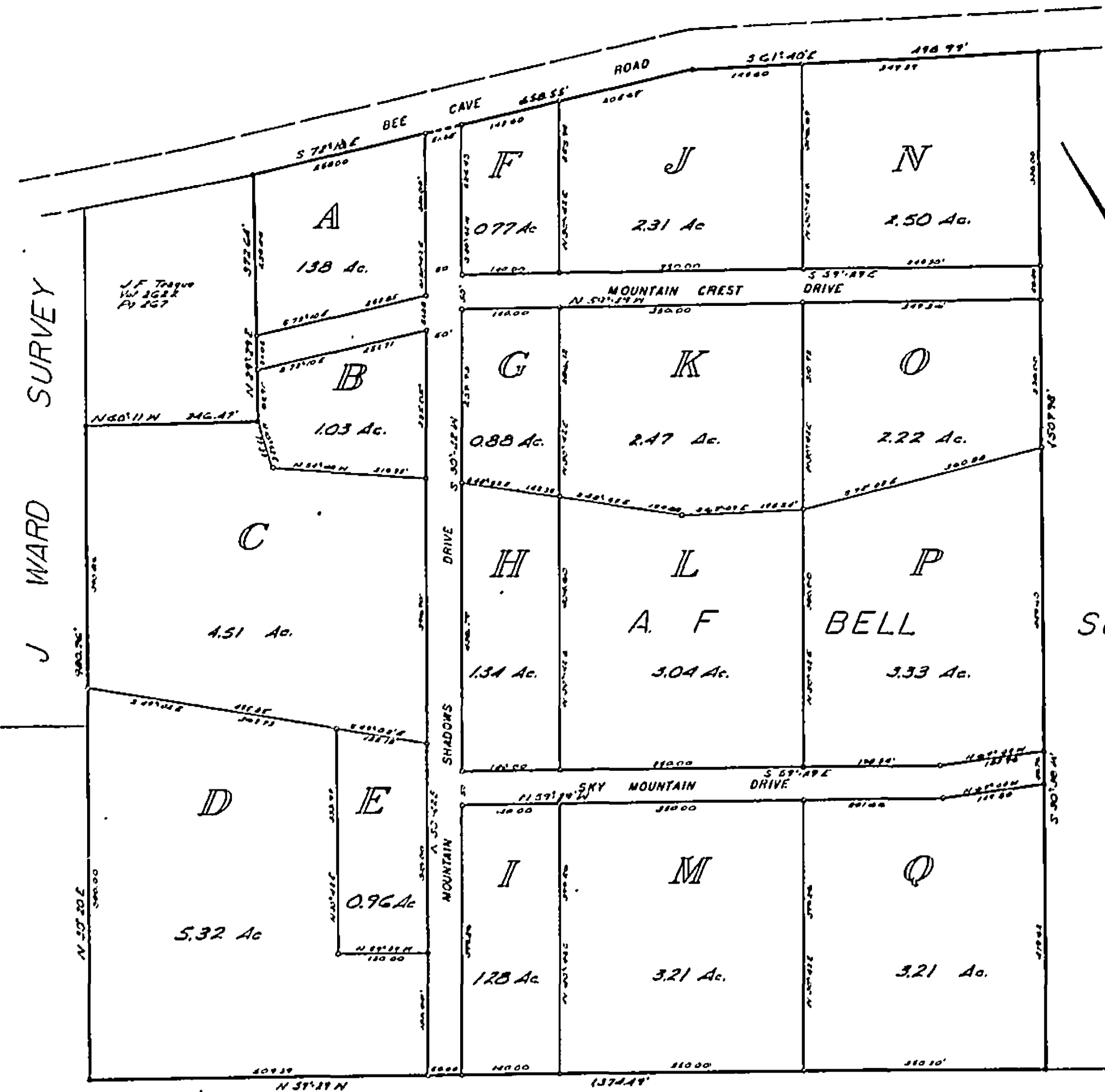
Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/2/2020	SW	SPECIAL WARRANTY DEED	LEGACY PERFORMANCE CAPITAL LLC	LMC SKY MOUNTAIN HOLDINGS LLC			2020209889
2	11/2/2020	SW	SPECIAL WARRANTY DEED	HUDSON ROBERTA JEAN	LEGACY PERFORMANCE CAPITAL LLC			2020209888
3	7/31/2017	WD	WARRANTY DEED	HUDSON HAROLD & ROBERTA	HUDSON ROBERTA JEAN			2017122018

Questions Please Call (512) 834-9317

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For Restrictions see Vol. 3543 Page 898 Univ. Rec



LEGEND
• Iron Pipe Found
o Iron Pin Set
SCALE: 1" = 100'

STATE OF TEXAS;
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS
That I, Herman Neusch, owner of 4185 acres of land out
of the A. F. Bell Survey in Travis County, Texas, do hereby
dedicate to the public the use of the streets and easements
shown thereon, and I do hereby dedicate to the public the use of the
streets and easements shown thereon.
WITNESSE MY HAND this 28th day of July, AD 1965.

Herman Neusch
Herman Neusch

STATE OF TEXAS;
COUNTY OF TRAVIS:
Before me, the undersigned authority, personally appeared
Herman Neusch, known to me to be the person whose
name is subscribed to the foregoing instrument, and he has
acknowledged to me that he executed the same for the purposes
and considerations therein expressed.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of July, AD 1965.
Stacy Appel
Notary Public in and for
Travis County, Texas

In approving this plat by the Commissioners' Court of
Travis County, Texas, it is understood the building of all
streets, roads and other public thoroughfares delineated
on this plat, and all bridges and culverts necessary to be
constructed or placed in such streets, roads or other public
thoroughfares, or in connection therewith shall be the re-
sponsibility of the owner and/or Developer of the tract of
land covered by this plat in accordance with plans and speci-
fications prescribed by the Commissioners' Court of Travis County,
Texas, and the Commissioners' Court of Travis County,
Texas, assumes no obligation to build the streets, roads and
other public thoroughfares shown on this plat or of construct-
ing any bridges or culverts in connection therewith.

EASEMENT NOTE:
An easement of five (5) feet off the rear of all lots is hereby
dedicated for public utilities and drainage, in addition to the
easements shown hereon.

SEPTIC TANK REQUIREMENTS:
Each house in this subdivision shall be connected to a SEPTIC
TANK of a design and capacity meeting the requirements of
the Texas State Health Department.

STATE OF TEXAS;
COUNTY OF TRAVIS:
I, Miss Emily Limberg, County Clerk of Travis County,
Texas, do hereby certify that on the 28th day of July,
AD 1965, the foregoing instrument was filed for record in
my office, and that it is duly recorded on these days of
July, AD 1965, at 11:30 o'clock A.M. in the Plat Records
of Travis County in Book 25, Page 2.
WITNESSE MY HAND and SEAL OF OFFICE this 28th day
of July, AD 1965.

By: Stacy Appel Deputy
Emily Limberg
Miss Emily Limberg, County Clerk
Travis County, Texas

FILED FOR RECORD:
At 11:30 o'clock A.M. the 28th day of July, AD 1965.
By: Stacy Appel Deputy
Emily Limberg
Miss Emily Limberg, County Clerk
Travis County, Texas

STATE OF TEXAS;
COUNTY OF TRAVIS:
I, Miss Emily Limberg, County Clerk of the County Court
within and for the State and County aforesaid do hereby
certify that the foregoing instrument of writing with its
certificate of authentication was filed for record in
my office on the 28th day of July, AD 1965 at 11:30
o'clock A.M. and duly recorded on these days of
July, AD 1965 at 11:30 o'clock A.M. in the Plat Records
of Travis County in Book 25, Page 2.
By: Stacy Appel Deputy
Emily Limberg
Miss Emily Limberg, County Clerk
Travis County, Texas

This is to certify that Austin City Code, Chapter 23 of
1962 has been complied with.

SURVEYED BY:
W. Harvey Smith
W. HARVEY SMITH
Reg. Prof. Surveyor #180
404 Western Republic Bldg
Austin, Texas
July, 1965

MOUNTAIN SHADOWS