

ZONING CHANGE REVIEW SHEET

CASE: C14-85-149.70.02 (Scofield Farms RCA)

DISTRICT: 7

ADDRESS: 1603 and 1605 West Parmer Lane, 12424 Scofield Farms Drive

OWNER/APPLICANT: 1603 W Parmer LLC and MMK Ventures LLC

AGENT: Armbrust & Brown, PLLC, Jewels Cain

ZONING: GR-CO, MF-2

AREA: 7.60 acres

REQUEST: The applicant is requesting an amendment to the conditions of a previously recorded restrictive covenant to remove the density limitation of 15 units per acre for multifamily development on this property (*please see Applicant's Request Letter – Exhibit C*).

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends the proposed amendment of the public restrictive covenant.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

August 20, 2024: Postponed to September 3, 2024 at the applicant's request by consent (8-0, W. Floyd-off dais, R. Puzycki- absent); A. Flores-1st, F. Portu-2nd.

September 3, 2024

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

DEPARTMENT COMMENTS:

In this case, the applicant is requesting to amend a public restrictive covenant associated with zoning case C14-85-149 and executed on June 17, 1986. The covenant that was approved with the North Lamar Area Study rezonings states and states that all detached single family dwelling units in the area that the public restrictive covenant covers zoned SF-2 must have a gross floor area of 1,400 square feet, all lots zoned SF-2 shall have a horizontal distance between the side lot lines of at least 65 feet measured at the front lot line and an average area of 7,00 square feet, all detached single family dwelling units zoned SF-2 shall be constructed of not less than 40% masonry, a wooden privacy fence shall be constructed along the eastern property line of lots adjacent to River Oak Lake Estates Section 7, any multiple family development constructed shall not exceed a density of 15 units per acre, the property particularly described in “Exhibit B” shall have only one access driveway onto Parmer Lane, the property particularly described in “Exhibit C” shall have no access driveway onto Parmer Lane and the property particularly described in “Exhibit D” shall only have one access driveway onto Parmer Lane (*please see Redlined Public Restrictive Covenant – Exhibit D*).

Specifically, the applicant’s request is to remove Item #6 which states that, “Any multiple family development constructed shall not exceed a density of fifteen (15) units per acre.” for this property so that they can allow for a denser multifamily project at this location (*please see Applicant’s Request Letter – Exhibit C*).

The staff recommends the applicant’s request to amend this existing public restrictive covenant to delete the conditions that specifically apply to this site. The applicant has also requested a rezoning of this property from GR-CO and MF-2 to GR-MU though related case C14-2024-0101. The proposed GR-MU zoning would permit a residential unit density that would equate with the requirements of the MF-4 zoning district. The City Council has indicated through recent policy and code amendments that their intent to allow for more density along transit corridors. The site under consideration is adjacent to Parmer Lane Activity Corridor, as designated by the Growth Concept Map in the Imagine Austin Comprehensive Plan, and it is accessible from a major arterial/highway and a collector roadway.

The applicant agrees with the staff’s recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-------------|---|
| <i>Site</i> | GR-CO, MF-2 | Undeveloped Tract, Scofield Farms Event Center, Religious Assembly (Parmer Lane Baptist Church), Detention Pond, Undeveloped Area |
| <i>North</i> | GR | Financial Services (Wells Fargo Bank), Food Sales (Hana World Market) |
| <i>South</i> | SF-2, SF-1 | Undeveloped Tract, Primary Public School (River Oaks Elementary School) |
| <i>East</i> | LO, MF-2 | Assisted Living (Parmer Woods at North Austin) |
| <i>West</i> | GR-CO, SF-3 | Automotive Repair (Austin Automotive Specialists), Undeveloped Tract, Duplex Residences |

PLANNING AREA: North Lamar Area Study

WATERSHED: Walnut Creek

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District,
Austin Lost and Found Pets,
Austin Neighborhoods Council,
Friends of Austin Neighborhoods,
Homeless Neighborhood Association,
Neighborhood Empowerment Foundation,
North Growth Corridor Alliance,
SELTexas,
Sierra Club, Austin Regional Group

SCHOOLS:

Austin Independent School District:

Pillow Elementary School
Burnet Middle School
Anderson High School

Pflugerville Independent School District:

River Oaks Elementary School
Westview Middle School
Connally High School

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|--|--|--|
| C14-2014-0193 (MMK Ventures, LLC: 1601 Cedar Bend Drive) | LO-MU-CO , RR to SF-6 -SF-4A | 8/18/15: Approved staff's recommendation for SF-4A zoning, with the NTA conditions, adding a conditional overlay to prohibit vehicular access from Old Cedar Lane to Cearly except for emergency (crash gates), pedestrian and bicycle access (6-5, S. Harris, G. Rojas, B. Evans, Y. Flores, D. Breithaupt-No); A. Denkler-1 st , J. Kiolbassa-2 nd . | 10/15/15: Approved staff's rec. of SF-4-A-CO zoning, with NTA conditions. Keep public hearing open and bring back for 2 nd /3 rd readings on November 12, 2015 (10-0, A. Kitchen-off dais); L. Pool-1 st , D. Zimmerman-2 nd . 11/12/15: Approved the draft ordinance based on the conditions commended by the Zoning and Platting Commission on 2 nd reading (9-3, P. Renteria, E. Troxclair and O. Houston-No); L. Pool-1 st , D. Zimmerman-2 nd . 12/17/15: Approved as amended for single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote. The amendment was to strike Part 3 B from the ordinance. |
| C14-2011-0023 (1601 Cedar Bend Drive) | RR to LR | 9/06/11: Approved the staff's recommendation of LO-MU-CO district zoning on consent (5-0, S. Baldrige-absent); P. Seager-1 st , C. Banks-2 nd . | 9/22/11: Approved LO-MU-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 st , L. Morrison-2 nd . |
| C14-05-0199 (12195 Metric Boulevard-Texan Market Store Car Wash) | LR to GR | 1/31/06: Approved GR-CO zoning for the area of 5,750 sq. ft. with car wash as the only GR district use, all other LR uses; 8-foot masonry wall to be constructed from the existing pavement south past the new improvements; public RC to limit the hours of the car wash from 6:00 a.m. to 10:00 p.m. (8-0, J. Gohil-absent) | 3/02/06: Approved GR-CO with conditions (7-0); all 3 readings |

| | | | |
|--|--|--|--|
| C14-05-0016 (12251 Running Bird Lane) | SF-6 to SF-6 (Tracts A & B) and LO (Tract C) | 10/18/05: Approved RR zoning for floodplain, SF-6 zoning for Tracts A & B, and LO-CO zoning for Tract C, with the following conditions: prohibit Communications Services, Medical Offices, Club or Lodge, Convalescent Services, Cultural Services, and Hospital Services (Limited). In addition, Tracts A, B, and C shall have a 450 trip limit per day. Vote: 9-0; JM-1 st , MH-2 nd . | 11/17/05: Approved SF-6 (Tracts A& B), LO-CO (Tract C), and Tract D to remain RR (7-0); all 3 readings |
| C14-04-0106 12100 block of Metric Boulevard-Walnut Creek Greenbelt at Metric) | MF-2 to P | 8/03/04: Approved P zoning by consent (8-0, J. Pinnelli-absent) | 9/02/04: Approved P zoning (7-0); all 3 readings |
| C14-03-0183 (12041 Bittern Hollow-St. Albert The Great Catholic Church) | SF-2 to LO-CO | 2/03/04: Approved LO-CO zoning with 2,000 vtpd limit and prohibiting the following uses: Art and Craft Studio (Limited), Communications Services, Medical Offices, Convalescent Services, Cultural Services (9-0) | 3/04/04: Approved LO-CO zoning (6-0); all 3 readings |
| C14-02-0048 (1709 W. Parmer Lane-Boston Market) | LR to GR | 5/21/02: Approved staff's recommendation of GR-CO zoning, with a CO for a 2,000 vtpd, by consent (8-0, A. Adams-Not yet arrived); J. Matinez-1 st , N. Spelman-2 nd . | 6/27/02: Approved GR-CO (7-0); all 3 readings |
| C14-01-0044 (1700 W. Parmer Lane-Scofield Farms Market Shopping Center) | GR to CS | 5/8/01: Approved staff rec. of CS-CO by consent (8-0) | 7/19/01: Approved CS-CO w/ addition of prohibiting pawn shops (6-0); all 3 readings |
| C14-01-0043 (1700 W. Parmer Lane-Scofield Farms Market Shopping Center) | GR to CS-1 | 5/8/01: Approved staff rec. of CS-1-CO w/ conditions, prohibit free standing CS-1 use (8-0) | 7/19/01: Approved CS-1-CO w. addition of prohibiting pawn shops (6-0); all 3 readings |
| C14-00-2033 (W. Parmer Lane-Little Steps Child Care Center) | SF-3 to GR | 3/28/00: Approved staff's rec. of LR-MU-CO by consent (5-0); limit vehicle trips to 315 per day | 5/11/00: Approved PC rec. of LR-MU-CO by consent (7-0); all 3 readings |
| C14-00-2023 (1418 Cardinal Hill Road) | SF-1 to LO | 4/18/00: Deny LO zoning (8-0) | 6/01/00: Denied rezoning request (4-3, KW/BS/DS-Nay) |

| | | | |
|---|--------------|---|---|
| C14-99-2067 (W. Parmer Lane) | GR, GO to GR | 1/18/00: Approved GR-CO by consent (9-0) | 2/17/00: Approved GR-CO (7-0); all 3 readings |
| C14-98-0021 (12424 Scofield Farms Drive) | MF-2 to GR | 4/14/98: Approved GR-CO w/ conditions (8-0) | 5/14/98: Approved GR-CO w/ conditions (5-0); all 3 readings |
| C14-96-0062 (E. Parmer Lane- Brake Specialists) | LR to GR | 6/4/96: Approved GR (8-0) | 7/11/96: Approved GR-CO w/ conditions (6-1); 1 st reading 8/22/96: Approved GR-CO w/ conditions (5-2); 2 nd / 3 rd readings |

RELATED CASES: C14-85-149 (North Lamar Area Rezonings)

OTHER STAFF COMMENTS:

Comprehensive Planning

The initiation, termination or amending of a Restrictive Covenant is not under the purview of the policies of the Imagine Austin Comprehensive Plan.

Environmental

The RCA revision is approved.

The following comments are for your information:

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <i>Development Classification</i> | <i>% of Gross Site Area</i> | <i>% of Gross Site Area with Transfers</i> |
|---|-----------------------------|--|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new dwelling units resulting from this restrictive covenant amendment. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov.

Site Plan

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

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.

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

This property is subject to compatibility requirements. On and after July 15th, 2024, this site will need to comply with compatibility requirements based on ordinance # 20240516-004.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 154 feet of right-of-way for W Parmer LN. It is recommended that 77 feet of right-of-way from the existing centerline should be dedicated for W Parmer LN. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Scofield Farms DR. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Scofield Farms DR. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Shag Bark TRL. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Shag Bark TRL. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|--------------------|----------------------------|--------------------------|--|--|------------------|----------------------|--------------------------------------|
| W Parmer LN. | Level 4 - TxDOT | 154' | 148' including median. Median varies: 4' to 17' | Excluding median. NW direction: 45' to 57' SE direction: 45' | 6' | No | Yes |
| Scofield Farms DR. | Level 2 | 84' | 65' to 74' | 48' | 6' | No | Yes |
| Shag Bark TRL. | Level 1 | 58' | 47' | 30' | 6' | No | Yes |

Water Utility

No review required.

INDEX OF EXHIBITS TO FOLLOW

- A: Case Map
- B. Applicant's Request Letter
- ~~C-~~Proposed Redlined Restrictive Covenant

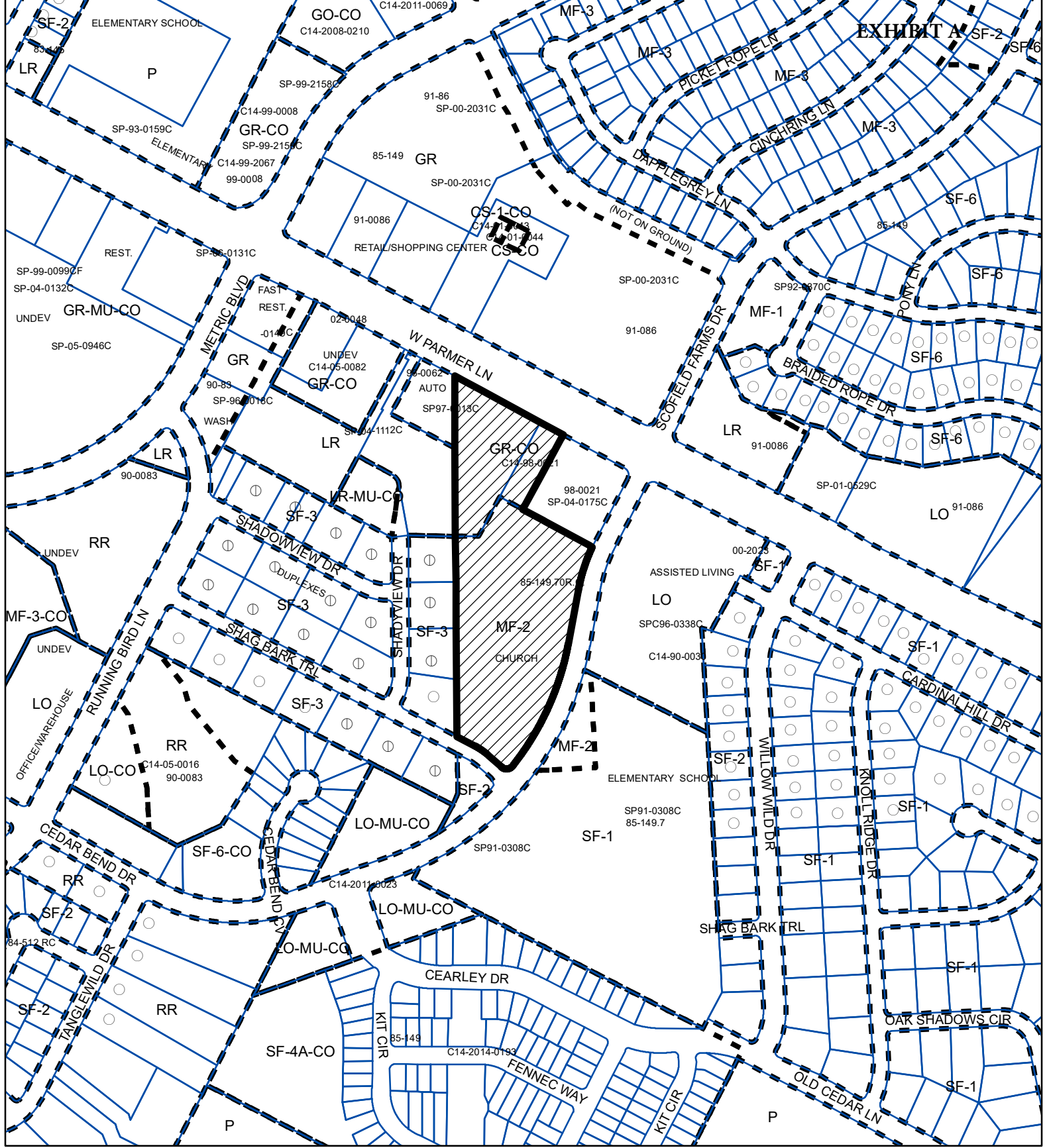





EXHIBIT A

Restrictive Covenant Amendment

CASE#: C14-85-149.70.02(RCA)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

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

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



Created: 7/8/2024

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
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512-435-2300

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Richard Suttle
(512) 435-2310
rsuttle@abaustin.com

June 26, 2024

Lauren Middleton-Pratt, Director
Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Rezoning and Restrictive Covenant Amendment Applications for 1605 and 1603
W. Parmer and 12424 Scofield Farms Drive in Austin, Travis County, Texas
(TCAD Parcel No. 0260180420 and No. 0260180423) (the "Application")

Dear Ms. Middleton-Pratt:

This firm represents and this letter is submitted on behalf of the owner for the above Application. The site proposed for redevelopment in connection with this Application consists of 7.6 acres (the "Property").

The Property is zoned Community Commercial – Conditional Overlay (GR-CO) and Multifamily Residence Low Density (MF-2). A portion of the Property is currently developed with a church and the remainder is undeveloped. The request is to rezone the Property from GR-CO and MF-2 to Community Commercial – Mixed Use (GR-MU) to allow for a multifamily project. The request includes removing the conditional overlay that was established in Ordinance 980514-C which restricts traffic generation to 2,000 trips per day or less.

A Traffic Impact Analysis (TIA) is not required. The TIA Determination signed by Ramin Komeili on June 25, 2024 is included in the submittal package.

In addition to the rezoning request, a restrictive covenant amendment application is being submitted concurrently with the zoning application. The restrictive covenant, recorded in Volume 9922, Page 591 is associated with City of Austin case number C14-85-149.70. The purpose of the restrictive covenant amendment application is to remove the density limitation of 15 units per acre for multiple family development. A redline of the restrictive covenant is included with this submittal package.

Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me at (512) 435-2310.

Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Joi Harden, Housing and Planning Department
Amanda Morrow, Armbrust and Brown, PLLC
Jewels Cain, Armbrust and Brown, PLLC

4 13 2987

29.00

C.14-85-149.70

RESTRICTIVE COVENANT

| | | | | |
|------------------|---|------|--------|------------|
| STATE OF TEXAS | § | | | |
| | § | 1000 | 153757 | 29.00 RTEA |
| COUNTY OF TRAVIS | § | | | 1 10/10/86 |

WHEREAS, NASH PHILLIPS/COPUS, INC., of Travis County, Texas, is the owner of the following described property (hereinafter referred to as "PROPERTY"):

APPROXIMATELY 40.693 ACRES OUT OF THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" HERETO ATTACHED FOR ALL PURPOSES.

WHEREAS, the City of Austin and NASH PHILLIPS/COPUS, INC. have agreed that the above-described property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, NASH PHILLIPS/COPUS, INC., for and in consideration of ONE AND NO/100 DOLLARS (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt of which is hereby acknowledged, does hereby agree with respect to said property described above, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on him, his successors and assigns, as follows:

1. All detached single family dwelling units located in the area of the "PROPERTY" zoned "SF-2", Single Family Residence, more particularly described in Exhibit "E" which is attached hereto and made a part hereof for all purposes, must have a gross floor area of not less than 1400 square feet, exclusive of open or screened porches, terraces, patios and driveways.

2. All lots located in the area of the "PROPERTY" zoned "SF-2", Single Family Residence, Exhibit "E", exclusive of lots in cul-de-sacs or panhandle lots, shall have a horizontal distance between the side lot lines of at least sixty-five (65') feet measured at the front lot line, and all lots located in the portion of the property zones "SF-2", Single Family Residence, Exhibit "E", shall have an average area of 7,000 square feet.

3. All detached single family dwelling units located in the area of the "PROPERTY" zoned "SF-2", Single Family Residence,

REAL PROPERTY RECORDS
Travis County, Texas

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Exhibit "E", shall be constructed with not less than forty percent (40%) masonry.

4. There shall be constructed and thereafter properly maintained by the owners, their heirs and assigns, a wooden privacy fence along the eastern property line of the lots adjacent to River Oak Lake Estates Section 7.

5. Cardinal Hill Drive, Shag Bark Trail, and Cedar Bend Drive located in River Oak Lake Estates Section 7 to the east of the "PROPERTY" shall not be further improved or constructed to extend into the "PROPERTY".

~~6. Any multiple family development constructed upon the "PROPERTY", shall not exceed a density of fifteen (15) units per acre.~~

7. That certain tract of the "PROPERTY" more particularly described in Exhibit "B" which is attached hereto and made a part hereof for all purposes, shall have only one (1) access driveway onto Parmer Lane.

8. That certain tract of the "PROPERTY" more particularly described in Exhibit "C" which is attached hereto and made a part hereof for all purposes, shall have no access driveway onto Parmer Lane.

9. That certain tract of the "PROPERTY" more particularly described in Exhibit "D" which is attached hereto and made a part hereof for all purposes, shall have only one (1) access driveway onto Parmer Lane.

10. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing Agreement and Covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

11. If any part or provision of this Agreement or Covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other

provisions of this Agreement, and such remaining portion of this Agreement shall remain in full force and effect.

12. The failure at any time to enforce this Agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

13. This Agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above-described property at the time of such modification, amendment or termination.

EXECUTED, this the 20 day of August, 1986.

Jack E. Davis
JACK E. DAVIS, Executive
Vice-President

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Jack E. Davis, Senior Vice-President of NASH PHILLIPS/COPUS, INC., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 20 day of August, 1986.

NOTARY SEAL

Martha N. Gaze
Notary Public in and for the
State of Texas

MARTHA N. GAZE
Name Printed

My Commission Expires: 11/15/89

EKA04/13/jz

09922 0598

EXHIBIT A

Barry Campbell Engineering, Inc.

6200 LA CALMA • AUSTIN, TEXAS 78752 • (512) 452-5528

FIELD NOTES 40.693 Acres

FIELD NOTES FOR A 40.693 ACRE TRACT OF LAND IN THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS, BEING ALL OF RIVER OAKS SHOPPING CENTER, SECTION ONE, A SUBDIVISION RECORDED IN PLAT BOOK 70, PAGE 5, OF THE TRAVIS COUNTY PLAT RECORDS; BEING 30.336 ACRES BEING THE REMAINDER OF A 32.763 ACRE TRACT, CONVEYED AS 32.824 ACRES IN VOL. 3475, PAGE 2370 OF THE TRAVIS COUNTY DEED RECORDS, BEING 7.130 ACRES OUT OF TWO TRACTS CONVEYED IN VOL. 4229, PAGE 161, AND VOLUME 4277, PAGE 241 OF THE TRAVIS COUNTY DEED RECORDS, AND BEING 0.80 ACRES BEING A VACATED PORTION OF RUNNING-BIRD LAND AS RECORDED IN VOLUME 45, PAGE 286 OF THE TRAVIS COUNTY COMMISSIONERS' COURT MINUTES; SAID 40.693 ACRES MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Northwest corner of said 0.80 acre tract (formerly Runningbird Lane) being in the Southerly R.O.W. of Farmer Lane;

THENCE along the Southerly R.O.W. of Farmer Lane, S 59°59'33"E, 59.44 feet to a point for the Northeast corner of said 0.80 acre tract, same being the Northwest corner of a 4.554 acre tract conveyed in Volume 4229, Page 161 of the Travis County Deed Records;

THENCE S 59°29'58"E, 454.63 feet with the South line of Farmer Lane to the Northeast corner of a 3.307 acre tract of land described in Volume 4277, Page 241 of the Deed Records of Travis County, Texas;

THENCE continuing with the South R.O.W. of Farmer Lane, the following three courses:

- 1) S 59°32'E, a distance of 654.00 feet to a point;
- 2) N 73°56'E, a distance of 30.85 feet to a point;
- 3) S 60°39'E, a distance of 461.73 feet to the Northeast corner of River Oaks Shopping Center, Section One and also being the Northwest corner of River Oak Lake Estates, Section 7 as recorded in Plat Book 55, Page 67 of the Travis County, Texas Plat Records and also being on the South R.O.W. of Farmer Lane.

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THENCE with the West boundary of River Oak Lake Estates, Section 7 the following seven (7) courses:

- 1) S 30°13'W, a distance of 198.87 feet to a point on the North R.O.W. of Cardinal Drive;
- 2) N 59°47'W and along the North R.O.W. of Cardinal Drive, a distance of 25.00 feet to a point;
- 3) S 30°13'W, a distance of 50.00 feet to a point;
- 4) S 30°13'W, a distance of 146.00 feet to a point;
- 5) N 71°59'W, a distance of 30.06 feet to a point;
- 6) S 1°01'E, a distance of 1144.85 feet to a point;
- 7) S 29°42'W, a distance of 128.84 feet to a point;

THENCE N 60°28'W a distance of 1029.50 feet to a point;

THENCE N 30°26'E, 303.00 feet to the most Easterly, Southeast corner of Valley View Estates as recorded in Plat Book 59, Page 81 of the Travis County, Texas Plat Records;

THENCE N 1°40'E and along the East line of Valley View Estates at 152.26 feet passing a point in the centerline of Shag Bark Trail, in all, a distance of 810.38 feet to the Northeast corner of Valley View Estates;

THENCE N 86°42'39"W, 148.98 feet to the Northwest corner of Lot 3, Valley View Estates;

THENCE S 83°51'31"W, 52.60 feet to the Northeast corner of Lot 25, Valley View Estates;

THENCE N 11°42'06"E, 155.00 feet to a point;

THENCE an arc distance of 52.04 feet along a curve to the left, said curve having a central angle of 70°59'13", a radius of 42.00 feet, tangents of 29.95 feet and a chord bearing of N 23°47'51"W, 48.77 feet to a point;

THENCE N 59°28'36"W, 124.99 feet to a point;

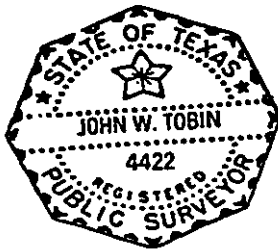
THENCE S 30°28'12"W, 175.00 feet to a point on the North line of Lot 24, Valley View Estates;

THENCE N 59°30'W, at 303.00 feet passing the Northwest corner of Lot 22, Valley View Estates, in all, a distance of 329.00 feet to the Southeast corner of said 0.80 acre tract;

THENCE N 59°28'46"W, 60.15 feet to a point for the Southwest corner of said 0.80 acre tract;

THENCE N 30°31'14"E, 577.38 feet to the PLACE OF BEGINNING and containing 40.693 acres more or less.

Field notes prepared from recorded deeds, plats and court minutes for zoning purposes only; not based upon an actual on the ground survey.



John W. Tobin 8-15-86
John W. Tobin, R.P.S. #4422

EXHIBIT B

Barry Campbell Engineering, Inc.

6200 LA CALMA • AUSTIN, TEXAS 78752 • (512) 452-5528

FIELD NOTES 7.930 Acres

FIELD NOTES FOR A 7.930 ACRE TRACT OF LAND IN THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS, BEING OUT OF AND A PART OF TWO TRACTS CONVEYED IN VOLUME 4229, PAGE 161 AND VOLUME 4277, PAGE 241 OF THE TRAVIS COUNTY DEED RECORDS, AND BEING 0.80 ACRES BEING A VACATED PORTION OF RUNNINGBIRD LAND AS RECORDED IN VOLUME 45, PAGE 286 OF THE TRAVIS COUNTY COMMISSIONERS' COURT MINUTES: SAID 7.930 ACRES MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Northwest corner of said 0.80 acre tract (formerly Runningbird Lane) being in the Southerly R.O.W. of Farmer Lane;

THENCE along the Southerly R.O.W. of Farmer Lane, S 59°59'33"E, 59.44 feet to a point for the Northeast corner of said 0.80 acre tract, same being the Northwest corner of a 4.554 acre tract conveyed in Volume 4229, Page 161 of the Travis County Deed Records;

THENCE S 59°29'58"E, 454.63 feet with the South line of Farmer Lane to a point at the Northeast corner of a 3.307 acre tract of land described in Volume 4277, Page 241 of the Deed Records of Travis County, Texas;

THENCE S 01°40'00"W, 546.42 feet with the Easterly line of said 3.307 acre tract and the Westerly line of an 8.965 acre tract of land described in a deed to Insurance Company of America and recorded in Volume 4277, Page 244 of the Deed Records of Travis County, Texas to a point at the Northeast corner of Lot 3, Valley View Estates, a subdivision of record filed in Book 59, Page 81, Travis County, Texas Plat Records;

THENCE N 86°42'39"W, 148.98 feet to a point at the Northwest corner of Lot 3, Valley View Estates;

THENCE S 83°51'31"W, 52.60 feet to a point at the Northeast corner of Lot 25, Valley View Estates;

THENCE N 11°42'06"E, 155.00 feet to a point;

THENCE an arc distance of 52.04 feet along a curve to the left, said curve having a central angle of 70°59'13", a radius of 42.00 feet, tangents of 29.95 feet and a chord bearing of N 23°47'51"W, 48.77 feet to a point;

09922 0597

THENCE N 59°28'36"W, 124.99 feet to a point;

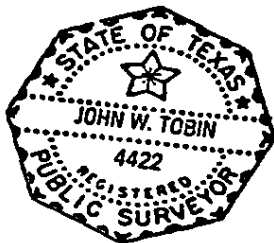
THENCE S 30°28'12"W, 175.00 feet to a point on the North line of Lot 24, Valley View Estates;

THENCE N 59°30'W, at 303.00 feet passing the Northeast corner of Lot 22 of Valley View Estates, in all, a distance of 329.00 feet to the Southeast corner of said 0.80 acre tract;

THENCE N 59°28'46"W, 60.15 feet to a point for the Southwest corner of said 0.80 acre tract;

THENCE N 30°31'14"E, 577.38 feet to the PLACE OF BEGINNING and containing 7.930 acres more or less.

Field Notes prepared from recorded deeds, plats and court minutes for zoning purposes only; not based upon an actual on the ground survey.



John W. Tobin
John W. Tobin, R.P.S. #4422
8-15-86

09922 0598



Barry Campbell Engineering, Inc.

6200 LA CALMA • AUSTIN, TEXAS 78752 • (512) 452-5528

FIELD NOTES

11.897 Acres

FIELD NOTES FOR A 11.897 ACRE TRACT OUT OF THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS AND ALSO BEING PART OF A 32.763 ACRE TRACT, CONVEYED AS 32.824 ACRES IN VOLUME 3475, PAGE 2370 OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the Northeast corner of Valley View Estates as recorded in Plat Book 59, Page 81 of the Travis County, Texas, Plat Records for the POINT OF BEGINNING.

THENCE N. 1 deg. 40' E., a distance of 546.42 feet to the Northwest corner of said 32.763 acre tract and a point on the South R.O.W. line of Parmer Lane.

THENCE with the South R.O.W. of Parmer Lane, the following three (3) courses:

- 1) S. 59 deg. 32' E., a distance of 654.00 feet to a point;
- 2) N. 73 deg. 56' E., a distance of 30.85 feet to a point;
- 3) S. 60 deg. 39' E., a distance of 21.71 feet to a point;

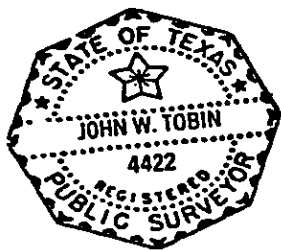
THENCE leaving the R.O.W. of Parmer Lane and through the interior of said 32.763 acre tract, the following seven (7) courses:

- 1) S. 30 deg. 13' W., a distance of 323.78 feet to a point of curve to the left;
- 2) Along said curve whose elements are: Delta, 27 deg. 00'; Radius, 400 feet; chord bears S. 16 deg. 43' W., 186.76 feet in all an arc distance of 188.50 feet;
- 3) S. 3 deg. 13' W., a distance of 80.06 feet to a point;
- 4) S. 1 deg. 01' E., a distance of 374.40 feet to a point;
- 5) S. 88 deg. 59' W., a distance of 264.98 feet to a point of curve to the right;
- 6) Along said curve whose elements are: Delta, 30 deg. 47'; Radius, 300 feet; chord bears N. 75 deg. 37' 30" W., 159.25 feet, in all an arc distance of 161.18 feet to a point;
- 7) N. 60 deg. 14' W., a distance of 15.65 feet to a point on the centerline of Shag Bark Trail and also being on the East line of Valley View Estates.

THENCE N. 1 deg. 40' E. and with the East line of Valley View Estates, a distance of 658.12 feet to the POINT OF BEGINNING and containing 11.897 acres of land.

09922 0599

Field Notes compiled from recorded deeds and plats for zoning purposes only--not based upon an actual on the ground survey.



John W. Tobin
John W. Tobin, R.P.S. #4422
6-17-66

09922 0600

EXHIBIT D

CRICHTON & ASSOCIATES
LAND SURVEYORS
1538 E. ANDERSON LANE #8
AUSTIN, TEXAS 78752
512-837-2000

FIELD NOTES
4.693 ACRES

FIELD NOTES FOR A 4.693 ACRE TRACT OUT OF THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS AND ALSO BEING PART OF RIVER OAKS SHOPPING CENTER, SECTION ONE AS RECORDED IN PLAT BOOK 70, PAGE 5 OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS AND PART OF A 30.379 ACRE TRACT AS DESCRIBED IN VOLUME 3475, PAGE 2370 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the Northwest corner of River Oaks Shopping Center, Section One and also being the Northeast corner of River Oak Lake Estates, Section 7 as recorded in Plat Book 55, Page 67 of the Travis County, Texas Plat Records and also being on the South R.O.W. of Farmer Lane for the POINT OF BEGINNING.

THENCE with the West boundary of River Oak Lake Estates, Section 7 and the east line of River Oaks Shopping Center, Section One the following five (5) courses:

- 1) S. 31 deg. 13' 00" W., a distance of 198.37 feet to a point on the North R.O.W. of Cardinal Drive;
- 2) S. 59 deg. 47' W. and along the North R.O.W. of Cardinal Drive, a distance of 25.00 feet to a point;
- 3) S. 30 deg. 13' W., a distance of 50.00 feet to a point;
- 4) S. 29 deg. 07' 10" W., a distance of 146.34 feet to a point;
- 5) N. 71 deg. 59' W., a distance of 30.06 feet to a point.

THENCE through the interior of the 30.379 acre tract, the following four (4) courses:

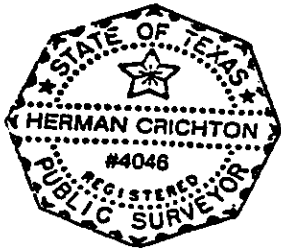
- 1) S. 89 deg. 22' W., a distance of 355.23 feet to a point;
- 2) N. 3 deg. 13' E., a distance of 80.06 feet to a point of curve to the right;
- 3) Along said curve whose elements are: Delta, 27 deg. 00'; Radius, 400 feet; and whose chord bears N. 16 deg. 43' E. 186.76 feet, in all an arc distance of 188.50 feet to a point;
- 4) N. 30 deg. 13' E., a distance of 323.78 feet to a point on the South R.O.W. line of Farmer Lane.

THENCE S. 60 deg. 39' E., and along the South R.O.W. line of Farmer Lane, a distance of 440.02 feet to the POINT OF BEGINNING and containing 4.693 acres of land.

09922 0601

I hereby certify that these field notes were prepared based on record information and are true and correct.

WITNESS MY HAND AND SEAL THIS THE 30TH DAY OF JULY 1985



Herman Crichton
Herman W. Crichton, R.P.S. #4046

09922 0602

EXHIBIT E

Barry Campbell Engineering, Inc.

6200 LA CALMA • AUSTIN, TEXAS 78752 • (512) 452-5528

FIELD NOTES

16.173 ACRES

FIELD NOTES FOR A 16.173 ACRE TRACT OUT OF THE WILLIAM B. HARRISON SURVEY IN TRAVIS COUNTY, TEXAS AND ALSO BEING PART OF A 32.763 ACRE TRACT, CONVEYED AS 32.824 ACRES IN VOLUME 3475, PAGE 2370, OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the West line of River Oak Lake Estates, Section 7 as recorded in Book 55, Page 67 of the Travis County, Texas Plat Records, from which the Southeast corner of River Oaks Shopping Center, Section One as recorded in Plat Book 70, Page 5, of the Travis County, Texas Plat Records bears the following two (2) courses:

- 1) S. 71 deg. 59' E., a distance of 30.06 feet;
- 2) N. 29 deg. 07' 10" E., a distance of 146.04 feet;

THENCE with the West boundary of River Oak Lake Estates, Section 7, the following two (2) courses:

- 1) S. 1 deg. 01' E., a distance of 1144.85 feet to a point;
- 2) S. 29 deg. 42' W., a distance of 128.84 feet to a point;

THENCE N. 60 deg. 28' W. and along a fence, a distance of 1029.50 feet to a fence corner.

THENCE N. 30 deg. 26' E. and along a fence, a distance of 303.00 feet to the Southeast corner of Valley View Estates as recorded in Plat Book 59, Page 81 of the Travis County, Texas Plat Records.

THENCE N. 1 deg. 40' E. and along the East line of Valley View Estates, a distance of 152.26 feet to a point in the centerline of Shag Bark Trail.

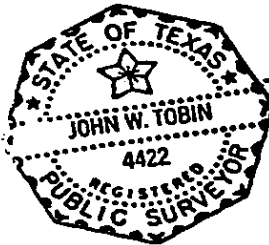
THENCE through the interior of the 32.763 acre tract, the following five (5) courses:

- 1) S. 60 deg. 14' E., a distance of 15.65 feet to the point of a curve to the left;
- 2) Along said curve to the left whose elements are: Delta, 30 deg. 47'; Radius, 300 feet; chord bears S. 75 deg. 37'30" E., 159.25 feet, in all an arc distance of 161.18 feet to a point;
- 3) S. 88 deg. 59' W., a distance of 264.98 feet to a point;

09922 0603

- 4) N. 1 deg. 01' W., a distance of 374.40 feet to a point;
- 5) N. 89 deg. 22' E., a distance of 355.23 feet to the POINT OF BEGINNING and containing 16.173 acres of land.

Field Notes compiled from recorded deeds and plats for zoning purposes only--not based upon an actual on the ground survey.



John W. Tobin
 John W. Tobin, R.P.S. #4422

6-17-86

Rtn;
 City of Austin
 Dept. of Law
 Box 1088
 Austin, TX 78767-8828

FILED
 1986 OCT 10 PM 4:42

Baris Lynopshire
 COUNTY CLERK
 TRAVIS COUNTY, TEXAS

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

OCT 10 1986



Baris Lynopshire
 COUNTY CLERK
 TRAVIS COUNTY, TEXAS

MITPLA BCD YTIO
 09922 0604