

SULLIVAN

PLANNED DEVELOPMENT DISTRICT

Approved Sep 18 4, 2019

Sullivan  Planned Development

ORDINANCE NO. 235

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 113.478 ACRES OF LAND LOCATED AT HIGH ROAD AND PLUM CREEK ROAD TO PLANNED DEVELOPMENT (“PD”); ESTABLISHING LAND USE AND DEVELOPMENT STANDARDS FOR THE CONSTRUCTION AND OPERATION OF A HIGH QUALITY RESIDENTIAL COMMUNITY WITH A PRIVATE COMMUNITY PARK AND PROVIDING FOR: RULES, STANDARDS, PROCEDURES, AND SEVERABILITY.

WHEREAS, **RH & JS LAND DEVELOPMENT, LLC** ("Owner") owns 113.478 acres of land, more or less, located in Hays County, Texas, and more particularly described by the metes and bounds description and the survey which are collectively attached as **Exhibit “A” to Attachment “A”** (the “Property”). The Property is located wholly within the City’s corporate limits; and

WHEREAS, Owner plans to develop the 113.478 acres of the Property as a high quality, residential community with a mix of lot sizes and a private community park, (the “Project”), which will benefit and serve the present and future citizens of the City as generally delineated in the PD Master Plan attached as **Exhibit “B” to Attachment “A”**, and;

WHEREAS, a Planned Development (“PD”) district accommodates large or complex developments under unified control planned as a single continuous project providing greater design flexibility in return for desirable features not normally required in conventional zoning districts to create a superior development to that which would occur using conventional zoning regulations; and

WHEREAS, the City of Umland seeks to protect the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, the City of Umland has been in negotiations with Owner and agents of the proposed PD Project; and

WHEREAS, Owner has submitted an application to the City to rezone the Property to Planned Development District, designating it as the “Sullivan PD” district; and

WHEREAS, the City held discussions and invited public comment on the proposed PD district zoning in a public hearing(s) held on the _____ day of _____, 2019 and the _____ day of _____, 2019; and

WHEREAS, pursuant to Chapter 51 of the Texas Local Government Code, the City has general authority to adopt this Ordinance; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has broad zoning authority; and

WHEREAS, the City finds that the land use and development standards established in the proposed Sullivan PD Project are consistent to promote the public health, safety, and general welfare of those living in, working in, and visiting the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Uhland:

ARTICLE I. FINDINGS OF FACT

The foregoing Recitals are hereby adopted as findings of facts and are incorporated fully herein.

ARTICLE II. ENACTMENT

- A. Zoning Map.** The official zoning map of the City of Uhland is hereby amended to reflect the zoning designations established in *Attachment "A"*.
- B. Development Plan.** This Ordinance, together with *Attachment "A"* and the exhibits thereto constitutes the land use standards and development plan for the Sullivan PD District upon the Property, as reflected in *Attachment "A"*, covered by this Ordinance. All land use and development of the Sullivan PD on the Property must conform to the limitations and conditions set forth in this Ordinance, *Attachment A* and the exhibits thereto. Enactment of this Ordinance shall constitute the City's approval of the land use standards and development plan.
- C. Planned Development (PD) Master Plan.** The PD Master Plan detailed in **Exhibit "B"** of *Attachment "A"*, is hereby approved.
- D. Applicable Regulations.** Except as specifically provided by this Ordinance, the Sullivan PD Project is subject to all provisions of the City's Ordinances in effect on the effective date of this Ordinance. To the extent any provisions of this Ordinance conflicts with any provisions of City Ordinances or any related regulations, the provisions of this Ordinance shall control.
- E. Variances.** The approval of this Ordinance and **Exhibits A-D of Attachment "A"** constitutes the approval of the development standards and shall be deemed to be the functional equivalent of the approval of variances, exceptions, and alternative standards from conflicting provisions of City Ordinances. When considering a request for variances, exceptions, or alternative standards for the Sullivan PD Project that were not addressed by the development standards contained herein, the City shall consider this Ordinance, the PD Master Plan, and the City's, then existing, Ordinances collectively.
- F. Resolution of Conflicts.** The documents governing the PD should be read in harmony to the fullest extent possible. If a conflict arises between the charts included in the exhibits and the illustrations contained in the exhibits, the charts shall control. If a conflict arises between the terms of this Ordinance and the exhibits, the terms of this Ordinance shall control.

G. Attachments and Exhibits. The following Attachment and exhibits thereto are incorporated into this Ordinance in their entirety, as though set forth fully in the text of this Ordinance:

Attachment “A” – Sullivan Planned Development

<u>Exhibit “A”</u>	Description of the Property
<u>Exhibit “B”</u>	PD Master Plan
<u>Exhibit “C”</u>	Fencing Plan
<u>Exhibit “D”</u>	Lot Setbacks

ARTICLE III. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

ARTICLE IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE V. PROPERTY RECORDS

The City Secretary is hereby directed to record a Notice of this Ordinance in the real property records of the County (so as to bind the City, the Owner and all future owners of the Property), and to provide regulatory certainty during the Term of this Ordinance.

ARTICLE VI. PUBLICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Ordinances as authorized by Chapter 52 of the Texas Local Government Code.

ARTICLE VII. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

ARTICLE VIII. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage by the City Council and publication as required by law.

PASSED AND APPROVED this, the 4 day of September 2019.

CITY OF UHLAND, TEXAS:

Vicki Hunter
Vicki Hunter, Mayor



Attest:

Karen Gallaher
Karen Gallaher, City Administrator

SULLIVAN PLANNED DEVELOPMENT

SECTION 1.

ENACTMENT PROVISIONS

1.1 Popular Name.

This Ordinance shall be commonly cited as the “Sullivan PD”.

1.2 Purpose.

The enactment of this Ordinance memorializes the City Council’s approval of the “Sullivan Planned Development”, and memorializes the City’s legislative creation of the zoning classification, “Sullivan Planned Development” district.

1.3. Scope.

This Ordinance applies to the Property as described in **Exhibit “A”** attached hereto and incorporated herein for all purposes.

SECTION 2.

DEFINITIONS

2.1 General.

Words and phrases used in this Ordinance shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the City Code of Ordinances, shall be given the meanings set forth in the Ordinance for which it is defined. Words and phrases not defined in any City Ordinance shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural shall include the singular, and words in the masculine gender shall include the female gender; and vise-a-versa. The word “shall” is always mandatory and the word “may” is merely directory. Headings and captions are for reference only.

2.2 Specific.

1. ***Applicable Requirements:*** shall mean the applicable federal and state laws, city ordinances, rules and regulations, and the Sullivan PD Development Standards.

2. **Applicant:** shall mean any owner, developer, person or entity engaging in subdivision or development of any of the Property or applying for any permit, approval, variance or waiver for any of the Property.
3. **Certified Inspector:** shall mean an independent certified state licensed inspector to inspect the Vertical Building Improvements as to their conformity with applicable city ordinances and building codes and related building plans.
4. **City:** shall mean the City of Umland, Texas, a Texas Type A, general law municipality.
5. **City Administrator:** shall mean the person or entity engaged by City to serve in the capacity of City's chief administrative officer.
6. **City Code of Ordinances:** shall mean the collective duly adopted ordinances of the City, together with all related administrative rules and technical criteria manuals.
7. **City Council:** shall mean the governing body of the City of Umland, Texas.
8. **City Engineer:** shall mean the person or entity engaged by the City to serve in the capacity of engineer for the City of Umland, Texas.
9. **County:** shall mean Hays County.
10. **Development Standards:** shall mean the land use standards for the Property as described in this Ordinance. All land use and development of the Property in the Sullivan PD District must conform to the limitations and conditions set forth in this Ordinance.
11. **Development Plan:** shall mean this Ordinance, this **Attachment "A"** and the exhibits attached hereto, together, constitute the development plan for the Sullivan PD on the Property.
12. **Dwelling Unit:** shall mean a residential unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.
13. **Effective Date:** and similar references shall mean the date this Ordinance is approved and adopted.
14. **Final Plat:** shall mean a map of a subdivision, addition or development, together with any applicable development plan, covenants, restrictions, dedications or easements, to be recorded in the County property records after approval by City.
15. **Lot:** shall mean any individual parcel of land subdivided within the Project for a specific permitted use.
16. **Masonry:** shall be defined as stone, simulated stone, brick, hard-coat stucco, and cement-based siding.

17. **Master Plan:** The Master Plan attached hereto as **Exhibit “B”** shows the boundary of the Property, location of water quality pond(s), and notable drainage areas. The Master Plan, along with the other exhibits attached hereto, also provides private parkland areas, building setbacks, and other pertinent development features.
18. **Owner:** shall mean (i) the Owner named above, or (ii) any subsequent owner and/or developer of any part of the Property that is a successor or assignee of any rights from Owner in the Property, in whole or in part.
19. **Preliminary Plat:** shall mean a map showing the salient features of a proposed development, submitted for the purpose of preliminary consideration and communication prior to the submission of a Final Plat.
20. **Project:** shall mean the Sullivan Planned Development on the Property as generally delineated in the PD Master Plan attached as **Exhibit “B”**.
21. **Property:** shall have the meaning set forth in the recitals to this Ordinance, and consists of the 113.478 acres of land, more or less, located in Hays County, Texas, and more particularly described in **Exhibit “A”**.
22. **Residential Community:** Shall mean, collectively, all of the lots developed for residential use, open space, common areas, and park land located within the Project.
23. **Unit:** shall mean a Single-Family Residential home.
24. **Vertical Building Improvements:** shall mean the construction and reconstruction of a building, structure or any above ground improvement or development, not including roads, drainage facilities or utility facilities, and not including manufactured homes, modular housing or industrialized buildings covered by Chapters 1201 or 1202 of the Texas Occupations Code.

SECTION 3.

LAND USE AND ZONING

- 3.1 **Zoning.** The zoning classification of the property is hereby changed to Sullivan Planned Development District.
- 3.2 **Permitted Uses.** The project may contain Single Family Residential Uses. Specifically, no more than 525 Single Family Residential lots shall be located within the Property.
- 3.3 **Maximum Densities.** The Project shall not exceed the maximum gross density of 4.67 units per acre of residential use and only one unit per lot.
- 3.4 **Restrictive Covenants and Private Homeowners Association.** For the better development and benefit of the Property, Owner shall impose certain covenants, conditions and restrictions

applicable to the use and maintenance thereof. Owner shall establish a private Homeowners Association (HOA) to enforce such covenants, conditions and restrictions upon any and all residential lots. The HOA shall be responsible for the maintenance of all private landscape areas, water quality ponds, detention ponds, drainage areas, water features, and private community park. Additionally, the HOA shall be responsible for all community signage as per City specifications, screen walls and common open space areas within the Residential Community.

- 3.5 Permitting and Approval Criteria.** All applications for permits required by the City for the use and development of the Property shall be consistent with this Ordinance. All aspects of such approvals which are not specifically covered by this Ordinance shall be governed by the City Code of Ordinances.
- 3.6 Unified Development.** The Property shall be treated as a unified development for the purposes of requirements relating to drainage, structural and non-structural water quality and detention control, impervious cover, utility service, traffic impact analysis, landscaping, open space, green space, and tree replacement and mitigation.
- 3.7 Phased Development.** The Project may be developed in phases over time and the phasing of development may be changed from time to time, including phases being developed concurrently, in response to market conditions or other factors. Prior to Preliminary Plat approval Developer shall provide a phasing plan to be reviewed and approved by the City.

SECTION 4.

DEVELOPMENT STANDARDS

- 4.1 Open Space Requirements.** A minimum of twenty (20) percent of the gross Property area, not including drainage easements, water quality ponds or detention ponds, shall be developed in the form of green space, public open space, parkland or greenbelt.
- 4.2 Impervious Cover.** The Project shall not exceed an aggregate of sixty (60) percent in impervious cover of the entire Property. Developer shall provide hydrologic analysis to determine if storm water detention is required and such analysis shall be submitted to and approved by the City Engineer.
- 4.3 Residential Site Requirements.**

Lot Width	
Minimum	40 ft.
Exception: Minimum for Corner Lots	55 ft.

Front Setback	Setbacks are measured from the foundation.
Minimum	15 ft.
Exception: Garage setback	20 ft.
Side Setback	Setbacks are measured from the foundation.
Minimum (*) *Eaves may project a maximum of 18" into side setbacks.	5 ft.
Exception: Minimum for side setback adjacent to a street	15 ft.
Rear Setback	Setbacks are measured from the foundation.
Minimum	10 ft.
Building Height (maximum)	35 ft.
Lot Area (minimum)	4,800 sq. ft.

Exhibit "D" provides typical setbacks for a corner and interior lots.

4.4. Commercial Site Requirements.

Use	Height
Grocery Store, Movie Theater	45 ft. and 2 stories
Hotel	60 ft. and 5 stories
Office	45 ft. and 3 stories
All Other Buildings	32 ft. OR 2 stories

4.5 Underground Utility Service. Except where approved in writing by the City Administrator, all utilities shall adhere to the following:

- a) All dry utilities to include electrical, telephone and cable television distribution and service lines will be underground, other than overhead lines that are three phase or larger which are required to be brought to the project for service availability.

b) All utilities and the improvements thereof shall be the responsibility of Owner.

4.6 Fencing Plan.

a. Perimeter Boundary Wall. Enhanced concrete panel fencing shall be constructed six feet (6') feet in height consistent with the locations and lengths illustrated in **Exhibit "C"**, Fencing Plan, along the exterior of the Property abutting Plum Creek Road, or any General Business or other commercial zoned district.

Masonry columns shall be constructed at certain corners along the length of the enhanced concrete panel fencing as illustrated in **Exhibit "C"**.

b. Residential Boundary Fencing. Fencing may be located along the residential property lines and shall not encroach into public right of ways or extend past the front elevation of residential houses into the front street yard. Wood fencing, or tubular steel in certain view areas, is permitted along the property lines of all remaining residential lots.

4.7. Pedestrian Circulation. A six-foot (6') wide sidewalk shall be constructed along Plum Creek Road abutting the Property and along all non-residential roadways constructed within the Project. All residential roadways shall be constructed with four-foot (4') wide sidewalks on both sides of the roadways. All sidewalks shall be made of concrete.

4.8. Curbs and Gutters. All roadways constructed within the Project shall be constructed with standard curb and gutter or mountable curb.

4.9. Roadways. Prior to Preliminary Plat approval Developer shall provide roadway layout and design sections, which shall meet IFC and access requirements as identified when phasing is determined, to be reviewed and approved by the City. All roadways within the project shall be constructed with a minimum of fifty-two-foot (52') Right-of-Ways and a minimum of thirty-two-foot (32') width of pavement to allow for on-street parking.

4.10. Parking Requirements. Each parking space shall be a minimum of nine (9) feet wide by twenty (20) feet deep.

All residential lots shall include a concrete driveway to provide a minimum for two off-street parking spaces.

4.11. Lighting. Streetlights shall be provided at all internal intersections and along residential roadways, spaced no greater than 250' apart. No fixture or light source shall be turned up so as to disperse light into the night sky. The average foot-candle rating, measured at ground level, shall not exceed for (4). All fixtures shall utilize Light-Emitting Diode (LED) lighting and shall be full cut-off rated. Solar fixtures may be used.

4.12 Landscaping Requirements. All landscaping shall enhance the natural aesthetic beauty of the Uhland area through diverse use of both native and non-invasive adapted species of plants. A minimum of 80 percent of the required landscaping shall be native plants and the remaining 20 percent may be non-invasive adapted plants. Invasive species, as defined by the Ladybird Johnson Wildflower Center, are prohibited. All landscaping materials shall be drought tolerant and native type materials. Under no circumstance shall any non-invasive existing tree in excess of eighteen (18) inch DBH in diameter be removed or demolished from the site without prior specific approval of the City.

a. Tree Protection, Mitigation and Preservation. A tree survey, protection, mitigation, and preservation plan for all healthy non-invasive trees with an eight (8) inch DBH in diameter shall be created for the Project and submitted to the City prior to the Start of site development work. Prior to the start of any site work all protection and preservation measures of all existing trees to remain on site shall be completed to prevent any disturbance within each tree's critical root zone. Replacement trees for all existing non-invasive trees shall be planted prior to completion of the Project.

b. Residential Lots. At a minimum the following shall be installed on each residential lot:

one (1) - 2'' caliper shade tree outside of the easements along the right-of-way located in the front yard; one (1) - 2'' caliper shade tree outside of the easements located in the rear yard;

five (5) - 1-gallon shrubs and three (3) - 5-gallon shrubs and other drought tolerant natural landscaping for front, sides, and rear yards

c. Planting Criteria.

(1) Planting shall remain at least five feet (5') away from edge of roadways and driveways.

(2) Planting should be at least five feet (5') away from underground utilities and twenty-five feet (25') away from overhead lines

(3) Planting should be at least five feet (5') away from fire hydrants.

d. Shade Trees shall be defined as the following:

Bald Cypress
Burr Oak
Cedar Elm
Chinquapin Oak
Chinese (Lacebark) Elm
Chinese Pistache
Live Oak
Monterey Oak
Pecan
Shumard Oak
Texas Ash

Texas Red Oak

- 4.13. Water Reuse.** At the time that reuse line service is available the development shall install purple pipe to be used to irrigate the entry lots at all access points into the Project.

SECTION 5.

SINGLE-FAMILY ARCHITECTURAL AND DESIGN STANDARDS

- 5.1 Masonry Façade Requirements.** The front elevation of all homes shall consist of at least seventy-five (75) percent masonry materials excluding features such as doors, windows, trim and accent features on non-load bearing elements. The following façade requirements are further regulated as follows:
- a) The rear elevation of all homes that back to Plum Creek Road shall be constructed of at least seventy-five (75) percent masonry materials excluding features such as doors, windows, trim and accent features on non-load bearing elements.
 - b) The street side elevation of all corner lot homes shall be constructed of at least seventy-five (75) percent masonry materials excluding features such as doors, windows, trim and accent features on non-load bearing elements.
 - c) Typical side and rear elevations of all other homes shall be constructed of any building product or material that is approved for such use by the national model code published within the last code cycles for residential construction to include optional masonry options.
- 5.2 Garage Door Specifications.** Garage Doors shall be constructed using a faux wood finish or carriage style doors on any building product or material that is approved for such use by the national model code published within the last code cycles for residential construction.
- 5.3 Roofing Materials.** Roofs shall have a minimum roof pitch of 4:12. Colors will be restricted to two colors determined by the homebuilder.
- 5.4 Building Elevations.** Exterior elevations shall vary so that no adjacent units nor units directly across a roadway from each other shall have the same elevation or exterior materials.
- 5.5 Minimum Square Footage Requirements.** The living area of the primary residential structure, exclusive of porches and garages, located on any lot shall adhere to the following standards:
- a) All homes shall be a minimum square footage of 1,200 square feet of living space.
 - b) Each residence shall have a fully enclosed garage for no less than two (2) standard car parking spaces.

- c) Residential driveways will provide for two (2) additional off-street parking spaces that will be a minimum of twenty feet (20') by eighteen feet (18'). This area will be located between the front of the garage door and extend to the lot line upon which the dwelling unit is located and of which abuts a roadway.

SECTION 6.

DEDICATIONS AND IMPACT FEES

- 6.1 Park and Open Space Dedication.** A parkland fee of \$1,200.00 per lot will be assessed and paid at the time of final plat recordation. However, as illustrated on “**Exhibit B**”, the PD Master Plan provides for an activation of private open space and community parkland in which Owner will provide improved recreational facilities in a private ownership/management format, when platted and constructed. Owner agrees to install improvements within the private open space and community parkland, as indicated in the PD Master Plan on **Exhibit “B”**, in the minimum value of \$200,000.00. Any improvement value over the minimum value will be credited towards the parkland dedication fee for the first development phases with the remaining balance being paid in full to the City at final plat recordation.

All private landscape areas and common open space areas within the Property will be maintained by the homeowner’s association including supplemental maintenance of the detention pond areas.

- 6.2 Roadway Impact Improvements.** Each single family residential lot on the recorded final plat shall be required to pay a fee to the City in the amount of \$1,228.00 at the time of a building permit application for the improvement and/or maintenance of public roadways affected by the Project in the City.

SECTION 7.

TERM

The term of this Agreement shall continue from the effective date through the earlier of (a) thirty-six (36) months after the effective date and no unit has been sold, (b) five (5) years and less than fifty (50) percent of the Property is developed per the PD Master Plan, or (c) indefinitely so long as one-hundred (100) percent of the Property is developed per the PD Master Plan.

Prior to the expiration of Term (a) three (3) years, or Term (b) five (5) years, the Council may consider modification or extension of the Terms, at the request of the Owner.

SECTION 8.
AMENDMENTS

Due to the fact that the Project comprises a significant land area and its development may occur in phases over a number of years, Owner may make major or minor amendments to the PD Master Plan upon notification to, and approval from, the City. Major amendments shall be those that (a) increase the density of single family home dwelling lots or units allowed by the Development Standards; (b) seek to allow a use which is prohibited by the Development Standards; or (c) increase the total Project's impervious cover. Major amendments to the PD Master Plan shall require approval by City Council. Any amendment which is not classified as a major amendment, including an amendment which alters the relative percentages of the various residential use types without changing the density permitted for a type of residential use, shall be classified as a minor amendment. Minor amendments shall be administratively approved by the City Administrator except that the City Administrator may at the City Administrator's sole discretion seek approval from the City Council. If the City Administrator and Owner dispute the classification of an amendment as major or minor, the issue shall be referred to City Council for final determination.

SECTION 9.
LIST OF EXHIBITS

The following list of exhibits, attached hereto, together with this Attachment and addenda, constitute the land use standards and development plan for the Sullivan PD District.

- Exhibit A: Description of The Property
- Exhibit B: Master Plan
- Exhibit C: Fencing Plan
- Exhibit D: Residential Lot Setbacks

EXHIBIT "A"
DESCRIPTION OF THE PROPERTY

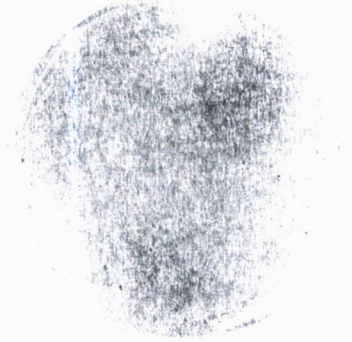


EXHIBIT "B"
PD MASTER PLAN



EXHIBIT "C"
FENCING PLAN

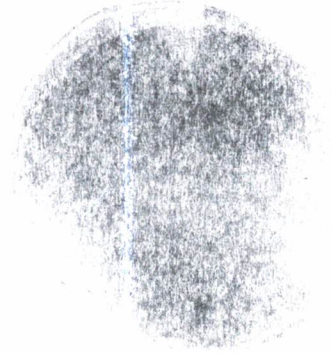


EXHIBIT "D"
LOT SETBACKS

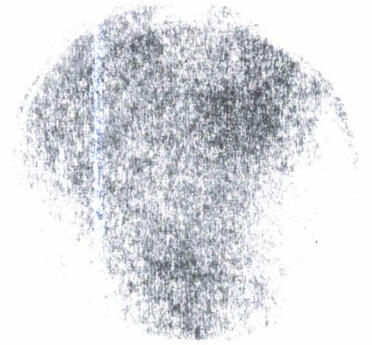
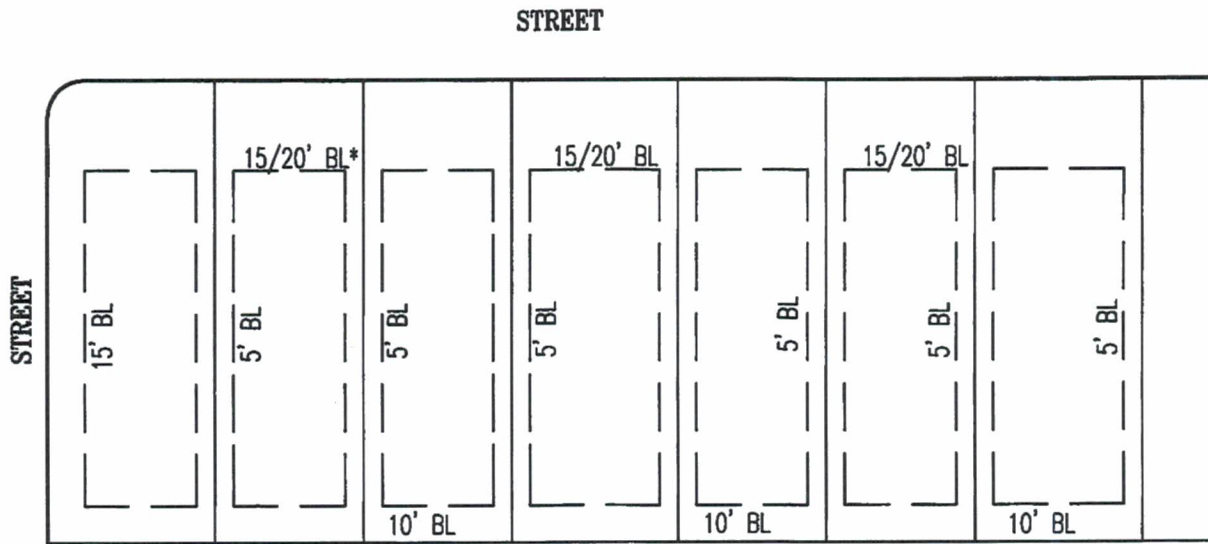


EXHIBIT "D"
LOT SETBACKS



LOT SETBACK DETAIL

N.T.S.

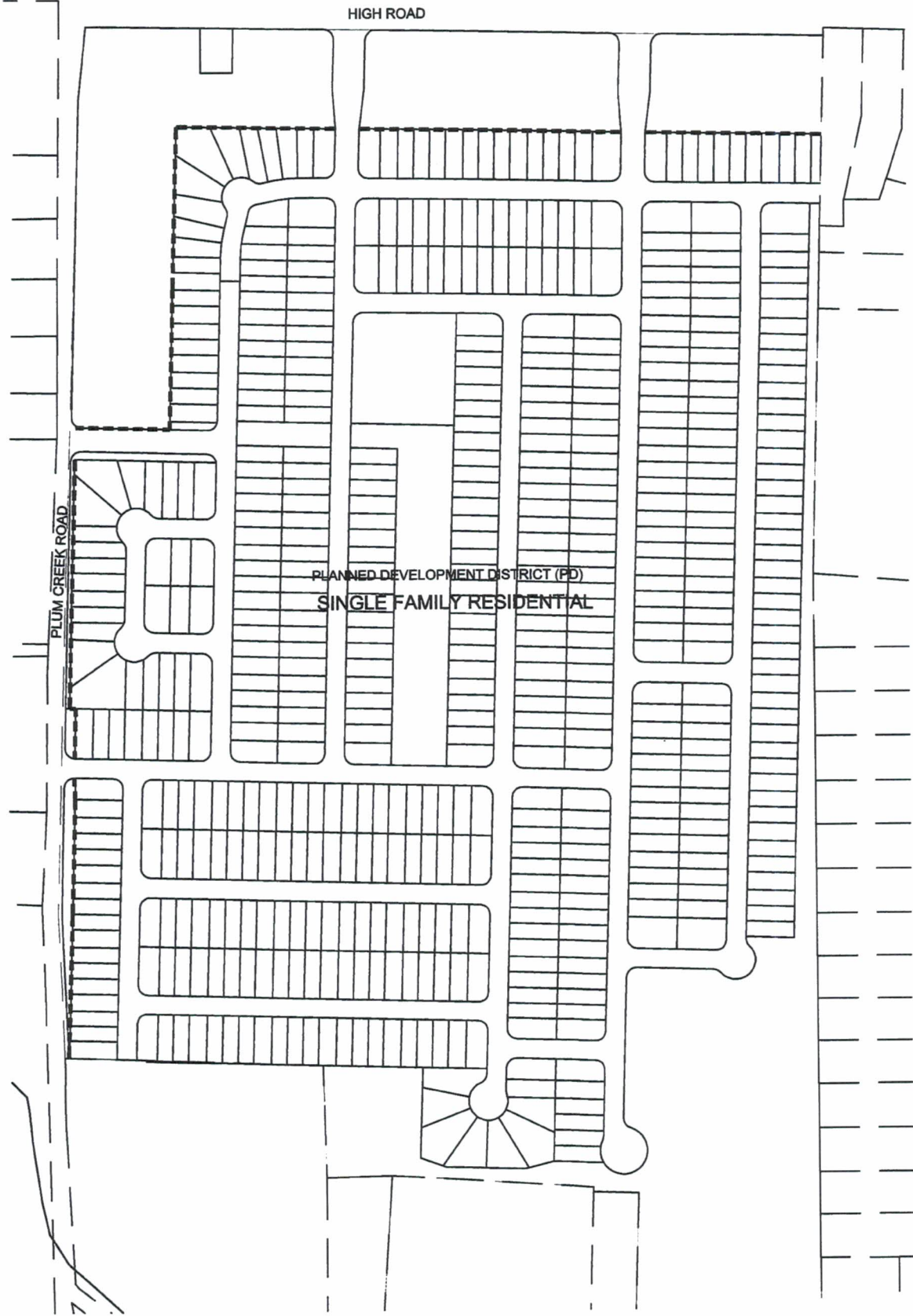
*NOTE: PER THE PD, THERE IS A 15' FRONT BL TO THE HOUSE
AND 20' BL TO THE GARAGE

SULLIVAN TRACT FENCE PLAN



----- FENCE LOCATION

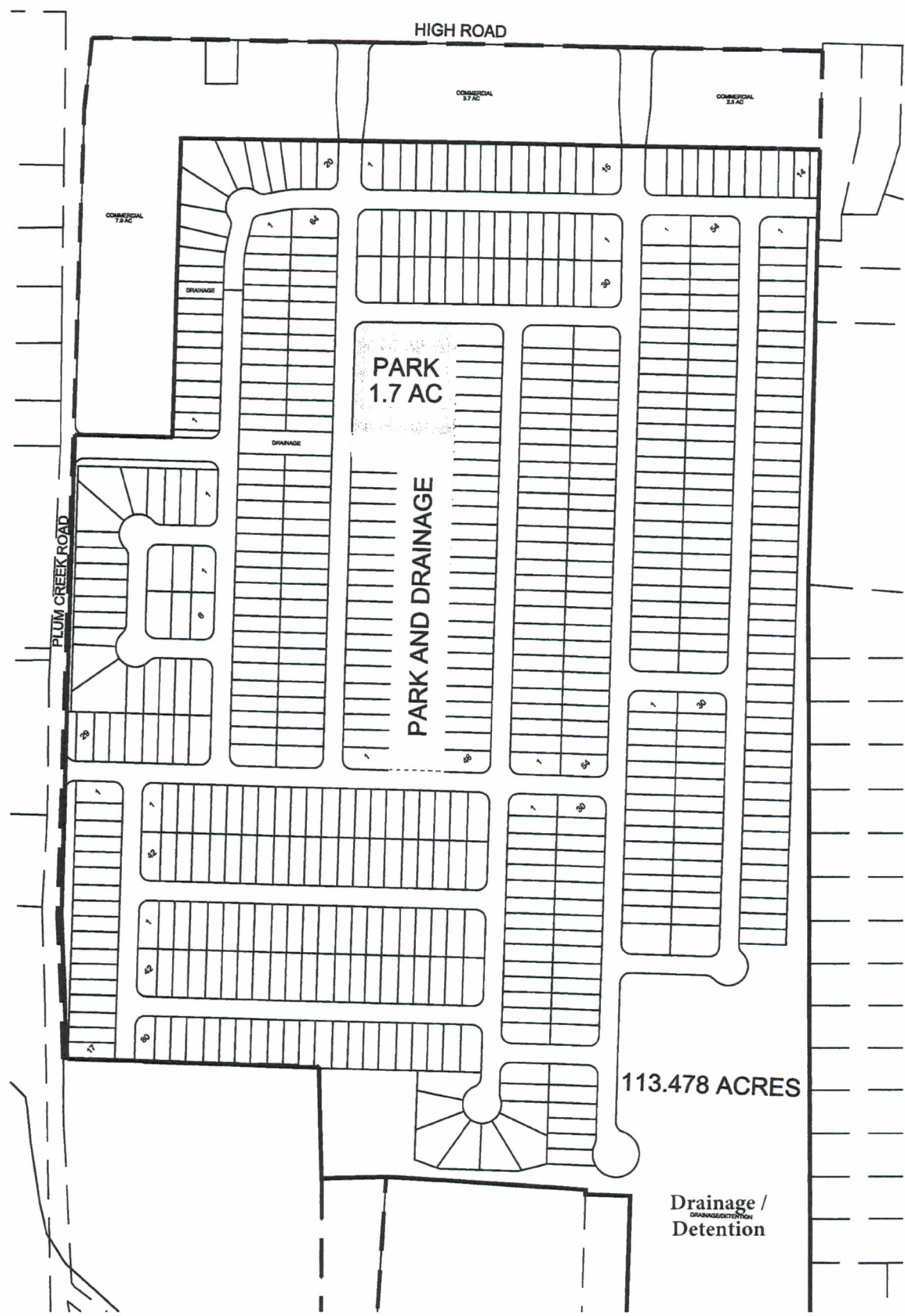
EXHIBIT C



SULLIVAN TRACT MASTER PLAN CONCEPT



--- PROPERTY BOUNDARY
--- PD - PLANNED DEVELOPMENT DISTRICT



113.478 ACRES

Drainage /
Detention

FIELD NOTES

BEING ALL OF THAT CERTAIN 113.478 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE JOHN STEWART SURVEY, ABSTRACT NUMBER 14, SITUATED IN HAYS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CALLED 129.710 ACRE TRACT OF LAND, CONVEYED TO RH & JS LAND DEVELOPMENT IN VOLUME 3761, PAGE 193, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, SAID 113.478 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a calculated point at the east corner of said 129.710 acre tract of land, being at the north corner of Lot 1, Noguez Subdivision, recorded in Book 13, Page 201, Plat Records of Hays County, Texas, and being in the southwest line of High Road (R.O.W. Varies),

THENCE, S44°54'46"W, with the southeast line of said 129.71 acres tract and the northwest line of said Noguez Subdivision, a distance of 395.17 feet to a calculated point for the POINT OF BEGINNING of the herein described tract of land,

THENCE, continuing with the southeast line of said 129.71 acres tract, the northwest line of said Noguez Subdivision, the northwest line of a called 5.24 acre tract of land, conveyed to Maria Hernandez in Volume 2163, Page 629, Official Public Records of Hays County, Texas, and the northwest line of Summer Sun Subdivision, recorded in Book 10, Page 67, Plat Records of Hays County, Texas, the following three (3) courses and distances, numbered 1 through 3,

- 1) S44°54'46"W, a distance of 317.28 feet to a calculated point for corner,
- 2) S44°54'59"W, a distance of 673.63 feet to a calculated point for corner, and
- 3) S45°03'39"W, a distance of 1939.83 feet to a calculated point at the west corner of Lot 1, Block A of said Summer Sun Subdivision, being the south corner of said 129.710 acre tract of land, and being in the northeast line of Cotton Gin Road (R.O.W. Varies),

THENCE, N43°51'59"W, with a southwest line of said 129.710 acre tract of land, and the northeast line of said Cotton Gin Road, a distance of 578.08 feet to a calculated point at the south corner of a called 1 acre tract of land conveyed to Charles & Beverley Jane Hunt in Instrument Number 18045307, Official Public Records of Hays County, Texas,

THENCE, N44°58'49"E, with the southeast line of said 1 acre tract and with a northwest line of said 129.710 acre tract of land, a distance of 381.33 feet to a calculated point at the east corner of said 1 acre tract of land,

THENCE, N44°55'37"W, with a southwest line of said 129.710 acre tract of land, the northeast line of said 1 acre tract and with the north east line of a called 5 acre tract of land conveyed to Anthony and Susan Lee King in Volume 1339, Page 546, Official Public Records of Hays County, Texas, a distance of 688.13 feet to a calculated point at a west corner of said 129.710 acre tract, being the north corner of

said 5 acre tract, and being in the southeast line of a called 10.10 acre tract of land conveyed to Jorge & Alison Garcia in Volume 2039, Page 511, Official Public Records of Hays County, Texas, for a west corner of the herein described tract of land,

THENCE, with the common lines of said 129.710 acre tract and said 10.10 acre tract of land, the following two (2) courses and distances, numbered 1 and 2,

- 1) N43°33'52"E, a distance of 307.87 feet to a calculated point at the east corner of said 10.10 acre tract of land, and
- 2) N43°22'29"W, a distance of 655.90 feet to a calculated point at the north corner of said 10.10 acre tract of land, being in the southeast line of Plum Creek Road (R.O.W. Varies), for the west corner of the herein described tract of land,

THENCE, with a northwest line of said 129.710 acre tract of land and the southeast line of said Plum Creek Road, the following two (2) courses and distances, numbered 1 through 2,

- 1) N43°44'03"E, a distance of 631.48 feet to a calculated point for corner, and
- 2) N46°24'02"E, a distance of 896.72 feet to a calculated point for a north corner of the herein described tract of land,

THENCE, over and across said 129.710 acre tract of land, the following five (5) courses and distances, numbered 1 through 5,

- 1) S43°53'41"E, a distance of 263.72 feet to a calculated point for corner,
- 2) N46°06'19"E, a distance of 826.13 feet to a calculated point for corner,
- 3) S44°33'14"E, a distance of 1612.57 feet to a calculated point for corner,
- 4) S45°26'46"W, a distance of 125.00 feet to a calculated point for corner, and
- 5) S44°16'50"E, a distance of 31.04 feet to the **POINT OF BEGINNING** and containing 113.478 acres of land.

These field notes were prepared from record information, and no on the ground survey was performed.

Prepared by:

 ZOMAR2019

Aaron Thomason, R.P.L.S. NO. 6214
Carlson, Brigance & Doering, Inc.
5501 West William Cannon Drive
Austin, TX 78749
Phone: (512) 280-5160
aaron@cbdeng.com



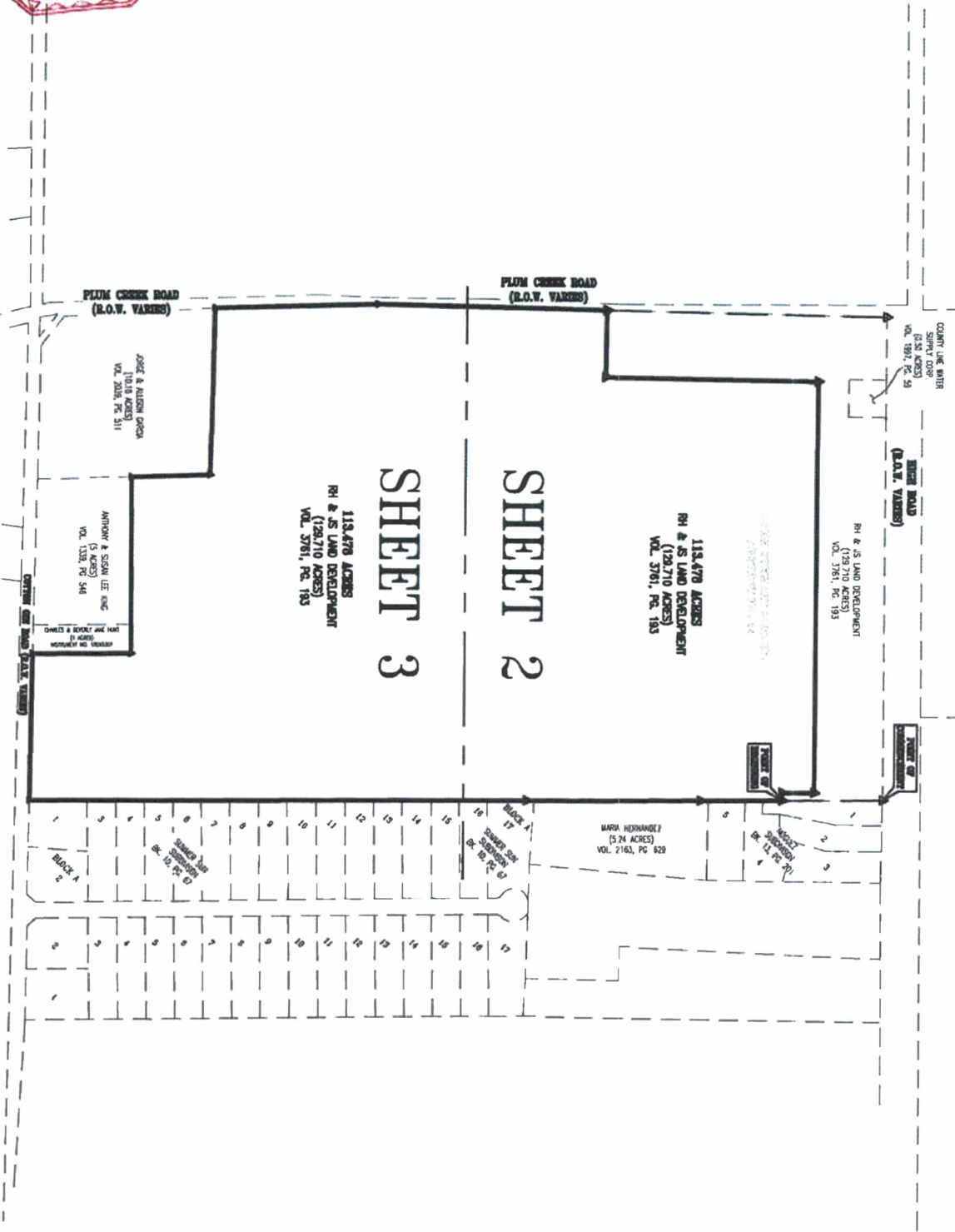
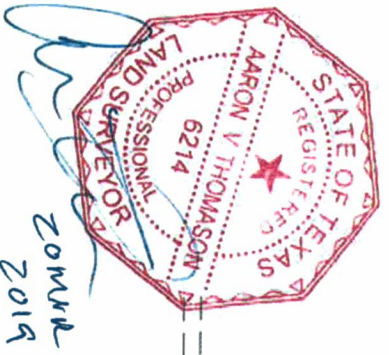
SKETCH TO ACCOMPANY FIELD NOTES




SCALE: 1" = 600'

LEGEND

▲ CALCULATED POINT



SHEET 1 OF 3



Carlson, Brigance & Doering, Inc.

FIRM ID #73791 REG. # 10024900

Civil Engineering Surveying

5501 West William Cannon Austin, Texas 78749

Phone No. (512) 280-5160 Fax No. (512) 280-5165

PATH: - J:\AC3D\5099\SURVE\FN - ZONING TRACT # 2 - SF.DWG

SKETCH TO ACCOMPANY FIELD NOTES

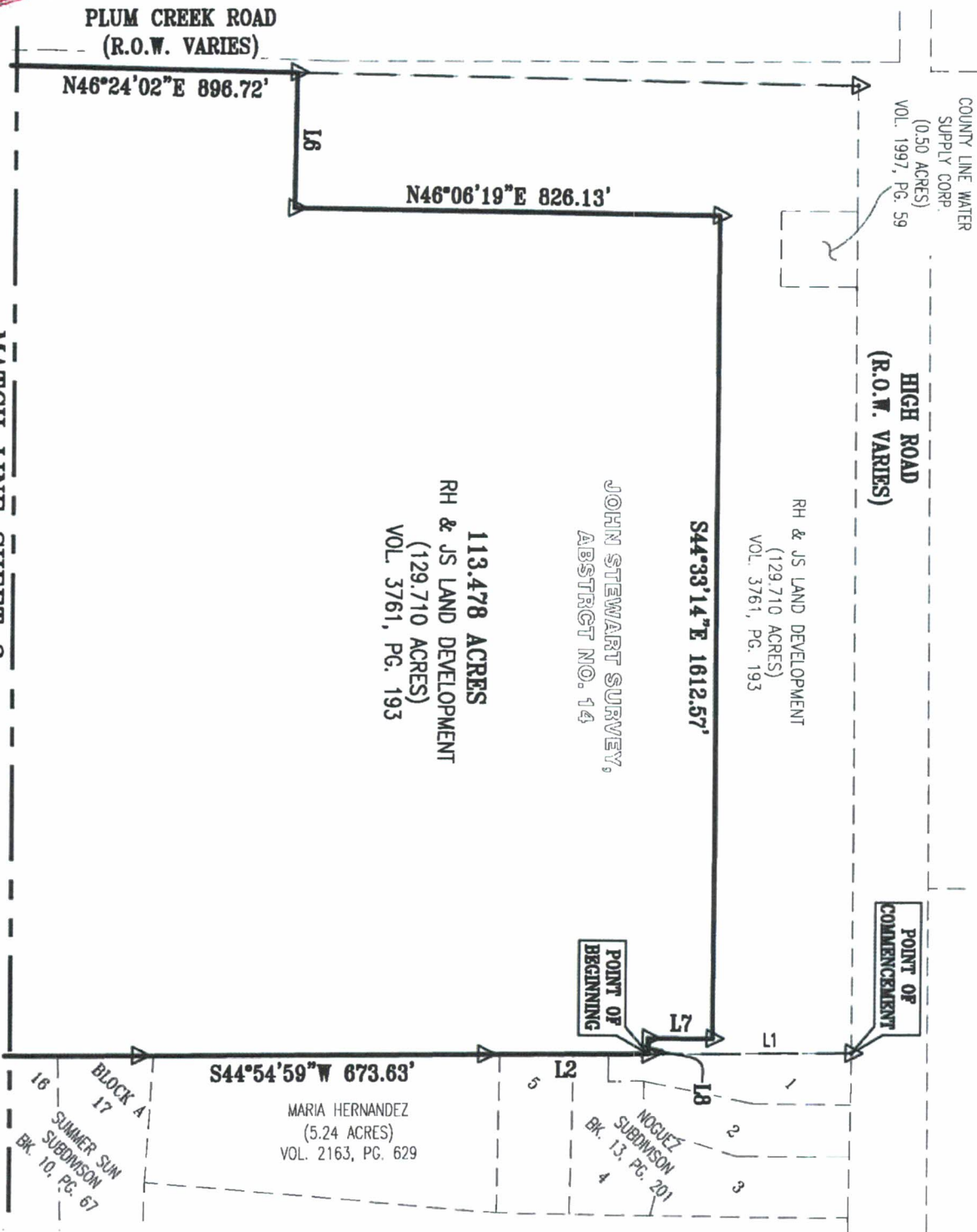
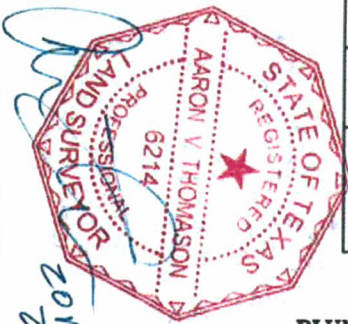


SCALE: 1" = 300'

LEGEND

▲ CALCULATED POINT

Line Table		
Line #	Length	Direction
L1	395.17	S44°54'46"W
L2	317.28	S44°54'46"W
L3	578.08	N43°51'59"W
L4	381.33	N44°58'49"E
L5	307.87	N43°33'52"E
L6	263.72	S43°53'41"E
L7	125.00	S45°26'46"W
L8	31.04	S44°16'50"E



SHEET 2 OF 3

MATCH LINE SHEET 3

Carlson, Brigrance & Doering, Inc.
 ERM ID #E3791 REG. # 10024900
 Civil Engineering
 5501 West William Cannon
 Austin, Texas 78749
 Phone No. (512) 280-5160
 Surveying
 Austin, Texas 78749
 Fax No. (512) 280-5165

PATH: J:\AC3D\5099\SURVE\FN - ZONING TRACT # 2 - SF.DWG

SKETCH TO ACCOMPANY FIELD NOTES

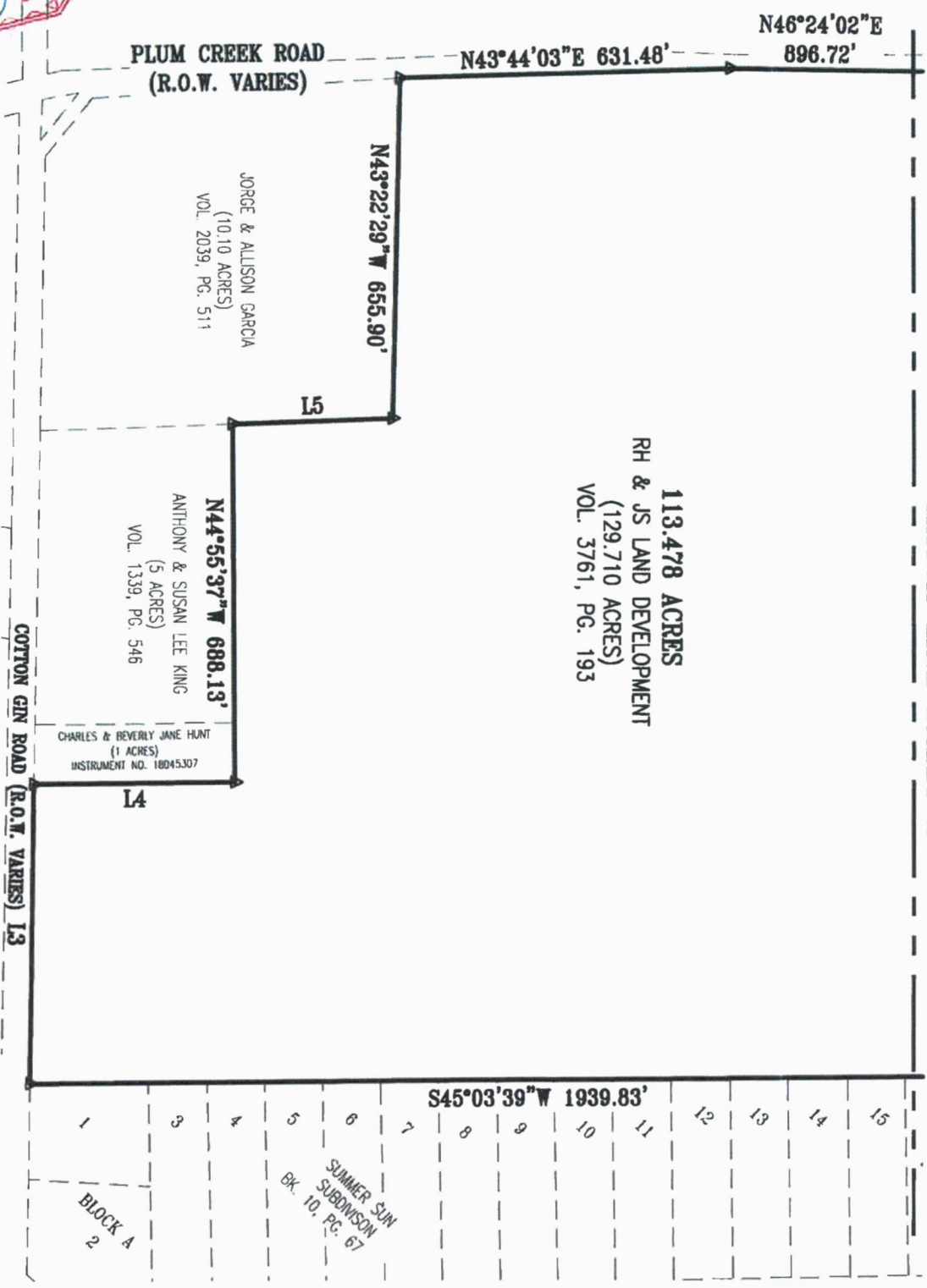
MATCH LINE SHEET 2



SCALE: 1" = 300'

LEGEND

△ CALCULATED POINT



Zoning
2019

SHEET 3 OF 3

PATH-- J:\AC3D\5089\SURVEY\FN - ZONING TRACT # 2 - SF.DWG


Carlson, Brigance & Doering, Inc.
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 Phone No. (512) 280-5160 Fax No. (512) 280-5165

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
S45°03'39"W 1939.83'														
BLOCK A														
SUMMER SUN SUBDIVISION BK. 10, PG. 67														

THE STATE OF TEXAS
COUNTY OF HAYS

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Hays County, Texas.

19033560 ORDINANCE
09/18/2019 01:18:32 PM Total Fees: \$130.00

 *Elaine H. Cardenas*

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas