

CITY OF KYLE

Planning & Zoning Commission Regular Meeting



Kyle City Hall
100 W. Center Street

Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on March 8, 2016, at Kyle City Hall 100 W. Center Street for the purpose of discussing the following agenda.

NOTE: There may be a quorum of the City Council of Kyle, Texas present at the meeting who may participate in the discussion. No official action will be taken by the City Council members in attendance.

Posted this the 4th day of March prior to 6:30 PM.

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **CITIZEN COMMENTS**
4. **MINUTES** – Planning and Zoning Commission meeting minutes for February 9, 2016.
5. **CONSENT**
 - A. Plum Creek Phase 1 Section 6F – Preliminary Plan (PP-15-004)
17.716 acres; 2 Mixed Use Lots and 1 Private Park Lot
Located at southwest corner of Kohler's Crossing and Benner
Owner: Plum Creek Operating Partners, Ltd.
Agent: Alan Rhames, P.E., Axiom Engineers
Staff Proposal to P&Z: Approve the Preliminary Plan
 - B. Plum Creek Phase 1 Section 6F – Final Plat (FP-15-011)
17.716 acres; 2 Mixed Use Lots and 1 Private Park Lot
Located at the southwest corner of Kohler's Crossing and Benner

Owner: Plum Creek Operating Partners, Ltd.
Agent: Alan Rhames, P.E., Axiom Engineers
Staff Proposal to P&Z: Approve the Final Plat.

- C. Cypress Forest Phase One – Final Plat (FP-16-001)
43.84 acres; 92 Single Family Lots, 3 Open Space Lots and 1 Utility Lot
Located northwest corner of Old Stagecoach Road (CR 136) and Cypress Road
Owner: Felder CND, LLC.
Agent: Hank Smith, P.E., Texas Engineering Solutions, LLC.
Staff Proposal to P&Z: Approve the Final Plat.

6. ZONING

- A. Consider a request to rezone approximately 6.785 acres from Retail Service District “RS” to Multi-Family Residential-3 “R-3-3” on property located on the southeast corner of City Lights Drive and Marketplace extension. (Z-16-001)

- **Public Hearing**
- **Recommendation to City Council**

- B. Consider a request by Edward I, LLC to assign original zoning to approximately 1.5 acres of land from Agriculture “AG” to Warehouse District “W” on property located at 126 Edwards Drive. (Z-16-002)

- **Public Hearing**
- **Recommendation to City Council**

7. GENERAL DISCUSSION

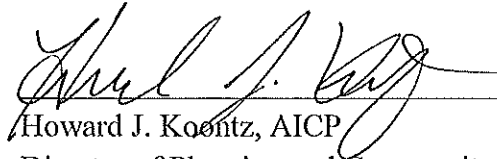
- A. Discussion only regarding Planning and Zoning Commission requests for future agenda items.

8. ADJOURN

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC.551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to:(1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Certificate

I certify that the above notice of the Planning and Zoning Commission Regular Meeting of the City of Kyle, Texas was posted on the bulletin board of the City of Kyle City Hall, 100 W. Center St, Kyle, Texas. This notice was posted on:


Howard J. Koontz, AICP

03/04/2016
Date

Director of Planning and Community Development

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session February 9, 2016 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Dex Ellison
Commissioner Lori Huey
Chairman Mike Rubsam
Commissioner Michele Christie
Commissioner Tim Kay
Commissioner Irene Melendez
Planning and Community Director, Howard J. Koontz
Planning Technician, Debbie Guerra

Lila Knight
John Patton

CALL MEETING TO ORDER

Chairman Rubsam called the meeting to order at 6:30 p.m.

ROLL CALL OF BOARD

Chairman Rubsam called for roll call. Commissioner Wilson was absent.

CITIZENS COMMENTS

Chairman Rubsam opened the citizens comment period at 6:30 pm and called for comments on items not on the agenda or posted for public hearing. Lila Knight addressed the Commission and stated her opposition for item 6B, a request by Austin Sonics for a variance to Section 53-992 which states that no parking space is more than 50 feet away from the trunk of a tree. Chairman Rubsam closed the citizens comment period at 6:33 pm.

MINUTES

PLANNING AND ZONING MEETING MINUTES FOR SEPTEMBER 22, 2015, OCTOBER 13, 2015, OCTOBER 27, 2015, NOVEMBER 10, 2015 AND JANUARY 28, 2016.

Commission Christie moved to approve the meeting minutes for October 13, October 27, November 10, 2015 and January 28, 2016. Commissioner Kay seconds the motion.

Commissioner Christie amends her motion to include September 22, 2015. Commissioner Kay seconds the amendment. All votes aye. Motion carried.

PRESENTATION

**RECOGNITION OF MICHELE CHRISTIE FOR YEARS OF SERVICE TO THE
PLANNING AND ZONING COMMISSION.**

Chairman Rubsam and Commissioners Ellison, Huey, Kay and Melendez presented a Certificate of Appreciation to Commissioner Christie for her years of service to the Planning and Zoning Commission.

CONSIDER AND POSSIBLE ACTION

CONSIDER A REQUEST BY RICK COLEMAN FOR A CONDITIONAL USE PERMIT TO HOLD A HAYS COUNTY FAIR & CRAWFISH BOIL FROM APRIL 7, 2016 TO APRIL 9, 2016 ON PROPERTY LOCATED AT 24801 IH-35. (CENTRAL TEXAS SPEEDWAY) (CUP-16-002)

Chairman Rubsam opened the public hearing at 6:37 pm and called for comments for or against the request. There were no comments. Chairman Rubsam closed the public hearing at 6:37 pm.

Commissioner Ellison moved to recommend approval of the conditional use permit for the Hays County Fair and Crawfish Boil from April 7th to April 9th. Commissioner Christie seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY AUSTIN SONICS (SONIC DRIVE-IN 400 E. RR 150) FOR A VARIANCE TO SECTION 53-992 WHICH STATES THAT NO PARKING SPACE IS MORE THAN 50 FEET AWAY FROM THE TRUNK OF A TREE.

Chairman Rubsam moved to approve the variance to Section 53-992 which states that no parking space is more than 50 feet away from the trunk of a tree. Commissioner Christie seconds the motion. All votes aye. Motion carried.

GENERAL DISCUSSION

DISCUSSION ONLY REGARDING PLANNING AND ZONING COMMISSION REQUESTS FOR FUTURE AGENDA ITEMS.

The Commission confirmed a workshop date for the Comprehensive Plan update and also stated they'd like to discuss modifying the Landscape Ordinance text regarding shade structures on February 23rd.

STAFF REPORT

No staff report.

ADJOURNED

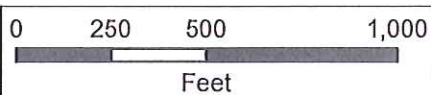
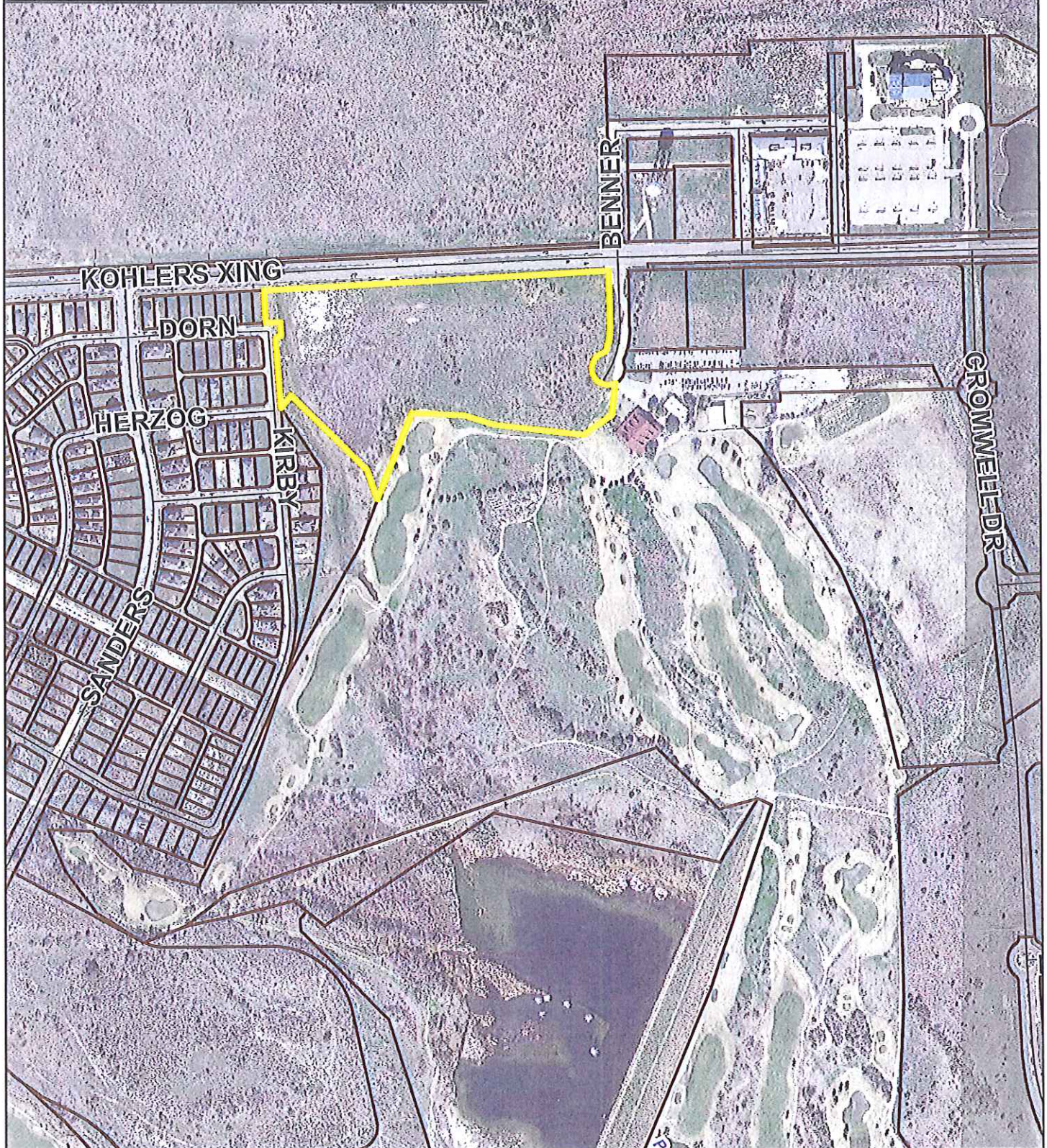
With no further business to discuss, Commissioner Christie moved to adjourn. Commissioner Ellison seconds the motion. All votes aye. Motion carried.

The Planning & Zoning Meeting adjourned at 6:51 p.m.

Amelia Sanchez, City Secretary

Mike Rubsam, Chairman

Project Location
Plum Creek Section 6F
Kohlers Crossing at Benner



 Property Boundary

 Parcel Lines

PLUM CREEK PHASE I, SECTION 6F

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PC OPERATING PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 610 WEST 5TH STREET, SUITE 601, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 17.716 ACRE TRACT OF LAND IN THE M.M. MCCARVER LEASE NO. 4, A-10, THE JOHN COOPER SURVEY NO. 13, A-100, AND THE JESSE DAY SURVEY NO. 162, A-152, HAYS COUNTY, TEXAS; BEING ALL OF THAT CERTAIN CALLED 17.716 ACRE TRACT OF LAND DESIGNATED AS TRACT SEVEN, AND DESCRIBED IN THE DEED TO PC OPERATING PARTNERS, LTD. OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS;

DO HEREBY SUBDIVIDE SAID 17.716 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLUM CREEK PHASE I, SECTION 6F SUBDIVISION TO THE CITY OF KYLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID PC OPERATING PARTNERS, LTD., OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, PCOP GP, LLC, THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS MEMBER/MANAGER, BENCHMARK LAND & EXPLORATION, INC.

PC OPERATING PARTNERS, LTD.,
A TEXAS LIMITED PARTNERSHIP
BY: PCOP GP, LLC, GENERAL PARTNER
A TEXAS LIMITED LIABILITY COMPANY
BY: BENCHMARK LAND & EXPLORATION, INC., A MEMBER/MANAGER
A TEXAS CORPORATION
BY: MYRA J. GOEPP, VICE PRESIDENT

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MYRA J. GOEPP, VICE PRESIDENT OF BENCHMARK LAND & EXPLORATION, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

BY: _____ NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS:

THAT, LIZ Q. GONZALEZ, CLERK OF HAYS COUNTY COURT DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDS IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CABINET _____ PAGE(S) _____ WITNESS MY HAND AND SEAL OF OFFICE OF COUNTY CLERK OF SAID COUNTY ON THIS THE _____ DAY OF _____, 20____, A.D. FILED FOR RECORD AT _____ O'CLOCK _____, A.M. THIS THE _____ DAY OF _____, 20____, A.D.

BY: LIZ Q. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF KYLE HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH THE COMMISSION'S APPROVAL IS REQUIRED.

BY: _____
CHAIRPERSON

THIS PLAT (PLUM CREEK PHASE I, SECTION 6F) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
ATTEST:

SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6F) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COUNCIL.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
ATTEST:

SECRETARY

STATE OF TEXAS
COUNTY OF TRAVIS

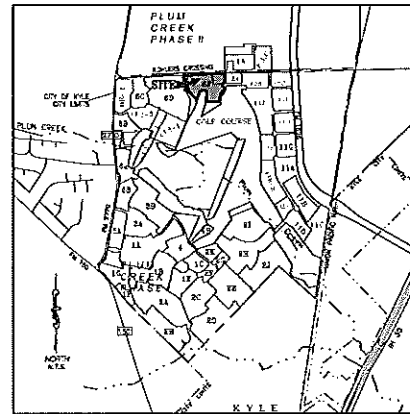
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES, PLANS, AND RELEVANT STATE STANDARDS.

BY: ALAN D. RHAMES, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 72083 - STATE OF TEXAS
TSPE FIRM NO. F-43
AXIOM ENGINEERS INC.
13276 RESEARCH BLVD., ST. 208
AUSTIN, TEXAS 78750
512-506-9335

STATE OF TEXAS
COUNTY OF TRAVIS

I, JOHN D. BARNARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

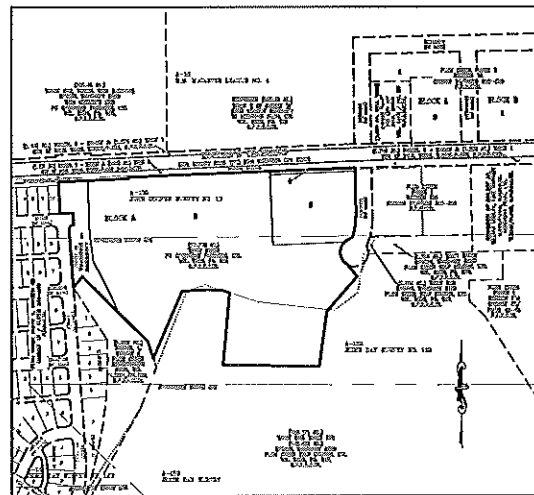
BY: JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5749 - STATE OF TEXAS
BOWMAN CONSULTING GROUP, LTD.
3101 DEE CAYE RD., SUITE 100
AUSTIN, TEXAS 78745
512-327-1150



LOCATION MAP
NOT TO SCALE

NOTES:

- TOTAL ACREAGE: 17.716 ACRES.
- TOTAL NUMBER OF LOTS: 4
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311, PLUM CREEK SUBDIVISION ORDINANCE 303, & ORDINANCE 690.
- WATER & WASTEWATER EASEMENTS MUST BE DEDICATED AND THE LINES INSTALLED PRIOR TO A CERTIFICATE OF OCCUPANCY BEING GRANTED ON LOTS 2 & 3, BLOCK A.
- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHT-OF-WAYS, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL NUISANCE TREE/BRUSH RE-GROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC STREETS IS HEREBY DEDICATED AS SHOWN HEREON.
- ACCESS TO ALL PRIVATE RIGHT-OF-WAYS HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF EIGHT (8) INCHES ABOVE THE ADJACENT GRADE.
- LOT OWNER WILL BE RESPONSIBLE FOR INSTALLING PUBLIC SIDEWALKS AT THE TIME OF DEVELOPMENT OF INDIVIDUAL LOT.
- USE OF THE SIGNAGE EASEMENTS REQUIRES WRITTEN CONSENT OF PC OPERATING PARTNERS, LTD. OR ITS ASSIGNS.
- THE OWNER OF LOT 2 SHALL MAKE PROVISIONS FOR CONVEYING THE FULLY DEVELOPED 100-YEAR STORM RUNOFF WHICH FLOWS OFF OF LOT 3 ONTO LOT 2 THROUGH LOT 2 TO THE EXISTING CHANNEL WHICH FLOWS THROUGH LOT 1. THE MANNER IN WHICH THE CONVEYANCE OF LOT 3 FLOWS ARE MANAGED WHEN LOT 2 SHALL BE DETERMINED BY THE OWNER OF LOT 2. NOTHING IN THIS PROVISION SHALL BE CONSTRUED TO REQUIRE THE OWNER OF LOT 2 TO COLLECT ANY UNDEVELOPED AND/OR DEVELOPED FLOWS WHICH DISCHARGE FROM LOT 3 INTO THE RIGHT-OF-WAY OF BENNER AND/OR KOHLERS CROSSING.
- THE OWNER OF LOT 2 SHALL MAKE PROVISIONS FOR CONVEYING THE FULLY DEVELOPED WASTEWATER FLOW FROM LOT 3 THROUGH LOT 2 TO A PROPOSED WASTEWATER MANHOLE LOCATED IMMEDIATELY SOUTH OF LOT 2. THE ASSIGNMENT OF THE WASTEWATER SERVICE LINE FOR LOT 3 THROUGH LOT 2 SHALL BE DETERMINED BY THE OWNER OF LOT 2 AND SHALL BE CONTAINED WITHIN A PRIVATE WASTEWATER SERVICE EASEMENT DEDICATED BY SEPARATE INSTRUMENT AT THE TIME THE SITE DEVELOPMENT PERMIT IS ISSUED FOR LOT 2. THE MINIMUM PRIVATE WASTEWATER SERVICE EASEMENT WIDTH SHALL BE 15- FEET. THIS PROVISION SHALL ONLY REQUIRE THE OWNER OF LOT 2 TO PROVIDE A SINGLE WASTEWATER CONNECTION POINT ALONG THE WESTERN PROPERTY LINE OF LOT 3. THE DEPTH OF THE PIPE AT THE CONNECTION POINT SHALL BE SUFFICIENT TO PROVIDE GRAVITY WASTEWATER SERVICE TO LOT 3 ASSUMING THE FINISHED FLOORS OF ALL BUILDINGS ARE AT OR ABOVE EXISTING GRADE. ALL ASPECTS OF THE PRIVATE WASTEWATER SERVICE LINE SHALL BE CONSISTENT WITH APPLICABLE PLUMBING CODES.



SITE MAP
NOT TO SCALE

FLOOD NOTE:

A PORTION OF THE SUBJECT TRACT (PLUM CREEK PHASE I, SECTION 6F) IS CONTAINED IN THE 100 YEAR FLOOD ZONE, PER INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS, MAP NO. 48209C-0270F, CITY OF KYLE COMMUNITY NO. 48110B, AND REVISED SEPTEMBER 2, 2005, AS MODIFIED BY APPROVED CLOVER CASE NO. 07-06-08968, DATED MARCH 25, 2008.

THE ABOVE STATEMENT IS MEANT FOR FLOOD INSURANCE DETERMINATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S).

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

FILE: H:\SURVEY\PLUM_CRK_PHI\SECTION-6F\SEC-6F\PLAT\

PLUM-6F-PRELIM PLAT.DWG

DATE: 10-27-15 DRAWN BY: B.T. EN. CREW: CAF, UK

SCALE: N.T.S. CHECKED BY: J.D.B. TB

JOB #: 5549 DRAWING #: PLUM-6F-PLAT PLAN #: 1154

PCOP, LTD. REVIEW & APPROVAL DATE: _____ INITIAL: _____

BGELOW MOVES REVIEW & APPROVAL DATE: _____ INITIAL: _____

PLOT DATE: Feb 23, 2016-3:25pm

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
3101 Dee Caye Road, Suite 100 Austin, Texas 78745
Phone: (512) 327-1150 Fax: (512) 327-4352
www.bowmanconsulting.com | Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

SHEET 1 OF 2

PRELIMINARY PLAT
PLUM CREEK
PHASE I - SECTION 6F
HAYS COUNTY, TEXAS

PLAN NO. 1154A

A-10
M.M. McCARVER LEAGUE NO. 4

TRACT ONE, PARCELS ONE THROUGH
SIX, OF THE PLUM CREEK
SECTION 6F, TOWNSHIP 10N, RANGE 12E,
HAYS COUNTY, TEXAS.

PLUM CREEK PHASE I, SECTION 6F
PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY
PURPOSE AND SHALL NOT BE USED OR RELIED UPON AS A
FINAL SURVEY DOCUMENT.

REMANOR (0.0039 AC.)
TRACT 2 OF DUBHER A,
SECTION 14, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

KOHLER'S CROSSING
(0.0039 AC.)
TRACT 2 OF DUBHER A,
SECTION 14, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

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TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

SHEET 2 OF 2
PRELIMINARY PLAT
PLUM CREEK
PHASE I - SECTION 6F
HAYS COUNTY, TEXAS

A-100
JOHN COOPER SURVEY NO. 13

A-152
JESSE DAY SURVEY NO. 162

A-159
JESSE DAY SURVEY

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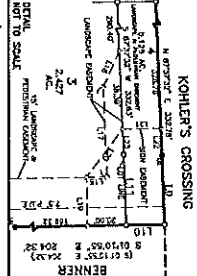
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BEARING BASE NOTES:
1. BEARING BASES IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREON ARE BASED ON SURVEY MEASUREMENTS TO CORNER.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999997.
NOTE: THE BEARINGS AND DISTANCES SHOWN ALONG BENNER RIGHT-OF-WAY REFLECT THE
BEARINGS AND DISTANCES OF RECORD IN CABINET 17, PAGES 321-322, PLAT RECORDS OF
HAYS COUNTY, TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
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TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

TRACT ONE, TOWNSHIP 10N,
RANGE 12E, HAYS COUNTY,
TEXAS.

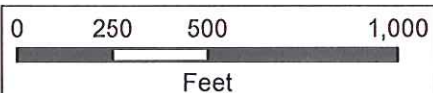
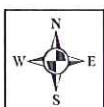
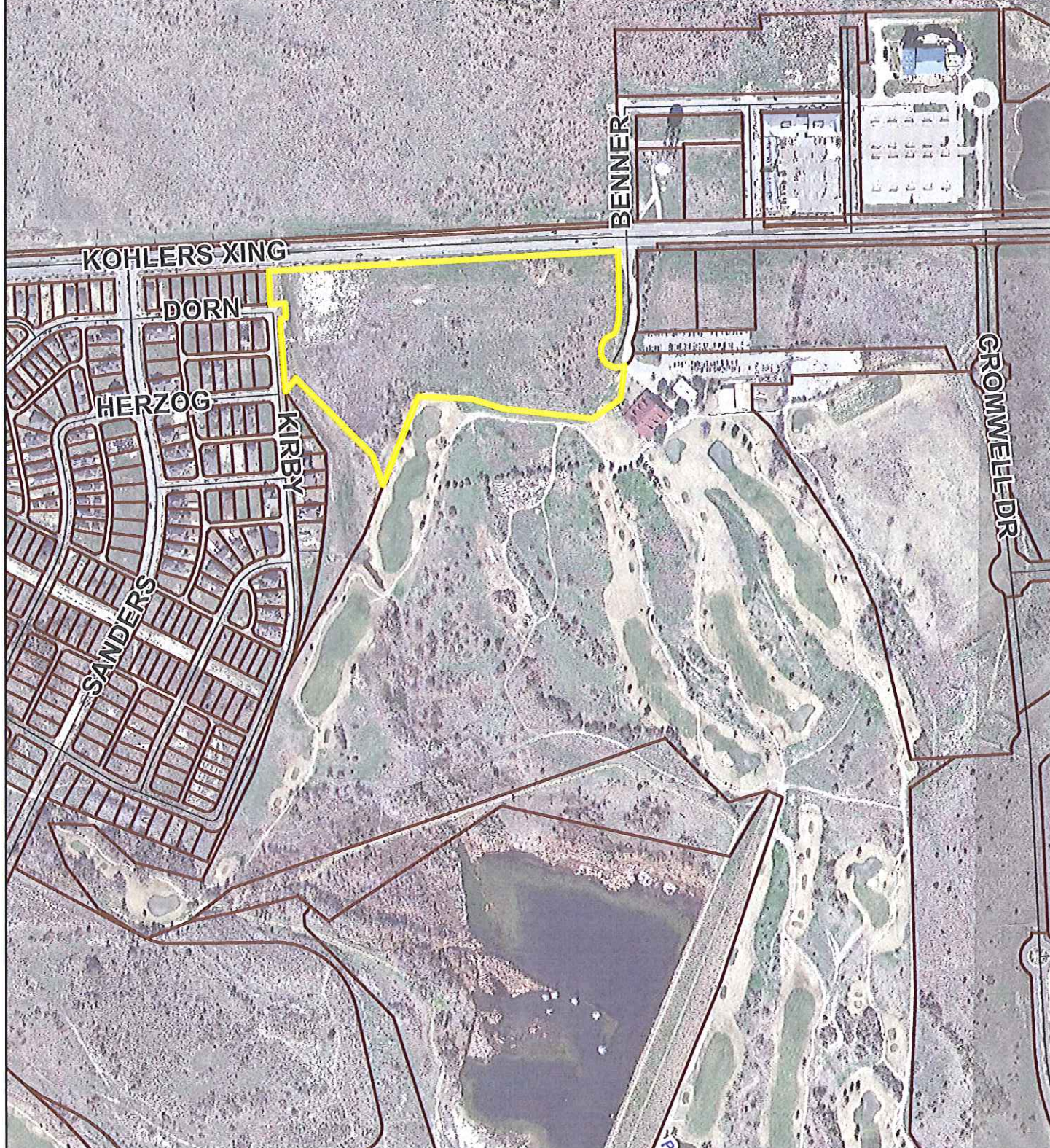
FILE: H:\SURVEY\PLUM_CK_PHT\SECTION-6F_SECTION-6F\PLAT
PLUM-6F-PRELIM PLAT.DWG
DATE: 10-27-15 DRAWN BY: G.T. EN. CREW: CAP, MK
SCALE: 1"=60' CHECKED BY: J.O.B. FB: #
JOB #: 5549 DRAWING #: PLUM-6F-PLAT PLAN #: 1154
PCOP, LTD. REVIEW & APPROVAL DATE: INITIAL:
BCELOW HOMES REVIEW & APPROVAL DATE: INITIAL:
PLOT DATE: Feb 23, 2016-3:32pm

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
3101 E. 11th St. Suite 100, Austin, Texas 78745
Phone: (512) 452-5522 Fax: (512) 452-5522
www.bowmanconsulting.com Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

PLAT NO. 1164A

Project Location
Plum Creek Section 6F
Kohlers Crossing at Benner



Property
Boundary



Parcel Lines

PLUM CREEK PHASE I, SECTION 6F

STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PC OPERATING PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 610 WEST 5TH STREET, SUITE 601, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 17.716 ACRE TRACT OF LAND IN THE M.M. MCARVER LEASE NO. 4, A-10, THE JOHN COOPER SURVEY NO. 13, A-100, AND THE JESSE DAY SURVEY NO. 162, A-152, HAYS COUNTY, TEXAS; BEING ALL OF THAT CERTAIN CALLED 17.716 ACRE TRACT OF LAND DESIGNATED AS TRACT SEVEN, AND DESCRIBED IN THE DEED TO PC OPERATING PARTNERS, LTD. OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

DO HEREBY SUBDIVIDE SAID 17.716 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLUM CREEK PHASE I, SECTION 6F SUBDIVISION TO THE CITY OF KYLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID PC OPERATING PARTNERS, LTD., OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, PCOP GP, LLC, THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS MEMBER/MANAGER, BENCHMARK LAND & EXPLORATION, INC., A MEMBER/MANAGER.

PC OPERATING PARTNERS, LTD.
A TEXAS LIMITED PARTNERSHIP
BY: PCOP GP, LLC, GENERAL PARTNER
A TEXAS LIMITED LIABILITY COMPANY
BY: BENCHMARK LAND & EXPLORATION, INC., A MEMBER/MANAGER
A TEXAS CORPORATION
BY: MYRA J. GOEPP, VICE PRESIDENT

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MYRA J. GOEPP, VICE PRESIDENT OF BENCHMARK LAND & EXPLORATION, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

BY: _____ NOTARY PUBLIC

STATE OF TEXAS §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, LIZ O. GONZALEZ, CLERK OF HAYS COUNTY COURT DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDS IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CABINET _____, PAGE(S) _____, WITNESS MY HAND AND SEAL OF OFFICE OF COUNTY CLERK OF SAID COUNTY ON THIS THE _____ DAY OF _____, 20____, A.D. FILED FOR RECORD AT _____ O'CLOCK _____, M. THIS THE _____ DAY OF _____, 20____, A.D.

BY: _____
LIZ O. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF KYLE HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH THE COMMISSION'S APPROVAL IS REQUIRED.

BY: _____
CHAIRPERSON

THIS PLAT (PLUM CREEK PHASE I, SECTION 6F) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS _____ DAY OF _____, 20____

BY: _____
ATTEST:

SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6F) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COUNCIL.

DATED THIS _____ DAY OF _____, 20____

BY: _____
ATTEST:

SECRETARY

STATE OF TEXAS §
COUNTY OF TRAVIS §

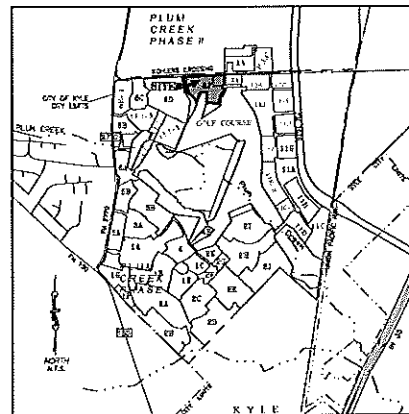
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES, PLANS, AND RELEVANT STATE STANDARDS.

BY: _____
ALAN D. RHAMES, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 72089 - STATE OF TEXAS
TBPE FIRM NO. F-43
AXON ENGINEERS INC.
13276 RESEARCH BLVD., ST. 208
AUSTIN, TEXAS 78759
512-506-9335

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, JOHN D. BARNARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

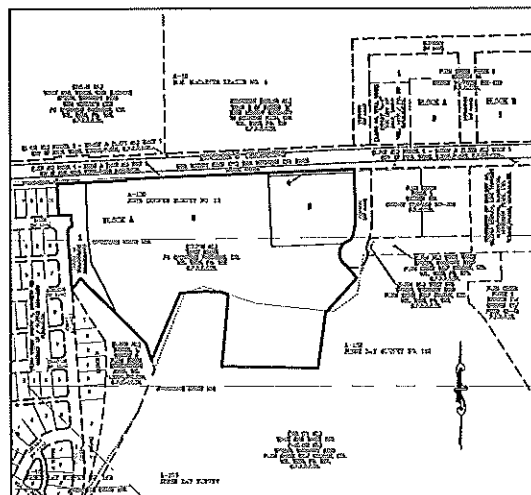
BY: _____
JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5749 - STATE OF TEXAS
BOWMAN CONSULTING GROUP, LTD.
3101 GEE CAVES RD., SUITE 100
AUSTIN, TEXAS 78745
512-327-1150



LOCATION MAP
NOT TO SCALE

NOTES:

- TOTAL ACREAGE: 17.716 ACRES.
- TOTAL NUMBER OF LOTS: 4
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311, PLUM CREEK SUBDIVISION ORDINANCE 308, & ORDINANCE 690.
- WATER & WASTEWATER EASEMENTS MUST BE DEDICATED AND THE LINES INSTALLED PRIOR TO A CERTIFICATE OF OCCUPANCY BEING GRANTED ON LOTS 2 & 3, BLOCK A.
- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHT-OF-WAYS, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL NUISANCE TREE/BRUSH RE-GROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC STREETS IS HEREBY DEDICATED AS SHOWN HEREON.
- ACCESS TO ALL PRIVATE RIGHT-OF-WAYS HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF EIGHT (8) INCHES ABOVE THE ADJACENT GRADE.
- LOT OWNER WILL BE RESPONSIBLE FOR INSTALLING PUBLIC SIDEWALKS AT THE TIME OF DEVELOPMENT OF INDIVIDUAL LOT.
- USE OF THE SIGNAGE EASEMENTS REQUIRES WRITTEN CONSENT OF PC OPERATING PARTNERS, LTD. OR ITS ASSIGNS.
- THE OWNER OF LOT 2 SHALL MAKE PROVISIONS FOR CONVEYING THE FULLY DEVELOPED 100-YEAR STORM RUNOFF WHICH FLOWS OFF OF LOT 3 INTO LOT 2 THROUGH LOT 2 TO THE EXISTING CHANNEL WHICH FLOWS THROUGH LOT 1, THE MANNER IN WHICH THE CONVEYANCE OF LOT 3 FLOWS ARE MANAGED WITHIN LOT 2 SHALL BE DETERMINED BY THE OWNER OF LOT 2. NOTHING IN THIS PROVISION SHALL BE CONSTRUED TO REQUIRE THE OWNER OF LOT 2 TO COLLECT ANY UNDEVELOPED AND/OR DEVELOPED FLOWS WHICH DISCHARGE FROM LOT 3 INTO THE RIGHT-OF-WAY OF BENNER AND/OR KOHLERS CROSSING.
- THE OWNER OF LOT 2 SHALL MAKE PROVISIONS FOR CONVEYING THE FULLY DEVELOPED WASTEWATER FLOW FROM LOT 3 THROUGH LOT 2 TO A PROPOSED WASTEWATER MANHOLE LOCATED IMMEDIATELY SOUTH OF LOT 2. THE ADJUNCTION OF THE WASTEWATER SERVICE LINE FOR LOT 3 THROUGH LOT 2 SHALL BE DETERMINED BY THE OWNER OF LOT 2 AND SHALL BE CONTAINED WITHIN A PRIVATE WASTEWATER SERVICE EASEMENT DEDICATED BY SEPARATE INSTRUMENT AT THE TIME THE SITE DEVELOPMENT PERMIT IS ISSUED FOR LOT 2. THE MAXIMUM PRIVATE WASTEWATER SERVICE EASEMENT WIDTH SHALL BE 15-FEET. THIS PROVISION SHALL ONLY REQUIRE THE OWNER OF LOT 2 TO PROVIDE A SINGLE WASTEWATER CONNECTION POINT ALONG THE WESTERN PROPERTY LINE OF LOT 3. THE DEPTH OF THE PIPE AT THE CONNECTION POINT SHALL BE SUFFICIENT TO PROVIDE GRAVITY WASTEWATER SERVICE TO LOT 3 ASSUMING THE FINISHED FLOORS OF ALL BUILDINGS ARE AT OR ABOVE EXISTING GRADE. ALL ASPECTS OF THE PRIVATE WASTEWATER SERVICE LINE SHALL BE CONSISTENT WITH APPLICABLE PLUMBING CODES.



SITE MAP
NOT TO SCALE

FLOOD NOTE:
A PORTION OF THE SUBJECT TRACT (PLUM CREEK PHASE I, SECTION 6F) IS CONTAINED IN THE 100 YEAR FLOOD ZONE, PER INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS, MAP NO. 48209C-02707, CITY OF KYLE COMMUNITY NO. 481108, AND REVISED SEPTEMBER 2, 2005, AS MODIFIED BY APPROVED CLOVE CASE NO. 07-05-08368, DATED MARCH 23, 2008.

THE ABOVE STATEMENT IS MEANT FOR FLOOD INSURANCE DETERMINATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S).

FILE: H:\SURVEY\PLUM_CRC_PHI\SECTION-6F\SEC-6F-PLAT\	
PLUM-6F-FINAL PLAT.DWG	
DATE: 10-27-15	DRAWN BY: G.T. E.N.
SCALE: N.T.S.	CHECKED BY: J.D.B.
JOB #: 5543	DRAWING #: PLUM-6F-PLAT
PCOP, LTD. REVIEW & APPROVAL	DATE: _____ INITIAL: _____
BGELOW HOVES REVIEW & APPROVAL	DATE: _____ INITIAL: _____

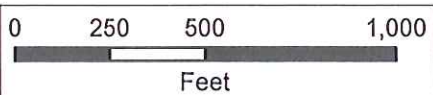
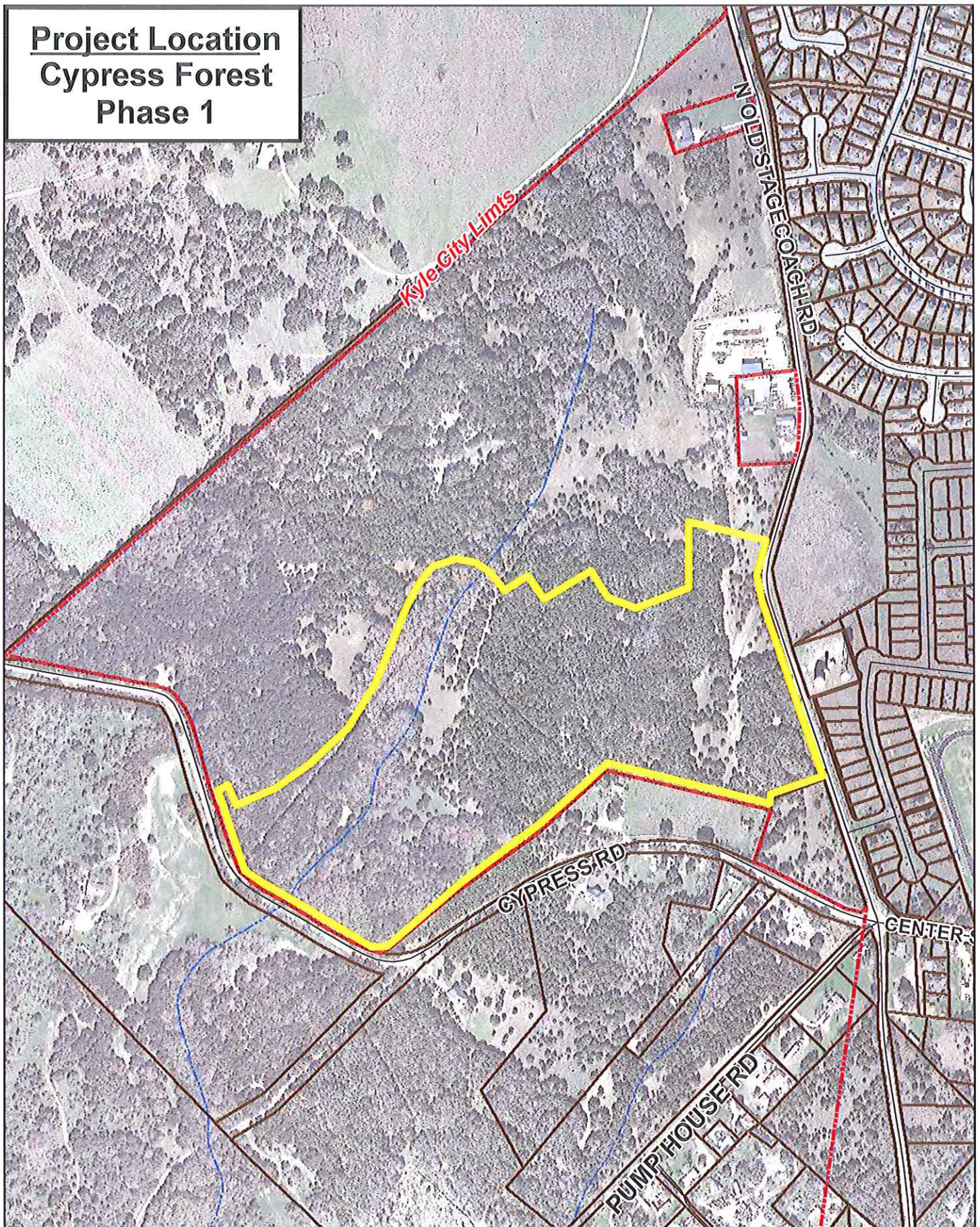
Bowman
CONSULTING

Bowman Consulting Group, Ltd.
3101 GEE CAVES ROAD, SUITE 100 AUSTIN, TEXAS 78745
Phone: (512) 327-1150 Fax: (512) 327-4302
www.bowmanconsulting.com | Bowman Corp., King Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

SHEET 1 OF 2
FINAL PLAT
PLUM CREEK
PHASE I - SECTION 6F
HAYS COUNTY, TEXAS

PLAN NO. 1154

Project Location
Cypress Forest
Phase 1



Property
Boundary



Parcel Lines

STATE OF TEXAS §
COUNTY OF HAYS §
KNOW ALL THESE MEN BY PRESENTS:

THAT FELDER CND, LLC, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH HOME ADDRESS AT 6414 RIVER PLACE BOULEVARD, SUITE 100, AUSTIN, TEXAS 78700, OWNER OF THAT CERTAIN 12.59 ACRES TRACT OF LAND IN THE SAGEBEL PHILADELPHIA SURVEY NO. 13, ABSTRACT NO. 361, SITUATED IN HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED AND RECORDED IN VOLUME 524, PAGE 246, HAYS COUNTY DEED RECORDS, DO HEREBY SUBSCRIBE, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL RIGHTS, CLAIMS, INTERESTS, AND EASEMENTS SHOWN HEREON, TO THE PUBLIC THE USE OF THE STREETS, PUBLIC TRAILS, AND EASEMENTS SHOWN HEREON.

IN WITNESS WHEREOF THE SAID FELDER CND, LLC, A TEXAS CORPORATION, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY EXECUTIVE COMMITTEE MEMBER _____, DO _____, A.D.

FELDER CND, LLC
6414 RIVER PLACE BLVD., SUITE 100
AUSTIN, TX 78710
(512) 785-7087

STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__ A.D.

(NOTARY PUBLIC IN AND FOR STATE OF TEXAS)

(PRINT OR TYPE NOTARY'S NAME)

STATE OF TEXAS §
COUNTY OF HAYS §

1. THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.

DAVID B. TUGLIER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3667, STATE OF TEXAS
DELTA SURVEY GROUP, INC.
8213 BRODIE LANE, SUITE 102
AUSTIN, TEXAS 78745
TIREL FIRM NO. 10064700

DATE

1. THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

DAVID B. TUGLIER
PROFESSIONAL ENGINEER
NO. 47710, STATE OF TEXAS
BARTON CREEK PLAZA III, SUITE 300
3815 S. CAPITAL OF TEXAS HIGHWAY
AUSTIN, TEXAS 78704
TIREL FIRM NO. 11206

DATE

STATE OF TEXAS §
COUNTY OF HAYS §
KNOW ALL THESE MEN BY PRESENTS:

THAT ROBERT B. BARNES, TRUSTEE, THE LIEN HOLDER OF THE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN VOLUME 524, PAGE 290, OFFICIAL PUBLIC RECORDS, HAYS COUNTY TEXAS, DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID TRACT OF LAND AS SHOWN HEREON, DOES FURTHER HEREBY CON, APPROVE, AND CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND TO THE DEDICATION TO THE PUBLIC THE USE OF THE STREETS, PUBLIC TRAILS, AND EASEMENTS SHOWN HEREON.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____, A.D. 20__.

ROBERT B. BARNES, TRUSTEE
500 W. 5TH ST. STE. 100
AUSTIN, TEXAS 78701

STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED ROBERT B. BARNES, TRUSTEE, KNOWN 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__ A.D.

(NOTARY PUBLIC IN AND FOR STATE OF TEXAS)

(PRINT OR TYPE NOTARY'S NAME)

STATE OF TEXAS §
COUNTY OF HAYS §
KNOW ALL THESE MEN BY PRESENTS:

THAT TODD EITNER, TRUSTEE, THE LIEN HOLDER OF THE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN VOLUME 524, PAGE 322, OFFICIAL PUBLIC RECORDS, HAYS COUNTY TEXAS, DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID TRACT OF LAND AS SHOWN HEREON, DOES FURTHER HEREBY CON, APPROVE, AND CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND TO THE DEDICATION TO THE PUBLIC THE USE OF THE STREETS, PUBLIC TRAILS, AND EASEMENTS SHOWN HEREON.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____, A.D. 20__.

TODD EITNER, TRUSTEE

STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TODD EITNER, TRUSTEE, KNOWN 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__ A.D.

(NOTARY PUBLIC IN AND FOR STATE OF TEXAS)

(PRINT OR TYPE NOTARY'S NAME)

Delta Survey Group Inc.

8213 Brodie Lane Ste. 102 Austin, TX 78745
office: (512) 282-5200 fax: (512) 282-5230
TIREL Firm No. 10064700

CYPRESS FOREST
PHASE ONE

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, THAT LIZ Q. GONZALEZ, CLERK OF HAYS COUNTY COURT DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND THE CERTIFICATE OF AUTHORITY FOR SAID INSTRUMENT, WITNESSED BY ME, ON THIS DAY OF 20, AND IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CENTER, HAYS COUNTY, TEXAS, AT THE OFFICE OF SAID COUNTY CLERK OF SAID COUNTY ON THIS THE DAY OF 20, FILED FOR RECORD AT O'CLOCK M. THIS THE DAY OF 20, A.D.

LIZ Q. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

THIS FINAL PLAT (CYPRRESS FOREST, PHASE ONE) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

DATED THIS DAY OF 20 BY: ATTEST: CHAIRPERSON

REVIEWED BY:

LEON VASARA, P.E.
CITY ENGINEER
1600 WEST CENTER ST.
KYLE, TX 78640

REVIEWED BY:

HARPER WILDER
DIRECTOR OF PUBLIC WORKS

I, THE UNDERSIGNED, MAYOR OF THE CITY OF KYLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF KYLE AND RECOMMEND APPROVAL.

R. TODD WINTER
MAYOR

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF "CYPRRESS FOREST, PHASE 1", WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF KYLE ON THE DAY OF SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF KYLE, TEXAS.

WITNESS MY HAND THIS DAY OF 20.

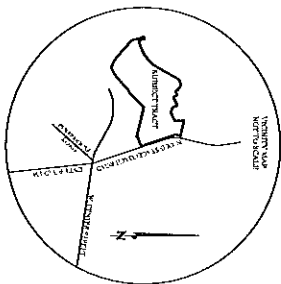
ANGELA SANCHEZ
CITY SECRETARY

Delta Survey Group Inc.

8213 Brodie Lane Ste. 102 Austin, TX 78745
office: (512) 282-5200 fax: (512) 282-5230
TBPUS Firm No. 10004700

GENERAL NOTES:

1. A 15-FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ADJACENT TO ALL STREET RIGHT-OF-WAY WITHIN CYPRRESS FOREST PHASE 1.
2. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
3. SIDEWALKS SHALL BE BUILT ALONG BOTH SIDES OF ALL STREETS WITHIN CYPRRESS FOREST, PHASE 1. ALL SIDEWALKS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND BUILT IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF KYLE. HANDICAP RAMP ARE TO BE BUILT AS PART OF THE SUBDIVISION CONSTRUCTION AND SHALL BE IN PLACE PRIOR TO SUBDIVISION ACCEPTANCE. SIDEWALKS ACROSS FRONTAGE OF ALL HOMEOWNERS ASSOCIATION LOTS AND EASEMENTS LOTS SHALL BE BUILT AS PART OF SUBDIVISION STREET CONSTRUCTION.
4. NO OBJECTS INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR OTHER STRUCTURES OR OBSTRUCTIONS OF ANY KIND SHALL BE PLACED OR BEING PLACED OR BEING PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF KYLE.
5. EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENTS ARE PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND EASEMENT AREA FREE OF DEBRIS AND TREEDRUST RESIDUALS.
6. OWNERS OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENTS SHALL ALLOW ACCESS FOR INSPECTIONS, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
7. PLACEMENT OF FILL MATERIAL, OR STRUCTURES OR CHANNEL MODIFICATIONS WITHIN 100-FOOT FLOOD PLAIN IS PROHIBITED WITHOUT PRIOR APPROVAL.
8. MAINTENANCE AND upkeep OF DETENTION BASINS AND RELATED APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
9. ACCESS TO EVERY LOT IS LIMITED TO ONLY STREETS PLATTED AS PART OF THIS SUBDIVISION.
10. ALL SETBACKS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCE AS MODIFIED BY THE APPROVED DEVELOPMENT AGREEMENT.
11. UTILITY PROVIDERS FOR THIS SUBDIVISION INCLUDE:
 - WATER - CITY OF KYLE
 - WASTE WATER - CITY OF KYLE
 - ELECTRIC - PEDERNALS ELECTRIC COOPERATIVE, INC.
12. PLAT SUBJECT TO A RIGHT-OF-WAY EASEMENT CONVEYED TO PEDERNALS ELECTRIC COOPERATIVE, INC. IN VOLUME 121, PAGE 399, DEED RECORD, HAYS COUNTY, TEXAS.

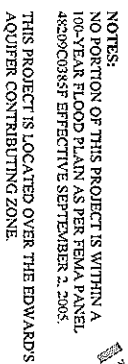


OWNERS: FIELDER CON, LLC
ADDRESS: 6414 RIVER PLACE BLVD., SUITE 100
AUSTIN, TX 78720
PHONE: (512) 798-7067 FAX: _____
ACREAGE: 43.83 ACRES
SURVEY: JOHN PHILLIPS SURVEY NO. 13

LAND USE TABLE	
RESIDENTIAL LOTS	92
UTILITY LOTS	2
OPEN SPACE LOTS	3
TOTAL LOTS	97

DATE: _____
DELTA SURVEY GROUP, INC.
8213 BRODIE LANE, SUITE 102
AUSTIN, TEXAS 78745
TELEPHONE NO. 10004700
OFFICE: (512) 282-5200 FAX: (512) 282-5230
TEXAS ENGINEERING SOLUTIONS, LLC
5000 BEE CAVER RD, STE 206
AUSTIN, TEXAS 78746
TYPE PRIMA NO. 11206
OFFICE: (512) 664-6505 FAX: _____

CYPRRESS FOREST
PHASE ONE

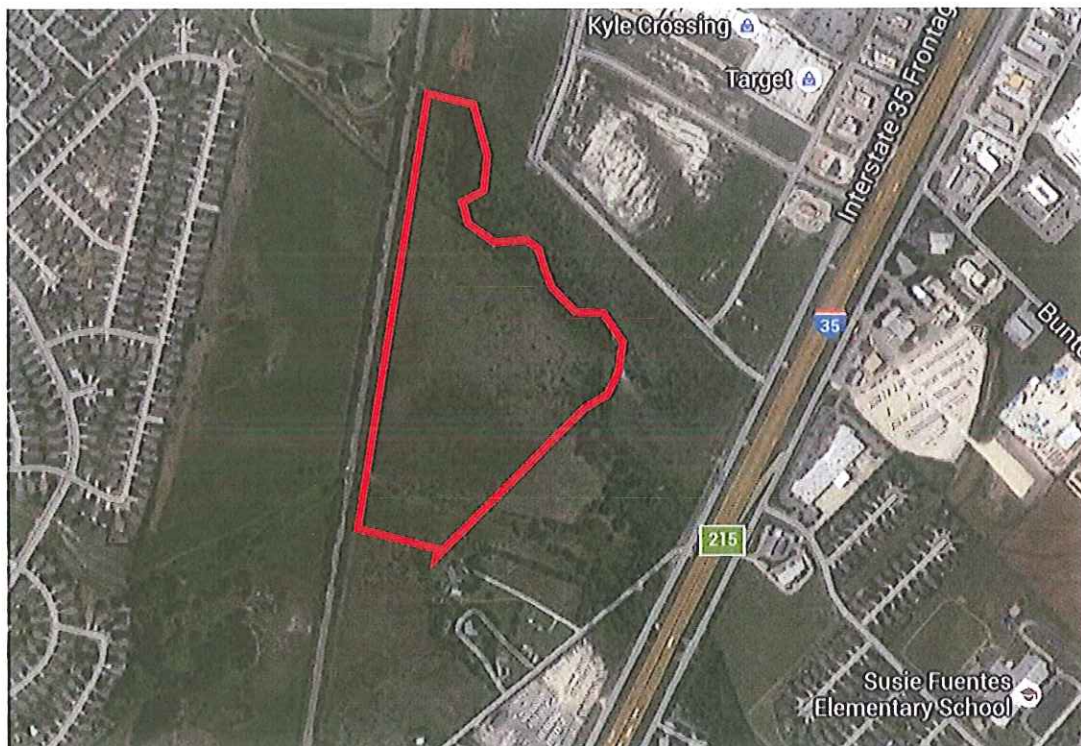


8213 Brodie Lane Ste. 102 Austin, TX 78745
office: (512) 282-5200 fax: (512) 282-5230
TBPLS Firm No. 10004700

BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83/CORS

Property Location	Marketplace Avenue Extension, 400 feet south of its intersection with City Lights Drive
Owner	Plum Creek Developers, LLC
Petitioner	City of Kyle, Texas
Request	Rezone 6.785 ac. from R/S (Retail and Services) to R-3-3 (Apartments Residential 3)

Vicinity Map



The site is located approximately 400 feet south of the intersection of the new Marketplace Extension and City Lights Drive, in the center of a development property that exists on both side of the new Marketplace extension. The two zoning parcels involved comprise 37.723 total acres, of which 25.826 acres are zoned R/S (Retail and Service) and 11.897 acres are zoned R-3-3 (Apartments Residential 3). The property is not yet developed with any structures, and will have approximately 3,000 feet of frontage along both sides of the Marketplace Extension once built. The area is bordered by the R-1 (Single Family) to the west (across the Union Pacific Railroad right of way), R-3-3 to the north, R/S to the east and south, and 'W' (Warehouse) to the southeast.

Requested Zoning

The City of Kyle is the applicant for this request, with the consent and support of the property owner's representative, Mr. Joe Brooks.

The city has nearly completed the capital improvement project of connecting the existing south terminus of Marketplace Avenue with North Burleson Road. Because the alignment of the connector bisects the subject property, a portion of the R/S district on the west side of the property remains as a remnant, now located on the east side of the new roadway. The applicant has asked as a function of that capital project that the city "clean-up" the alignment of the adjacent zoning districts, to better align potential land uses with the new parcel layout. This rezoning will designate 6.785 acres of land, currently zoned R/S, as R-3-3, to match the zoning of the majority of the land area east of the new roadway. R-3-3 is a multi-family residential district designed to permit typical multi-family residence structures up to three stories, at a density that cannot exceed 28 units to the acre.

Conditions of the Zoning Ordinance

§53-1205 – Amendments

...

(d) Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e) Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...

Comprehensive Plan Text

The 2010 Comprehensive Plan Future Land Use Plan identifies the subject site in the 'Core Area Transition' character area. In Core Area Transition, several zoning categories are recommended as appropriate, including CBD-1, CBD-2, R-1-T, R-1-C, R-3-2, R-3-3, and RS. Other districts appropriate as conditional approvals include E, HS, and R-1-A.

Core Area Transition "Character": "The Core Area Transition District currently consists primarily of commercial and light industrial uses, with some residential uses. Key defining features include Old Highway 81, North Burleson Street, I-35 and frontage roads, and the railroad. This District is important as a transitional zone between largely residential

areas and the commercial uses along I-35 and as a portion of Kyle that is visually significant to travelers along I-35. The character of the District should reflect its urban and transitional intentions. The land area of this District is relatively small, and there are many physical barriers, so land uses should be compact and aggregated, especially residential uses. Vertically mixed-use development models are well suited to this District, and development should be located close to roadways, with minimal front yards, to maximize available land and visibility from main roads. Adequate land use transitions should be provided to avoid conflict between different land uses (i.e. residential adjacent to industrial)."

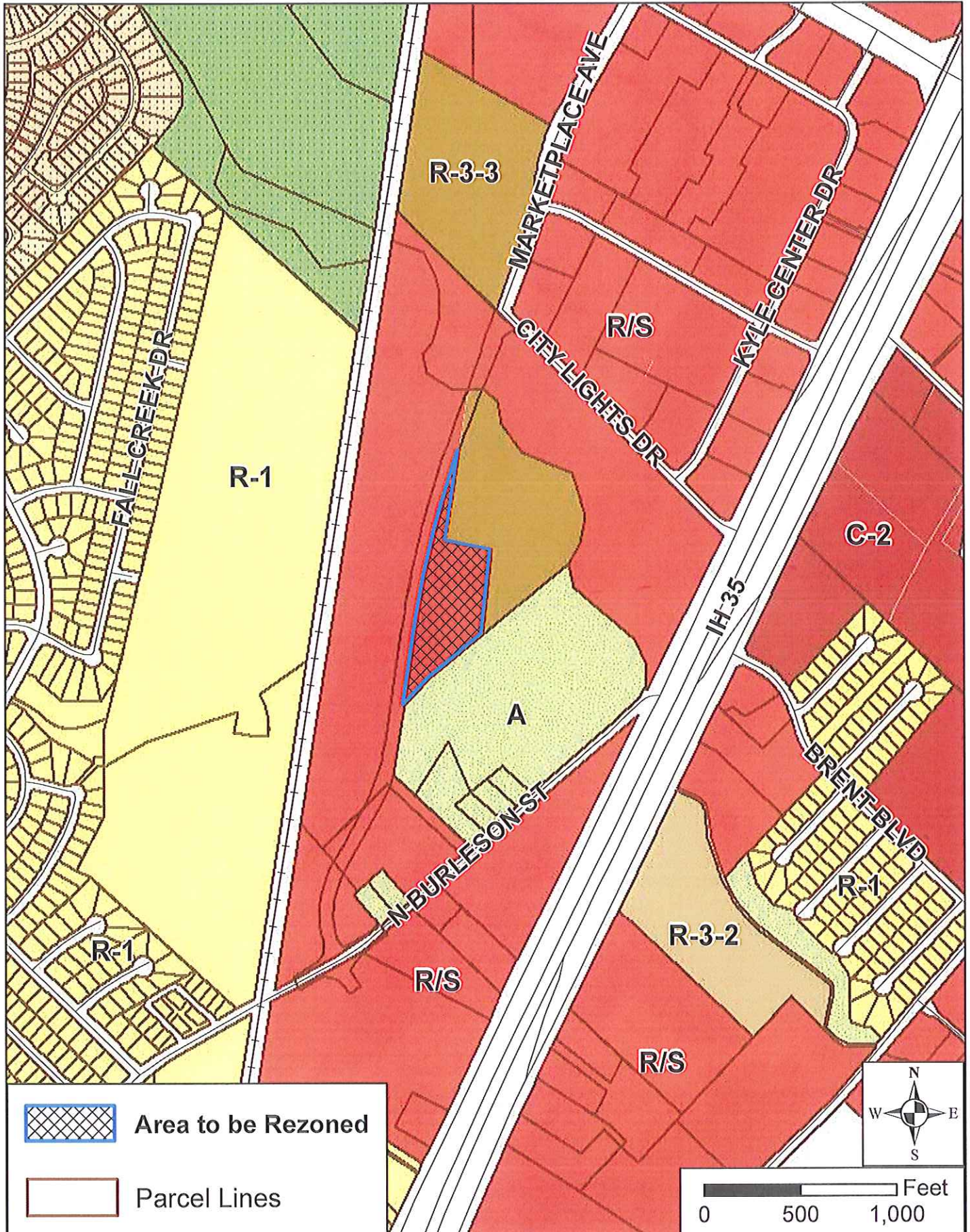
Core Area Transition "Intent": "With its highly visible position in the middle of the City, the Core Area Transition District should be an urban environment that serves an identifying function for the City of Kyle. By acting as an area of functional linkage for the City, the District can connect vehicular and pedestrian movement, economic centers, and visually defining elements. The built fabric should display a transition from the small scale grid pattern of Downtown to the large plate design of the Super Regional Node. As this District develops, it should serve to create a consistent fabric that links Downtown and the Super Regional Node, encouraging the expansion and strengthening of Kyle's core. Additionally, Plum Creek passes west to east through the middle of the Core Area Transition District, and this significant natural feature should be apparent and accessible via trails and open spaces."

Recommendation

The request seeks to bring the land uses of the properties -now on opposite sides of a new thoroughfare- into conformance with the appropriate zoning category for those future uses, and is in-line with the tenants of the comprehensive plan for the future development of the region. Staff recommends this application be approved, as presented.

Attachments

- Application packet
- Overhead map of the subject vicinity
- Letters in support/objection



APPLICATION & CHECKLIST - ZONING CHANGE

Zoning: Plum Creek Developments, LLC 1-26-2016
(Name of Owner) (Submittal Date)

INSTRUCTIONS:

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

- ☒ 1. Completed application form with owner's original signature.
- ☐ 2. Letter explaining the reason for the request.
- ☐ 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.

Newspaper Publication Fee: \$190.21

Total Fee: _____

- ☒ 4. A map or plat showing the area being proposed for rezoning.
- ☒ 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- ☐ 6. Certified Tax certificates: County _____ School _____ City _____
- ☐ 7. Copy of Deed showing current ownership.

*** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.

1. Zoning Request:

Current Zoning Classification: RS

Proposed Zoning Classification: R 3-3

Proposed Use of the Property: Multi-family

Acreage/Sq. Ft. of Zoning Change: 6.785

2. Address and Legal Description:

Provide certified field notes describing the property being proposed for rezoning.
Provide complete information on the location of the property being proposed for rezoning.

Street Address: Plum Creek Park Resub of Lot 1

Subdivision Name/Lot & Block Nos.: See attach. cp

Property Recording Information:
Volume/Cabinet No. _____

☒ Hays County

Page/Slide No. _____

3. **Ownership Information:**

Name of Property Owner(s): Plum Creek Developers, LLC

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 19800 MacArthur Blvd., Suite 1100

Drummond, CA 92612-245

Phone Number: 949-265-1100

Fax Number: 949-265-1199

Email Number: LESTROFFE@ESGLAWYERS.COM

I hereby request that my property, as described above, be considered for rezoning:

Signed: _____

ITS manager

Date: _____

1/26/2016

4. **Agent Information:**

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: _____

Agent's Address: _____

Agent's Phone Number: _____

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: _____

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: _____

Date: _____

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: ☐ County ☐ School ☐ City

Certified List of Property Owners Within 200' ☐

All Fees Paid: ☐ Filing/Application ☐ Mail Out Costs

Attached Map of Subject Property ☐

Accepted for Processing By: Y. Lebbia Guerra Date: 1/26/16

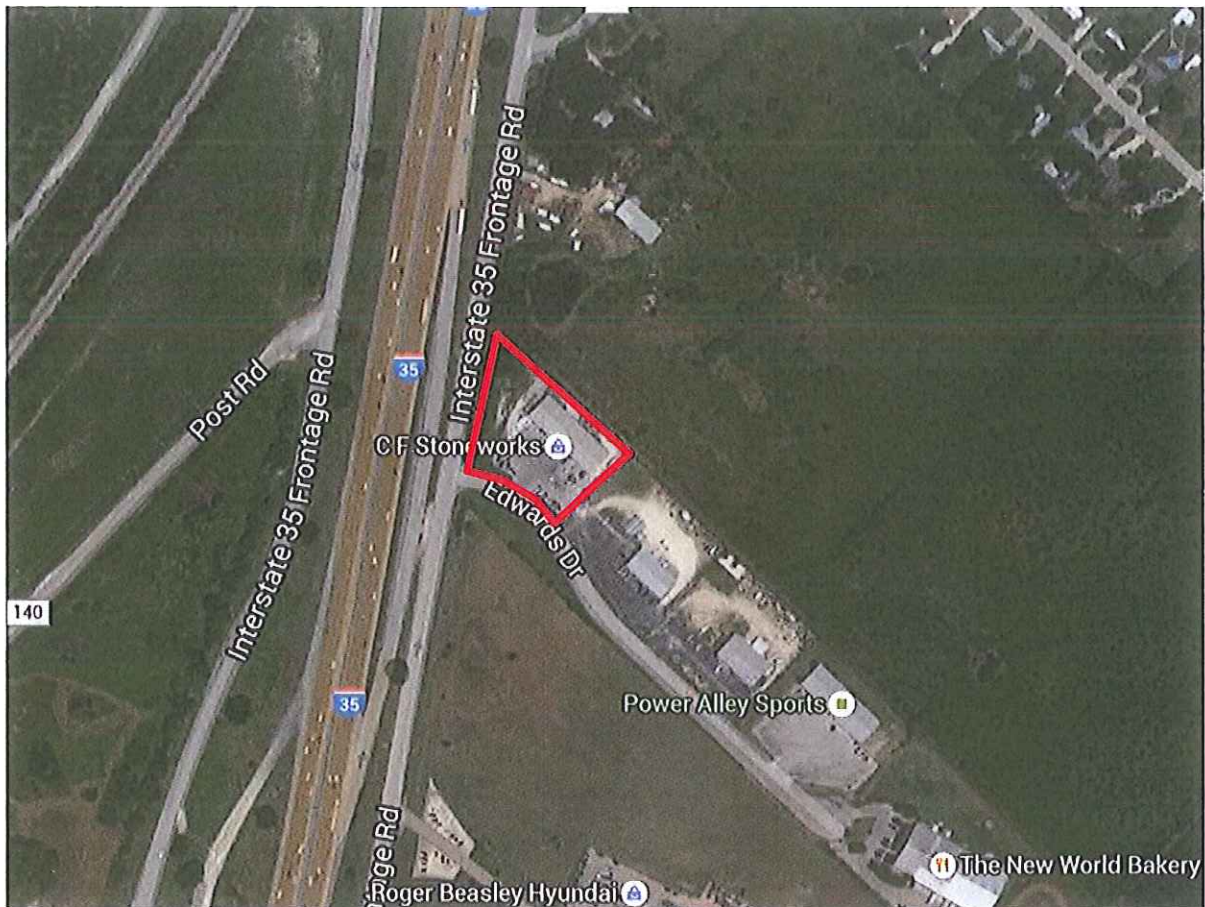
Date of Public Notification in Newspaper: 2/17/16

Date of Public Hearing Before Planning and Zoning Commission: 3/8/16

Date of Public Hearing Before City Council: 3/15/16 - 4/5/16

Property Location	126 Edwards Drive
Petitioner	Leonardo Huerta 126 Edwards Drive Kyle, Texas 78640
Owner	Edwards 1, LLC 2517 El Greco Cove Austin, Texas 78703
Request	Rezone 1.5 acres from AG (Agriculture) to W (Warehouse)

Vicinity Map



The site is located at 126 Edwards Drive, on the northeast corner of its intersection with the Interstate 35 North frontage road. The property, comprising 1.5 acres, is currently zoned AG (Agriculture), and is developed with a single story steel sided warehouse structure near the rear (northeast corner) of the lot, abundant paving for driveways and

parking spaces, and incidental outdoor storage to the rear and sides of the building. The lot in question is located on the north side of Edwards Drive; the adjacent lots to the north and east are zoned A (Agriculture); the lots to the south are zoned W (Warehouse district). To the west is Interstate 35.

Rezoning Request

These lots along Edwards were annexed into the city after having been developed in the County. Newly annexed properties are permitted to operate at their existing land use standard as non-conformities once incorporated into the city limits. But the operator of the property, Mr. Huerta, initiated an auto sales dealership at the property. That is not an allowable use in the Agriculture district. Therefore, the applicant seeks to rezone the subject property to W (Warehouse), a commercial zoning category crafted "to provide assembly, packaging, treatment, processing and manufacture of products that do not pose any materially potential hazard to persons and property outside the boundaries of the property". Warehouse zoning is more consistent with the use, architecture, and operation(s) of the multiple tenants on the premises, and is being requested as inaugural zoning to rectify the disparity between the previous non-conforming status and the property's existence in the current city limits.

Conditions of the Zoning Ordinance

§53-1205 – Amendments

...

(d) Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e) Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...

Comprehensive Plan Text

The subject site is located in the 'New Settlement Community' character area. In 'New Settlement', it is recommended that the allowable zoning districts be limited by right to R-1-1, R-1-2 CC and NC, and AG, E, HS, M-2, M-3, R-1-A, R-1-T, R-2, R-3-1, R-3-2, R-3-3, R/S, T/U and UE conditionally.

New Settlement "Character": "Stretching over both Plum Creek and I-35, the New Settlement District is comprised primarily of farm fields and new residential developments that are being carved out of former farm fields. Northwest to southeast roadway patterns are strong, while northeast to southwest connections are lacking. Traditional residential enclaves predominate in the New Settlement District, aggregated in neighborhoods of unique housing forms. Private and public spaces are clearly separate, with the public domain defined by shared neighborhood amenities and the private domain defined by privatized landscapes. Public space is not encroached on by private functions. The New Settlement District has a lower density and intensity of development than the adjacent Mid-Town District, and the open character of the landscape should evoke the agricultural heritage of the District. Physical and visual portioning and division of land should be avoided where possible in this District."

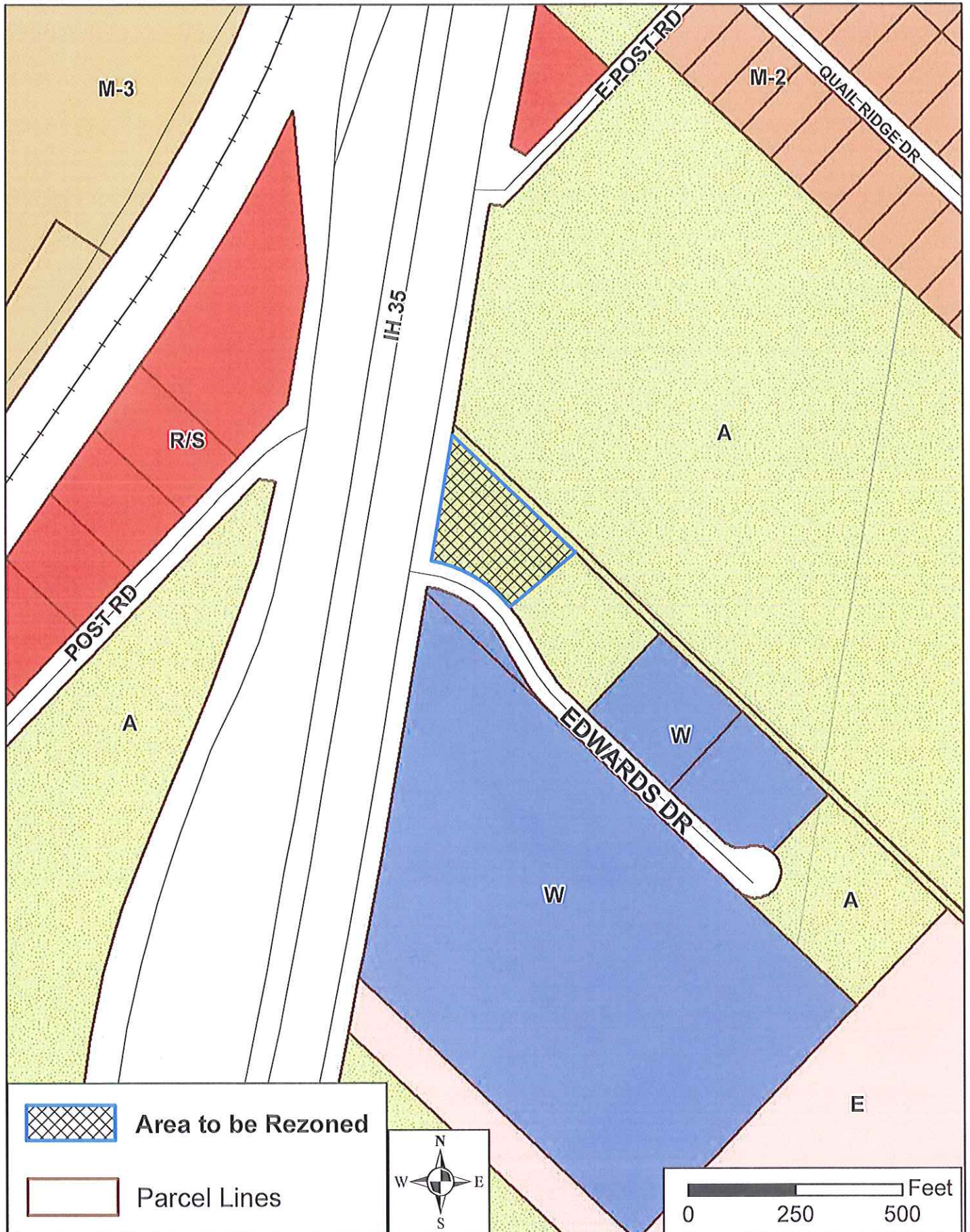
New Settlement "Intent": "The flat land and large parcel size in the New Settlement District result in a high level of development potential, which is beginning to be realized through market-driven demand for new housing stock. The City of Kyle should seek to capitalize on this "developability," while emphasizing community amenities, enhancing the neighborhood lifestyle through shared spaces, and improving connectivity within and without the District. The unique water features, such as creekways and detention/retention facilities, in the New Settlement District should be utilized as form-giving elements and corridors for connections. Use patterns should be established that complement residential development and facilitate beneficial land use transitions. In this way, the New Settlement District should serve as a transition between the higher intensity of use within the core Districts and the low intensity of use of the Farm District."

Recommendation

In this case, the W designation is completely appropriate for this parcel, in light of the actual use and operations that are on-going along this street, and the intensity of uses in the immediate vicinity, e.g. Interstate 35, Central Texas Speedway, Roger Beasley Hyundai, and the remaining warehouses along Edwards Drive. This request should be considered favorably.

Attachments

- Application
- Letter of intent
- Zoning map of the subject vicinity



APPLICATION & CHECKLIST – ZONING CHANGE

CITY OF KYLE

Zoning: Edwards I LLC

(Name of Owner)

(Submittal Date)

FEB 12 2016

INSTRUCTIONS:

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

PLANNING DEPARTMENT

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

☒ 1. Completed application form with owner's original signature.

☐ 2. Letter explaining the reason for the request.

☐ 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.

\$433.49 (501)

Newspaper Publication Fee: \$190.21

(510)

Total Fee:

\$623.70 (Cash)

☒ 4. A map or plat showing the area being proposed for rezoning.

☒ 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).

☐ 6. Certified Tax certificates: County _____ School _____ City _____

☐ 7. Copy of Deed showing current ownership.

*** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.

1. Zoning Request:

Current Zoning Classification: Ag structure

Proposed Zoning Classification: WAREHOUSE

Proposed Use of the Property: _____

Acreage/Sq. Ft. of Zoning Change: 1.5 ACRES

2. Address and Legal Description:

Provide certified field notes describing the property being proposed for rezoning.

Provide complete information on the location of the property being proposed for rezoning.

Street Address: 126 Edwards Drive, Kyle Texas

Subdivision Name/Lot & Block Nos.: Edwards Business Park, Lot 1.

Property Recording Information: ☐ Hays County
Volume/Cabinet No. _____

Page/Slide No. _____

3. Ownership Information:

Name of Property Owner(s): Edwards 1 LLC

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 2517 El Greco Ct

Austin TX 78703

Phone Number: 512 - 413 - 4274

Fax Number: _____

Email Number: bparker10@austinrr.com

I hereby request that my property, as described above, be considered for rezoning:

Signed: Brad Parker by Richard Salas

Date: 2-3-2016

4. Agent Information:

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: Leonardo Huerta

Agent's Address: _____

Agent's Phone Number: 512 787 3374

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: duckymex@prodigy.net.mx

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: Brad Parker, by Richard Salas

Date: 2-3-2016

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: ☐ County ☐ School ☐ City

Certified List of Property Owners Within 200" ☐

CITY OF KYLE

All Fees Paid: ☐ Filing/Application ☐ Mail Out Costs

FEB 12 2016

Attached Map of Subject Property ☐

PLANNING DEPARTMENT

Accepted for Processing By Debbie A. Givora Date: _____

Date of Public Notification in Newspaper: 2/17/16

Date of Public Hearing Before Planning and Zoning Commission: 3/8/16

Date of Public Hearing Before City Council: 3/15/16 & 4/5/16

FEBRUARY 12 2016

City of Kyle Planning Department.

To whom may it Concern:

This Letter to Request the Zone Change from Agricultural to Warehouse use of the Property located in 126 Edwards Drive Kyle Teas 78640 Unit A.

As Required by The City and to comply Regulations I do please ask you to make this Change.

Many thanks in advance

Leonardo Huerta

Ducky Imports LLC

A handwritten signature in black ink, appearing to be 'LH' or 'Leonardo Huerta' in a stylized, cursive script.

TAX CERTIFICATE

Luanne Caraway Tax Assessor-Collector, Hays County

712 S. Stagecoach Trail

San Marcos, TX 78666

Ph: 512-393-5545 Fax: 512-393-5517

This certificate includes tax years up to 2015

Entities to which this certificate applies:

RSP - Special Road Dist
 FHA - Hays Co ESD #5
 ACCD - AUSTIN COMMUNITY COLLEGE DISTRICT

SHA - Hays Consolidated ISD
 GHA - Hays County
 CKY - City Of Kyle

Property Information

Property ID : 11-2749-0000-00100-2

Quick-Ref ID : R97572

Value Information

126 EDWARDS DR KYLE, TX 78640	Land HS :	\$0.00
	Land NHS :	\$122,840.00
	Imp HS :	\$0.00
	Imp NHS :	\$398,650.00
EDWARDS BUSINESS PARK, LOT 1, ACRES 1.50	Ag Mkt :	\$0.00
	Ag Use :	\$0.00
	Tim Mkt :	\$0.00
	Tim Use :	\$0.00
	HS Cap Adj :	\$0.00
	Assessed :	\$521,490.00

Owner Information

Owner ID : O0113022

EDWARDS, I LLC
 2517 EL GRECO CV
 AUSTIN, TX 78703-1510

Ownership: 100.00%

This Document is to certify that after a careful check of the Tax Records of this Office, the following Current or Delinquent Taxes, Penalties, and Interest are due on the Property for the Taxing Entities described above:

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
SHA	2015	8,018.96	0.00	0.00	0.00	0.00
RSP	2015	228.41	0.00	0.00	0.00	0.00
GHA	2015	2,206.95	0.00	0.00	0.00	0.00
FHA	2015	521.49	0.00	0.00	0.00	0.00
CKY	2015	3,049.68	0.00	0.00	0.00	0.00
ACCD	2015	524.10	0.00	0.00	0.00	0.00

Total for current bills if paid by 2/29/2016 : \$0.00

Total due on all bills 2/29/2016 : \$0.00

2015 taxes paid for entity SHA \$8,018.96

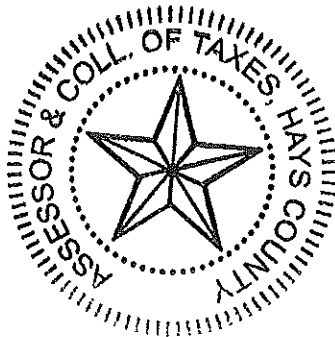
2015 taxes paid for entity RSP \$228.41

2015 taxes paid for entity GHA \$2,206.95

2015 taxes paid for entity FHA \$521.49

2015 taxes paid for entity CKY \$3,049.68

2015 taxes paid for entity ACCD \$524.10

2015 Total Taxes Paid : \$14,549.59**Date of Last Payment : 01/08/16**

If applicable, the above-described property is receiving special valuation based on its use. Additional rollback taxes that may become due based on the provisions of the special valuation are not indicated in this document.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43, Paragraph (i) of the Texas Property Tax Code.

Signature of Authorized Officer of the Tax Office

Date of Issue : 02/12/2016

Requestor : EDWARDS, I LLC

Receipt : KY-2016-31083

Fee Paid : \$50.00

Payer : Leonardo Huerta

11-GF# ~~3175~~ JJR
RETURN TO: HERITAGE TITLE
98 SAN JACINTO BLVD., STE. 400
AUSTIN, TEXAS 78701

Doc 4/15 Bk Vol Pg
03029926 OPR 2314 526

N

STATE OF TEXAS

§

WARRANTY DEED

COUNTY OF HAYS

§

WITH VENDOR'S LIEN

§

EFFECTIVE DATE:

September 4, 2003

GRANTOR:

Gregory Burroughs, Elizabeth Fox and William Thompson,
a/k/a Andy Thompson

GRANTEE:

Edwards I, LLC
a Texas limited liability company

GRANTEE'S ADDRESS:

3617 Windsor
Austin, Texas 78703

LENDER:

The Frost National Bank

LENDER'S ADDRESS:

P.O. Box 1600
San Antonio, Texas 78296

CONSIDERATION:

TEN DOLLARS (\$10.00) cash and other good and valuable
consideration, together with the further consideration of the
execution and delivery by Grantee of one certain promissory
note of even date herewith, further identified below.

REAL PROPERTY

(INCLUDING ANY IMPROVEMENTS)

[THE "PROPERTY" HEREIN]:

Lot 1, EDWARDS BUSINESS PARK, a subdivision in Hays County, Texas,
according to the map or plat thereof, recorded in Volume 9, Pages 197-198 of the Plat
Records of Hays County, Texas.

**RESERVATIONS FROM & EXCEPTIONS
TO CONVEYANCE & WARRANTY:**

This conveyance is made and accepted subject to all restrictions,
covenants, reservations, conditions, rights-of-way, and easements, if
any, affecting the property that are valid, existing, and properly of
record; and subject further, to all zoning laws, regulations, and
ordinances of municipal or other governmental authorities, if any, but
only to the extent that they are still in effect and relate to the property.

AD VALOREM TAXES: *Ad valorem* taxes on the Property for the year 2003 having been prorated, the payment thereof is assumed by Grantee.

VENDOR'S LIEN: It is expressly agreed that a VENDOR'S LIEN, as well as the Superior Title in and to the Property, is retained against the Property, premises, and improvements until the below-described Note and all interest thereon are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute.

**ASSIGNMENT OF VENDOR'S LIEN
(3RD-PARTY LENDER FINANCING):**

Lender, at the instance and request of Grantee, advanced and paid in cash to Grantor that portion of the purchase price of the Property as is evidenced by a \$487,500.00 Real Estate Lien Note; THEREFORE, the Vendor's Lien, together with the Superior Title to the Property, is retained herein for the benefit of Lender and both are hereby TRANSFERRED and ASSIGNED to Lender.

DEED OF TRUST:

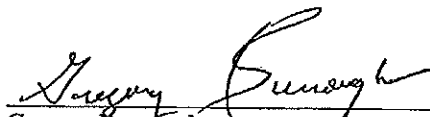
In order to secure the payment of the Real Estate Lien Note, Grantee has executed and delivered a Deed of Trust conveying title to Jimmy R. Locke, Trustee, for the benefit of Lender.

CONVEYANCE: Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

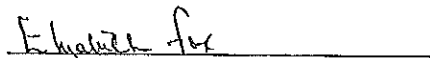
TERMS: When the context requires, singular nouns and pronouns include the plural; and masculine forms include the feminine.

EXECUTED this 10th day of September 2003.


GRANTORS:



Gregory Burroughs



Elizabeth Fox



William Thompson

NOTARIAL CERTIFICATES

STATE OF TEXAS

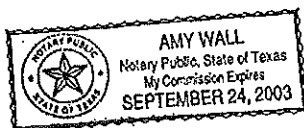
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COUNTY OF TRAVIS

§

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ACKNOWLEDGED BEFORE ME by the said Gregory Burroughs, on this 10 day of
September 2003.

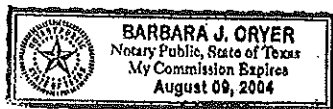




NOTARY PUBLIC - State of TEXAS

STATE OF TEXAS §
COUNTY OF TRAVIS §

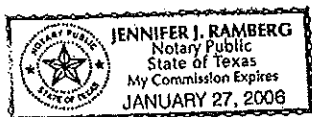
ACKNOWLEDGED BEFORE ME by the said Elizabeth Fox, on this 10th day of
September 2003.



Barbara J. Oryer
NOTARY PUBLIC - State of TEXAS

STATE OF TEXAS §
COUNTY OF TRAVIS §

ACKNOWLEDGED BEFORE ME by the said William Thompson, on this 10 day of
September 2003.



Jennifer J. Ramberg
NOTARY PUBLIC - State of TEXAS

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Sep 16, 2003 at 10:44A

Document Number: 03029926

Amount 15.00

Lee Carlisle
County Clerk
By
Lynn Curry, Deputy
Hays County