

ORDINANCE NO _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 3801-4001 BLOCK OF BEN GARZA LANE AND
3 CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR)
4 DISTRICT, DEVELOPMENT RESERVE (DR) DISTRICT, AND SINGLE FAMILY
5 RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMUNITY
6 COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO)
7 COMBINING DISTRICT
8

9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN
10

11 **PART 1** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district from interim rural residence (I-RR) district, development reserve
13 (DR) district, and single family residence standard lot (SF-2) district to community
14 commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the
15 property described in Zoning Case No C14-06-0197, on file at the Neighborhood Planning
16 and Zoning Department, as follows
17

18 A 7 695 acre tract of land, more or less, out of the Thomas Anderson League,
19 Survey No 17, in Travis County, the tract of land being more particularly
20 described by metes and bounds in Exhibit "A" incorporated into this ordinance,
21 and
22

23 A 1 55 acre tract of land, more or less, out of the Thomas Anderson League,
24 Survey No 17, in Travis County, the tract of land being more particularly
25 described by metes and bounds in Exhibit "B" incorporated into this ordinance
26 (the "Property"),
27

28 locally known as 3801-4001 Ben Garza Lane, in the City of Austin, Travis County, Texas,
29 and generally identified in the map attached as Exhibit "C"
30
31
32
33
34
35
36

1 **PART 2** The Property within the boundaries of the conditional overlay combining district
2 established by this ordinance is subject to the following conditions
3

4 A The following uses are prohibited uses of the Property
5

6 Automotive rentals	Automotive repair services
7 Automotive sales	Automotive washing (of any type)
8 Exterminating services	Funeral services
9 Pawn shop services	Service station

10

11 B A site plan or building permit for the Property may not be approved, released,
12 or issued, if the completed development or uses of the Property, considered
13 cumulatively with all existing or previously authorized development and uses,
14 generate traffic that exceeds 2,000 trips per day
15

16 Except as specifically restricted under this ordinance, the Property may be developed and
17 used in accordance with the regulations established for the community commercial (GR)
18 base district and other applicable requirements of the City Code
19

20 **PART 3** This ordinance takes effect on _____, 2007
21

22
23 **PASSED AND APPROVED**

24
25 §
26 §
27 _____, 2007 § _____
28

29 Will Wynn
30 Mayor

31
32 **APPROVED** _____ **ATTEST** _____
33 David Allan Smith Shirley A Gentry
34 City Attorney City Clerk

EXHIBIT "A"

Page 1 of 2

7 695 Acre Tract
 Thomas Anderson League Survey No 17
 Travis County Texas

DESCRIPTION

DESCRIPTION OF 7 695 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON LEAGUE SURVEY NO 17 IN TRAVIS COUNTY TEXAS BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST OF RECORD IN DOCUMENT NO 2003121796 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 343 OF ONE ACRE OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST IN DOCUMENT NO 2003121793 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 348 OF ONE ACRE OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST IN DOCUMENT NO 2003121792 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 333 OF ONE ACRE OF LAND DESCRIBED IN DEED TO RANCHO GARZA II LTD IN DOCUMENT NO 2004163680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS AND SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 348 OF ONE ACRE OF LAND DESCRIBED IN DEED TO RANCHO GARZA II LTD IN DOCUMENT NO 2004163680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAID 7 695 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

The courses and distances shown hereon are based on record data contained in Document No 2003121796 of the Official Public Records of Travis County Texas

BEGINNING at a point in the north line of that certain tract of land said to contain 1 55 acres of land described in deed to Earl C McComis, Trustee of The Earl C McComis Revocable Living Trust in Document No 2003121796 of the Official Public Records of Travis County Texas for the southeast corner of Section 1 Tract A Garza Place Subdivision of record in Volume 43 Page 21 of the Plat Records of Travis County Texas for the easternmost northeast corner of Lot 1 Block D Garza Ranch Subdivision of record in Volume 90 Page 4 of the Plat Records of Travis County Texas for the southwest corner and POINT OF BEGINNING of the herein described tract

THENCE with a east line of said Section 1 Tract A, and the west line of the herein described tract N30°09 E a distance of 360 35 feet to an ell point in the south right-of-way line of Ben Garza Lane (right-of-way varies) described in Volume 3513 Page 459 of the Deed Records of Travis County Texas, for the northwest corner of the herein described tract

THENCE with the south right-of way line of said Ben Garza Lane and the north line of the herein described tract S60°00 E a distance of 927 80 feet to an ell point in the south right-of way line of said Ben Garza Lane for the northeast corner of that certain tract of land said to contain 0 333 of one acre of land said Rancho Garza II Ltd for the northeast corner of the herein described tract

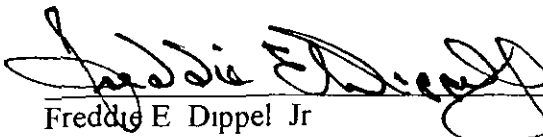
THENCE with the east line of said 0 333 of one acre of land tract, the south right-of-way line of said Ben Garza Lane and the east line of the herein described tract S29°24 W a distance of 360 42 feet to a point in the north line of that certain tract of land said to contain 0 192 of one acre of land described in deed to Rancho Garza II Ltd in Volume 5091 Page 194 of the Deed Records of Travis County Texas, for the southeast corner of that certain tract of land said to contain 0 348 of one acre of land said Rancho Garza II Ltd and the southwest corner of Lot 1, Garza Brodie Subdivision of record in Document No 200300328 of the Official Public Records of Travis County Texas for the southeast corner of the herein described tract

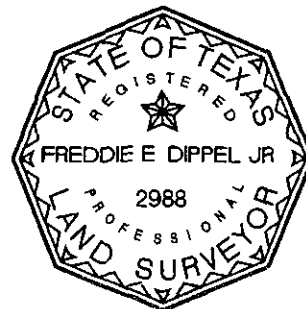
THENCE with the north line of said 0 192 of one acre of land tract the south line of said 0 348 of one acre of land tract and the south line of the herein described tract N60°00 W a distance of 932 42 feet to the POINT OF BEGINNING, containing 7 695 acres of land more or less within these metes and bounds

Reference is herein made to the sketch accompanying this metes and bounds description

This Document was prepared under 22 TAC §663 21 does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

CUNNINGHAM-ALLEN INC


Freddie E Dippel Jr
Registered Professional Land Surveyor No 2988
Date 10-3-06



DESCRIPTION

DESCRIPTION OF 1 55 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON LEAGUE SURVEY NO 17 IN TRAVIS COUNTY TEXAS BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST OF RECORD IN DOCUMENT NO 2003121796 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 192 OF ONE ACRE OF LAND DESCRIBED IN DEED TO RANCHO GARZA II, LTD IN VOLUME 5091 PAGE 194 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS SAID 1 55 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

The courses and distances shown hereon are based on record data contained in Document No 2003121796 of the Official Public Records of Travis County Texas

BEGINNING at a point for the westernmost northeast corner of Lot 1 Block D Garza Ranch Subdivision of record in Volume 90 Page 4 of the Plat Records of Travis County Texas and for the northwest corner and POINT OF BEGINNING of the herein described tract

THENCE with the south line of that certain tract of land said to contain 7 695 acres of land described in deed to Earl C McComis, Trustee of The Earl C McComis Revocable Living Trust in Document No 2003121796 of the Official Public Records of Travis County Texas and the north line of the herein described tract S60°00 E a distance of 1037 55 feet to a point in the south line of Lot 1 Garza Brodie Subdivision of record in Document No 200300328 of the Official Public Records of Travis County Texas an ell point in the north line of H E B / #23 Subdivision of record in Volume 100 Page 327 of the Plat Records of Travis County Texas and the northeast corner of said Rancho Garza II Ltd tract for the northeast corner of the herein described tract

THENCE with the east line of said Rancho Garza II Ltd tract a west line of said H E B / #23 Subdivision and the east line of the herein described tract S30°00 W a distance of 65 00 feet to an ell point in the north line of said H E B / #23 Subdivision and the southeast corner of said Rancho Garza II Ltd tract for the southeast corner of the herein described tract

THENCE with the south line of said Rancho Garza II Ltd tract the north line of said H E B / #23 Subdivision and the south line of the herein described tract, N60°00 W a distance of 1037 55 feet to a point in the east line of said Lot 1 Block D and the northwest

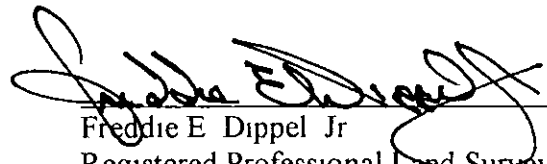
corner of said H E B / #23 Subdivision for the southwest corner of the herein described tract

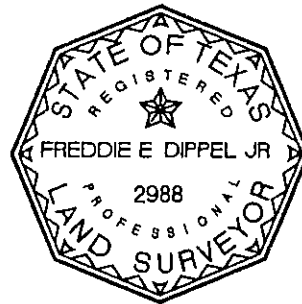
THENCE with the east line of said Lot 1 Block D and the west line of the herein described tract N30°00'E a distance of 65 00 feet to the POINT OF BEGINNING containing 1 55 acres of land more or less within these metes and bounds

Reference is herein made to the sketch accompanying this metes and bounds description

This Document was prepared under 22 TAC §663.21 does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

CUNNINGHAM-ALLEN INC


Freddie E Dippel Jr
Registered Professional Land Surveyor No 2988
Date 10-3-06



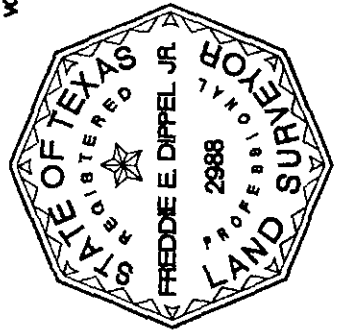
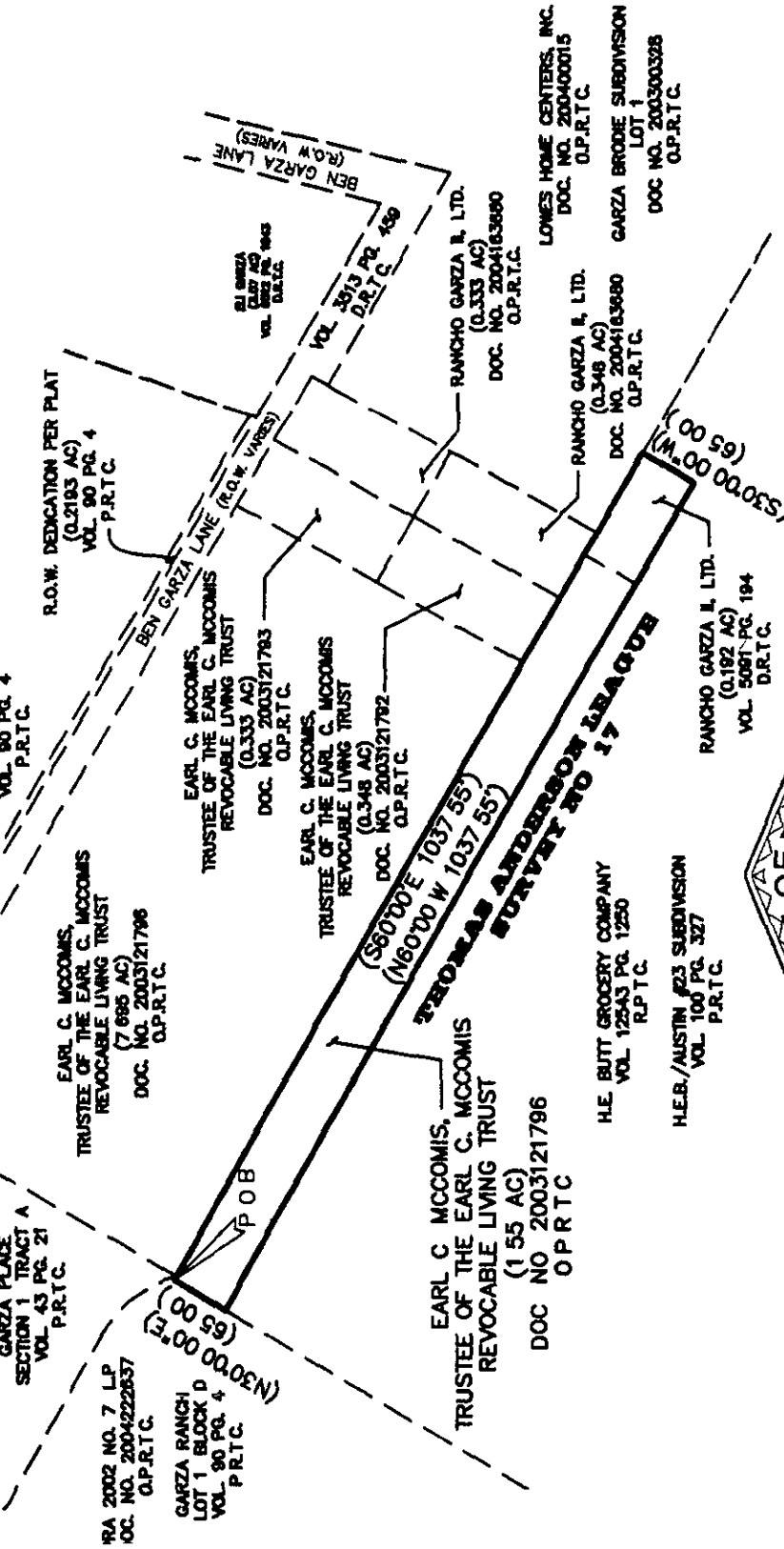
SKETCH TO ACCOMPANY DESCRIPTION

1.55 ACRE TRACT
SHEET 1 OF 1

LEGEND

PRTC PLAT RECORDS TRAVIS COUNTY
DRTC DEED RECORDS OF TRAVIS COUNTY
RPRTC REAL PROPERTY RECORDS OF TRAVIS COUNTY
OPRTC OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
POB POINT OF BEGINNING
() RECORD INFORMATION

SCALE 1" = 200'



SURVEYED BY

Freddie E. Dippel, Jr.
FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR
NO. 2988
DATE 10-3-06

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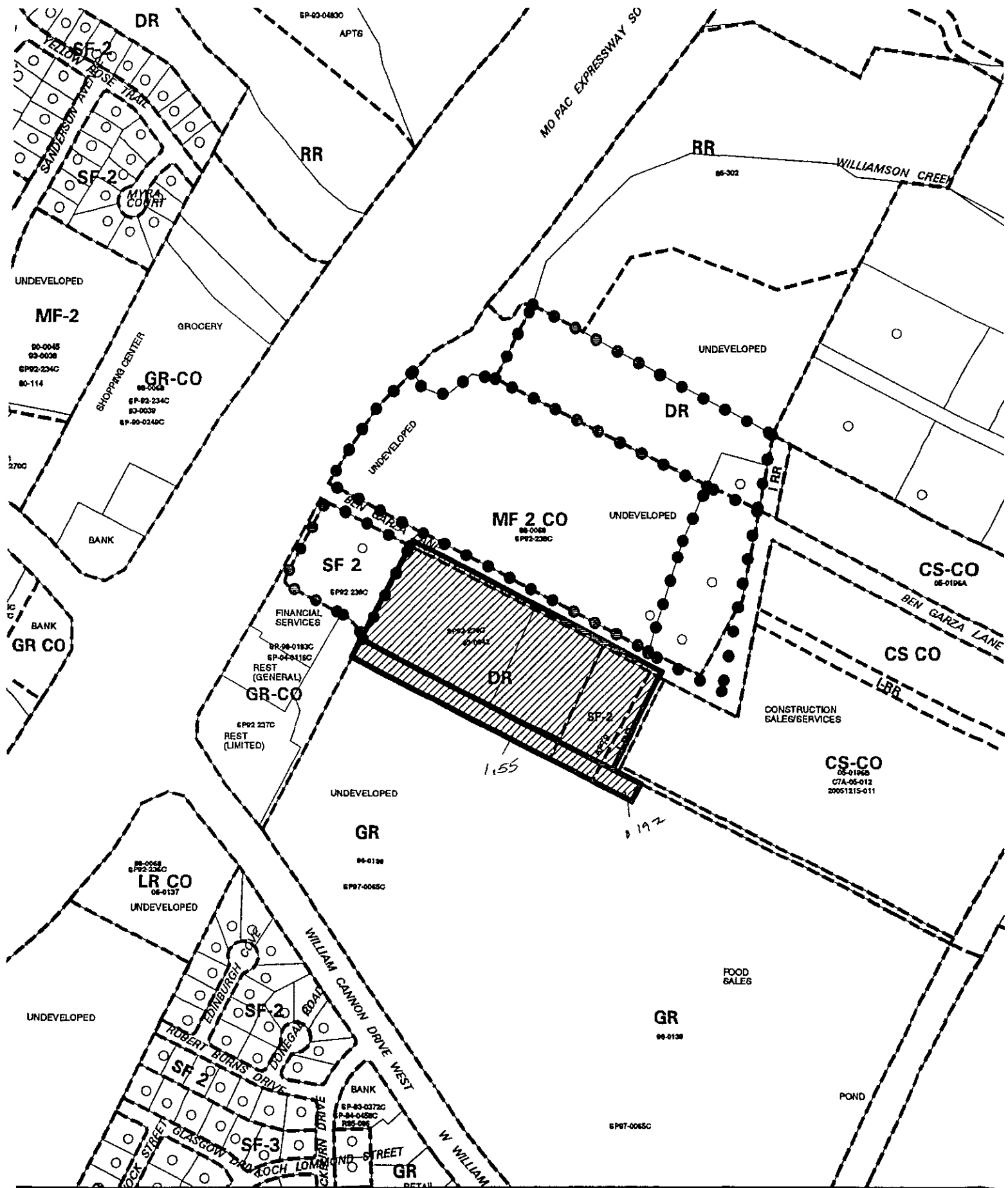
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Cunningham | Allen

Engineers Surveyors

3103 Bee Cave Road Suite 202
Austin Texas 78746-6819
Tel (512) 327 2946
Fax (512) 327 2973



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT C		CITY GRID REFERENCE NUMBER E18
	PENDING CASE			
	ZONING BOUNDARY -----	CASE # C14-06-0197	DATE 06 11	
	CASE MGR W WALSH	ADDRESS 3801 4001 BLK BEN GARZA IN	INTLS SM	
SUBJECT AREA (acres) 9.245				

Zoning Case No C14-06-0181

Zoning Case No C14-06-0197

Zoning Case No C14-06-0199

RESTRICTIVE COVENANT

OWNERS The Earl McComis Revocable Living Trust,
Rancho Garza, Ltd , a Texas limited partnership,
Rancho Garza II, Ltd , a Texas limited partnership,
The Estate of Eli J Garza

ADDRESS See Below

CONSIDERATION Ten and No/100 Dollars (\$10 00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged

PROPERTY Tract A, Garza Place Section 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 43, Page 21 of the Plat Records of Travis County Texas

Lot 1 Bock E, Garza Ranch Subdivision, a subdivision in the City of Austin Travis County Texas according to the map or plat of record in Plat Book 90, Page 6, of the Plat Records of Travis County, Texas

A 7 695 acre tract of land more or less out of the Thomas Anderson League, Survey No 17, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit A incorporated into this covenant, and

A 1 55 acre tract of land, more or less, out of the Thomas Anderson League Survey No 17 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit B incorporated into this covenant, and

A 5 40 acre tract of land, more or less out of the Thomas Anderson League Survey No 17, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this covenant and

A 3 07 acre tract of land, more or less, out of the Thomas Anderson League, Survey No 17 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "D" incorporated into this covenant,

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions,

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant These covenants and restrictions shall run with the land and shall be binding on the Owners of the Property, its heirs, successors, and assigns

- 1 The total number of units in all stand-alone multifamily residential structures may not exceed 450 residential units

- 2 If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from such actions, and to collect damages for such actions
- 3 If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect
- 4 If at any time the City of Austin fails to enforce this agreement whether or not any violations of it are known such failure shall not constitute a waiver or estoppel of the right to enforce it
- 5 This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination
- 6 This Restrictive Covenant may be executed in any number of counterparts, each of which is deemed to be an original, and all of which are identical

EXECUTED this the _____ day of _____, 2007

OWNERS

The Earl McComis Revocable Living Trust

By _____
Marcella Calhoun
Co Successor Trustee

Address 113 Prairie Hill Dr
Dale TX 78616

By _____
Sheila Otterpohl,
Co-Successor Trustee

Address 15200 Flamingo Drive North
Austin, TX 78734

By _____
Teresa Touchstone,
Co-Successor Trustee

Address 404 Sinclair
Spicewood, TX 78669

**Rancho Garza, Ltd ,
a Texas limited partnership**

By Rancho Garza Investments Inc ,
 a Texas corporation
 General Partner

By _____
 Ron White,
 President

**Rancho Garza II, Ltd ,
a Texas limited partnership**

By Rancho Garza Investments Inc
 a Texas corporation
 General Partner

By _____
 Ron White,
 President

The Estate of Eli J Garza,

By _____
 Ronald Harry White,
 Independent Co-Executor

Address 17830 Serene Hills Pass
 Austin, TX 78738

APPROVED AS TO FORM

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

 This instrument was acknowledged before me on this the ____ day of _____,
2007 by Marcella Calhoun Co-Successor Trustee of the Earl McComis Revocable Living Trust

Notary Public State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

 This instrument was acknowledged before me on this the ____ day of _____,
2007, by Sheila Otterpohl Co-Successor Trustee of the Earl McComis Revocable Living Trust

Notary Public State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

 This instrument was acknowledged before me on this the ____ day of _____,
2007, by Teresa Touchstone, Co-Successor Trustee of the Earl McComis Revocable Living
Trust

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2007, by Ron White, President of Rancho Garza Investments, Inc , a Texas corporation General Partner of Rancho Garza Ltd a Texas limited partnership and General Partner of Rancho Garza II Ltd , a Texas limited partnership, on behalf of the corporation and the partnerships

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2007 by Ronald Harry White, Independent Co-Executor of the Eli J Garza Trust

Notary Public, State of Texas

**After Recording, Please Return to
City of Austin
Department of Law
P O Box 1088
Austin, Texas 78767
Attention Diana Minter, Legal Assistant**

EXHIBIT "A"

Page 1 of 2

7 695 Acre Tract

Thomas Anderson League Survey No 17

Travis County Texas

DESCRIPTION

DESCRIPTION OF 7 695 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON LEAGUE SURVEY NO 17 IN TRAVIS COUNTY TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS, TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST OF RECORD IN DOCUMENT NO 2003121796, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 333 OF ONE ACRE OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST IN DOCUMENT NO 2003121793 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 348 OF ONE ACRE OF LAND DESCRIBED IN DEED TO EARL C MCCOMIS, TRUSTEE OF THE EARL C MCCOMIS REVOCABLE LIVING TRUST IN DOCUMENT NO 2003121792 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 333 OF ONE ACRE OF LAND DESCRIBED IN DEED TO RANCHO GARZA II LTD IN DOCUMENT NO 2004163680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, AND SAVE AND EXCEPT THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 0 348 OF ONE ACRE OF LAND DESCRIBED IN DEED TO RANCHO GARZA II LTD IN DOCUMENT NO 2004163680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS SAID 7 695 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

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THENCE with a east line of said Section 1 Tract A, and the west line of the herein described tract, N30°09'E a distance of 360 35 feet to an ell point in the south right-of way line of Ben Garza Lane (right-of-way varies) described in Volume 3513 Page 459 of the Deed Records of Travis County Texas, for the northwest corner of the herein described tract,

THENCE with the south right-of-way line of said Ben Garza Lane and the north line of the herein described tract, S60°00'E a distance of 927 80 feet to an ell point in the south right-of-way line of said Ben Garza Lane for the northeast corner of that certain tract of land said to contain 0 333 of one acre of land said Rancho Garza II Ltd for the northeast corner of the herein described tract

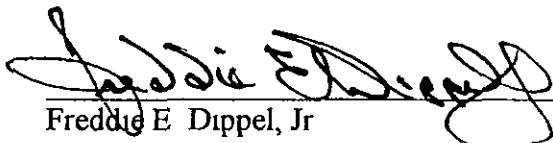
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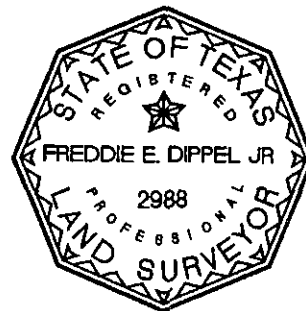
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CUNNINGHAM-ALLEN INC


Freddie E Dippel, Jr
Registered Professional Land Surveyor No 2988
Date 10-8-06



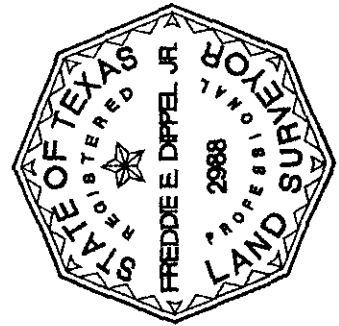
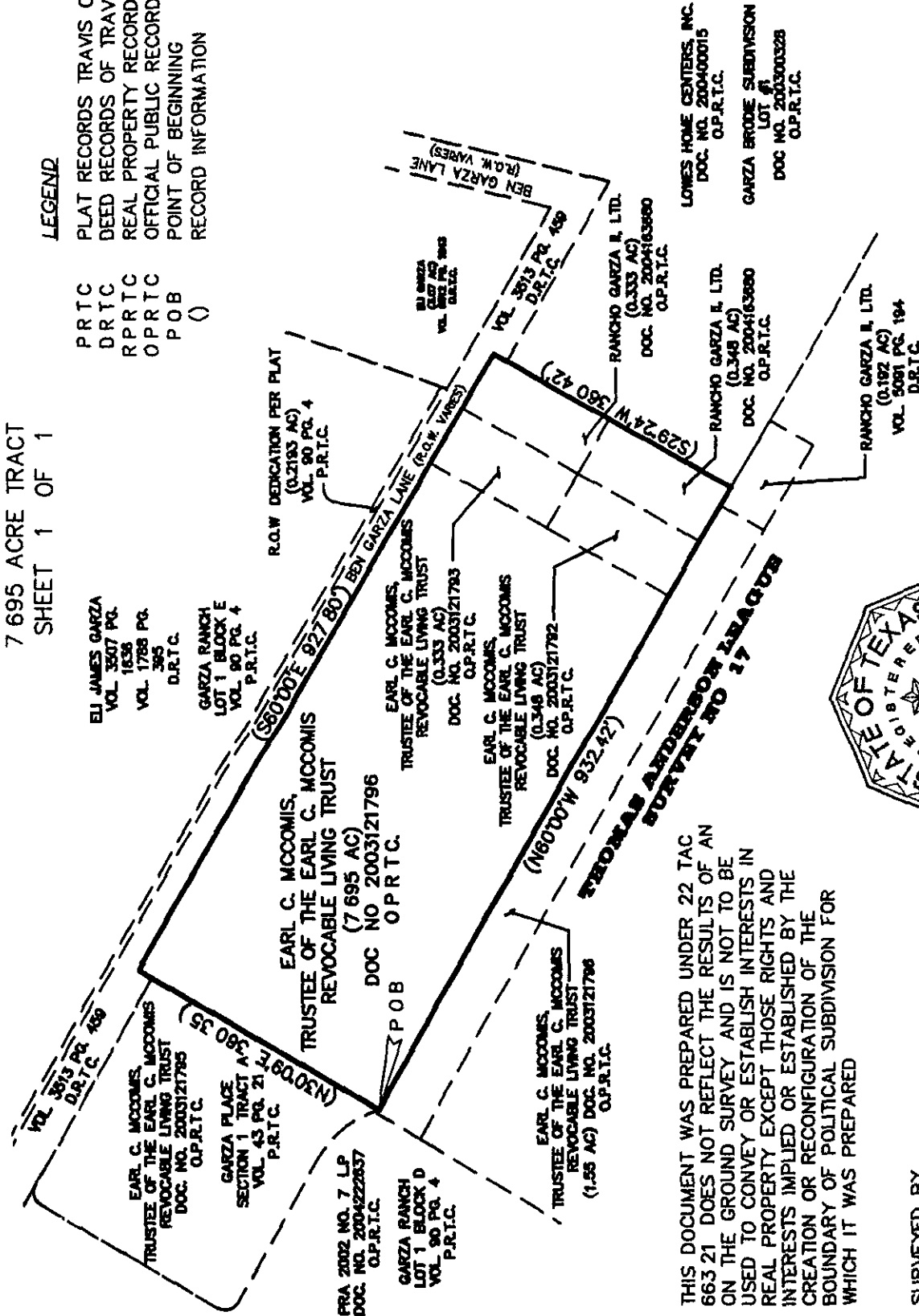
SKETCH TO ACCOMPANY DESCRIPTION

7 695 ACRE TRACT
SHEET 1 OF 1

SCALE 1" = 200

LEGEND

PRTC PLAT RECORDS TRAVIS COUNTY
DRTC DEED RECORDS OF TRAVIS COUNTY
RPRTC REAL PROPERTY RECORDS OF TRAVIS COUNTY
OPRTC OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
POB POINT OF BEGINNING
() RECORD INFORMATION



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SURVEYED BY

Freddie E. Dippel, Jr.
FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR
NO. 2988
DATE 10-3-06

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Cunningham | Allen

Engineers Surveyors

3103 Bee Cave Road, Suite 202
Austin, Texas 78746-6819
Tel. (512) 327 2946
Fax. (512) 327 2973

DESCRIPTION

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THENCE with the south line of said Rancho Garza II Ltd tract, the north line of said H E B / #23 Subdivision, and the south line of the herein described tract, N60°00' W a distance of 1037 55 feet to a point in the east line of said Lot 1, Block D, and the northwest

EXHIBIT "A"

Page 2 of 2

1.55 Acre Tract
Thomas Anderson League Survey No 17
Travis County Texas

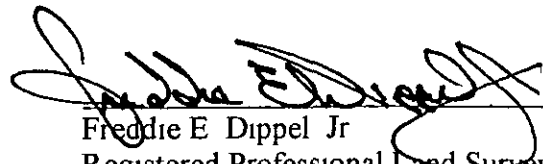
corner of said H E B / #23 Subdivision for the southwest corner of the herein described tract

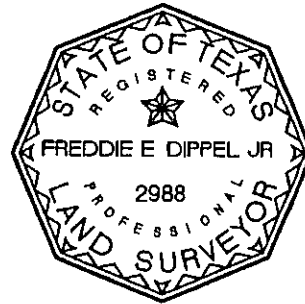
THENCE with the east line of said Lot 1 Block D and the west line of the herein described tract N30°00 E a distance of 65.00 feet to the POINT OF BEGINNING, containing 1.55 acres of land more or less within these metes and bounds

Reference is herein made to the sketch accompanying this metes and bounds description

This Document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

CUNNINGHAM-ALLEN INC


Freddie E Dippel Jr
Registered Professional Land Surveyor No 2988
Date 10-3-06

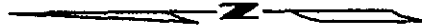


1 55 ACRE TRACT
SHEET 1 OF 1

LEGEND

P R T C	PLAT RECORDS TRAVIS COUNTY
D R T C	DEED RECORDS OF TRAVIS COUNTY
R R P R T C	REAL PROPERTY RECORDS OF TRAVIS COUNTY
O P R T C	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
P O B	POINT OF BEGINNING
()	RECORD INFORMATION

SCALE 1" = 200



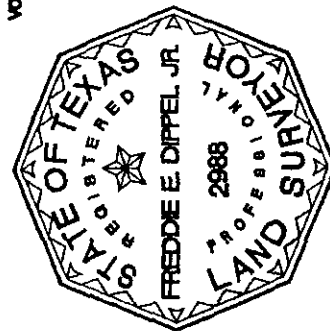
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Cunningham | Allen


Engineers Surveyors

3103 Bee Cave Road Suite 202
Austin Texas 78746-6819
Tel (512) 327 2946
Fax (512) 327 2973

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SURVEYED BY


FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR

DATE 10-2-00

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DESCRIPTION

DESCRIPTION OF 5 40 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON LEAGUE, SURVEY NO 17 IN TRAVIS COUNTY, TEXAS BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ELI JAMES GARZA OF RECORD IN DOCUMENT NO 2004018557 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, SAID 5 40 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

The courses and distances shown hereon are based on record data contained in Document No 2004018557 of the Official Public Records of Travis County Texas

BEGINNING at a point for the northeast corner of Lot 2 Block E Garza Ranch Subdivision of record in Volume 90 Page 4 of the Plat Records of Travis County Texas in a south line of that certain tract of land described in deed to the City of Austin in Volume 12593 Page 3440 of the Real Property Records of Travis County Texas for the northwest corner and POINT OF BEGINNING of the herein described tract

THENCE with a south line of said City of Austin tract and the north line of the herein described tract S59°24 E a distance of 892 69 feet to a point for the southeast corner of said City of Austin tract the southwest corner of that certain tract of land described in deed to Harold G Kennedy and Wife B Joy Kennedy in Volume 4026, Page 1507 of the Deed Records of Travis County, Texas and the northwest corner of that certain tract of land described in deed to Ben Garza in Volume 460 Page 564 of the Deed Records of Travis County Texas for the northeast corner of the herein described tract

THENCE with the west line of said Ben Garza tract and the east line of the herein described tract S13°23 W a distance of 251 02 feet to a point for the northeast corner of certain tract of land said to contain 3 07 acres of land described in deed to Eli Garza in Volume 6512 Page 1843 of the Deed Records of Travis County, Texas for the southeast corner of the herein described tract,


THENCE with the north line of said 3 07 acre tract and the south line of the herein described tract N60°58 W a distance of 964 54 feet to a point in the north line of Lot 1 Block E Garza Ranch Subdivision of record in Volume 90, Page 4 of the Plat Records of Travis County Texas and the southeast corner of said Lot 2 Block E, for the southwest corner of the herein described tract,

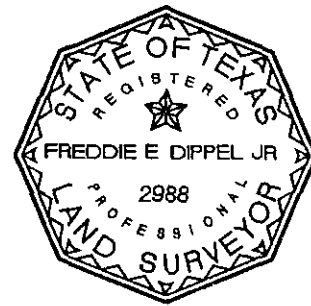
THENCE with the east line of Lot 2 Block E and the west line of the herein described tract N30°E a distance of 266 25 feet to the POINT OF BEGINNING containing 5 40 acres of land more or less within these metes and bounds

Reference is herein made to the sketch companying this metes and bounds description

This Document was prepared under 22 TAC §663 21 does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

CUNNINGHAM-ALLEN INC


Freddie E Dippel Jr
Registered Professional Land Surveyor No 2988
Date 10-2-06



SKETCH TO ACCOMPANY DESCRIPTION

5.40 ACRE TRACT
SHEET 1 OF 1

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LEGEND

P R T C PLAT RECORDS TRAVIS COUNTY
D R T C DEED RECORDS OF TRAVIS COUNTY
R P R T C REAL PROPERTY RECORDS OF TRAVIS COUNTY
O P R T C OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
P O B POINT OF BEGINNING
O RECORD INFORMATION

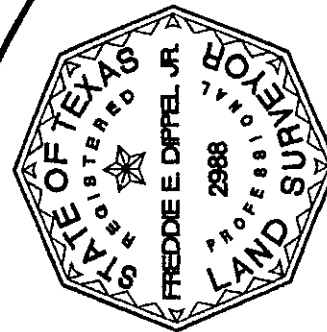
SCALE 1" = 100

THOMAS ANDERSON LEAGUE SURVEY NO. 17

CITY OF AUSTIN
VOL 12593 PG. 3440
R P R T C

ELI JAMES GARZA
(5.40 AC)
DOC NO 2004018557
O P R T C

HAROLD G. KENNEDY
AND WIFE, B JOY KENNEDY
(6.61 AC)
VOL 4026 PG. 1507
D R T C



SURVEYED BY

Freddie E. Dippel, Jr.

FREDDIE E. DIPPEL, JR.
REG PROF LAND SURVEYOR
NO 2988
DATE 10-2-06

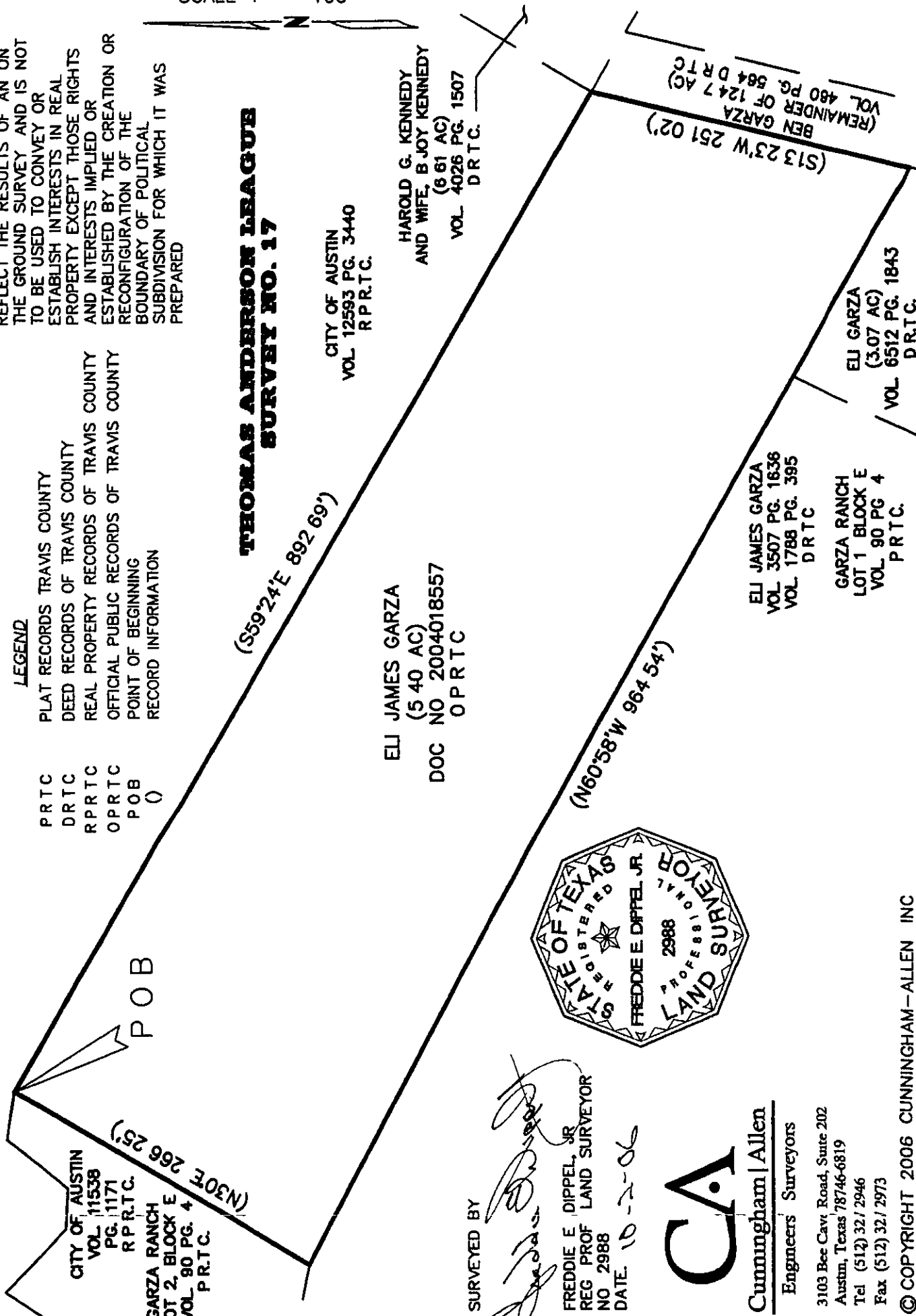


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C14-06-0199

DESCRIPTION

DESCRIPTION OF 3 07 ACRES OF LAND SITUATED IN THE THOMAS ANDERSON LEAGUE, SURVEY NO 17 IN TRAVIS COUNTY TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ELI GARZA OF RECORD IN VOLUME 6512, PAGE 1843 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS SAID 3 07 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

The courses and distances shown hereon are based on record data contained in Volume 6512, Page 1843 of the Deed Records of Travis County, Texas

BEGINNING at a point for the southeast corner of that certain tract of land said to contain 5 40 acres described in deed to Eli James Garza of record in Document No 2004018557, of the Official Public Records of Travis County, Texas in a west line of that certain tract of land said to contain 124 7 acres of land described in deed to Ben Garza of record in Volume 460 Page 564 of the Deed Records of Travis County Texas for the northeast corner and POINT OF BEGINNING of the herein described tract

THENCE with a west line of said Ben Garza tract, and the east line of the herein described tract S13°23 W a distance of 596 01 feet to an ell point in the north right-of-way line of Ben Garza Lane (right-of way varies) of record in Volume 3513, Page 459 of the Deed Records of Travis County Texas for the southeast corner of the herein described tract

THENCE with the north line of said Ben Garza Lane and the south line of the herein described tract N60°00'W a distance of 272 06 feet to a point for the southeast corner of Lot 1, Block E Garza Ranch Subdivision of record in Volume 90 Page 4 of the Plat Records of Travis County Texas, for the southwest corner of the herein described tract

THENCE with the east line of said Lot 1 Block E and the west line of the herein described tract the following two (2) courses and distances

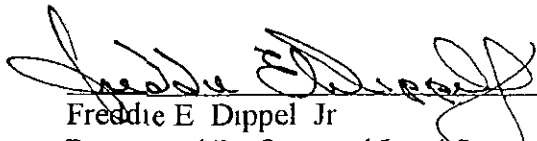
- 1 N19°41 W a distance of 382 00 feet to a point
- 2 N26°31 W a distance of 192 58 feet to a point in the south line of said 5 40 acre tract for the northeast corner of said Lot 1 Block E, and the northwest corner of the herein described tract,

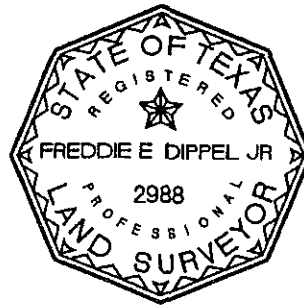
THENCE with the south line of said 5 40 acre tract, and the north line of the herein described tract, S60°58 E a distance of 181 96 feet to the POINT OF BEGINNING containing 3 07 acres of land more or less within these metes and bounds

Reference is herein made to the sketch companying this metes and bounds description

This Document was prepared under 22 TAC §663 21 does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

CUNNINGHAM-ALLEN INC


Freddie E Dippel Jr
Registered Professional Land Surveyor No 2988
Date 10-2-06



SKETCH TO ACCOMPANY DESCRIPTION

3.07 ACRE TRACT

SHEET 1 OF 1

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INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND
INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR
RECONFIGURATION OF THE BOUNDARY OF POLITICAL
SUBDIVISION FOR WHICH IT WAS PREPARED

ELI JAMES GARZA
(5.40 AC)
DOC NO 2004018557
OPRTC

LEGEND

PRTC	PLAT RECORDS TRAVIS COUNTY
DRTC	DEED RECORDS OF TRAVIS COUNTY
RPRTC	REAL PROPERTY RECORDS OF TRAVIS COUNTY
OPRTC	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
POB	POINT OF BEGINNING
()	RECORD INFORMATION

SCALE 1" = 100

ELI JAMES GARZA
VOL. 3507 PG. 1636
VOL. 1788 PG. 395
DRTC

GARZA RANCH
LOT 1, BLOCK E
VOL. 90 PG. 4
PRTC.

ELI GARZA
(3.07 AC)
VOL. 6512 PG. 1843
DRTC

ROW DEDICATION PER PLAT
(0.2193 AC)
VOL. 90 PG. 4
PRTC

BEN GARZA LANE (ROW VARIES)
THOMAS ANDERSON LEAGUE
SURVEY NO. 17

SURVEYED BY

FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR
NO. 2988
DATE 10-2-06

CA
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Engineers • Surveyors

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