

**RESOLUTION NO. 20091119-041**

**WHEREAS,** Pearson Place at Avery Ranch, Ltd., a Texas Limited Partnership (Pearson Place) petitioned the City of Austin for its consent to the creation of a road district; and

**WHEREAS,** the name of proposed district is Pearson Place Road District (District); and

**WHEREAS,** the District will be created and organized under the terms and provisions of Article III, Section 52 of the Constitution of Texas and Chapter 257 of the Texas Transportation Code and Subchapter B of Chapter 1471 Of the Texas Government Code; and

**WHEREAS,** the District will contain a total of approximately 195.563 acres of land, as shown on Exhibit "A," situated in Williamson County, Texas, within the extraterritorial jurisdiction (ETJ) of the City of Austin, Texas; and

**WHEREAS,** under the *Interlocal Agreement between the City of Austin and Williamson County* made pursuant to Chapter 242 of the Texas Local Government Code, the City has exclusive jurisdiction to regulate all subdivision plats in the extraterritorial jurisdiction in Williamson County; and

**WHEREAS,** the District shall acquire certain road facilities inside and outside the boundaries of the District for the benefit of the residents of the District to serve the land in the District; and

**WHEREAS**, the City, in accordance with Section 42.042 of the Texas Local Government Code and Section 54.016(e) of the Texas Water Code may require as conditions to its consent to the creation of the District that road facilities constructed for or acquired by the District are constructed in accordance with plans and specifications which have been approved by the City, that the City shall have the right to inspect all facilities constructed for or acquired by the District, and the City may place restrictions and conditions on the sale of the District's bonds and notes; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

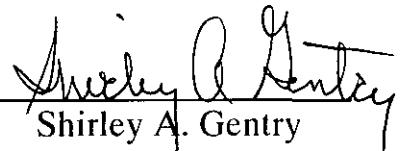
Council gives its consent to the creation of the District in the ETJ subject to the following conditions:

1. All roads constructed for or acquired by the District must be constructed in accordance with plans and specifications which have been approved by the City;
2. The City shall have the right to inspect all facilities constructed for or acquired by the District;
3. The value to debt ratio with respect to the assessable property in the District will be 10:1 or greater; and

4. The initial projected District ad valorem tax rate will not exceed \$0.30/\$100 unless otherwise agreed upon by the City and the District.

**ADOPTED:** November 19, 2009

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

## **EXHIBIT "A"**

Being 194.307 acres of land, out of the RACHEL SAUL SURVEY, ABSTRACT NO. 551, Williamson County, Texas, and being a portion of a 295.73 acre tract conveyed to Ivalene Pearson Banks, Jeffery Banks, Ivalene Pearson Banks as Trustee for Kyle Jeffrey Banks and Brian Elam Banks, in Volume 1844, Page 392, recorded in the Official Records of Williamson County, Texas, and being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof.

Being 1.256 acres of land, out of the RACHEL SAUL SURVEY, ABSTRACT NO. 551, Williamson County, Texas, and being a portion of a 390.22 acre tract conveyed to Claretta England in Volume 597, Page 553, recorded in the Deed Records of Williamson County, Texas, and being more particularly described by metes and bounds in Exhibit "A-2" attached hereto and made a part hereof.

**Exhibit "A"**



## Landesign Services, Inc.

555 Round Rock West Drive  
Bldg. D, Suite 170  
Round Rock, Texas 78681  
512-238-7901 office  
512-238-7902 fax

### EXHIBIT "A-1"

#### METES AND BOUNDS DESCRIPTION

BEING 194.307 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NO. 551 WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A OF 295.73 ACRE TRACT CONVEYED TO VALENE PEARSON BANKS, JEFFERY BANKS, VALENE PEARSON BANKS AS TRUSTEE FOR KYLE JEFFREY BANKS AND BRIAN ELAM BANKS IN VOLUME 1844, PAGE 392 RECORDED IN THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING in the existing south right-of-way line of Avery Ranch Boulevard (120' R.O.W.), and the west line of said 295.73 acre tract, being the southwest corner of a called 1.690 acre tract conveyed to Williamson County, recorded in Document Number 2000055509 of the Official Public Records of Williamson County, Texas and being the northeast corner of Lot 16, Block B, Avery South Section One, Phase One a subdivision of record in Cabinet V, Slide 160 of the Plat Records of Williamson County, Texas;

THENCE North 68°15'59" East a distance of 1374.98' with the existing south right-of-way line of said Avery Ranch Boulevard, the south line of said 1.690 acre tract and with the north line of the remainder of said 295.73 acre tract to a 1/2" iron rod with cap marked "LANDESIGN" set in the east line of said 295.73 acre tract and the west line of a called 390.22 acre tract conveyed to Claretta England of record in Volume 597, Page 553 of the Deed Records of Williamson County, Texas, from which a 1/2" iron rod found for the southeast corner of said 1.690 acre tract bears North 68°15'59" East a distance of 16.86';

THENCE South 18°01'24" East a distance of 2338.99' with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2 inch iron rod with cap marked "LANDESIGN" set;

THENCE North 69°05'40" East (record: North 70°55'00" East, 185.00') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract, passing at a distance of 30.00' a 3/4" iron pipe found, and continuing for a total distance of 185.00' to a 5/8" iron rod in rock mound found, from which the face of a concrete and stone water tank bears a distance of 170.0' (170');

THENCE South 20°14'28" East (record: South 18°25'00" East, 3748.70') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract, passing at a distance of 1084.27' a 5/8" iron rod in rock mound found, then passing at a distance a of 903.08' a 5/8" iron rod in rock mound found, then passing at a distance of 872.36' a 5/8" iron rod in rock mound found, and continuing for a total distance of 3748.70' to a 1/2 inch iron rebar with cap marked "LANDESIGN" set;

THENCE South 88°21'02" West a distance of 967.80' (record: North 89°30'00" West, 968.50') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2" iron rod found;

THENCE South  $10^{\circ}34'57''$  East a distance of 358.38' with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2 inch iron rebar with cap marked "LANDESIGN" set;

THENCE South  $84^{\circ}49'42''$  West a distance of 931.18' crossing through said 295.73 acre tract to a 1/2" iron rod found at fence corner post in the west line of said 295.73 acre tract and in the east line of a remainder of a called 45.14 acre tract conveyed to Ilean Pearson recorded in Volume 2100, Page 501 of the Official Records of Williamson County, Texas and described in Volume 867, Page 315 of the Deed Records of Williamson County, Texas, from which a fence post in tree found for an angle point in the west line of said 295.73 acre tract bears South  $80^{\circ}57'13''$  West a distance of 109.43' (record: South  $83^{\circ}00'00''$  West, 109.50');

THENCE North  $17^{\circ}53'57''$  West a distance of 1138.11' with the west line of said 295.73 acre tract and the east line of said remainder of a called 45.14 acre tract to a 1/2 inch iron rebar with cap marked "LANDESIGN" set in the south line of a 45.20 acre tract conveyed to the Diocese of Austin recorded in Document Number 2004071186 of the Official Public Records of Williamson County, Texas;

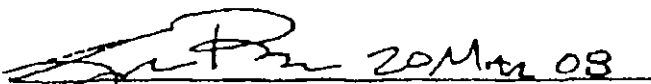
THENCE North  $89^{\circ}00'00''$  East a distance of 596.79' with the south line of said 45.20 acre tract to a 1/2" iron rod found for the southeast corner of said 45.20 acre tract;

THENCE North  $21^{\circ}02'34''$  West a distance of 1560.02' (record: North  $18^{\circ}54'32''$  West, 1560.00') with the east line of said 45.20 acre tract to a cotton spindle found for the northeast corner of said 45.20 acre tract;

THENCE South  $68^{\circ}57'34''$  West a distance of 169.94' with the north line of said 45.20 acre tract to 40d nail in base of fence post found in the west line of said 295.73 acre tract and the southeast corner of a Drainage and Water Quality Lot/Easement, Block K, Avery South Section Two, Phase Six a subdivision of record in Cabinet AA, Slide 353 of the Plat Records of Williamson County, Texas;

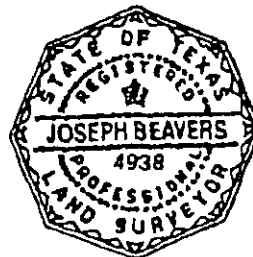
THENCE North  $21^{\circ}02'48''$  West a distance of 3146.40' with the west line of said 295.73 acre tract and the east line of said Avery South Section Two, Phase Six, Avery South Section One, Phase Two a subdivision of record in Cabinet V, Slide 390 of the Plat Records of Williamson County, Texas and said Avery South Section One, Phase One to the POINT OF BEGINNING.

This parcel contains 194.307 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Description prepared from an on-the-ground survey made during February, 2008. All bearings are based on the Texas State Plane Coordinate System, Central, with all distances and coordinates being NAD 83 datum and adjusted to the surface by project surface factor of 1.00012.

 20 Mar 08

Joseph Beavers  
Registered Professional Land Surveyor  
State of Texas No. 4938

Date



Project Number: 018-08-004  
Attachments: Survey Drawing L:\PEARSON PLACE\DGNS\018004-01-TTL.dgn  
L:\PEARSON PLACE\FNOTE\S\018004-01-TTL.doc



## Landesign Services, Inc.

555 Round Rock West Drive  
Bldg. D, Suite 170  
Round Rock, Texas 78681  
512-238-7901 office  
512-238-7902 fax

### EXHIBIT "A-2"

#### METES AND BOUNDS DESCRIPTION

BEING 1.256 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NO. 551 WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A OF 390.22 ACRE TRACT CONVEYED TO CLARETTA ENGLAND IN VOLUME 597, PAGE 553 RECORDED IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at 1/2" Iron rod with cap marked "LANDESIGN" set in the existing south right-of-way line of Avery Ranch Boulevard (120' R.O.W.), and the west line of a 295.73 acre tract conveyed to Ivalene Pearson Banks, Jeffery Banks, Ivalene Pearson Banks as trustee for Kyle Jeffray Banks and Brian Elam Banks in Volume 1844, Page 392 recorded in the Official Records of Williamson County, Texas, and being the southwest corner of a called 1.690 acre tract conveyed to Williamson County, recorded in Document Number 2000065509 of the Official Public Records of Williamson County, Texas and also being the northeast corner of Lot 16, Block B, Avery South Section One, Phase One a subdivision of record in Cabinet V, Slide 160 of the Plat Records of Williamson County, Texas;

THENCE North 68°15'59" East a distance of 1374.96 feet with the existing south right-of-way line of said Avery Ranch Boulevard, the south line of said 1.690 acre tract and with the north line of the remainder of the said 295.73 acre tract, to a 1/2" Iron rod with cap marked "LANDESIGN" set in the east line of said 295.73 acre tract and the west line of said 390.22 acre tract and POINT OF BEGINNING;

THENCE North 68°15'59" East with the existing south right-of-way line of said Avery Ranch Boulevard and the south line of said 1.690 acre tract, a distance of 16.86 feet to a 1/2" Iron rod found for the southeast corner of said 1.690 acre tract;

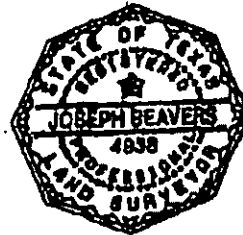
THENCE South 18°20'42" East with the new boundary line per this agreement a distance of 2339.61 feet to a 3/4" Iron pipe found, from which a 5/8" Iron rod in rock mound found for an easterly corner of said 295.73 acre tract and westerly corner of said 390.22 acre tract bears North 89°05'40" East a distance of 155.00 feet;

THENCE South 89°05'40" West with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract a distance of 30.00 feet to a 1/2 inch Iron rod with cap marked "LANDESIGN" set;

THENCE North 18°01'24" West a distance of 2338.99 feet with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to the POINT OF BEGINNING;

This parcel contains 1.256 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Description prepared from an on-the-ground survey made during February, 2008. All bearings are based on the Texas State Plane Coordinate System, Central, with all distances and coordinates being NAD 83 datum and adjusted to the surface by project surface factor of 1.00012.

 22 Apr 08  
Joseph Beavers Date  
Registered Professional Land Surveyor  
State of Texas No. 4938



Project Number: 018-08-004  
Attachments: Survey Drawing L:\PEARSON PLACE\GNS\018004-01-SKETCH.dgn  
L:\PEARSON PLACE\FNOTE\B\01800402-BLA.dwg