

RESOLUTION NO. 20110623-048

WHEREAS, Northwoods Avery Ranch LLC, a Texas Limited Liability Company, petitioned the City of Austin for its consent to the creation of a road district; and

WHEREAS, the name of proposed district is Northwoods Road District No. 1 (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, 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 181.954 acres of land, as shown on Exhibit "A," situated in Williamson County, Texas, within the City of Austin, Texas; 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 may require as conditions to its consent to the creation of the District that road facilities to be 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 that 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:

That Council gives its consent to the creation of the District with the City, 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 debt issued by the District, when aggregated with all other existing and outstanding (but not retired) debt of the District, will not exceed twelve and one-half percent (12.5%) of the assessed value of the land and improvements in the District; and

4. The initial projected District ad valorem tax rate will not exceed \$0.29/\$100 unless otherwise agreed upon by the City and the District.

ADOPTED: June 23, 2011

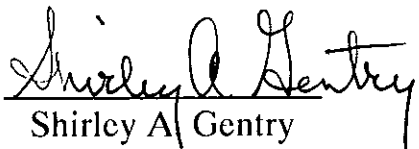
ATTEST: 
Shirley A. Gentry
City Clerk

EXHIBIT "A"

Being a 181.954 acre tract of land, out of the RACHEL SAUL LEAGUE, SURVEY NO. 551, situated in Williamson County, Texas, being all of that certain 177.63 acre tract conveyed to Northwoods Avery Ranch, LLC, by deed of record in Document No. 2009049201 of the Official Public Records of Williamson County, Texas, and a portion of that certain remainder of Tract 1 – 104.79 acres of land conveyed to Fleur Land, Ltd., by deed of record in Document No. 9815649 of the Official Public Records of Williamson County, Texas; said 181.954 acres being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof.

Exhibit "A"

EXHIBIT "A-1"

181.954 ACRES
AVERY STATION

FN. NO. 10-251 (KMA)
DECEMBER 21, 2010
BPI JOB NO. 1713-05.91

DESCRIPTION

OF A 181.954 ACRE TRACT OF LAND OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NO. 551, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 177.63 ACRE TRACT CONVEYED TO NORTHWOODS AVERY RANCH, LLC, BY DEED OF RECORD IN DOCUMENT NO. 2009049201 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN REMAINDER OF TRACT 1 - 104.79 ACRES OF LAND CONVEYED TO FLEUR LANE, LTD., BY DEED OF RECORD IN DOCUMENT NO. 9815649 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 181.954 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap found in the northerly right-of-way line of Lakeline Boulevard (R.O.W. varies), being in the westerly line of that certain tract of land conveyed to Capital Metropolitan Transportation Authority (100' Railroad R.O.W.), by Deed of record in Document No. 2000020773 of said Official Public Records, for the southeasterly corner of said 177.63 acre tract and hereof;

THENCE, along said northerly right-of-way line of Lakeline Boulevard, for the southerly line of said 177.63 acre tract and hereof, the following seven (?) courses and distances:

- 1) S71°07'49"W, a distance of 620.38 feet to a 1/2 inch iron rod found at the beginning of a non-tangent curve to the right;
- 2) Along said curve, having a radius of 75.00 feet, a central angle of 87°38'53", an arc length of 38.24 feet, and a chord of which bears N64°54'00"W, a distance of 34.62 feet to a 1/2 inch iron rod found at the end of said curve;
- 3) N21°15'35"W, a distance of 28.27 feet to a 1/2 inch iron rod found for an angle point;
- 4) S68°59'00"W, a distance of 105.00 feet to a 1/2 inch iron rod found for an angle point;
- 5) S28°57'18"E, a distance of 29.94 feet to a 1/2 inch iron rod found at the beginning of a non-tangent curve to the right;
- 6) Along said curve, having a radius of 25.07 feet, a central angle of 91°43'59", an arc length of 40.15 feet, and a chord of which bears S24°54'41"W, a distance of 35.99 feet to a 1/2 inch iron rod found at the end of said curve;

Exhibit "A-1"

- 7) S71°07'27"W, a distance of 662.76 feet to a 1/2 inch iron rod found at the southwesterly corner of said 177.63 acre tract, being the southeasterly corner of said Remainder of Tract 1 - 104.79 acres, for the southwesterly corner hereof;

THENCE, leaving said northerly right-of-way line of Lakeline Boulevard, in part along the westerly line of said 177.63 acre tract and in part over and across said Remainder of Tract 1 - 104.79 acres, with the westerly lines hereof, the following nine (9) courses and distances:

- 1) N18°33'57"W, a distance of 266.61 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N18°57'45"W, a distance of 847.69 feet to a 1/2 inch iron rod with cap set for an angle point;
- 3) S72°06'17"W, a distance of 151.64 feet to a 1/2 inch iron rod with cap set for an angle point;
- 4) S31°14'40"W, a distance of 124.24 feet to a 1/2 inch iron rod with cap set for an angle point;
- 5) S60°34'23"W, a distance of 113.65 feet to a 1/2 inch iron rod with cap set for an angle point;
- 6) S62°44'03"W, a distance of 153.31 feet to a 1/2 inch iron rod with cap set for an angle point;
- 7) S64°37'57"W, a distance of 79.68 feet to a 1/2 inch iron rod with cap set for an angle point;
- 8) S64°06'24"W, a distance of 172.78 feet to a 1/2 inch iron rod with cap set for an angle point;
- 9) S69°14'22"W, a distance of 43.54 feet to a 1/2 inch iron rod with cap set in the easterly line of that certain tract of land conveyed to the State of Texas, by deed of record in Volume 1723, Page 855 of said Official Records, being the westerly line of said Remainder of Tract 1 - 104.79 acres, for an angle point hereof, from which a 1/2 inch iron rod found in the northerly right-of-way line of Lakeline Boulevard (R.O.W. width varies), being the southeasterly corner of Lot 1, Block "B", Parkline Section 11, a subdivision of record in Cabinet "K", Slides 11-14 of the Plat Records of Williamson County, Texas, also being the southwesterly corner of said Remainder of Tract 1 - 104.79 acres bears S20°45'38"E, a distance of 983.84 feet;

Exhibit "A-1"

THENCE, N20°49'38"W, along the easterly line of said State of Texas tract, for the westerly line of said Remainder of Tract 1 - 104.79 acres, said 177.63 acre tract and hereof, a distance of 2204.87 feet to a 1/2 inch iron rod found in the southerly line of that certain Remainder of Tract 2 - 92.657 acres of land conveyed to Continental Homes of Texas, L.P., by Deed of record in Document No. 2004043865 of said Official Public Records, for the northwesterly corner of said 177.63 acre tract and hereof;

THENCE, N69°01'07"E, along the southerly line of said 92.657 acre tract, the southerly line of Avery Ranch Far West, Phase Two, Section Four, a subdivision of record in Cabinet DD, Slides 265-267 of the Plat Records of Williamson County, Texas, the southerly line of Avery Ranch Far West, Phase Two, Section Three, a subdivision of record in Cabinet DD, Slides 8' 90 of said Plat Records, and the southerly terminus of Staked Plains Drive (90' R.O.W.), a distance of 2790.81 feet to a 1/2 inch iron rod at the northwesterly corner of that certain tract of land conveyed to LCRA Transmissions Services Corporation, by Deed of record in Document No. 2003022895 of said official Public Records, for the northeasterly corner of said 177.63 acre tract and hereof;

THENCE, leaving the southerly line of Avery Ranch Far West, Phase Two, Section Three, along the westerly and southerly lines of said LCRA Transmissions Services Corporation tract, for a portion of the easterly line of said 177.63 acre tract and hereof, the following three (3) courses and distances:

- 1) S20°59'16"E, a distance of 115.13 feet to a 1/2 inch iron rod found for an angle point;
- 2) S57°10'21"E, a distance of 575.73 feet to a 1/2 inch iron rod found for an angle point;
- 3) S88°56'19"E, a distance of 129.95 feet to a 1/2 inch iron rod found in the westerly line of said Capital Metropolitan Transportation Authority (100' Railroad R.O.W.) tract, being the beginning of a non-tangent curve to the right, for an angle point hereof;

THENCE, leaving said LCRA Transmissions Services Corporation tract, along said Capital Metropolitan Transportation Authority (100' Railroad R.O.W.) tract, for a portion of the easterly line of said 177.63 acre tract and hereof, the following three (3) courses and distances:

- 1) Along said curve, having a radius of 4575.32 feet, a central angle of 05°33'25", an arc length of 443.75 feet, and a chord of which bears S03°50'25",W, a distance of 443.59 feet to a 1/2 inch iron rod found at the end of said curve;

Exhibit "A-1"

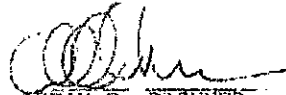
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- 2) S04°33'22"W, a distance of 1523.99 feet to a 1/2 inch iron rod found at the beginning of a non-tangent curve to the left;
- 3) Along said curve, having a radius of 2020.25 feet, a central angle of 24°49'56", an arc length of 875.58 feet and a chord of which bears S 05°35'04" E a distance of 868.74 feet to the **POINT OF BEGINNING**, containing an area of 181.954 acres (7,925,936 square feet of land, more or less, within these metes and bounds.

BEARING BASIS: IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD 83(93) CENTRAL ZONE, UTILIZING THE LCRA GPS SURVEY CONTROL NETWORK.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

DURY & PARTNERS, INC.
ENGINEERING SOLUTIONS
221 WEST SIXTH STREET
SUITE 200
AUSTIN, TEXAS 78701


ABRAM C. DASHNER
R.P.L.S. NO. 5901
STATE OF TEXAS

DATE 12-21-10

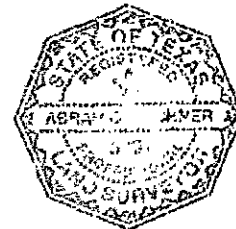


Exhibit "A-1"

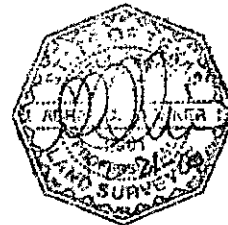
PETITION FOR CONSENT TO CREATION OF ROAD DISTRICT

LINE TABLE

LINE	BEARING	LENGTH
L1	S71°07'49"W	620.38
L2	N21°15'30"W	78.27
L3	S58°39'00"W	105.00
L4	S20°57'18"E	29.84
L5	S71°07'27"W	682.75
L6	N18°33'57"W	205.81
L7	N18°57'49"W	847.89
L8	S72°06'17"W	151.84
L9	S51°14'40"W	174.24
L10	S60°34'23"W	113.05
L11	S62°44'03"W	133.31
L12	S64°37'57"W	79.86
L13	S54°08'24"W	177.78
L14	S68°14'22"W	43.54
L15	S20°59'10"E	115.13
L16	S57°10'21"E	575.73
L17	S88°36'19"E	129.95

CURVE TABLE

No.	Bearing	Radius	Arc Length	Chord Length	Chord Bearing
C1	S71°39'53"	25.00	138.24	34.62	N64°54'00"W
C2	S61°41'58"	25.07	146.15	35.90	S24°54'41"W
C3	S53°25'	4375.32	443.75	443.59	S63°50'28"W
C4	S24°49'56"	2020.25	875.58	868.74	S65°35'04"E



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SKETCH TO ACCOMPANY DESCRIPTION

OF A 100.00 ACRES TRACT OF LAND OUT OF THE RAUBER, SAUL SURVEY, ABSTRACT NO. 651, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 177.63 ACRES TRACT CONVEYED TO NORTHWOODS AVERY RANCH, LLC, BY DEED OF RECORD IN DOCUMENT NO. 000904301 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN REMAINDER OF TRACT 1 - 104.70 ACRES OF LAND CONVEYED TO FLEET LAND, LTD. BY DEED OF RECORD IN DOCUMENT NO. 0055349 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.

**NORTHWOODS
AVERY RANCH,
LLC**

DATE: 12/23/10 FILE: H:\1713\05\171305EXT.DWG TN No.: 10-221(KWA) DRAWN BY: KWA PROJ. No: 1713-05.01

Exhibit "A-1"