

RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET

CASE: C14-2010-0087 (RCA)

The Domain Restrictive Covenant Amendment

P.C. DATE: April 24, 2012

May 8, 2012

ADDRESS: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing

OWNER/APPLICANT: RREEF Domain, LP (Chad Marsh); Domain Retail I, LP (Chad Marsh), Domain Parkside I, LP (Robert Shaw)

AGENT: Winstead PC (Michele Haussmann)

EXISTING ZONING: MI-PDA

AREA: 160.7965 acres

NATURE OF REQUEST:

The request is to amend Section 1 of this existing restrictive covenant (recorded as Document No. 2010156428) to relocate the 1-acre of zero impervious cover within the nine acre park area.

SUMMARY STAFF RECOMMENDATION:

The staff recommends the applicant's request to amend the public restrictive covenant for this site.

PLANNING COMMISSION RECOMMENDATION:

4/24/12: Postponed to May 8, 2012 at the applicant's request (9-0), D. Anderson-1st, M. Dealey-2nd.

5/08/12: Approved the restrictive covenant amendment by consent (9-0); D. Anderson-1st, S. Kirk-2nd.

DEPARTMENT COMMENTS:

The applicant is requesting to amend an existing public restrictive covenant (Please see Existing Restrictive Covenant – Attachment A) on the property to relocate 1-acre of designated zero impervious area within a nine acre park to a new location within the same park (Please see Proposed Zero Impervious Relocation Aerial – Attachment B).

The staff is recommending the applicant's request to amend the restrictive covenant because the proposed amendment will not alter the intent of the original restrictive covenant conditions. The relocation of the 1-acre of designated impervious cover will allow for the construction of park improvements (trail ways) while maintaining the intent to limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to offset the increase (3%) in impervious cover on the Simon-Domain property.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MI-PDA	Multifamily, Office, Commercial (Restaurant, Retail, Hotel uses), Industrial/Office/Warehouse (IBM)
<i>North</i>	NBG-NP	Hotel, Office, Financial Services
<i>South</i>	MI-NP	University of Texas J.J. Pickle Research Center
<i>East</i>	MI-PDA	Commercial (Retail, Restaurants, Theater uses), Multifamily, Office
<i>West</i>	NBG-NP	Office, Commercial/Retail, Vacant Tract, Commercial/Retail

AREA STUDY: North Burnet/Gateway NP**TIA:** Not Required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District
 Austin Monorail Project
 Austin Neighborhoods Council
 Austin Northwest Association
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Neighborhoods of North Austin/NONA
 North Burnet Gateway Neighborhood Association
 North Burnet/Gateway Neighborhood Planning Contact Team
 North Burnet/Gateway Neighborhood Plan Staff Liaison
 North Growth Corridor Alliance
 SelTexas
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0087 (The Domain Rezoning-Simon: 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600	MI-PDA to MI-PDA: To amend the Domain zoning ordinance to request a change to the PDA overlay to allow 83% impervious cover for the	8/24/10: Approved staff's recommendation of MI-PDA zoning with the condition that the applicant agree to a public restrictive covenant to limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to offset the increase in impervious cover on the Simon-Domain property (8-1, Chimenti-No), with the	8/26/10: The public hearing will remain open and the first reading of the case was approved for MI-PDA zoning (7-0); Morrison-1 st , Spelman-2 nd , with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive

Century Oaks Terrace)	overall site.	<p>following additional conditions:</p> <p>1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – “Attachment B”) to allow for continuity for bicycle traffic to and through the Domain development. 2) Require a public restrictive covenant that will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to be signed and recorded before the 3rd reading of this zoning case at City Council.</p>	<p>covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case.</p> <p>10/14/10: Approved MI-PDA zoning on 2nd/3rd readings (7-0); Spelman-1st, Leffingwell-2nd, with the following amendments: 1) Part 3, C, 1 of the ordinance should read: “A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision.”; 2) Add a new paragraph to Part 3, Section D to read: “The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approved otherwise based on the health of the individual trees.”; 3) The approved otherwise based on fourth WHEREAS of the restrictive covenant should read: “WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 for the Simon Tract; and”.</p>
C14-06-0121	MI-PDA to MI-PDA	<p>2/13/07: Approved staff’s rec. for MI-PDA zoning with additional conditions of:</p> <ul style="list-style-type: none"> • 2 star Green Building rating • natural landscaping of all water quality ponds 	<p>3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1st, Dunkerley-2nd.</p>

		(existing and future); <ul style="list-style-type: none"> • be in compliance with TIA conditions; • the applicant's requested parkland dedication proposal; • height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnet/Gateway Neighborhood Plan. • Maximum height of 308 feet. Vote: (9-0); J.Reddy-1 st , G. Stegeman-2 nd .	
C14-06-0154	MI-PDA to MI-PDA	8/08/06: Approved staff rec. of MI-PDA by consent (8-0)	09/28/06: Approved MI-PDA (7-0); 1 st reading 10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2 nd /3 rd readings
C14-04-0151	MI-PDA to MI-PDA	11/23/04: Approved staff recommendation of MI-PDA, with Environmental Board conditions (9-0).	12/16/04: Approved MI-PDA (7-0); all 3 readings
C14-04-0146	P to CH	11/9/04: Approved staff's recommendation of CH zoning with conditions (9-0)	12/2/04: Approved CH zoning (7-0); all 3 readings
C14-03-0017	MI-PDA to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning, with inclusion of original PDA conditions (as read into the record) from Ordinance #000608-67 (8-0, R. Pratt-off dias)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0016	MI to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dias)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0015	MI to CS	6/11/03: Approved staff's recommendation of CS-CO zoning (8-0, R. Pratt-off dias)	7/31/03: Granted CS-CO on all 3 readings
C14-02-0062	LI to CS-1	6/12/02: Approved CS-1 by consent (8-0)	7/11/02: Approved PC rec. of CS-1 (7-0); all 3 readings
C14H-00-2177	LI-PDA to LI-PDA	10/24/00: Approved staff rec. of LI-PDA (TR1), LI-PDA-H (TR2) by consent (9-0)	11/30/00: Approved LI-PDA (TR1) and LI-PDA-H (TR2); (7-0); all 3 readings
C14-00-2065	MI to MI-PDA	5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the	6/8/00: Approved MI-PDA, with changes agreed to with neighborhood

		following conditions: 1) That minimum lot size be 1 acre provided for any lots that directly abut Braker Lane and Burnet Road (but not both) and which are less than 3 acres in size. 2) The total number of additional curb cuts on Braker Lane & Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots. 3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road.	association (7-0); all 3 readings
C14-99-0024	MI to GR	4/20/99: Approved staff alternate rec. of GR-CO by consent (7-0)	5/20/99: Approved PC rec. of GR-CO w/ conditions (7-0); 1 st reading 6/3/99: Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-92-0072	IP to P	8/18/92: Approved	9/3/92: Approved P; all 3 readings

RELATED CASES: C14-2011-0002

C14-2010-0087

C14-03-0015

C14-03-0016

C14-04-0017

C14-04-0151

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
MoPac (Loop 1)	500'	Varies	Freeway	91,000
Braker Lane	114'	2@30'	Major Arterial	
Burnet Road (FM 1325)	140'	Varies	Major Arterial	24,000

CITY COUNCIL DATE: May 24, 2012

ACTION: Postponed to June 7, 2012 at the applicant's request (7-0); B. Spelman-1st, M. Martinez-2nd.

June 7, 2012

ACTION: Postponed to June 28, 2012 at the applicant's request (7-0); B. Spelman-1st, L. Morrison-2nd.

June 28, 2012

ACTION:

ORDINANCE READINGS: 1st

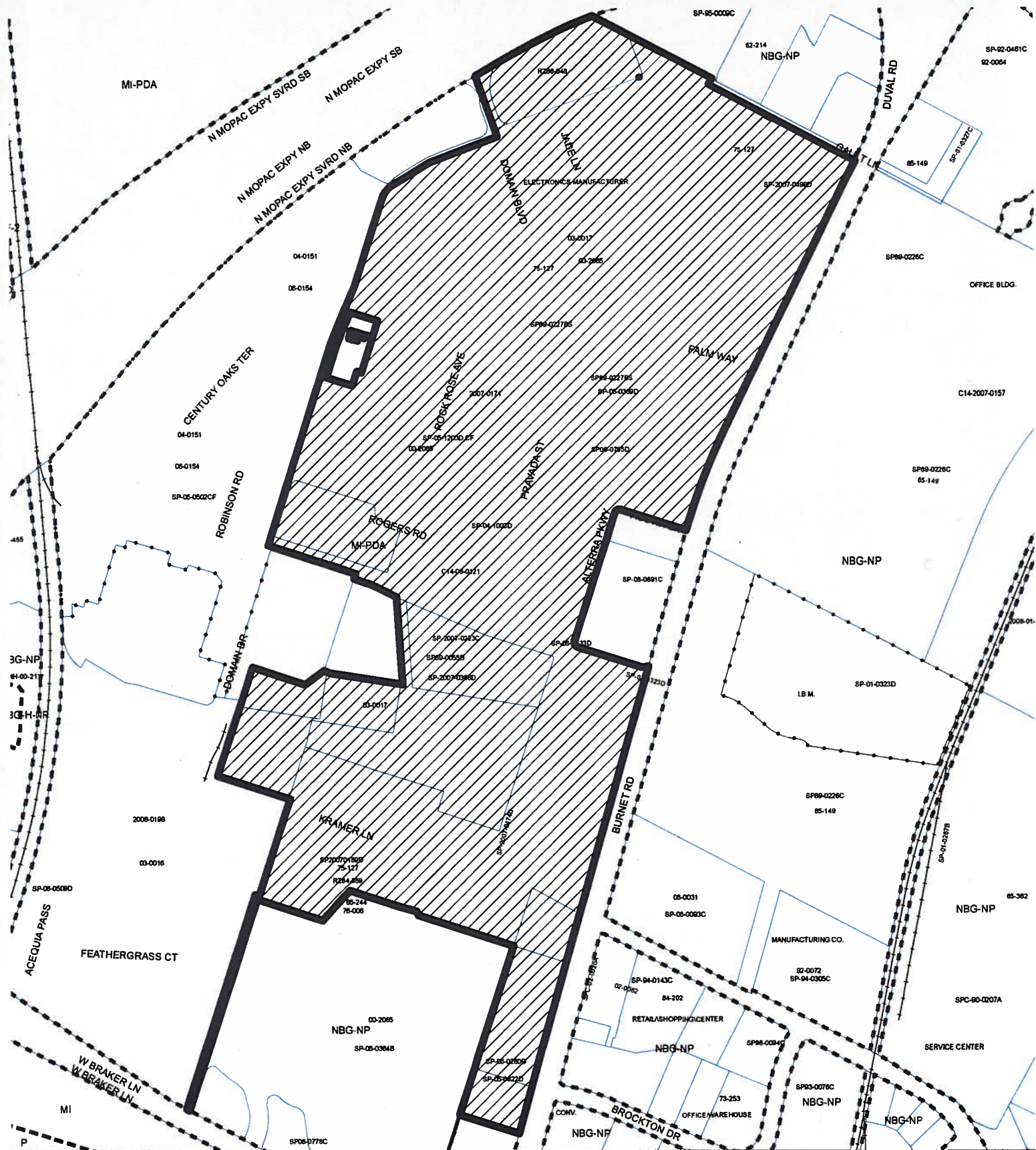
2nd

3rd

ORDINANCE NUMBER:


CASE MANAGER: Sherri Sirwaitis


PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us





ZONING

ZONING CASE#: C14-2010-0087(RCA)

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 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

1" = 600'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





TRV

10 PGS

2010156428

"Attachment A"
Current
Restrictive Covenant
Document

AUSTIN CITY CLERK
RECEIVED

Zoning Case No. C14-2010-0087

2010 DEC 2 AM 9 11

RESTRICTIVE COVENANT

OWNER: RREEF DOMAIN LP, a Texas limited partnership, RREEF Domain GP, LLC, a Delaware limited liability company, Its General Partner

ADDRESS: 221 West 6th Street, Suite 1300, Austin, Texas 78701

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.

ENDEAVOR TRACT: That certain 169.20 acre tract of land in Travis County, more particularly described on Exhibit A attached hereto and made a part hereof.

SIMON TRACT: That certain 50.68 acre tract of land in Travis County, more particularly described on Exhibit B attached hereto and made a part hereof.

PROPERTY: That certain one (1) acre tract of land in Travis County, Texas, being a portion of the Endeavor Tract and being more particularly described on Exhibit C attached hereto and made a part hereof.

WHEREAS, the Domain Project is a 223.84 acre mixed use project generally located at the northwest corner of MOPAC and Braker Lane; and

WHEREAS, the Domain Project is divided into two tracts known as the Endeavor Tract and the Simon Tract depicted in Exhibit D; and

WHEREAS, the Endeavor Tract and the Simon Tract are zoned MI-PDA and are located in the Walnut Creek watershed and both tracts share a common water quality and detention pond on the Endeavor Tract for the handling of storm water; and

10-14-10 # 48

WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 acres for the Simon Tract; and

WHEREAS, in order to provide a bank site, the Simon Tract requires a small increase in impervious cover; and

WHEREAS, Owner has agreed to reduce the allowable impervious cover area of the Endeavor Tract by a total of 1.0 acre to accommodate the Simon Tract increase; and

WHEREAS, the reduction in impervious cover will result in a new allowable impervious cover requirement for the Endeavor Tract of 134.36 acres or 79.42% of the net site area; and

WHEREAS, the owner of the Simon Tract has agreed to accept the 1.0 acre of impervious cover from the Endeavor Tract resulting in a new allowable impervious cover requirement for the Simon Tract of 41.54 acres or 81.97% of the net site area; and

WHEREAS, the total calculated impervious cover requirement for the combined Endeavor Tract and Simon Tract remains at 80% of the net site area as required by Code; and

WHEREAS, the City Council initiated a zoning case for the property identified on Exhibit B as the Simon Tract from major industrial – planned development area (MI-PDA) to major industrial - planned development area (MI-PDA) to increase the maximum impervious cover limit from 80% to 81.97% of the net site area.

NOW, THEREFORE, it is declared that the Owner of the Property, for said 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 Owner of the Property, its heirs, successors and assigns.

1. The Property shall be included in the Planning Conditions Impervious Cover Table on the Master Tracking Plan Tables sheet (Table) of all site plan applications on file with the City of Austin on the Endeavor Tract. The Tables shall reflect that the Property has 100% impervious cover or 1 acre of impervious cover allocated to it. The impervious cover allocated to the Property on the Table will be deducted from the total allowable impervious cover area of 135.36 acres on the Endeavor Tract resulting in a new allowable impervious cover requirement of 134.36 acres on the Endeavor Tract. Therefore, the Property shall be limited to zero (0) percent impervious cover.
2. No impervious cover is allowed on the Property.
3. 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.
4. 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.
5. 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.

6. 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 modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 14th day of October, 2010.

OWNER:

RREEF DOMAIN LP,
a Texas limited partnership

By: RREEF Domain GP, LLC,
a Delaware limited liability company
Its General Partner

By: Chad Marsh
Name: CHAD MARSH
Title: AVP

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney
City of Austin

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 14th day of October, 2010, by Chad Marsh, the AVP of RREEF Domain, GP, LLC, a Delaware limited liability company, general partner of RREEF Domain LP, a Texas limited partnership, on behalf of said partnership.



[Signature]
Notary Public, State of Texas

EXHIBIT A

Lots 1 and 2, Block A, RREEF Domain Block T and H Subdivision, a subdivision in Travis County, Texas described in Document 200800272 of the Official Public Records of Travis County, Texas;

Lot 2-A2, Block A, Resubdivision of Lot 2-A, Block A, Resubdivision of Lot 2, Block A, Domain Section 2 Subdivision, a subdivision in Travis County, Texas described in Document 200700336 of the Official Public Records of Travis County, Texas;

Lot 2-A1-B, Block A, RREEF Domain-Multek Parking Resubdivision, a subdivision in Travis County, Texas described in Document 200800178, of the Official Public Records of Travis County, Texas;

Lot 3, Block A, Multek Subdivision in Travis County, Texas as described in Document 200400090 of the Official Public Records of Travis County, Texas; and,

Lots 1-B, 1-C, 1-D, and 1-E, Block A, Domain Section 2 Subdivision, in Travis County, Texas as described in Document 200600294, of the Official Public Records of Travis County, Texas

Return:

City of Austin Law Dept.
Attn: Diana Minter
PO Box 1088
Austin, TX 78767

EXHIBIT B

Lot 2A, The Domain Shopping Center Section 2 Subdivision, described in Document 200800026 of the Official Public Records of Travis County, Texas;

Lot 4A, Block A, The Domain Shopping Center Section 2 Subdivision, described in Document 200800026 of the Official Public Records of Travis County, Texas; and,

Lot 5A, Block A, The Domain Shopping Center Section 3 Subdivision, described in Document 200800025 of the Official Public Records of Travis County, Texas.

EXHIBIT C

1.008 ACRES
RREEF DOMAIN

FN.NO. 10-202(KWA)
OCTOBER 01, 2010
BPI JOB NO. 1262-32

DESCRIPTION

OF A 1.008 ACRE TRACT OF LAND OUT OF THE JAMES RODGERS SURVEY NO. 19, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" RREEF DOMAIN BLOCK T AND H SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200800272 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.008 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, at a 1/2 inch iron rod found at the northwesterly corner of Lot 3, Block "A" Multek Subdivision, a subdivision of record in Document No. 200400090 of said Official Public Records, being an angle point in the southerly line of said Lot 1;

THENCE, N82°19'44"E, leaving said Lot 3, over and across said Lot 1, a distance of 412.38 feet to a calculated point for the POINT OF BEGINNING and southwesterly corner hereof;

THENCE, continuing over and across said Lot 1, for the exterior lines hereof, the following five (5) courses and distances:

- 1) N08°41'09"E, a distance of 162.52 feet to a calculated point for the northwesterly corner hereof, from which a 1/2 inch iron rod with cap found at the southeasterly corner of Lot 2, Block "A" of said RREEf Domain Block T and H Subdivision bears N17°02'28"E, a distance of 57.83 feet;
- 2) S81°12'14"E, a distance of 300.05 feet to a calculated point for the northeasterly corner hereof, from which a 1/2 inch iron rod with cap found at the southeasterly corner of Lot 2-A3, Block "A" Resubdivision of Lot 2, Block "A", Domain Section 2, a subdivision of record in Document No. 200700336 of said Official Public Records bears S89°17'46"E, a distance of 355.89 feet
- 3) S18°53'45"W, a distance of 104.22 feet to a calculated point for the southeasterly corner hereof;
- 4) S65°59'34"W, a distance of 110.48 feet to a calculated point for an angle point;

FN 10-202(KWA)
OCTOBER 01, 2010
PAGE 2 of 2

- 5) N81°13'25W, a distance of 188.61 feet to the POINT OF BEGINNING, and containing 1.008 acres (43,916 square feet) of land, more or less, within these metes and bounds.


BEARING BASIS: THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE NAD 83(93) AND WERE DETERMINED BY GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS CONNECTED TO THE FOLLOWING:

MM02-HIGH PRECISION CONTROL POINT LOCATED ON THE ROOF OF THE OFFICES OF McGRAY & McGRAY LAND SURVEYORS, 3301 HANCOCK DRIVE, AUSTIN, TEXAS 78731

AUSIN RRP-COOPERATIVE BASE NETWORK CONTROL STATION AND AN "A" ORDER HARN STATION LOCATED ON THE ROOF OF BUILDING 4 OF THE TEXAS DEPARTMENT OF TRANSPORTATION OFFICES AT CAMP HUBBARD, LOOP 1 @ 35th STREET, AUSTIN, TEXAS 78731

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, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES. A SURVEY SKETCH WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
221 WEST SIXTH STREET SUITE 600
AUSTIN, TEXAS 78701

 10-1-10
ABRAM C. DASHNER
R.P.L.S. NO. 5901
STATE OF TEXAS



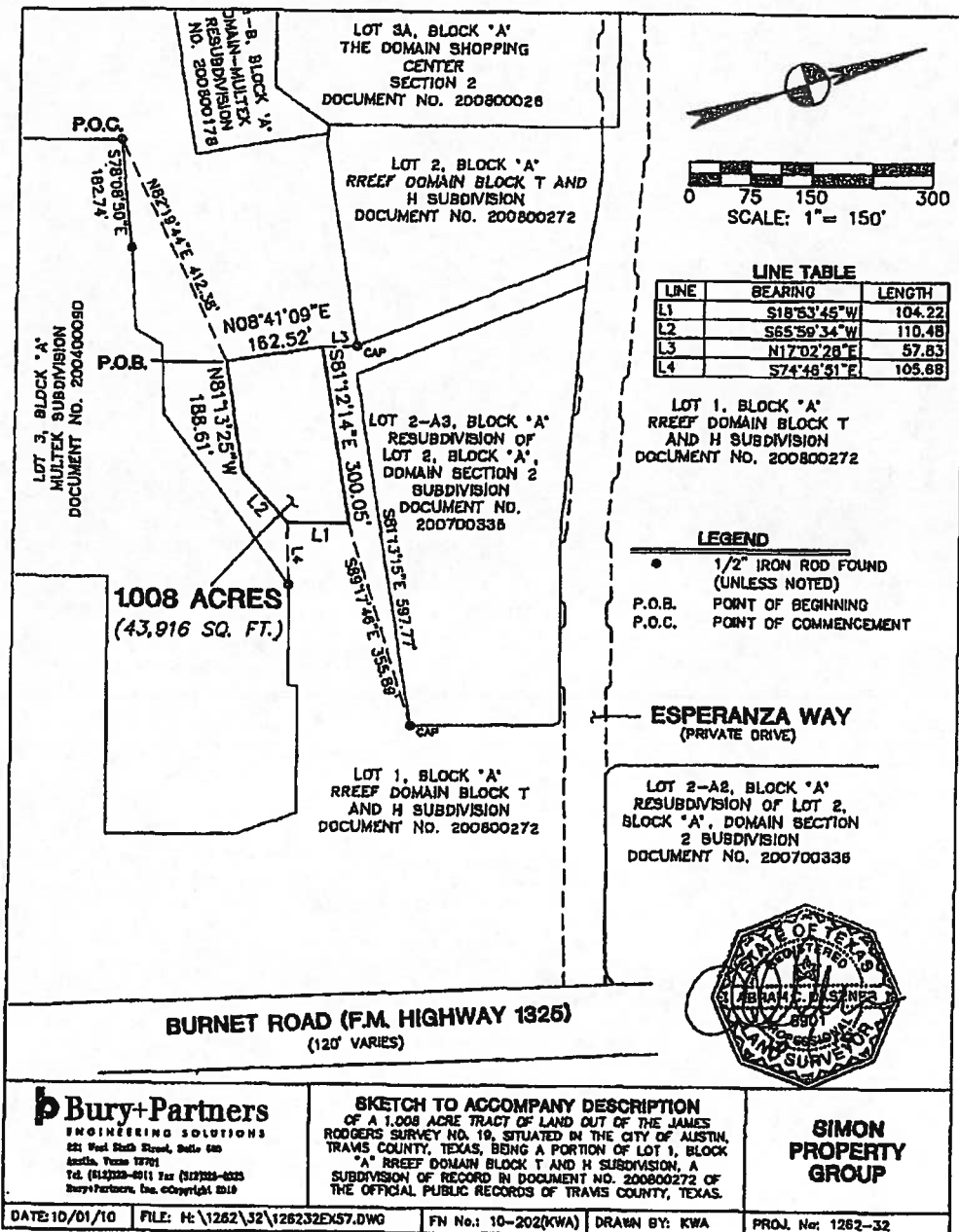
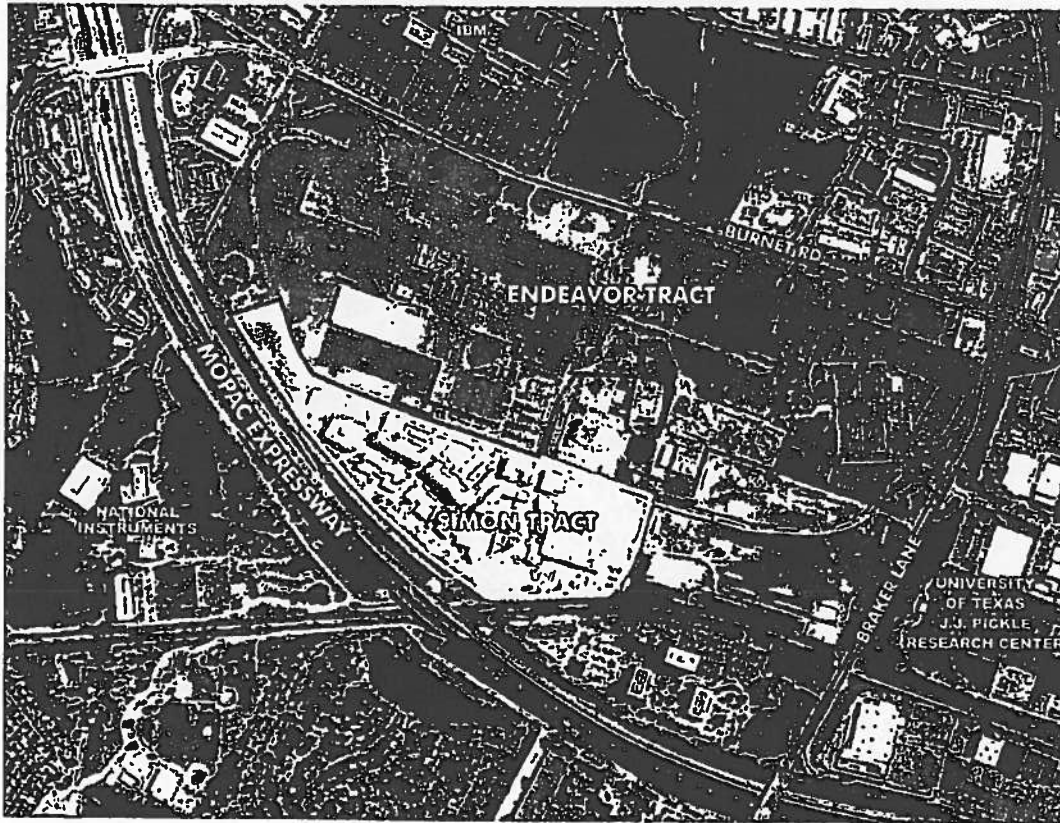


EXHIBIT D



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Oct 21, 2010 10:48 AM

2010156428

HOLMC: \$52.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS



Exhibit "A" – Legal Description

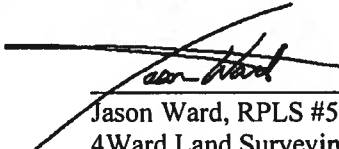
BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 1.0041 ACRES, (43,740 SQUARE FEET), BEING PARTIALLY OUT OF LOT 1, BLOCK "A", OF RREEF DOMAIN WHOLE FOODS MARKET SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN DOCUMENT NUMBER 201100129, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, (O.P.R.T.C.T.), AND BEING PARTIALLY OUT OF LOT 3, BLOCK "A", OF MULTEK SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN DOCUMENT NUMBER 200400090, (O.P.R.T.C.T.), SAID 1.0041 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203):

COMMENCING at a Mag nail with "Bury" Washer found for the southeast corner of Lot 2, Block "A" of Reef Domain Block T and H Subdivision, recorded in Document Number 200800272, O.P.R.T.C.T., said point being an interior ell-corner of said Lot 1, from which a 1/2-inch iron rod with "Bury" cap found for the southwest corner of said Lot 2 bears, N81°13'15"W, a distance of 597.77 feet;

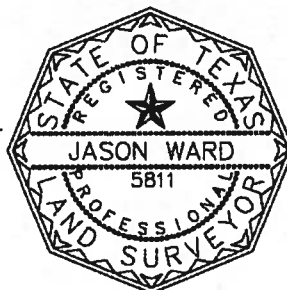
THENCE, over and across said Lot 1, S30°02'28"W, a distance of 122.71 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE, in part over and across said Lot 1, and in part over and across Lot 3, Block "A" of Multek Subdivision, recorded in Document Number 200400090, O.P.R.T.C.T., the following four (4) courses and distances:

- 1) **S19°36'23"W**, a distance of **243.00** feet to a calculated point for the southeast corner hereof,
- 2) **N70°23'37"W**, a distance of **180.00** feet to a calculated point for the southwest corner hereof,
- 3) **N19°36'23"E**, a distance of **243.00** feet to a calculated point for the northeast corner hereof, from which a 1/2-inch iron rod found for an angle point in the common line of said Lots 1 and 3 bears, S36°38'53"W, a distance of 94.92 feet, and
- 4) **S70°23'37"E**, a distance of **180.00** feet to the **POINT OF BEGINNING** and containing 1.0041 Acres (43,740 Square Feet) more or less.

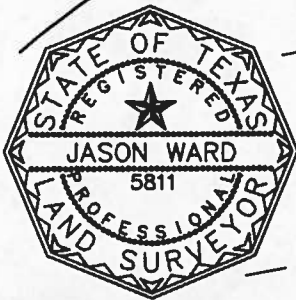

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

12/21/2011



RECORD INFORMATION
 (.....) PLAT, DOC #. 200800272
 [.....] PLAT, OOC #. 201100129
 [[.....]] PLAT, OOC #. 200400090

12/21/2011



BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000100775386.

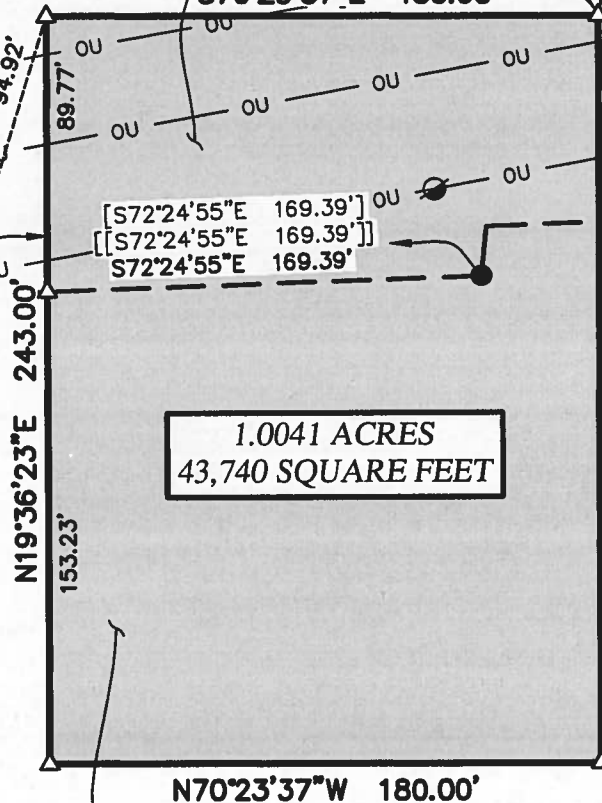
LEGEND

- PARKLAND AREA
- EXISTING PROPERTY LINES
- 1/2-INCH IRON ROD FOUND, UNLESS NOTED
- IRON ROD WITH "BURY" CAP FOUND
- △ CALCULATED POINT
- ▲ MAG NAIL WITH "BURY" WASHER FOUND
- UTILITY POLE
- SIGN (AS NOTED)
- OU — OVERHEAD UTILITIES
- DOC. # DOCUMENT NUMBER
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- VOL. VOLUME
- PG. PAGE
- R.O.W. RIGHT-OF-WAY
- O.P.R.T.C.T. OFFICIAL PLAT RECORDS, TRAVIS COUNTY, TEXAS

LOT 2, BLOCK "A"
 RREEF DOMAIN
 BLOCK T AND H SUBDIVISION
 DOC. # 200800272,
 O.P.R.T.C.T.

LOT 1, BLOCK "A"
 RREEF DOMAIN WHOLE FOODS
 MARKET SUBDIVISION
 DOC. # 201100129, O.P.R.T.C.T.

P.O.B.
 GRID N: 10,118,054.51
 GRID E: 3,119,981.47
 S70°23'37"E 180.00'



LOT 3, BLOCK "A"
 MULTEK SUBDIVISION
 DOC. # 200400090,
 O.P.R.T.C.T.

ALTERRA PARKWAY
 PRIVATE DRIVE

PARKLAND EXHIBIT
City of Austin,
Travis County, Texas

4WARD
 Land Surveying
 A Limited Liability Company

PO Box 90876, Austin Texas 78709
 www.4Wardls.com (512) 554-3371

Date: 12/21/2011
 Project: 00108
 Scale: 1" = 60'
 Reviewer: JSW
 Tech: JWS
 Field Crew: JCR/KD/JL
 Survey Date: 11/22/11
 Sheet: 1 OF 1