Item C-5

ZONING REVIEW SHEET

CASE:	C14-2015-0101 Kingsbery Community Solar Project	**P.C. DATE:**	October 27, 2015
DISTRICT:	3	**AREA:**	26.88 Acres
ADDRESS:	5017 ½ Alf Avenue and 5109 ½ Wilcox Avenue		
OWNER:	City of Austin (Pamela England)		
AGENT:	PowerFin Partners, LLC (Katie Ngo)		
FROM:	SF-3-NP, P-NP	**TO:**	P-NP

SUMMARY STAFF RECOMMENDATION: Staff supports the Public-Neighborhood plan (P-NP) rezoning request.

TIA: Not required

WATERSHED: Tannehill Branch Creek

DESIRED DEVELOPMENT ZONE: Yes

PLANNING COMMISSION RECOMMENDATION:
October 27, 2015:

ISSUES:
The subject property is owned by the City of Austin and is partially developed with an Austin Energy substation. The remainder of the property is currently undeveloped, but planned for a solar collection facility. If rezoned to public (P) zoning, a conditional use permit (CUP) will be required for any site plans (new development or redevelopment) of the subject property.

The property is not within the boundaries of the former East Austin Tank Farm site, but a Phase 1 Environmental Site Assessment (ESA) shows potential groundwater contamination from the former Tank Farm, as well as PCBs from the existing substation. A Phase 2 ESA is underway, and will be completed prior to site development permitting. Please refer to ***Exhibit A (Environmental Site Assessment Executive Summary).***

DEPARTMENT COMMENTS:
The subject property is located on the north side of railroad right-of-way which is owned by Capital Metro between Airport Boulevard and Highway 183. Several residential streets currently dead-end into the subject property, including Wilcox Avenue, Alf Avenue, Sara Drive, Estes Avenue, and Lott Avenue. The City does not currently have any plans to extend or connect these streets through the property. A portion of the subject property is currently zoned P-NP and developed with an Austin Energy substation. The remainder of the property is currently zoned SF-3-NP and is primarily undeveloped, except for utility easements and drainage structures. West of the subject property is a residential neighborhood that is zoned SF-3-NP and developed with single-family residences. East of the property are more single family residences and some undeveloped parcels that are also zoned SF-3-NP. South of the property, across the railroad right-of-way is the Think East Planned Unit Development (PUD-NP), a mixed-use development that is under development, as well as SF-3-NP property developed with residential, and SF-3-NP property used as part of the East Boggy Creek Greenbelt. Please refer to ***Exhibits B and C (Zoning Map and Aerial Map).***

In addition to the Austin Energy substation, there is a channelized section of Tannehill Branch Creek that crosses from the north to south side of the property as well as smaller drainage channels, several utility easements, and floodplain on the property. Please refer to ***Exhibits D (Property Survey).***

The property is not within the boundaries of the former East Austin Tank Farm site, but a Phase 1 Environmental Site Assessment (ESA) shows potential groundwater contamination from the former Tank Farm, as well as PCBs from the existing substation. A Phase 2 ESA is underway, and will be completed prior to site development permitting.

If rezoned to P-NP, development of the site as a solar collection facility would require a conditional use site plan. Site development standards would be determined at that time these include setbacks, building heights, impervious and building coverage, as well as standards for screening and similar design issues. The conditional use permit process would require notification of adjacent property owners and registered neighborhood organizations, as well as require planning commission approval.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	P-NP, SF-3-NP	Austin Energy substation, Drainage features, Undeveloped
North	SF-3-NP	Single-family residential, Undeveloped
South	PUD-NP, SF-3-NP	Railroad right-of-way, Undeveloped/Mixed use development, Single-family residential, East Boggy Creek Greenbelt
East	SF-3-NP	Single-family residential, Undeveloped
West	SF-3-NP	Single-family residential

CASE HISTORIES:

NUMBER / NAME	REQUEST	COMMISSION	CITY COUNCIL
ThinkEast Planned Unit Development (PUD) C814-2012-0128.SH	LO-MU-CO-NP, SF-3-NP to PUD-NP	5/28/2013: To grant as rec. by Staff (8-0)	6/27/2013: To grant as rec. by PC (7-0)

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	ADT
Alf Avenue	50'	30'	Local	N/A
Wilcox Avenue	50'	30'	Local	N/A
Lott Avenue	50'	30'	Local	336

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
East Austin Conservancy
Friends of Austin Neighborhoods
SEL Texas
Sierra Club, Austin Regional Group
METSA Neighborhood Association
Springdale-Airport Neighborhood Association
East MLK Combined Neighborhood Association
Austin Neighborhood Council
Del Valle Community Coalition
Friends of the Emma Barrientos MACC
FRS Property Owners Association
Johnston Terrace Neighborhood Association
Preservation Austin
Bike Austin
AISD
East MLK Combined Neighborhood Plan Contact Team

CITY COUNCIL DATE/ACTION: November 12, 2015:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

STAFF RECOMMENDATION:

Staff supports the P-NP zoning request. The property is not well suited to commercial or residential development, and the conditional use permit process will ensure a project that is designed with community notification and Planning Commission oversight.

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Public (P) district is the designation for a governmental, civic, public service, or public institution use. A P district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. A P district designation may not be applied to government-owned property that is leased to a nongovernmental agency for a use other than a governmental service or for a use that supports a primary civic or public institutional use. Since the subject property is owned by the City of Austin and planned to be used by Austin Energy, P zoning is the most suitable zoning category for the site.

2. Zoning changes should promote the health, welfare, and safety of, and otherwise fulfill the purposes of zoning as set forth in the Texas Local Government Code or the zoning ordinance.

P-NP zoning will allow expansion /addition of civic land uses that serve the area and community. Additionally, the presence of potentially hazardous materials on the property, as identified in the Environmental Site Assessment, makes the proposed use a safer option than residential or commercial.

3. Zoning should allow for reasonable use of the property.
The subject property is significantly impacted by the proximity of the railroad right-of-way, pipeline easements, Tannehill Branch Creek and related drainage structures, as well as the existing Austin Energy substation. The remainder of the property is not well suited for residential or commercial development because of the potentially hazardous materials on the property.

ADDITIONAL STAFF COMMENTS

TRANSPORTATION

TR1. No additional right-of-way is needed at this time.

TR2. A traffic impact analysis is not triggered at this time. If it is determined at time of site plan that the proposed development exceeds 2,000 vehicle trips per day, a traffic impact analysis may be required prior to site plan approval.

TR3. Alf Ave., Wilcox Ave., and Lott Ave. are not classified in the Bicycle Plan.

TR4. Capital Metro bus service is not available along Alf Ave., Wilcox Ave., and Lott Ave.

TR5. There are no sidewalks along Alf Ave., Wilcox Ave., and Lott Ave.

TR6. Nathan Wilkes and Eric Dusza with the Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

SITE PLAN

SP 1. Following the requested rezoning, the subject site will be zoned P (Public), and is greater than one acre in size. Therefore, when applications for site plans are subsequently submitted, Conditional Use Permits will be required (LDC Section 25-2-625), and must be approved by the Land Use Commission.

SP 2. Additional comments will be provided following submittal of site plans detailing the proposed development on this property.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

WATER UTILITY

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

EXHIBIT A

1.0 Executive Summary

Energy Renewal Partners, LLC (Energy Renewal) was contracted by PowerFin Partners to perform a Phase I Environmental Site Assessment (ESA) of the proposed location of the Kingsbery Solar Project ("Site" or "subject site"). The subject site is located near Sara Drive and Alf Avenue in east Austin, Travis County, Texas, as shown on Figure 1. The purpose of the Phase I ESA was to determine if recognized environmental conditions (RECs) are present at the Site based on the available information.

The Phase I ESA was conducted in general accordance with ASTM E 1527-13. The environmental site assessment was conducted under the supervision or responsible charge of an individual that qualifies as an environmental professional, as defined in 40 CFR §312.10.

The Site is comprised of the 1.1-acre parcel of land identified by Travis Central Appraisal District (TCAD) Property IDs 192566 (Parcel 1) and an approximate 21.7-acre portion of the parcel identified by TCAD Property ID 193744 (Parcel 2), totaling approximately 22.8 acres. The approximate 5.6-acre portion of Parcel 2 covered by the Kingsbery Substation has been excluded from this assessment. The Site is comprised of a mix of grasslands and forested area with a transmission line and a concrete-lined tributary running through the site.

As documented and qualified in this report, this Phase I ESA has not revealed evidence of RECs in connection with the subject site, except for the following:

- Groundwater contamination from the former East Austin Tank Farm located approximately 500 feet to the northwest of the Site has been documented to travel southeast toward the Site and had documented concentrations of methyl tertiary butyl ether (MTBE) above the Texas Risk Reduction Program (TRRP) Tier 1 Protective Concentration Level (PCL) for commercial/industrial properties beneath the southwestern portion of the Site in 1994. This documented groundwater contamination in the southwestern portion of the Site is considered a REC of the Site.
- Releases of polychlorinated biphenyls (PCB) and petroleum products have been documented from the Kingsbery substation located adjacent to the southwestern portion of the site. A soil and groundwater assessment was completed within the substation in 2009, which confirmed TPH contamination above the TRRP Tier 1 PCL for residential properties in the soil within the substation area. PCBs were non-detect in soil and groundwater samples, however, the groundwater monitoring well nearest the Site was dry at the time of the assessment. Due to the age of the substation and the lack of a confirmatory groundwater sample from the Site and the groundwater well nearest the Site, the documented releases of PCBs and petroleum products at the Kingsbery Substation is considered a REC of the Site.

1.1 Findings and Opinions

Energy Renewal identified the following known or suspect RECs, Controlled RECs (CREC), Historical RECs (HREC), and de minimis conditions associated with the subject site as part of this assessment:

- The debris piles located on the northern portion of the Site are considered de minimus conditions of the site. This observation is not considered a REC of the Site because the contents appeared to be limited to small amounts of household debris and wood and no ground staining was observed in the vicinity of the debris piles; and,
- Minor ground staining from an oil filter observed on the western portion of the Site is considered a de minimus condition of the Site. This observation is not considered a REC of the Site due to the limited amount ground staining observed and the total amount of oil that would likely be lost from a single oil filter (no additional maintenance type activities appeared to have occurred in this location); and,
- Groundwater contamination from the former East Austin Tank Farm located approximately 500 feet to the northwest of the Site has been documented to travel southeast toward the Site and had documented concentrations of MTBE above TRRP Tier 1 PCL of 73 mg/L for commercial/industrial properties beneath the southwestern portion of the Site in 1994. This documented groundwater contamination in the southwestern portion of the Site is considered a REC of the Site.
- Releases of PCBs and petroleum products have been documented from the Kingsbery substation located adjacent to the southwestern portion of the site. A soil and groundwater assessment was completed within the substation in 2009, which confirmed TPH contamination above the TRRP Tier 1 PCL for residential properties in the soil within the substation area. PCBs were non-detect in soil and groundwater samples, however, the groundwater monitoring well nearest the Site was dry at the time of the assessment. Due to the age of the substation and the lack of a confirmatory groundwater sample from the Site and the groundwater well nearest the Site, the documented releases of PCBs and petroleum products at the Kingsbery Substation is considered a REC of the Site.

1.2 Conclusions and Recommendations

Energy Renewal performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the proposed Kingsbery Solar Project. Any exceptions to, or deletions from, this practice are described in Section 2.4 of this report.

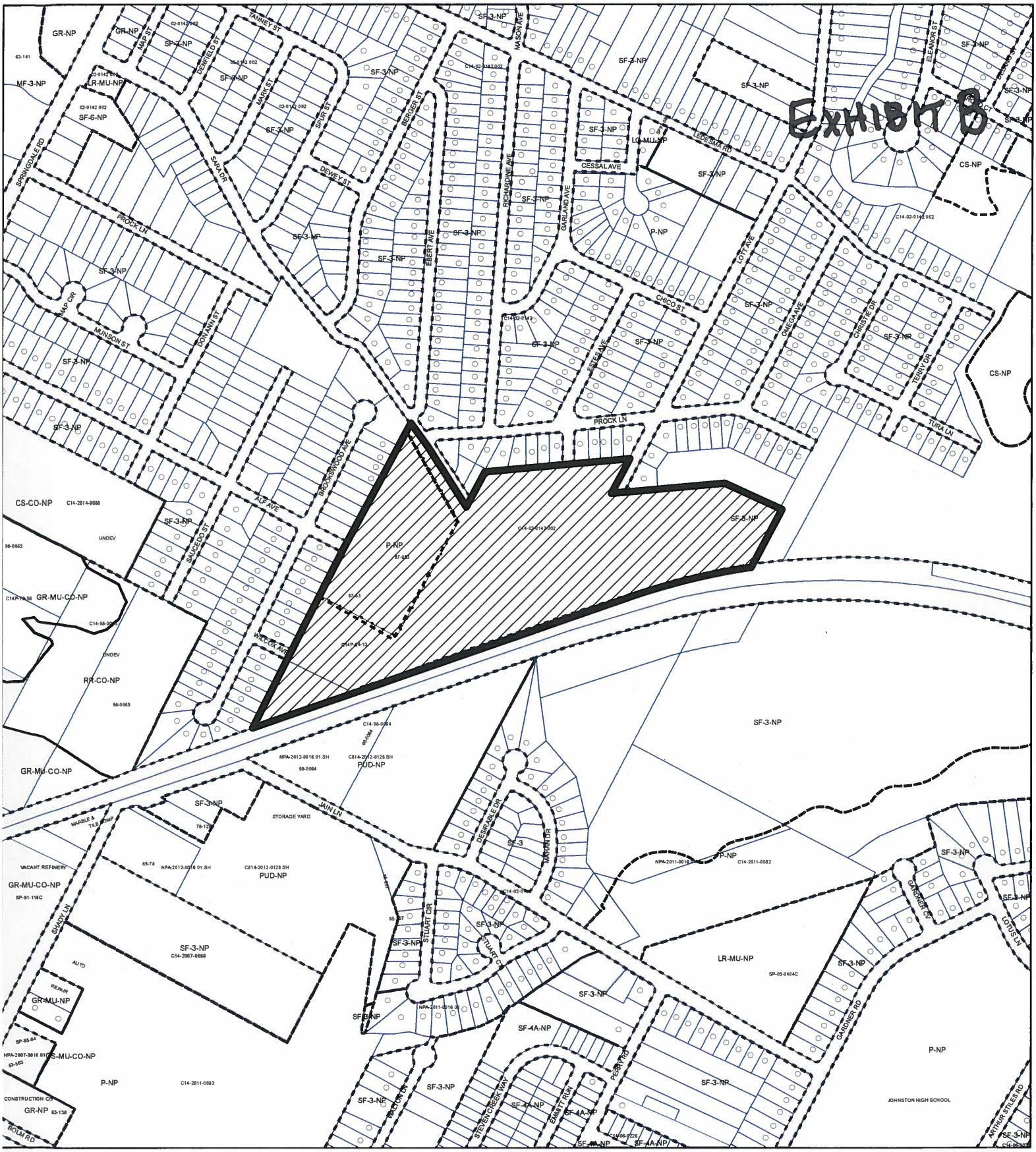
As documented and qualified in this report, this Phase I ESA has not revealed evidence of RECs in connection with the subject site, except for the following:

- Groundwater contamination from the former East Austin Tank Farm located approximately 500 feet to the northwest of the Site has been documented to travel southeast toward the Site and had documented concentrations of MTBE above TRRP Tier 1 PCL of 73 mg/L for

commercial/industrial properties beneath the southwestern portion of the Site in 1994. This documented groundwater contamination in the southwestern portion of the Site is considered a REC of the Site.

- Releases of PCBs and petroleum products have been documented from the Kingsbery substation located adjacent to the southwestern portion of the site. A soil and groundwater assessment was completed within the substation in 2009, which confirmed TPH contamination above the TRRP Tier 1 PCL for residential properties in the soil within the substation area. PCBs were non-detect in soil and groundwater samples, however, the groundwater monitoring well nearest the Site was dry at the time of the assessment. Due to the age of the substation and the lack of a confirmatory groundwater sample from the Site and the groundwater well nearest the Site, the documented releases of PCBs and petroleum products at the Kingsbery Substation is considered a REC of the Site.

Energy Renewal recommends completing a Phase II Soil and Groundwater Assessment to determine if soil or groundwater beneath the southwestern and western portion of the Site is currently impacted by historically documented groundwater contamination from the East Austin Tank Farm Site.



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2015-0101

1:6,500

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.

CITY OF AUSTIN FOUNDED 1839

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PUD-NP
STORAGE YARD
SF-3
LR-MU-NP
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98-0064
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EXHIBIT D

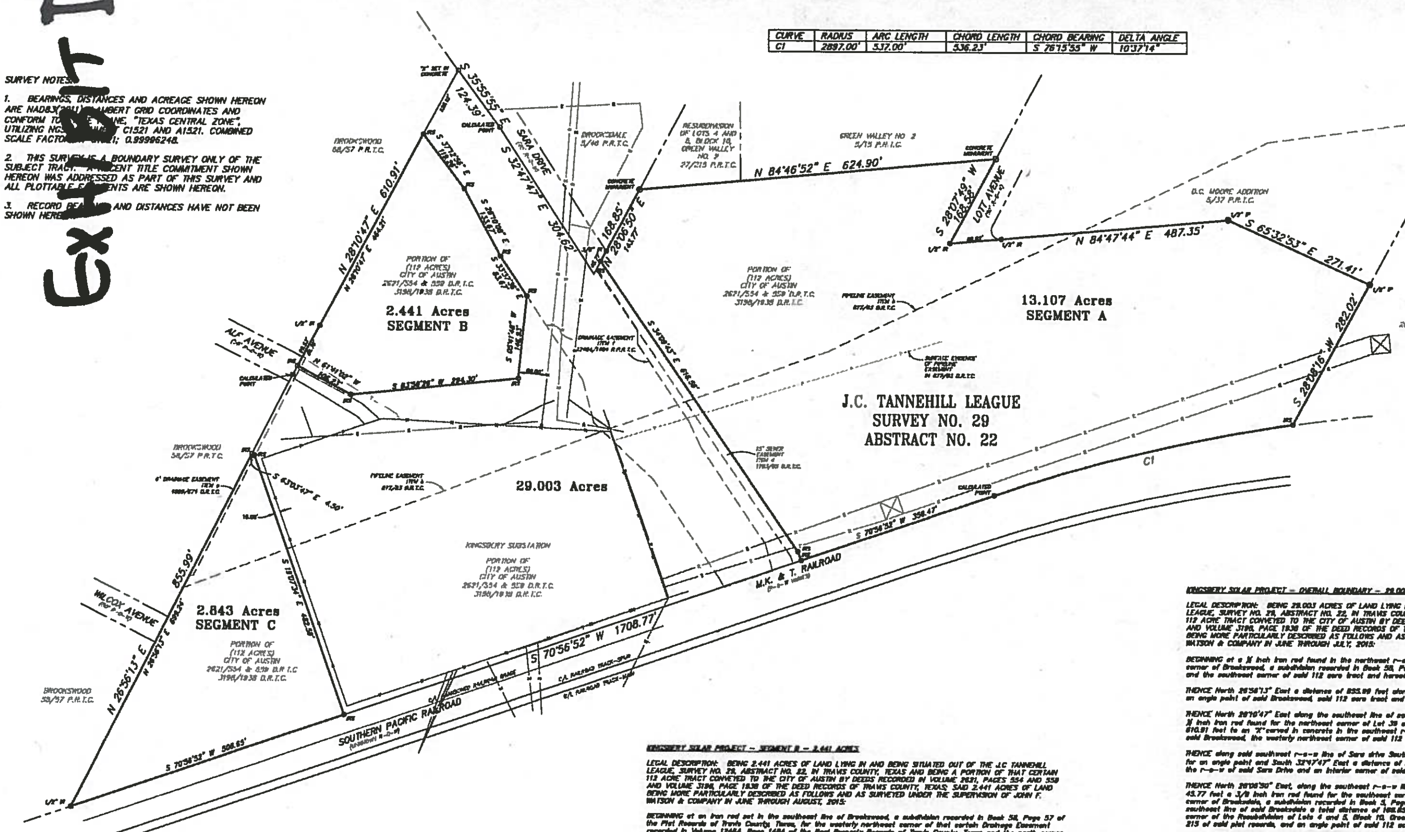
SURVEY NOTES:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83([illegible]) [illegible]AMBERT GRID COORDINATES AND CONFORM TO [illegible]NE, "TEXAS CENTRAL ZONE", UTILIZING NG[illegible] C1521 AND A1521. COMBINED SCALE FACTO[illegible]1; 0.99996248.

2. THIS SURV[illegible] A BOUNDARY SURVEY ONLY OF THE SUBJECT TRACT. [illegible]CENT TITLE COMMITMENT SHOWN HEREON WAS ADDRESSED AS PART OF THIS SURVEY AND ALL PLOTTABLE E[illegible]ENTS ARE SHOWN HEREON.

3. RECORD BEA[illegible] AND DISTANCES HAVE NOT BEEN SHOWN HERE[illegible]

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2897.00'	537.00'	536.23'	S 78°15'55" W	10°37'14"



<u>KINGSBERY SOLAR PROJECT - SEGMENT A - 13.107 ACRES</u>

LEGAL DESCRIPTION: BEING 13.107 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE J.C TANNEHILL LEAGUE, SURVEY NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 112 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEEDS RECORDED IN VOLUME 2621, PAGES 554 AND 559 AND VOLUME 3198, PAGE 1938 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.107 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN JUNE THROUGH AUGUST, 2015:

BEGINNING at a ½ inch iron pipe found for the southeast corner of the D.C. Moore Addition, a subdivision recorded in Book 5, Page 37 of the Plat Records of Travis County, Texas, an interior corner of said 112 acre tract and the easterly northeast corner hereof;

THENCE South 28°08'16" West a distance of 282.02 feet, crossing said 112 acre tract, to an iron rod set in the curving northwest r-o-w line of the M.K. & T. Railroad for the southeast corner hereof;

THENCE along said curving northwest r-o-w line to the left an arc length of 537.00 feet, with a radius of 2897.00 feet, and a chord bearing South 78°15'55" West a chord length of 536.23 feet to a point for the point of tangency of said curve;

THENCE South 70°56'52" West a distance of 356.47 feet along the northwest r-o-w line of said railroad to an iron rod set for the southeast corner of a 15 foot wide sewer line easement recorded in Volume 1783, Page 85 of said deed records and the southwest corner hereof;

THENCE along the northeast line of said sewer easement North 31°07'43" West a distance of 16.46 feet to an iron rod set for an angle point and North 34°09'43" West a distance of 616.56 feet to an iron rod set in the southeast r-o-w line (dead end) of Sara Drive for the west corner hereof and from which a point for the south corner of the r-o-w of said Sara Drive and an interior corner of said 112 acre tract bears South 28°06'50" West a distance of 25.08 feet along said southeast r-o-w line;

THENCE North 28°06'50" East, along the southeast r-o-w line of said Sara Drive and passing at a distance of 20.69 feet a 3/8 inch iron rod found for the southeast corner of the r-o-w of said Sara Drive and the south corner of Brookedale, a subdivision recorded in Book 5, Page 46 of said plat records, continuing along the southeast line of said Brookedale a total distance of 143.77 feet to a concrete monument found for the southwest corner of the Resubdivision of Lots 4 and 5, Block 10, Green Valley No. 2, a subdivision recorded in Book 27, Page 215 of said plat records, and an angle point of said 112 acre tract and hereof;

THENCE North 84°46'52" East a distance of 624.90 feet along the south line of said Resubdivision and the south line of Green Valley No. 2, a subdivision recorded in Book 5, Page 15 of said plat records, to a concrete monument found in the west r-o-w line of Lott Avenue for an interior corner of said Green Valley No. 2 and an ell corner of said 112 acre tract and hereof;

THENCE South 28°07'49" West a distance of 168.58 feet along the west r-o-w line of said Lott Avenue to a ½ inch iron rod found for the southwest corner of the r-o-w of said Lott Avenue, an ell corner of said Green Valley No. 2, and interior corner of said 112 acre tract and hereof;

THENCE North 84°47'44" East, along the south r-o-w line of said Lott Avenue and passing at a distance of 69.92 feet a ½ inch iron rod found for a cutback corner of said D.C. Moore Addition, continuing along the south line of said D.C. Moore Addition a total distance of 487.35 feet to a ½ inch iron pipe found for an angle point of said D.C. Moore Addition, said 112 acre tract and hereof;

THENCE South 65°32'53" East a distance of 271.41 feet along the southwest line of said D.C. Moore Addition to the POINT OF BEGINNING and containing 13.107 acres of land, more or less.

<u>KINGSBERY SOLAR PROJECT - SEGMENT B - 2.441 ACRES</u>

LEGAL DESCRIPTION: BEING 2.441 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE J.C TANNEHILL LEAGUE, SURVEY NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 112 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEEDS RECORDED IN VOLUME 2621, PAGES 554 AND 559 AND VOLUME 3198, PAGE 1938 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.441 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN JUNE THROUGH AUGUST, 2015:

BEGINNING at an iron rod set in the southeast line of Brookswood, a subdivision recorded in Book 58, Page 57 of the Plat Records of Travis County, Texas, for the westerly northeast corner of that certain Drainage Easement recorded in Volume 12484, Page 1484 of the Real Property Records of Travis County, Texas and the north corner hereof and from which an "X" carved in concrete in the southwest r-o-w line of Sara Drive for the northeast corner of said Brookswood and the westerly northeast corner of said 112 acre tract bears North 28°10'47" East a distance of 129.12 feet along said southeast line;

THENCE along the southwest line of said drainage easement the following three (3) calls:

1. South 37°12'38" East a distance of 119.28 feet to an iron rod set for an angle point hereof;
2. South 28°10'08" East a distance of 133.67 feet to an iron rod set for an angle point hereof;
3. South 33°37'36" East a distance of 83.67 feet to an iron rod set for the easterly northeast corner hereof;

THENCE South 05°41'48" West a distance of 146.93 feet to an iron rod set for the southeast corner hereof;

THENCE South 83°58'28" West a distance of 294.30 feet to an iron rod set for an angle point hereof;

THENCE North 61°41'02" West a distance of 106.23 feet to an iron rod set in the southeast r-o-w line of Alf Avenue and the southeast line of said Brookswood for the west corner hereof;

THENCE North 28°10'47" East along said southeast line of said Brookswood, passing at a distance of 81.78 feet a ½ inch iron rod found, continuing in all a distance of 464.21 feet to the POINT OF BEGINNING and containing 2.441 acres of land, more or less

<u>KINGSBERY SOLAR PROJECT - SEGMENT C - 2.843 ACRES</u>

LEGAL DESCRIPTION: BEING 2.843 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE J.C TANNEHILL LEAGUE, SURVEY NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 112 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEEDS RECORDED IN VOLUME 2621, PAGES 554 AND 559 AND VOLUME 3198, PAGE 1938 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.843 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN JUNE THROUGH AUGUST, 2015:

BEGINNING at a ½ inch iron rod found in the northwest r-o-w line of the M.K. & T. Railroad for the southeast corner of Brookswood, a subdivision recorded in Book 58, Page 57 of the Plat Records of Travis County, Texas, and the southeast corner of said 112 acre tract and hereof;

THENCE North 26°56'13" East a distance of 699.24 feet along the southeast line of said Brookswood to an iron rod set for the northwest corner hereof;

THENCE South 63°03'47" East a distance of 4.50 feet to an iron rod set for the northeast corner hereof;

THENCE South 19°07'34" East a distance of 482.98 feet to an iron rod set in the northwest r-o-w line of said railroad for the east corner hereof;

THENCE South 70°56'52" West a distance of 506.85 feet along the northwest r-o-w line of said railroad to the POINT OF BEGINNING and containing 2.843 acres of land, more or less.

<u>KINGSBERY SOLAR PROJECT - OVERALL BOUNDARY - 29.003 ACRES</u>

LEGAL DESCRIPTION: BEING 29.003 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE J.C TANNEHILL LEAGUE, SURVEY NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 112 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEEDS RECORDED IN VOLUME 2621, PAGES 554 AND 559 AND VOLUME 3198, PAGE 1938 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 29.003 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN JUNE THROUGH JULY, 2015:

BEGINNING at a ½ inch iron rod found in the northwest r-o-w line of the M.K. & T. Railroad for the southeast corner of Brookswood, a subdivision recorded in Book 58, Page 57 of the Plat Records of Travis County, Texas, and the southeast corner of said 112 acre tract and hereof;

THENCE North 26°56'13" East a distance of 855.99 feet along the southeast line of said Brookswood to a point for an angle point of said Brookswood, said 112 acre tract and hereof;

THENCE North 28°10'47" East along the southeast line of said Brookswood, passing at a distance of 98.53 feet a ½ inch iron rod found for the northeast corner of Lot 38 of said Brookswood, continuing in all a distance of 610.91 feet to an "X" carved in concrete in the southwest r-o-w line of Sara Drive for the northeast corner of said Brookswood, the westerly northeast corner of said 112 acre tract and an ell corner hereof;

THENCE along said southwest r-o-w line of Sara drive South 35°55'55" East a distance of 124.39 feet to a point for an angle point and South 32°47'47" East a distance of 304.62 feet to an iron rod set for the south corner of the r-o-w of said Sara Drive and an interior corner of said 112 acre tract and hereof;

THENCE North 28°06'50" East, along the southeast r-o-w line of said Sara Drive and passing at a distance of 45.77 feet a 3/8 inch iron rod found for the southeast corner of the r-o-w of said Sara Drive and the south corner of Brookedale, a subdivision recorded in Book 5, Page 46 of said plat records, continuing along the southeast line of said Brookedale a total distance of 168.85 feet to a concrete monument found for the southwest corner of the Resubdivision of Lots 4 and 5, Block 10, Green Valley No. 2, a subdivision recorded in Book 27, Page 215 of said plat records, and an angle point of said 112 acre tract and hereof;

THENCE North 84°46'52" East a distance of 624.90 feet along the south line of said Resubdivision and the south line of Green Valley No. 2, a subdivision recorded in Book 5, Page 15 of said plat records, to a concrete monument found in the west r-o-w line of Lott Avenue for an interior corner of said Green Valley No. 2 and an ell corner of said 112 acre tract and hereof;

THENCE South 28°07'49" West a distance of 168.58 feet along the west r-o-w line of said Lott Avenue to a ½ inch iron rod found for the southwest corner of the r-o-w of said Lott Avenue, an ell corner of said Green Valley No. 2, and interior corner of said 112 acre tract and hereof;

THENCE North 84°47'44" East, along the south r-o-w line of said Lott Avenue and passing at a distance of 69.92 feet a ½ inch iron rod found for a cutback corner of the D.C. Moore Addition, a subdivision recorded in Book 5, Page 37 of said plat records, continuing along the south line of said D.C. Moore Addition a total distance of 487.35 feet to a ½ inch iron pipe found for an angle point of said D.C. Moore Addition, said 112 acre tract and hereof;

THENCE South 65°32'53" East a distance of 271.41 feet along the southwest line of said D.C. Moore Addition to a ½ inch iron pipe found for southeast corner of said D.C. Moore Addition, an interior corner of said 112 acre tract and the easterly northeast corner hereof;

THENCE South 28°08'16" West a distance of 282.02 feet, crossing said 112 acre tract, to a point in the curving northwest r-o-w line of said railroad for the southeast corner hereof;

THENCE along said curving northwest r-o-w line to the left an arc length of 537.00 feet, with a radius of 2897.00 feet, and a chord bearing South 78°15'55" West a chord length of 536.23 feet to a point for the point of tangency of said curve;

THENCE South 70°56'52" West a distance of 1708.77 feet along the northwest r-o-w line of said railroad to the POINT OF BEGINNING and containing 23.117 acres of land, more or less.

Note: Bearings, distances, and acreage shown hereon are Grid, NAD83(2011), Texas Central Zone and are based on NGS STATION C1521. Iron rods set are 1/2 inch by 24 inch steel rebar with blue plastic caps marked "JFW FIRM# 101173-00".

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT IS DERIVED FROM ACTUAL FIELD NOTES OF ON-THE-GROUND SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN F. WATSON
TEXAS R.P.L.S. No. 5498
DATE: AUGUST 7, 2015

STATE OF TEXAS — REGISTERED — JOHN F. WATSON — 5498 — PROFESSIONAL — LAND SURVEYOR

KINGSBERY SOLAR BOUNDARY SURVEY

SCALE 1" = 100'
GRID

TITLE CO. OLD REPUBLIC NATIONAL INS. Co.
TITLE FILE # 1518171-HAY
EFFECTIVE DATE JUNE 24, 2015
VERSION V.1
SCHEDULE A –
SCHEDULE B –
ALTA NOTES –

AUGUST 7, 2015

BOUNDARY SURVEY MAP OF THREE LEASE SITES OUT OF 29.003 ACRES OF LAND OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29 ABSTRACT NO. 22 TRAVIS COUNTY, TEXAS

John F. Watson & Company
LAND & DEVELOPMENT SERVICES
PROFESSIONAL LAND SURVEYORS
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JOB NO.: 15-0197 FIELD BOOK B489/24
DATE 07/09/2015 REV. FINAL
DATE 08/07/2015 REV. FINAL
DATE – REV. –
DATE – REV. –
FILE: 2015\KINGSBERY SOLAR\KINGSBERY SOLAR.DWG

SHEET TITLE
BOUNDARY SURVEY
SHEET NUMBER
BS – 1 OF 1