

Late Backup

#65

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY GENERALLY KNOWN AS THE INDIAN HILLS PROJECT LOCATED ALONG NORTH FM 973 ROAD, REZONING AND CHANGING THE ZONING MAP FROM UNZONED (UNZ), DEVELOPMENT RESERVE (DR) DISTRICT, AND PUBLIC (P) DISTRICT TO MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT FOR TRACT ONE AND LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-2009-0089, on file at the Planning and Development Review Department, as follows:

Tract One: From unzoned (UNZ), development reserve (DR) district, and public (P) district to multifamily residence medium density (MF-3) district.

A 89.907 acre tract of land, more or less, out of the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From unzoned (UNZ) to limited industrial service-conditional overlay (LI-CO) combining district.

A 149.951 acre tract of land, more or less, out of the Reuben Hornsby Survey No. 17, Abstract No. 15, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

(Tracts One and Two now being identified as the "Property"),

locally known as the Indian Hills Project (the "Project") at 5609, 5709, 5911, 6513 North FM 973 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Page Back

PART 2. Development of the Property is subject to requirements of the Whisper Valley and Indian Hills Annexation and Development Agreement dated effective as of June 18, 2009, by and among the City of Austin and those other parties named in the agreement (the "Development Agreement"). The Development Agreement includes but is not limited to the following conditions specifically applicable to development of the Project:

- A. The requirements of Section 25-4-211 (*Parkland Dedication*) of the Code do not apply to the Property. As set forth in Section 3.08(1) of the Development Agreement, parkland dedication requirements for the Property is satisfied up to a total of 9,028 residential units combined with the Whisper Valley planned unit development project. Additional parkland dedication and/or fees will not be required unless that total number of units is exceeded.
- B. For purposes of Section 25-8-341 (*Cut Requirements*) and Section 25-8-342 (*Fill Requirements*) of the Code, private streets developed with the property shall be treated as "roadways."
- C. The Director of the Planning and Development Review Department (the "Director") may grant an administrative variance to the requirements of Section 25-4-171 (A) (*Access to Lots*) if the Director determines that an adequate alternative for resident and emergency access is available.
- D. The following land uses and activities that currently exist within the Property as of the date of this ordinance shall be allowed to continue operating in the same manner, upon limited purpose annexation of the Property into the City: (i) agricultural (including without limitation, ranching and farm uses); and (ii) hunting. Hunting shall be prohibited after issuance of the first building permit for any part of the Property.

PART 3. The Property identified as Tract Two within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses are prohibited uses of Tract Two:

Automotive rentals	Automotive repair services
Automotive sales	Campground
Commercial off-street parking	Drop-off recycling collection facility
Equipment repair services	Equipment sales

1 Exterminating services
2 Monument retail sales
3 Basic industry
4 Recycling center

Funeral services
Vehicle storage
General warehousing & distribution
Resource extraction

5
6 Except as specifically restricted under this ordinance, the Property may be developed and
7 used in accordance with the regulations established for the respective base districts, and
8 other applicable requirements of the City Code.
9

10
11 **PART 4.** This ordinance takes effect on _____, 2010.
12

13
14 **PASSED AND APPROVED**

15
16 §
17 §
18 _____, 2010 § _____
19 Lee Leffingwell
20 Mayor
21

22
23 **APPROVED:** _____ **ATTEST:** _____
24 Karen M. Kennard Shirley A. Gentry
25 Acting City Attorney City Clerk

"Exhibit A"

Tract I - MF

89.907 ACRES
INDIAN HILLS
REUBEN HORNSBY SURVEY

FN NO. 10-120 (KWA)
JUNE 8, 2010
BPI JOB NO. 1758-05

DESCRIPTION

OF A 89.907 ACRE TRACT OUT OF THE REUBEN HORNSBY SURVEY NO. 17, ABSTRACT NO. 15, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 149.45 ACRE TRACT CONVEYED TO CLUB DEAL 116 INDIAN HILLS, TX, LIMITED PARTNERSHIP, BY DEED OF RECORD IN DOCUMENT NO. 2005232159, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 89.907 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found on the easterly right-of-way line of E.M. 973 (R.O.W. Varies), being the southwesterly corner of that certain 18.36 acre tract conveyed to Winding Prairie Grass Trails, Ltd., by Deed of record in Document No. 20000202543, of said Official Public Records, for the northwesterly corner of said 149.45 acre tract and hereof;

THENCE, S56°05'52"E, leaving said easterly right-of-way line, along the southerly line of said 18.36 acre tract, for a portion of the northerly line of said 149.45 acre tract and hereof, a distance of 653.35 feet to a 1/2-inch iron pipe found in concrete at the southeasterly corner of said 18.36 acre tract, being the southwesterly corner of that certain 71.930 acre tract conveyed to Decker Creek Estates Limited, by Deed of record in Volume 12715, Page 1040, of the Real Property Records of Travis County, Texas, also being the northwesterly corner of that certain 12.13 acre tract conveyed to the City of Austin, by Deed of record in Volume 3310, Page 1682, of the Deed Records of Travis County, Texas, for an angle point;

THENCE, along the westerly and southerly lines of said 12.13 acre tract, being the northerly line of said 149.45 acre tract, for a portion of the northerly line hereof, the following four (4) courses and distances:

- 1) S27°24'41"W, a distance of 804.78 feet to a 1/2-inch iron pipe found in concrete at the southwesterly corner of said 12.13 acre tract, for an angle point;
- 2) S61°27'34"E, a distance of 1050.70 feet to a 1/2-inch iron rod found for an angle point;
- 3) S27°34'27"W, a distance of 322.94 feet to a 1/2-inch iron rod found for an angle point;
- 4) S64°13'26"E, a distance of 362.67 feet to a 1/2-inch iron rod with cap found at the southeasterly corner of said 12.13 acre tract, being on the westerly line of that certain 15.586 acre tract conveyed to Jaketown 130 LLC, by Deed of record in Document No. 2007209496, of said Official Public Records, for the northeasterly corner of said 149.45 acre tract and hereof;

THENCE, S27°12'10"W, along the westerly line of said 15.586 acre tract, being the easterly line of said 149.45 acre tract, for a portion of the easterly line hereof, a distance of 1399.85 feet to a 1/2-inch iron rod with cap found at the most southerly corner of said 15.586 acre tract, being an angle point in the westerly right-of-way line of SH 130 (R.O.W. varies), for an angle point;

THENCE, S27°12'02"W, along said westerly right-of-way line of SH 130, being the easterly line of said 149.45 acre tract, for a portion of the easterly line hereof, a distance of 80.83 feet to a calculated point at the beginning of a non-tangent curve to the left, for the southeasterly corner hereof;

THENCE, leaving said westerly right-of-way line, over and across said 149.45 acre tract, for the southerly line hereof, the following seven (7) courses and distances:

- 1) Along said curve, having a radius of 1495.00 feet, a central angle of 17°19'48", an arc length of 452.18 feet, and a chord which bears N58°59'07"W, a distance of 450.46 feet to a calculated point at the point of tangency of said curve;
- 2) N67°39'01"W, a distance of 394.14 feet to a calculated point at the point of curvature of a curve to the right;
- 3) Along said curve, having a radius of 1455.00 feet, a central angle of 18°38'35", an arc length of 473.43 feet, and a chord which bears N58°19'45"W, a distance of 471.35 feet to a calculated point at the point of tangency of said curve;
- 4) N49°00'30"W, a distance of 169.57 feet to a calculated point at the beginning of a non-tangent curve to the left;
- 5) Along said curve, having a radius of 1995.00 feet, a central angle of 03°24'05", an arc length of 118.43 feet, and a chord which bears N50°42'30"W, a distance of 118.41 feet to a calculated point at the end of said curve;
- 6) N28°05'04"E, a distance of 353.62 feet to a calculated point, for an angle point;
- 7) N61°54'56"W, a distance of 483.59 feet to a calculated point on the westerly line of said 149.45 acre tract, being said easterly right-of-way line of F.M. 973, for the southwesterly corner hereof;

THENCE, along said easterly right-of-way line, being the westerly line of said 149.45 acre tract, for the westerly line hereof, the following two (2) courses and distances:

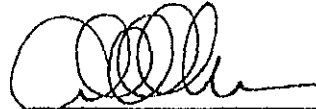
FN NO. 10-120(KWA)
JUNE 8, 2010
PAGE 3 OF 4

- 1) N27°33'54"E, a distance of 1486.14 feet to a TxDOT Type I monument found for an angle point;
- 2) N27°32'27"E, a distance of 777.67 feet to the POINT OF BEGINNING, and containing 89.907 acres (3,916,336 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA GPS CONTROL MONUMENTATION.

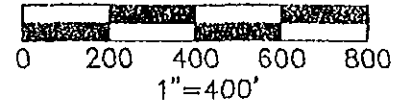
I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS DETERMINED BY A SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES. A SURVEY SKETCH EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY + PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH ST., SUITE 600
AUSTIN, TEXAS 78701

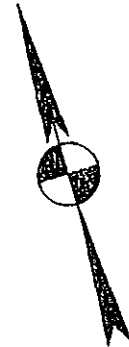
 6-8-10
ABRAM C. DASHNER, R.P.L.S.
NO. 5901
STATE OF TEXAS



WINDING PRAIRIE
GRASS TRAIL, LTD.
18.36 ACRES
DOCUMENT NO.
2000202543



DECKER CREEK ESTATES LIMITED
71.930 ACRES
VOLUME 12715, PAGE 1040



CITY OF AUSTIN
12.13 ACRES
VOLUME 3310, PAGE 1682

F.M. 973 (R.O.W. VARIES)

N27°33'54"E 1486.14'

P.O.B.

S56°05'52"E
653.35'

S27°24'41"W 804.78'

S61°27'34"E 1050.70'

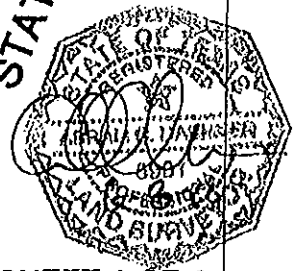
89.907 ACRES
(3,916,336 SQ. FT.)

CLUB DEAL 116-INDIAN HILLS
TX, LIMITED PARTNERSHIP
TRACT ONE-149.45 ACRES
DOCUMENT NO. 2005232159

REUBEN HORNSBY SURVEY NO. 17
ABSTRACT NO. 15

JAKETOWN 130 LLC
TRACT 2-15.586 ACRES
DOCUMENT NO. 2007209495

STATE HIGHWAY 130
(R.O.W. VARIES)



SHEET 1 OF 2

Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0326
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SKETCH TO ACCOMPANY DESCRIPTION
OF 89.907 ACRES OF LAND OUT OF THE REUBEN HORNSBY SURVEY
NO. 17, ABSTRACT NO. 15, SITUATED IN TRAVIS COUNTY, TEXAS, BEING
A PORTION OF THAT CERTAIN TRACT-ONE 149.45 ACRES OF LAND
CONVEYED TO CLUB DEAL 116-INDIAN HILLS TX, LIMITED PARTNERSHIP
BY DEED OF RECORD IN DOCUMENT NO. 2005232159 OF THE OFFICIAL
PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**INSIGHT REAL
ESTATE
STRATEGIES**

DATE: 06/08/10 FILE: H:\1758\05\175805EX2.DWG FN No.: 10-120(KWA) DRAWN BY: KWA PROJ. No: 1758-05

LEGEND

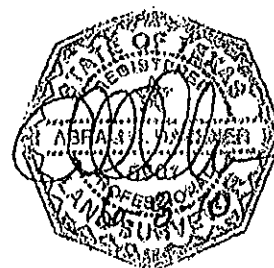
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ IRON PIPE FOUND
- △ CALCULATED POINT
- MONUMENT FOUND
- P.O.B. POINT OF BEGINNING

LINE TABLE

LINE	BEARING	LENGTH
L1	S27°34'27"W	322.94
L2	S64°13'26"E	362.67
L3	S27°12'02"W	80.83
L4	N67°39'01"W	394.14
L5	N49°00'30"W	169.57
L6	N28°05'04"E	353.62
L7	N61°54'56"W	483.59

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	17°19'48"	1495.00	452.18	450.46	N58°59'07"W
C2	18°38'35"	1455.00	473.43	471.35	N58°19'45"W
C3	3°24'05"	1995.00	118.43	118.41	N50°42'30"W



SHEET 2 OF 2

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SKETCH TO ACCOMPANY DESCRIPTION
OF 89.907 ACRES OF LAND OUT OF THE REUBEN HORNSBY SURVEY
NO. 17, ABSTRACT NO. 18, SITUATED IN TRAVIS COUNTY, TEXAS, BEING
A PORTION OF THAT CERTAIN: TRACT-ONE 149.45 ACRES OF LAND
CONVEYED TO CLUB DEAL 116-INDIAN HILLS TX, LIMITED PARTNERSHIP
BY DEED OF RECORD IN DOCUMENT NO. 2005232158 OF THE OFFICIAL
PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**INSIGHT REAL
ESTATE
STRATEGIES**

DATE: 06/08/10

FILE: H:\1758\05\175805EX2.DWG

FN No.: 10-120(KWA)

DRAWN BY: KWA

PROJ. No: 1758-05

"Exhibit B"

Tract 2 - LI-CO

149.951 ACRES
INDIAN HILLS
REUBEN HORNSBY SURVEY

FN NO. 10-121 (KWA)
JUNE 8, 2010
BPT JOB NO. 1758-05

DESCRIPTION

OF A 149.951 ACRE TRACT OUT OF THE REUBEN HORNSBY SURVEY NO. 17, ABSTRACT NO. 15, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN TRACTS (TRACT ONE-149.45 ACRES, TRACT TWO-68.99 ACRES, TRACT THREE-7.17 ACRES, TRACT FOUR-7.18 ACRES, TRACT FIVE-7.18 ACRES) CONVEYED TO CLUB DEAL 116 INDIAN HILLS, TX, LIMITED PARTNERSHIP, BY DEED OF RECORD IN DOCUMENT NO. 2005232159, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 149.951 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with cap found at the northeasterly corner of that certain 19.67 acre tract conveyed to Gary W. Anderson, by Deed of record in Volume 12342, Page 5, of the Real Property Records of Travis County, Texas, being in the westerly line of that certain 1.067 acre tract conveyed to Jaketown 130 LLC, by Deed of record in Document No. 2007209496, of said Official Public Records, for the southeasterly corner of said 7.18 acre "Tract Five" and hereof;

THENCE, N62°07'59"W, leaving the westerly line of said 1.067 acre tract, along the northerly line of said 19.67 acre tract, for the southerly line of said 7.18 acre "Tract Five" and hereof, a distance of 2067.52 feet to a 1/2-inch iron rod with cap set on the easterly right-of-way line of F.M. 973 (R.O.W. Varies), for the southwesterly corner of said 7.18 acre "Tract Five" and hereof;

THENCE, along said easterly right-of-way line of F.M. 973, being the westerly lines of said 7.18 acre "Tract Five", said 7.18 acre "Tract Four", said 7.17 acre tract, said 68.99 acre tract, and said 149.45 acre tract, for the westerly line hereof, the following six (6) courses and distances:

- 1) N27°36'23"E, a distance of 895.35 feet to a TxDOT Type I monument found at the point of curvature of a curve to the left;
- 2) Along said curve, having a radius of 11510.24 feet, a central angle of 02°56'06", an arc length of 589.61 feet, and a chord which bears N26°08'20"E, a distance of 589.55 feet to a TxDOT Type I monument found at the point of tangency of said curve;
- 3) N24°38'00"E, a distance of 250.71 feet to a 1/2-inch iron rod with cap set at the point of curvature of a curve to the right;

- 4) Along said curve, having a radius of 5679.03 feet, a central angle of $03^{\circ}28'47''$, an arc length of 344.90 feet, and a chord which bears $N26^{\circ}26'44''E$, a distance of 344.85 feet to a TxDOT Type I monument found at the point of tangency of said curve;
- 5) $N28^{\circ}09'22''E$, a distance of 1363.06 feet to a 1/2-inch iron rod with cap set for an angle point;
- 6) $N27^{\circ}33'54''E$, a distance of 23.21 feet to a calculated point, for the northwesterly corner hereof;

THENCE, leaving said easterly right-of-way line, over and across said 149.45 acre tract, for the northerly line hereof, the following seven (7) courses and distances:

- 1) $S61^{\circ}54'56''E$, a distance of 483.59 feet to a calculated point, for an angle point;
- 2) $S28^{\circ}05'04''W$, a distance of 353.62 feet to a calculated point at the beginning of a non-tangent curve to the right;
- 3) Along said curve, having a radius of 1995.00 feet, a central angle of $03^{\circ}24'05''$, an arc length of 118.43 feet, and a chord which bears $S50^{\circ}42'30''E$, a distance of 118.41 feet to a calculated point at the end of said curve;
- 4) $S49^{\circ}00'30''E$, a distance of 169.57 feet to a calculated point at the point of curvature of a curve to the left;
- 5) Along said curve, having a radius of 1455.00 feet, a central angle of $18^{\circ}38'35''$, an arc length of 473.43 feet, and a chord which bears $S58^{\circ}19'45''E$, a distance of 471.35 feet to a calculated point at the point of tangency of said curve;
- 6) $S67^{\circ}39'01''E$, a distance of 394.14 feet to a calculated point at the beginning of a non-tangent curve to the right;
- 7) Along said curve, having a radius of 1495.00 feet, a central angle of $17^{\circ}19'48''$, an arc length of 452.18 feet, and a chord which bears $S58^{\circ}59'07''E$, a distance of 450.46 feet to a calculated point on the easterly line of said 149.45 acre tract, being the westerly right-of-way line of SH 130 (R.O.W. Varies), for the northeasterly corner hereof;

THENCE, along said westerly right-of-way line of SH 130, being the easterly lines of said 149.45 acre tract and said 68.99 acre tract, for a portion of the easterly line hereof, the following five (5) courses and distances:

FN NO. 10-121(KWA)
JUNE 8, 2010
PAGE 3 OF 4


- 1) S27°12'02"W, a distance of 1130.00 feet to a 1/2-inch iron rod found at the easterly common corner of said 149.45 acre tract and said 68.99 acre tract, for an angle point;
- 2) S27°00'08"W, a distance of 233.27 feet to a 1/2-inch iron rod found, for an angle point;
- 3) S26°54'24"W, a distance of 531.43 feet to a 1/2-inch iron rod found, for an angle point;
- 4) S27°39'06"W, a distance of 420.03 feet to a 1/2-inch iron rod found, for an angle point;
- 5) S27°50'00"W, a distance of 14.88 feet to a 1/2-inch iron rod found, for an angle point;

THENCE, S27°40'49"W, in part along said westerly right-of-way line and in part along the westerly line of said 1.067 acre tract, being the easterly lines of said 68.99 acre tract, said 7.17 acre tract, said 7.18 acre "Tract Four", and said 7.18 acre "Tract Five", for a portion of the easterly line hereof, a distance of 700.98 feet to the POINT OF BEGINNING, and containing 149.951 acres (6,531,871 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA GPS CONTROL MONUMENTATION.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS DETERMINED BY A SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES. A SURVEY SKETCH EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY + PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH ST., SUITE 600
AUSTIN, TEXAS 78701

 6-8-10
ABRAM C. DASHNER, R.P.L.S.
NO. 5901
STATE OF TEXAS

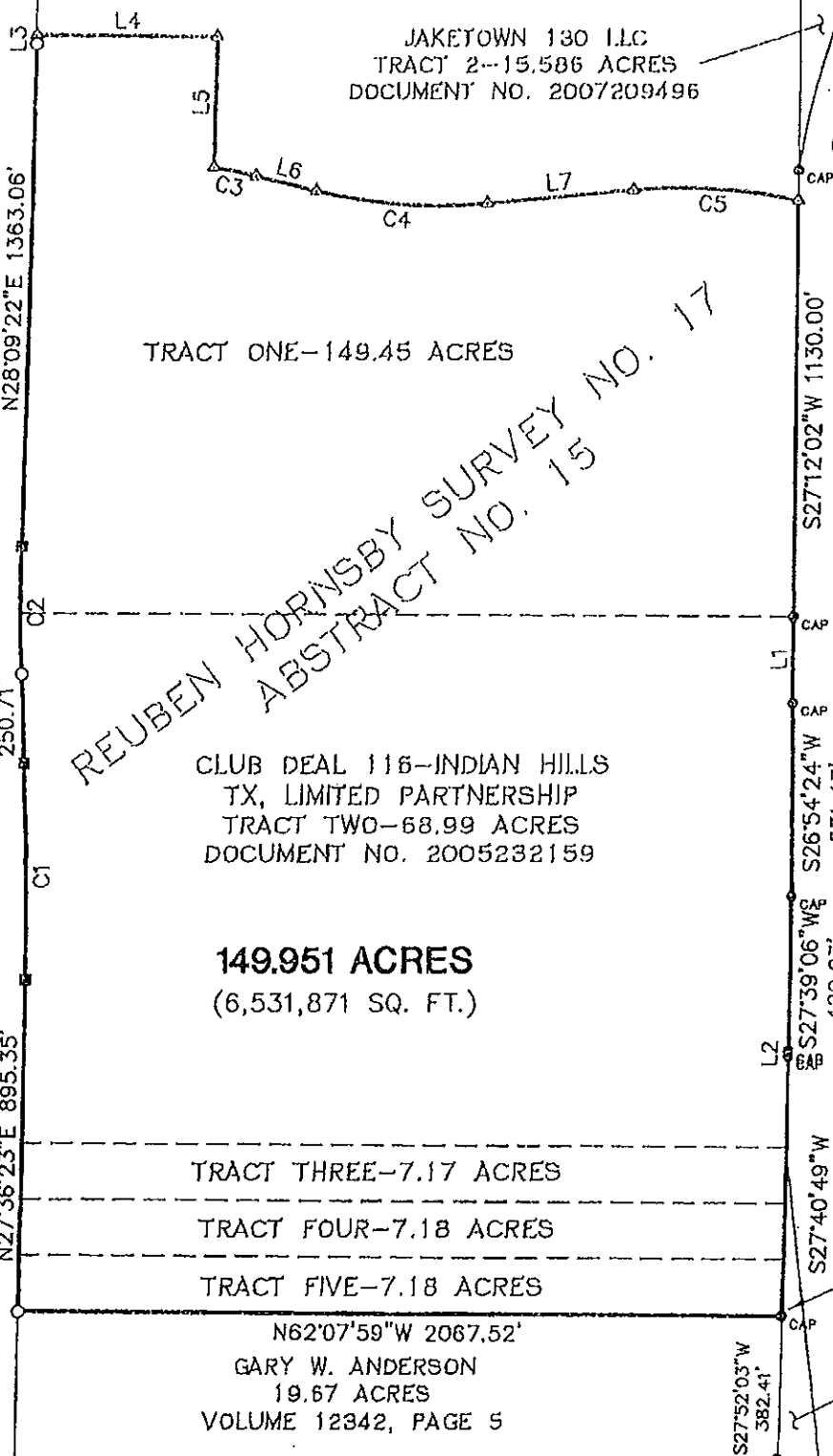


F.M. 973 (R.O.W. VARIES)

N24°38'00"E
250.71'

N27°36'23"E 895.35'

N28°09'22"E 1363.06'



TRACT ONE-149.45 ACRES

CLUB DEAL 116-INDIAN HILLS
TX, LIMITED PARTNERSHIP
TRACT TWO-68.99 ACRES
DOCUMENT NO. 2005232159

149.951 ACRES
(6,531,871 SQ. FT.)

TRACT THREE-7.17 ACRES

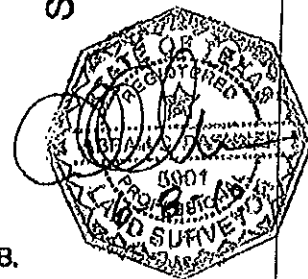
TRACT FOUR-7.18 ACRES

TRACT FIVE-7.18 ACRES

N62°07'59"W 2067.52'
GARY W. ANDERSON
19.67 ACRES
VOLUME 12342, PAGE 5

0 200 400 600 800
1"=400'

STATE HIGHWAY 130
(R.O.W. VARIES)



P.O.B.

JACKETOWN 130 LLC
TRACT 3-1.067 ACRES
DOCUMENT NO.
2007209496

SHEET 1 OF 2

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SKETCH TO ACCOMPANY DESCRIPTION
OF 149.951 ACRES OF LAND OUT OF THE REUBEN HORNSBY SURVEY
NO. 17, ABSTRACT NO. 15, SITUATED IN TRAVIS COUNTY, TEXAS, BEING
A PORTION OF THOSE CERTAIN: TRACT-ONE 149.45 ACRES,
TRACT-TWO 68.99 ACRES, TRACT-THREE 7.17 ACRES, TRACT-FOUR
7.18 ACRES AND TRACT-FIVE 7.18 ACRES OF LAND CONVEYED TO
CLUB DEAL 116-INDIAN HILLS TX, LIMITED PARTNERSHIP BY DEED OF
RECORD IN DOCUMENT NO. 2005232159 OF THE OFFICIAL PUBLIC
RECORDS OF TRAVIS COUNTY, TEXAS.

**INSIGHT REAL
ESTATE
STRATEGIES**

DATE: 06/08/10

FILE: H:\1758\05\175B05EX3.DWG

FN No.: 10-121(KWA)

DRAWN BY: KWA

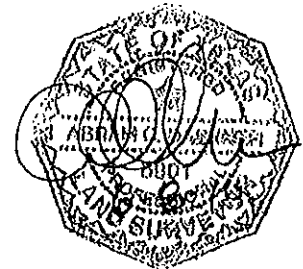
PROJ. No: 1758-05

LEGEND

- ⊙ 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ IRON PIPE FOUND
- Δ CALCULATED POINT
- MONUMENT FOUND
- P.O.B. POINT OF BEGINNING

LINE TABLE

LINE	BEARING	LENGTH
L1	S27°00'08"W	233.27
L2	S27°50'00"W	14.88
L3	N27°33'54"E	23.21
L4	S61°54'56"E	483.59
L5	S28°05'04"W	353.62
L6	S49°00'30"E	169.57
L7	S67°39'01"E	394.14



CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	2°56'06"	11510.24	589.61	589.55	N26°08'20"E
C2	3°28'47"	5679.03	344.90	344.85	N26°26'44"E
C3	3°24'05"	1995.00	118.43	118.41	S50°42'30"E
C4	18°38'35"	1455.00	473.43	471.35	S58°19'45"E
C5	17°19'48"	1495.00	452.18	450.46	S58°59'07"E

SHEET 2 OF 2

Bury+Partners

ENGINEERING SOLUTIONS

221 West Sixth Street, Suite 600

Austin, Texas 78701

Tel. (512)328-0011 Fax (512)328-0026

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SKETCH TO ACCOMPANY DESCRIPTION

OF 149.951 ACRES OF LAND OUT OF THE REUBEN HORNSBY SURVEY NO. 17, ABSTRACT NO. 15, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN: TRACT-ONE 149.45 ACRES, TRACT-TWO 68.89 ACRES, TRACT-THREE 7.17 ACRES, TRACT-FOUR 7.18 ACRES AND TRACT-FIVE 7.18 ACRES OF LAND CONVEYED TO CLUB DEAL 116--INDIAN HILLS TX, LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2005232158 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**INSIGHT REAL
ESTATE
STRATEGIES**

DATE: 06/08/10 FILE: H:\1758\05\175805EX3.DWG FN No.: 10-121(KWA) DRAWN BY: KWA PROJ. No: 1758-05

EXHIBIT C

Grow Green Native and Adapted Landscape Plants

Trees

Ash, Texas *Fraxinus texensis*
 Arizona Cypress *Cupressus arizonica*
 Big Tooth Maple *Acer grandidentatum*
 Cypress, Bald *Taxodium distichum*
 Cypress, Montezuma *Taxodium mucronatum*
 Elm, Cedar *Ulmus crassifolia*
 Elm, Lacebark *Ulmus parvifolia*
 Honey Mesquite *Prosopis glandulosa*
 Oak, Bur *Quercus macrocarpa*
 Oak, Chinquapin *Quercus muhlenbergii*
 Oak, Southern Live *Quercus virginiana*

Oak, Escarpment Live *Quercus fusiformis*
 Oak, Lacey *Quercus glaucoides*
 Oak, Monterey (Mexican White) *Quercus polymorpha*
 Oak, Shumard *Quercus shumardii*
 Oak, Texas Red *Quercus texana* (*Quercus buckleyi*)
 Pecan *Carya illinoensis*
 Soapberry *Sapindus drummondii*

Small Trees/Large Shrubs

Anacacho Orchid Tree *Bauhinia congesta*
 Buckeye, Mexican *Ungnadia speciosa*
 Buckeye, Rec *Aesculus pavia*
 Carolina Buckthorn *Rhamnus caroliniana*
 Cherry Laurel *Prunus caroliniana*
 Crape Myrtle *Lagerstroemia indica*
 Desert Willow *Chilopsis linearis*
 Dogwood, Roughleaf *Cornus drummondii*
 Escarpment Black Cherry *Prunus serotina* var. *eximia*
 Eve's Necklace *Sophora affinis*
 Goldenball Leadtree *Leucaena retusa*
 Holly, Possumhaw *Ilex decidua*
 Holly, Yaupon *Ilex vomitoria*
 Mountain Laurel, Texas *Sophora secundiflora*

Persimmon, Texas *Diospyros texana*
 Pistachio, Texas *Pistacia texana*
 Plum, Mexican *Prunus mexicana*
 Pomegranate *Punica granatum*
 Redbud, Mexican *Cercis canadensis* 'mexicana'
 Redbud, Texas *Cercis canadensis* var. 'texensis'
 Retama Jerusalem Thorn *Parkinsonia aculeata*
 Senna, Flowering *Cassia corymbosa*
 Smoke Tree, American *Cotinus obovatus*
 Sumac, Flameleaf *Rhus lanceolata*
 Viburnum, Rusty Blackhaw *Viburnum rufidulum*
 Viburnum, Sandankwa *Viburnum suspensum*

Shrubs

Abelia, Glossy <i>Abelia grandiflora</i>	Nandina <i>Nandina domestica</i> 'Compacta nana' 'Gulf Stream'
Agarita <i>Berberis trifoliata</i>	Oleander <i>Nerium oleander</i>
Agave (Century Plant) <i>Agave sp.</i>	Palmetto <i>Sabal minor</i>
American Beautyberry <i>Callicarpa americana</i>	Prickly Pear <i>Opuntia engelmannii</i> var. <i>lindheimeri</i>
Artemisia <i>Artemisia</i> 'Powis Castle'	Rose, Belinda's Dream <i>Rosa</i> 'Belinda's Dream'
Barbados Cherry <i>Malpighia glabra</i>	Rose, Lamanne <i>Rosa</i> 'Lamarne'
Barberry, Japanese <i>Berberis thunbergii</i>	Rose, Livin' Easy <i>Rosa</i> 'Livin' Easy'
'Atropurpurea'	Rose, Marie Pavie <i>Rosa</i> 'Marie Pavie'
Basket Grass (Sacahuista) <i>Nolina texana</i>	Rose, Martha Gonzales <i>Rosa</i> 'Martha Gonzales'
Black Dalea <i>Dalea frutescens</i>	Rose, Mutabilis <i>Rosa</i> 'Mutabilis'
Bush Germander <i>Teucrium fruticans</i>	Rose, Nearly Wild <i>Rosa</i> 'Nearly Wild'
Butterfly Bush <i>Buddleia davidii</i>	Rose, Old Blush <i>Rosa</i> 'Old Blush'
Butterfly Bush, Woolly <i>Buddleia marrubifolia</i>	Rose, Perle d'or <i>Rosa</i> 'Perle d'or'
Coralberry <i>Symphoricarpos orbiculatus</i>	Rock Rose <i>Pavonia lasiopetala</i>
Cotoneaster <i>Cotoneaster sp.</i>	Rosemary <i>Rosmarinus officinalis</i>
Eleagnus <i>Eleagnus pungens</i>	Sage, Mountain <i>Salvia regia</i>
Esperanza/Yellow Bells <i>Tecoma stans</i>	Sage, Texas (Cenizo) <i>Leucophyllum frutescens</i>
Flame Acanthus <i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>	Senna, Lindheimer <i>Cassia lindheimeriana</i>
Fragrant Mimosa <i>Mimosa borealis</i>	Southern Wax Myrtle <i>Myrica cerifera</i>
Holly, Burford <i>Ilex cornuta</i> 'Burfordii'	Sumac, Evergreen <i>Rhus virens</i>
Holly, Dwarf Chinese <i>Ilex cornuta</i> 'Rotunda nana'	Sumac, Fragrant (Aromatic) <i>Rhus aromatica</i>
Holly, Dwarf Yaupon <i>Ilex vomitoria</i> 'Nana'	Texas Sotol <i>Dasylirion texanum</i>
Jasmine, Primrose <i>Jasminum mesnyi</i>	Turk's Cap <i>Malvaviscus arboreus</i>
Kidneywood <i>Eysenhardtia texana</i>	Yucca, Paleleaf <i>Yucca pallida</i>
Lantana, Native <i>Lantana horrida</i>	Yucca, Red <i>Hesperaloe parviflora</i>
Mistflower, Blue (Blue Boneset) <i>Eupatorium coelestinum</i>	Yucca, softleaf <i>Yucca recurvifolia</i>
Mistflower, White (Shrubby White Boneset) <i>Ageratina havanense</i>	Yucca, Twistleaf <i>Yucca rupicola</i>
Mock Orange <i>Philadelphus coronarius</i>	

Perennials

Black-eyed Susan <i>Rudbeckia hirta</i>	Lantana, Trailing <i>Lantana montevidensis</i>
Bulbine <i>B. frutescens</i> or <i>caulescens</i>	Marigold, Mexican Mint <i>Tagetes lucida</i>
Bush Morning Glory <i>Ipomoea fistulosa</i>	Obedient Plant, Fall <i>Physostegia virginiana</i>
Butterfly Weed <i>Asclepias tuberosa</i>	Oregano, Mexican <i>Polltomitha longiflora</i>
Buterfly Weed 'Mexican' <i>Asclepias curassivica</i>	Penstemon <i>Penstemon</i> sp.
Cast Iron Plant <i>Aspidistra elatior</i>	Phlox, Fragrant <i>Phlox pilosa</i>
Chile Pequin <i>Capsicum annuum</i>	Pink Skullcap <i>Scutellaria suffrutescens</i>
Cigar Plant <i>Cuphea micropetala</i>	Plumbago <i>Plumbago auriculata</i>
Columbine, Red <i>Aquilegia canadensis</i>	Poinciana, Red Bird of Paradise, Pride of Barbados
Columbine, Yellow <i>Aquilegia chrysantha</i> 'Texas Gold'	<i>Caesalpinia pulcherrima</i>
Coreopsis <i>Coreopsis lanceolata</i>	Primrose, Missouri <i>Oenothera macrocarpa</i>
Daisy, Blackfoot <i>Melampodium leucanthum</i>	Purple Coneflower <i>Echinacea purpurea</i>
Daisy, Copper Canyon <i>Tagetes lemmonii</i>	Ruellia <i>Ruellia brittoniana</i>
Damiantia <i>Crysactina mexicana</i>	Sage, Cedar <i>Salvia roemeriana</i>
Fall Aster <i>Aster oblongifolius</i>	Sage, Jerusalem <i>Phlomis fruticosa</i>
Fern, River <i>Thelypteris kunthii</i>	Sage, Majestic <i>Salvia guaranitica</i>
Firebush <i>Hamelia patens</i>	Sage, Mealy Blue <i>Salvia farinacea</i>
Gaura <i>Gaura lindeheimeri</i>	Sage, Mexican Bush <i>Salvia leucantha</i>
Gayfeather <i>Liatris mucronata</i>	Sage, Penstemon, Big Red Sage <i>Salvia penstemonoides</i>
Gregg Dalea <i>Dalea greggii</i>	Sage, Russian <i>Perovaskia atriciplifolia</i>
Hibiscus, Perennial <i>Hibiscus moscheutos</i> , <i>Hibiscus coccineus</i>	Sage, Scarlet or 'Tropical' <i>Salvia coccinea</i>
Honeysuckle, Mexican <i>Justicia spicigera</i>	Salvia, Gregg (Cherry Sage) <i>Salvia greggii</i>
Hymenoxys (Four Nerve Daisy) <i>Tetranneuris scaposa</i>	Shrimp Plant <i>Justicia brandegeana</i>
Indigo Spires <i>Salvia 'Indigo Spires'</i>	Texas Betony <i>Stachys coccinea</i>
Iris, Bearded <i>Iris albicans</i>	Verbena, Prairie <i>Verbena bipinnatifida</i>
Iris, Butterfly/Bicolor (African) <i>Dietes</i> sp.	Yarrow <i>Achillea millefolium</i>
Lamb's Ear <i>Stachys byzantina</i>	Zexmenia <i>Wedelia texana</i>
Lantana <i>Lantana x hybrida</i> (many varieties)	

Vines

Asian Jasmine <i>Trachelospermum asiaticum</i>	Honeysuckle, Coral <i>Lonicera sempervirens</i>
Carolina Jessamine <i>Gelsemium sempervirens</i>	Lady Banksia Rose <i>Rosa banksiae</i>
Coral Vine <i>Antigonon leptopus</i>	Passion Vine <i>Passiflora incarnata</i>
Crossvine <i>Bignonia capreolata</i>	Trumpet Vine <i>Campsis radicans</i>
Fig Vine <i>Ficus pumila</i>	Virginia Creeper <i>Parthenocissus quinquefolia</i>

Ornamental Grasses

Bluestem, Big <i>Andropogon gerardii</i>	Mexican Feathergrass (Wiregrass) <i>Stipa tenuissima</i>
Bluestem, Bushy <i>Andropogon glomeratus</i>	Muhly, Bamboo <i>Muhlenbergia dumosa</i>
Bluestem, Little <i>Schizachyrium scoparium</i>	Muhly, Big <i>Muhlenbergia lindheimeri</i>
Fountain Grass, Dwarf <i>Pennisetum alopecuroides</i>	Muhly, Deer <i>Muhlenbergia rigens</i>
Indian Grass <i>Sorghastrum nutans</i>	Muhly, Gulf <i>Muhlenbergia capillaris</i>
Inland Sea Oats <i>Chasmanthium latifolium</i>	Muhly, Seep <i>Muhlenbergia reverchonii</i>
	Sideoats Grama <i>Bouteloua curtipendula</i>
	Wild Rye <i>Elymus canadensis</i>

Groundcover

Aztec Grass <i>Ophiopogon japonicus</i>	Purple Heart <i>Secreasea pallida</i>
Frogfruit <i>Phyla incisa</i>	Santolina (Lavender Cotton) <i>Santolina chamaecyparissus</i>
Horseherb <i>Calyptocarpus vialis</i>	Sedge, Berkeley <i>Carex tumulicola</i>
Leadwort Plumbago <i>Ceratostigma plumbaginoides</i>	Sedge, Meadow <i>Carex peridentata</i>
Liriope <i>Liriope muscari</i>	Sedge, Texas <i>Carex texensis</i>
Monkey Grass (Mondo Grass) <i>Ophiopogon japonicus</i>	Sedum (Stonedrop) <i>Sedum nuttallianum</i>
Oregano <i>Origanum vulgare</i>	Silver Ponyfoot <i>Dichondra argentea</i>
Periwinkle, Littleleaf <i>Vinca minor</i>	Wooly Stemodia <i>Stemodia lanata</i> (<i>Stemodia tomentosa</i>)
Pigeonberry <i>Rivina humilis</i>	

Turf Grasses

Bermuda 'Tif 419', 'Sahara', 'Baby', 'Common'
 Buffalo '609', 'Stampede', 'Prairie'
 St. Augustine 'Baby', 'Common', 'Raleigh', 'Delmar'
 Zoysia, Fine Leaf 'Matrella', 'Emerald', 'Zorro'
 Zoysia, Coarse Leaf 'Japonica', 'Jamur', 'El Toro', 'Palis'

Invasive Species/Problem Plants

PLANTS TO AVOID

INVASIVES

(Plants that are non-native to the Central Texas ecosystem and tend to out-compete native species)

Do Not Plant

(Travel by seeds, berries, and spores so can be transported long distances. They have already invaded preserves and greenbelts):

- Arizona Ash
- Chinaberry
- Chinese Pistache
- Chinese Tallow
- Chinese Privet
- Elephant Ear
- Holly Fern
- Japanese Honeysuckle
- Ligustrum, Wax Leaf
- Mimosa
- Mulberry, Paper
- Nandina (large, berrying varieties)
- Photinia, Chinese
- Pyracantha
- Tamarisk
- Tree of Heaven

PROBLEM TREES AND SHRUBS

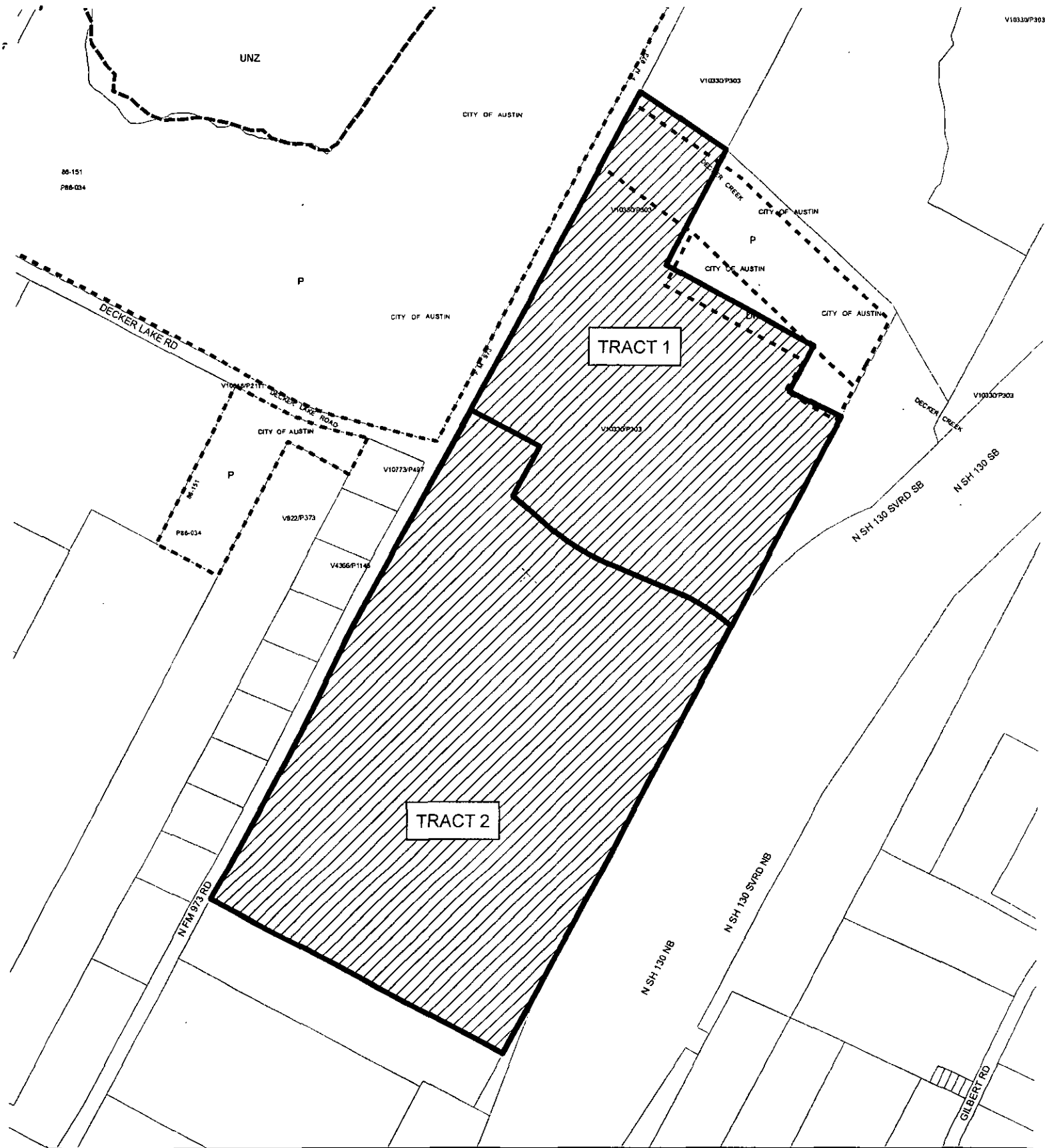
(Typically fast-growing, highly adaptable, but often have weak wood and are short-lived. Most are susceptible to insect and disease problems.)

- Arizona Ash
- Azalea (not adapted to Austin soils)
- Boxelder
- Camellia
- Chinaberry
- Chinese Privet
- Chinese Tallow
- Cottonwood
- Ligustrum
- Lombardy Poplar
- Mimosa
- Mulberry, Paper
- Photinia, Chinese
- Siberian Elm
- Silver Maple
- Sweetgum
- Sycamore
- Tree of Heaven

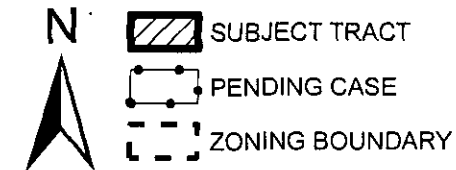
Do Not Plant Near Parks/Preserves/Greenbelts

(travel by runners, rhizomes, and stems so only invade neighboring areas):

- Bamboo
- English Ivy
- Vinca (Periwinkle)



ZONING



1" = 800'

ZONING CASE#: C14-2009-0089
 LOCATION: N FM 973
 SUBJECT AREA: 239.99 ACRES
 GRID: R22-23
 MANAGER: JOI HARDEN



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