

RESTRICTIVE COVENANT

STATE OF TEXAS

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§

COUNTY OF TRAVIS

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This Restrictive Covenant (this “**Restrictive Covenant**”) is executed this 14th day of October, 2015 (hereinafter, the “**Effective Date**”), by Christopher Chollet, Carianne Shulte, Steven D. Reynolds, and St. Stephen’s Place, LLC, a Texas limited liability company (collectively, “**Owner**”).

RECITALS

A. Owner is the owner of the property located in Travis County, Texas, described on Exhibit A attached hereto (the “**Property**”);

B. Owner intends to develop a single-family condominium and residential development on the Property (the “**Development Project**”);

C. The proposed Development Project necessitates a change of the base zoning district applicable to the Property from the current zoning base district of SF-3 (Family Residence) to SF-6 (Townhouse and Condominium Residence);

D. Owner has applied to the City of Austin to change the zoning of the Property from SF-3-NP (Family Residence – Neighborhood Plan) to SF-6-CO-NP (Townhouse and Condominium Residence – Conditional Overlay – Neighborhood Plan) allowing 38 townhouse or condominium residential units (the “**Rezoning Request**”); and

E. Owner desires to address concerns of certain other residential property owners in the vicinity of the Property by restricting the use and development of the Property pursuant to the terms and conditions of this Restrictive Covenant in exchange for the support of the Rezoning Request by those nearby property owners.

NOW, THEREFORE, it is hereby declared that the Property be subject to the following covenants, conditions and restrictions (the “**Restrictions**”) which, subject to the terms and conditions herein, shall run with the land and be binding upon the Owners of the Property or any part, their heirs, successors, and assigns and shall inure to the benefit of and be enforceable by the owners of the following properties (the “**Benefitted Properties**”) and their heirs, successors, and assigns:

I. First Benefitted Property

Current Owners: Matthew Brown and Carrie Brown

Legal Description:

Lots 3A and 4A, RESUBDIVISION OF LOTS 3 AND 4, POEHLMANN ACRES, according to the map or plat of record in Volume 25, Page 26, Plat Records of Travis County, Texas.

II. Second Benefitted Property

Current Owners: Christopher Ring and Lyova Rosanoff

Legal Description:

Approximately 5.1 acres of land being out of and a portion of the HENRY WARNELL SURVEY, ABSTRACT NO. 793, in Travis County, Texas, and being the same tract of land more particularly described by metes and bounds in the deed recorded in Volume 961, Page 69, Deed Records of Travis County, Texas.

III. Third Benefitted Property

Current Owner: Thomas Krager

Legal Description:

Lot Two-B (2-B), of RESUBDIVISION OF TRACT NO. 2, IN POEHLMANN ACRES, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 28, Page 8, of the Plat Records of Travis County, Texas.

IV. Fourth Benefitted Property

Current Owners: Ryan Krager and Dane Krager

Legal Description:

Lot Two-A (2-A), of RESUBDIVISION OF TRACT NO. 2, IN POEHLMANN ACRES, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 28, Page 8, of the Plat Records of Travis County, Texas.

The First Benefitted Property, the Second Benefitted Property, the Third Benefitted Property, and the Fourth Benefitted Property listed above are referred to collectively in this Restrictive Covenant as the “**Benefitted Properties**”.

The current owners of the Benefitted Properties are referred to collectively in this Restrictive Covenant as the “**Benefitted Parties**”.

RESTRICTIONS

1. **Development Plan**. The Property shall be developed substantially in accordance with the layout set forth in the site plan attached hereto as Exhibit B, subject to City Code and other City development building and site development regulations.

2. **Privacy Fence**. Prior to the beginning of any clearing, site work, or construction on the Property, Owner shall install a privacy fence (the “Temporary Privacy Fence”) at least six feet (6’) in height along the southern boundary of the Property beginning at the southwest corner of the Property and extending eastward to the edge of the Erosion Hazard Zone (as defined by the City) of the creek, subject to approval of same by the City. If the Temporary Privacy Fence is less than eight feet (8’) in height, it must be fully replaced in the same location with a fence at

least eight feet (8') in height (the "Permanent Privacy Fence") prior to the date the first Certificate of Occupancy is issued by the City for any residence on the Property. If the City does not administratively permit the installation of a fence eight feet (8') in height in this location, Owner shall make the Permanent Privacy Fence the tallest the City will administratively permit in a location as close to the above-described location as possible. Owner shall never be required to seek a variance, waiver, or other special allowance from any board or commission of the City or from the City Council in order to construct the fence at a height taller than the City will administratively permit.

3. **Site Design Standards.** Development of the Property shall be in accordance with the following construction quality and site design standards:

- a. The homes along the western boundary of the Property fronting on Pecan Springs Road shall be designed and constructed with a variation in setbacks and variation in building materials;
- b. There shall be a maximum of five (5) homes fronting on Pecan Springs Road;
- c. The general contractor responsible for the construction of the Project shall be insured; and
- d. The homes along Pecan Springs Road shall be designed in an architectural style and constructed of materials similar to the homes shown in Exhibit C attached hereto and shall be designed according to the building design standards set forth in Exhibit D attached hereto.

4. **Homes Along Southern Property Boundary.** Homes situated along the southern boundary of the Property (the "South Boundary") are restricted as follows:

- a. There shall be a maximum of six (6) homes constructed along the South Boundary, none of which may front the South Boundary and no more than one (1) of which may have a side (rather than a back) that is along the South Boundary;
- b. No homes situated along the South Boundary may have second-story balconies that face the South Boundary;
- c. Homes situated along South Boundary may not have second-story windows installed lower than sixty inches (60") above the finished second floor on the facades of said homes parallel to the South Boundary; and
- d. Any balcony constructed on the homes situated along the South Boundary shall include a wing wall on the southern edge of that balcony sufficient to screen direct views from said balcony onto the residential property adjacent to the Property to the South.

5. **Owner-Occupancy.** Owner shall incorporate the following provisions into the Project's Declaration of Condominium Regime covering the Property, and such provisions shall be enforced by the Project's Homeowner Association or Condominium Owner Association:

- a. All purchasers of residences on the Property shall purchase the residences with the intent of owner-occupancy or occupancy by a person or persons related to the purchaser;
- b. No person or entity may purchase more than one residence on the Property; and

- c. All purchasers of residences on the Property must occupy their residence or have another person related to Purchaser occupy their residence within two (2) years of purchase of the residence.
6. **Transportation Improvements.** If required to do so by the City, Owner shall construct an added vehicle travel lane, sidewalks, curbs, and a storm sewer along Pecan Springs Road adjacent to the Property.
7. **Compliance with Compatibility Standards.** Owner shall not seek any building compatibility waivers from the City in connection with the Project.
8. **Signage.** No neon, electric, or internally-illuminated, moving, or flashing signs are permitted on the Property, and no sign on the Property shall be larger than eighteen (18) square feet in size.
9. **Construction Debris.** Owner shall keep the Property free of trash and debris. This restriction is intended to only apply to the initial construction of the Project, not to construction by individual homeowners in the future. Accordingly, it shall remain in effect only until the thirty-eighth (38th) certificate of occupancy is issued for the Project.
10. **Construction Parking.** Owner shall not permit any parking of construction vehicles or equipment on Pecan Springs Road or allow Owner's construction workers, construction crews, or mobile food vendors to park along Pecan Springs Road. This restriction is intended to apply to the initial construction of the Project, not to construction by individual homeowners in the future. Accordingly, it shall remain in effect until the thirty-eighth (38th) certificate of occupancy is issued for the Project.
11. **Construction Hours.** Construction of the Project is restricted to the following times of day: Monday through Friday construction is permitted between the hours of 7:00 a.m. and 6:00 p.m. central time. Saturday construction is permitted between the hours of 8:00 a.m. and 2:00 p.m. central time. No construction is permitted on Sunday. This restriction is intended to apply to the initial construction of the Project, not to construction by individual homeowners in the future. Accordingly, it shall remain in effect until the thirty-eighth (38th) certificate of occupancy is issued for the Project.
12. **Landscaping.** Only plant vegetation approved by the City may be installed by Owner on the Property in connection with the Project. Owner shall not seek any waivers or adjustments to install vegetation not on the City's approved vegetation list.
13. **Integrated Pest Management.** The Property shall be maintained and managed according to the Integrated Pest Management Plan attached hereto as Exhibit E.
14. **Enforcement of Restrictive Covenant.** If Owner violates this Restrictive Covenant, it shall be lawful for any owner of or all owners of the Benefitted Properties to enforce this Restrictive Covenant through, but not limited to, a claim for injunctive relief against Owner.

15. **Automatic Termination of Restrictive Covenant Upon Non-Approval by City of Austin.** If: (i) Owner does not receive final approval of the Rezoning Request; or (ii) the Benefitted Parties via one or more designated representatives do not inform the City of Austin by email or other written correspondence addressed to Heather Chaffin (City of Austin zoning case manager) and Christopher Hutchins (City of Austin city council policy aide) by 5:00 p.m. CST on Wednesday, October 14, 2015, that the Benefitted Parties no longer oppose the Rezoning Request and do not wish to further postpone the Rezoning Request, this Restrictive Covenant shall be rendered null and void. As used herein "final approval" means that the Rezoning Request has been approved by all necessary bodies of the City, no appeals were filed prior to the expiration of the applicable appeals periods following City Council approval, and the Rezoning Request approval goes into effect.

16. **Successors and Assigns.** This Restrictive Covenant shall run with the land and be binding upon any successors and assigns of Owner to the extent such successors and/or assigns develop the Property pursuant to regulations that are consistent with SF-6 or less restrictive zoning designation.

17. **Designated Beneficiaries and No Third-Party Beneficiaries.** This Restrictive Covenant confers enforcement rights and remedies upon all of the current and future owners of the Benefitted Properties only while they own one or more of the Benefitted Properties but does not confer any benefit whatsoever upon any other person or legal entity.

18. **Governing Law and Venue.** The laws of the State of Texas shall govern this Restrictive Covenant. Venue for all purposes shall be Travis County, Texas.

19. **Modification.** Except as otherwise provided herein, this Restrictive Covenant cannot be amended, modified or waived, in whole or in part, as to any portion of the Property except pursuant to a written agreement recorded in the Real Property Records of Travis County, Texas, and executed by Owner and all of the then current owners of the Benefitted Properties.

EXECUTED as of the Effective Date first written above.

[Signatures Appear on Following Pages]

OWNER:

ST. STEPHEN'S PLACE, LLC, a Texas limited liability company

By: _____



Name: Edwin W. Prewitt, Jr., Manager
4905 Pecan Springs Road

STATE OF TEXAS

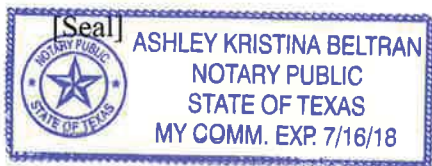
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COUNTY OF Williamson

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This instrument was acknowledged before me on the 7th day of October, 2015, by Edwin W. Prewitt, Jr., Manager of St. Stephen's Place, LLC, a Texas limited liability company, on behalf of said company.


Notary Public in and for the State of Texas

OWNER:

Christopher Chollet
5001 Pecan Springs Road

STATE OF TEXAS

§

OWNER:

ST. STEPHEN'S PLACE, LLC, a Texas limited liability company

By: _____

Name: Edwin W. Prewitt, Jr., Manager
4905 Pecan Springs Road

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on the ____ day of October, 2015, by Edwin W. Prewitt, Jr., Manager of St. Stephen's Place, LLC, a Texas limited liability company, on behalf of said company.

[Seal]

Notary Public in and for the State of Texas

OWNER:



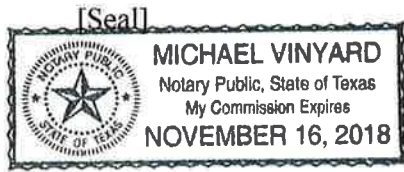
Christopher Chollet
5001 Pecan Springs Road

STATE OF TEXAS

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This instrument was acknowledged before me on the 13th day of October, 2015, by Christopher Chollet.



[Signature]
Notary Public in and for the State of Texas

My commission expires:

Nov 16, 2018

OWNER:

[Signature]
Carianne Shulte
5001 Pecan Springs Road

STATE OF TEXAS

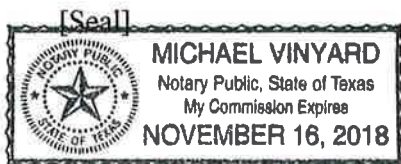
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COUNTY OF TRAVIS

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This instrument was acknowledged before me on the 13th day of October, 2015, by Carianne Shulte. (Schulte) m.v.



[Signature]
Notary Public in and for the State of Texas

My commission expires:

Nov 16, 2018

OWNER:



Steven D. Reynolds
5003 Pecan Springs Road

STATE OF TEXAS

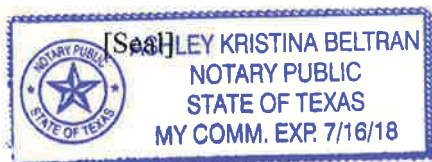
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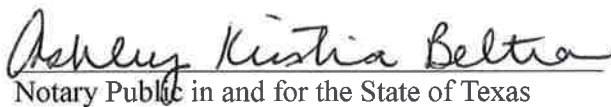
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COUNTY OF Williamson

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This instrument was acknowledged before me on the 7th day of October, 2015, by Steven D. Reynolds.




Notary Public in and for the State of Texas

My commission expires:

07/16/2018

Exhibits

- A: Property Description
- B: Site Plan
- C: Architectural Style Examples
- D: Building Design Guidelines
- E: Integrated Pest Management Plan

AFTER RECORDING, RETURN TO:

Nikelle Meade
Husch Blackwell LLP
111 Congress Ave., Suite 1400
Austin, TX 78701

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT A

1 OF 3

6.36 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

DESCRIPTION OF A 6.36 ACRE TRACT FOR ZONING PURPOSES, PREPARED BY DELTA SURVEY GROUP, INC. IN APRIL 2015, LOCATED IN THE HENRY WARNELL SURVEY NO. 20, IN TRAVIS COUNTY, TEXAS, SAID 6.36 ACRE TRACT, BEING A PORTION OF THAT CALLED 5.002 ACRE TRACT CONVEYED TO LUKE AND PENI ELLIS, AND DESCRIBED IN DOCUMENT NUMBER 2013111777, AND ALSO BEING A PORTION OF THAT CALLED 2.00 ACRE TRACT CONVEYED TO CHRISTOPHER R. CHOLLET AND CARIANNE SCHULTE AS DESCRIBED IN DOCUMENT NUMBER 2011114352, AND ALSO BEING ALL OF THAT CALLED 0.702 ACRE TRACT CONVEYED TO STEPHEN D. REYNOLDS, DESCRIBED IN DOCUMENT NUMBER 2000134424, ALL OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. SAID 6.36 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1 inch iron pipe found in in the east right-of-way (ROW) line of Pecan Springs Road (ROW varies) same being the northwest corner of said 0.702 acre tract, and also being the southwest corner of a called 1.21 acre tract conveyed to Mila A. Jackson, described in Document Number 2001059987, Official Public Records, Travis County, Texas;

THENCE with the north and east lines of said 0.702 acre tract, same being south and east lines of said 1.21 acre tract the following two (2) courses and distances:

1. S64°25'38"E a distance of 393.25 feet to a ½" iron pipe found, and
2. S03°19'29"W a distance of 81.39 feet to a 1" iron pipe found in the north line of said 2.00 acre tract, same being the southeast corner of said 0.702 acre tract, and also being a south corner of said 1.21 acre tract;

THENCE with the north line of said 2.00 acre tract, same being a south line of said 1.21 acre tract, S63°23'30"E a distance of 56.59 feet to a ½ inch iron rod with "B&G" cap found for the southeast corner of said 1.21 acre tract, same being the southwest corner of a called 2.06 acre tract conveyed to Glenn K. Weichert, described in Document Number 2014049286, Official Public Records, Travis County, Texas;

THENCE leaving said common point, crossing said 2.00 acre tract and said 5.002 acre tract, S07°16'41"E a distance of 471.79 feet to a ½ inch iron rod found in the west line of Lot 1 Texas Properties IV a subdivision of record in Volume 86, Page 74C, Plat Records, Travis County, Texas, same being the southeast corner of said 5.002 acre tract, and also being the northeast corner of a called 5.01 acre tract conveyed to Christopher R. Ring, described in Document Number 2007166329, Official Public Records, Travis County, Texas;

THENCE with the south line of said 5.002 acre tract, same being the north line of said 5.01 acre tract, N64°24'17"W a distance of 755.35 feet to a 1" iron pipe found in the east ROW line of said Pecan Springs Road, same being the southwest corner of said 5.02 acre tract, and also being the northwest corner of said 5.01 acre tract;

6.36 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

THENCE with the east ROW line of said Pecan Springs Road, same being west lines of said 5.002 acre tract, said 2.00 acre tract and said 0.702 acre tract the following three (3) courses and distances:

1. N27°47'08"E a distance of 285.70 feet to a 1" iron pipe found,
2. N27°59'27"E a distance of 112.32 feet to a 1" iron pipe found, and
3. N27°52'41"E a distance of 74.74 feet to the **POINT OF BEGINNING** and containing 6.36 acres of land, more or less.

BEARING BASIS:
TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN

Date: 04-10-15


John C. Nielsen
Registered Professional Land Surveyor
No. 5541-State of Texas



Delta Survey Group, Inc.
8213 Brodie Lane, Suite 102
Austin, Texas 78745

TBPLS FIRM NO. 10004700



HENRY WARNELL SURVEY ABSTRACT

No. 20

TRAVIS COUNTY, TEXAS

APRIL 2015

1" = 100'

Delta Survey Group Inc.

8213 BRODIE LANE STE 102, AUSTIN, TEXAS 78745
OFFICE: 512.282.5200 FAX: 512.282.5250
WWW.DELTASURVEYGROUP.COM
TRPLS FIRM NO. 10004760

QUAD AUSTIN EAST

PROJECT EAST 51ST AT SPRINGDALE

DWO. 6.36 ACRE ZONING

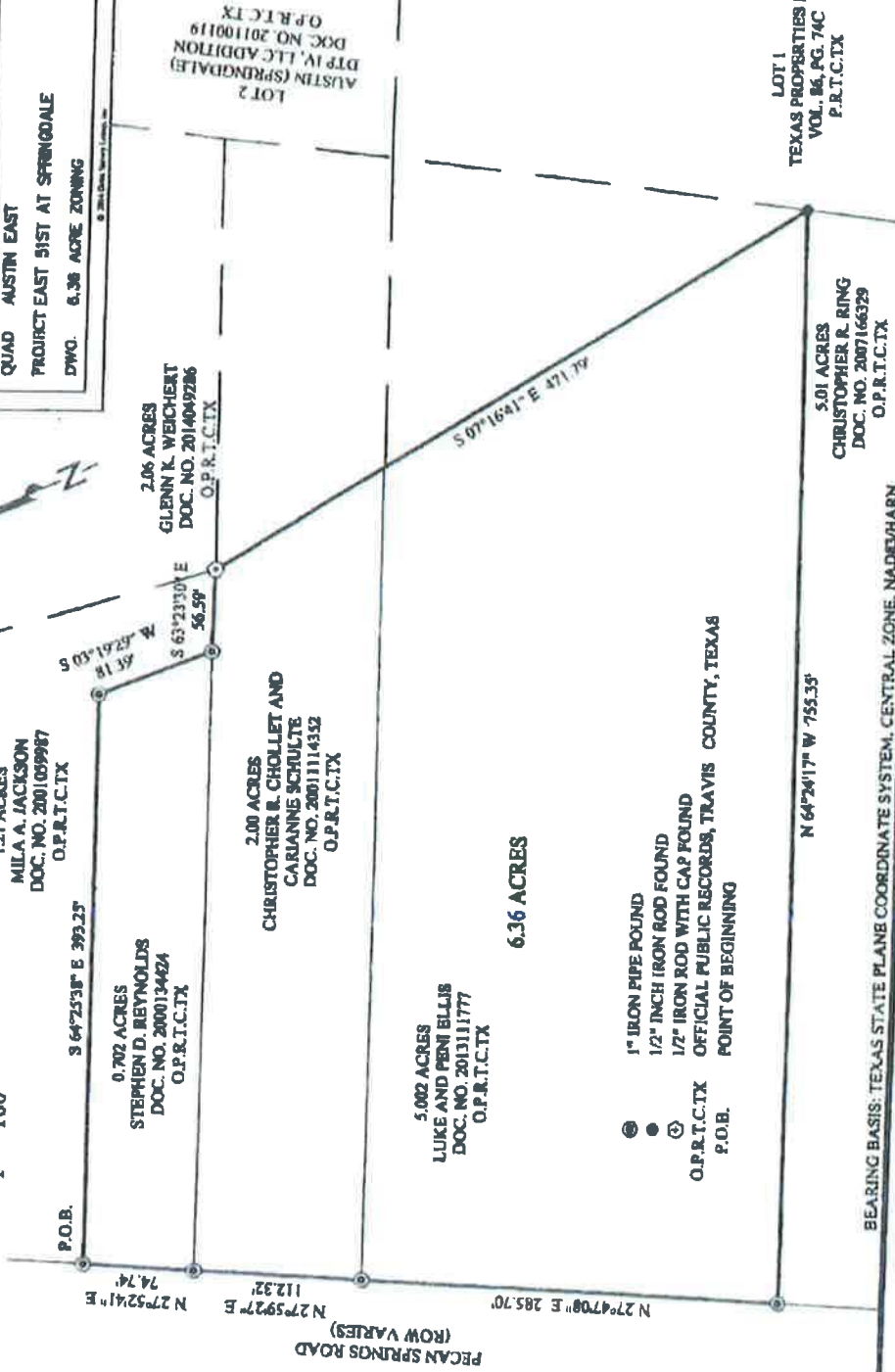


Exhibit B

Site Plan

GARRETT-IHNEN
CIVIL ENGINEERS

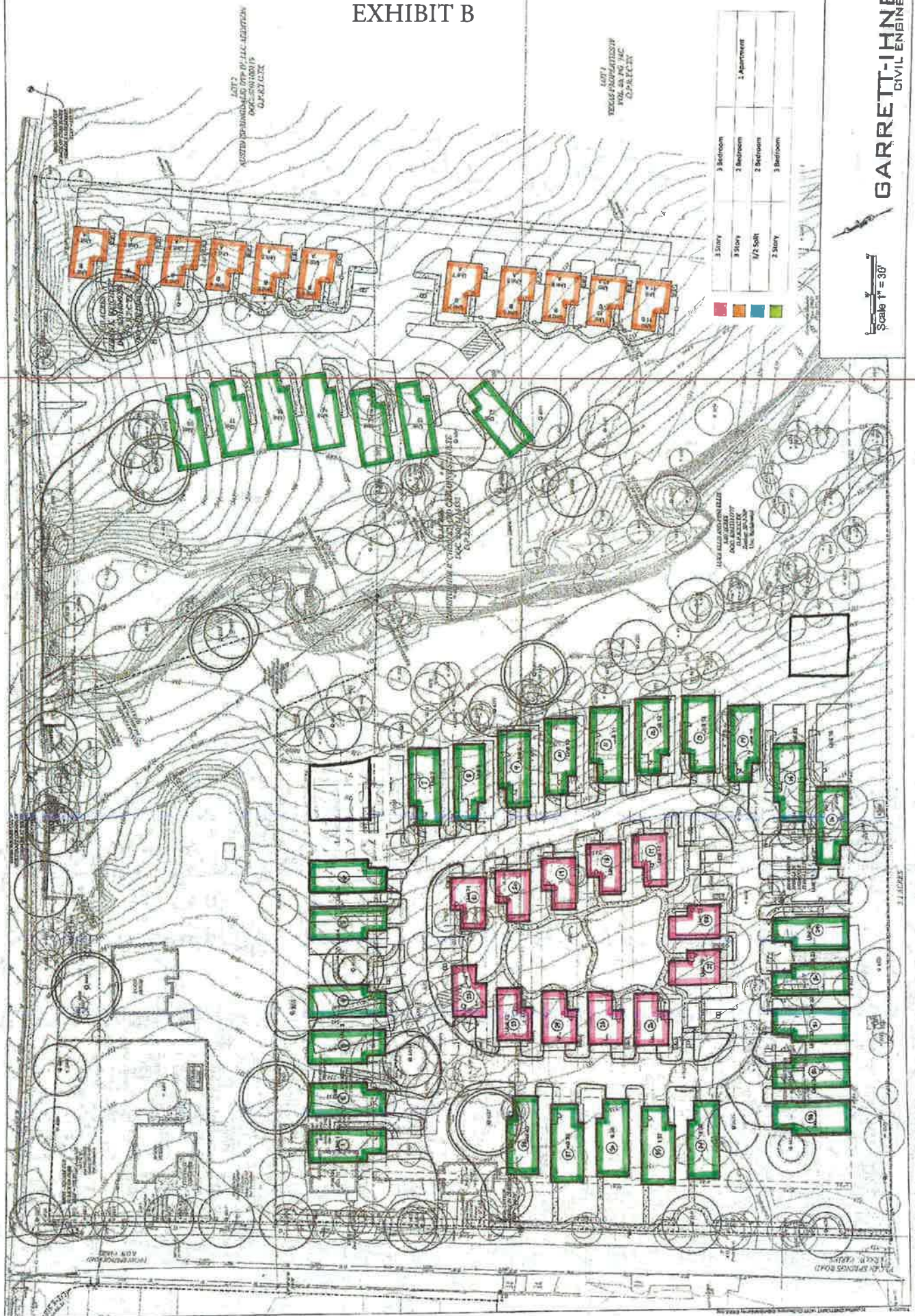


Exhibit C

Architectural Style Examples

Exhibit C



Exhibit C



Exhibit C



Exhibit D

Design Guidelines

1. The five homes on the Property constructed closest to Pecan Springs Road (the "Pecan Springs Houses") shall front on Pecan Springs Road.
2. Each of the Pecan Springs Houses shall fit a building footprint that is no greater than twenty-five feet (25') wide by fifty-five feet (55') deep.
3. The Pecan Springs Houses shall be between 1,700 square feet and 1,900 square feet in size.
4. The Pecan Springs Houses will have a porch in the front and a garage in the back.
5. There shall be at least two distinct front elevations for the Pecan Springs Houses.
6. The architectural design of the Pecan Springs Houses shall be either Craftsman style, Texas Cottage style, or Texas Farmhouse style.

EXHIBIT E

Integrated Pest Management Plan

St. Stephen's

***Prepared For:
City of Austin
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78704
Phone: (512) 974-2788***

***Prepared By:
Garrett-Ihnen Civil Engineers, Inc.
12007 Technology Blvd., Suite 150
Austin, Texas 78727
(512) 454-2400***

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PART A – PROJECT DESCRIPTION

GENERAL

Project Name:

COA Case Number:

Project Type:

Project Address/Location:

Project Developer Contact Information:

City of Austin Water Quality Reviewer:

Reasons for IPM requirement: Water Quality Requirement

LANDSCAPE

Landscape acreage: N/A

Total Project Acreage: 9.01 acres

Total Impervious Cover: 5.15 acres

BUILT STRUCTURES AND ENVIRONMENTAL FEATURES

Building/Structures Estimated Floor Area: XXXX Sq. Ft.

Parking Area Coverage: XXXX Sq. Ft.

Known Environmental Features: N/A

SITE PLAN

The site plan is located at the back of this Plan, see Attachment A.

VICINITY MAP

PART B – PUBLIC EDUCATION PROGRAM, IPM PLANS, AND ANTICIPATED PEST PROBLEMS

PUBLIC EDUCATION

1.0 INTRODUCTION

This document is intended to provide citizens with the information necessary to follow an environmentally sensitive approach to lawn care, pest management, and to other aspects of urban living. To maintain a healthy environment and avoid polluting, it is important that each individual employ the following recommended measures. If a service company is employed by the property owner, then the owner must ensure that the company:

- Is aware of the covenants and restrictions on the property
- Is given a copy of this guide
- Use the practices recommended in this guide

2.0 DEFINITION OF IPM

Integrated pest management (IPM) is a system of controlling pests (weeds, diseases, insects or others) in which pests are identified, action thresholds are considered, all possible control options are evaluated and selected control(s) are implemented. Control options--which include biological, cultural, manual, mechanical and chemical methods--are used to prevent or remedy unacceptable pest activity or damage. Choice of control option(s) is based on effectiveness, environmental impact, site characteristics, public health and safety, and economics. IPM takes advantage of all appropriate pest management options.

3.0 GROW GREEN PROGRAM

The Grow Green program is a partnership of the City of Austin Watershed Protection and Development Review Department and the Cooperative Extension Service of Travis County. This program is a community-wide environmental education program intended to preserve and protect our water resources. The Grow Green partnering agencies distribute educational materials, such as the earth-wise guides included in this document, to the Austin-area nurseries and home improvement stores that have elected to participate in the program.

4.0 EARTH-WISE GUIDES

The earth-wise guides in this document were developed as an educational component of the Grow Green program. The Grow Green earth-wise guides are available for free at each participating retailer. This information is meant to assist individuals in identifying a pest of concern and describe a least-toxic approach to managing the pest. So that you may choose a least toxic control measure, various products labeled for the control of that pest are rated according to toxicity and persistence. These guides are updated on an occasional basis as new products and treatment options become available. Additional copies may be available upon request by either picking them up at a participating retailer, or by contacting the City of Austin at (512) 974-2550 or the Cooperative Extension Service at (512) 854-9600.

5.0 VEHICLE MAINTENANCE

Used motor oil, oil filters, car batteries, and tires should be dropped off at an appropriate facility. Many automotive shops, lubrication centers, and some recycling centers will accept these materials. For more information on proper disposal and recycling, refer to the next item, 6.0 Disposal and Recycling. When cleaning your vehicle, it is important that the wastewater from the cleaning process not enter the storm drain system. Approved car washing facilities direct the wastewater to a treatment facility. When washing a vehicle at home, drain the wash water to a landscape area. Thus, the landscaping can use the water, and the dirt and cleaning agents can be degraded.

6.0 DISPOSAL and RECYCLING

It is important to recycle any material that is recyclable, and to properly dispose of items that cannot be recycled. Residents of the City of Austin or of Travis County have access to the Home Chemical Collection facility located at 2514 Business Center Drive, south of the Ben White/Burleson intersection. It is open Tuesday and Wednesday from 12 to 7 p.m. The phone number for the facility is (512) 974-4343. If you reside outside Travis county, contact your local county government or the Texas Commission on Environmental Quality (TCEQ) to find out if there is a disposal site or recycling program for your area. The TCEQ offers citizens two easy ways to access this information. One method is to use the toll-free phone number (1-800-CLEAN-UP), that allows you to enter your five-digit ZIP code to find information specific to your locale. Web surfers can find the same information on the Internet at www.1800cleanup.org.

IPM FOR INNOVATIVE WATER QUALITY CONTROLS

City of Austin - Watershed Protection and Development Review Department

Integrated Pest Management (IPM) plans are required for the following innovative water quality controls described in the Environmental Criteria Manual (ECM):

- ECM 1.6.7.A Retention/Irrigation
- ECM 1.6.7.B Vegetative Filter Strip
- ECM 1.6.7.C Biofiltration
- ECM 1.6.7.D Rainwater Harvesting (if used in conjunction with vegetation)
- ECM 1.6.7.F Vegetative Filter Strip – Disconnection of Impervious Cover
- ECM 1.6.7.G Non-Required Vegetation
- ECM 1.6.7.H Rain Garden

The management of these water quality controls must adhere to the techniques and control options described within this IPM plan. IPM is a continuous system of controlling pests (weeds, diseases, insects or others) in which pests are identified, action thresholds are considered, all possible control options are evaluated and selected control(s) are implemented. Control options--which include biological, cultural, manual, mechanical and chemical methods--are used to prevent or remedy unacceptable pest activity or damage. Choice of control option(s) is based on effectiveness, environmental impact, site characteristics, worker/public health and safety, and economics. The goal of an IPM system is to manage pests and the environment to balance benefits of control, costs, public health and environmental quality. IPM takes advantage of all appropriate pest management options.

Manage the treatment system in conformance with the following criteria. Refer questions regarding the proper application of these criteria to the City of Austin IPM Coordinator (phone 512-974-2550):

1. Vegetation Functions: The vegetation in this storm water treatment system is integral and necessary for it to function properly. A minimum of 95% of the vegetation specified in the project construction documents shall be alive and viable throughout the life of the system. No bare areas greater than 1 square foot may exist. These performance requirements apply to the entire treatment facility, as well as to areas immediately adjacent to and related to the facility (including access areas, easements, etc.)
2. Drainage Issues and Vegetation Establishment: Water management is critical during plant establishment, and remains crucial through the life of the system for proper vegetation management. Allow newly-planted roots to become established before flooding soils for an extended period.
3. Mowing and/or Trimming: Mowing and/or trimming of vegetation shall occur with certain restrictions.
 - a. Tall and Medium Herbaceous Plants: Trimming activities must not impinge on the growing tips (basal crown) of the bunchgrasses. Cutting these grasses below the basal crown will severely stress and possibly kill them. These plants shall be cut

no lower than 18" from the ground. In all cases, clippings and trimmings shall be bagged and removed from the site.

- b. Turf and other Short Herbaceous Plants: Sod-forming grasses may be mown or trimmed to an appropriate height. These plants shall not be scalped; cut no lower than 3" from the ground. All clippings and trimmings shall be bagged and removed from the site.
4. Weed Management: A weed is generally defined as any plant in the wrong place. Refer to the original design and construction documents when uncertainty exists as to the appropriateness of a specific plant. Preventing the introduction of weeds is the most practical and cost-effective method for their management. Avoid bare soil by minimizing soil disturbance and properly managing desirable vegetation. Remove weeds early in their growth stage, before they set seed. Allow the desired vegetation to out-compete the weeds. It is necessary to allocate greater resources on landscape maintenance during the initial 3-year establishment period. During this time weed "pressure" from the drainage area will be greatest, as will availability of bare surface areas within the treatment system. These factors allow weeds to gain a foothold, especially during the first few months of the life of the water quality control. The preferred method of weed control is to physically remove the weeds. Cut the weed roots below the soil to reduce root carbohydrates. This shall be done by hand tools only; using cultivating machines is not acceptable within the treatment system. Repeat cultivation at regular intervals during the growing season. Any bare areas resulting from this process must be re-vegetated. See the earth wise guide to Weeds for further information.
5. Pesticides (includes herbicides) and Fertilizer: The use of landscape chemicals, including fertilizer and pesticides, are not allowed within the treatment system without the approval of the City's IPM Coordinator (phone 512-974-2550). Herbicide use will be restricted to that of organic, least-toxic formulations. Be aware that organic herbicides must be used with caution and can be dangerous, especially in concentrated form. Personal protective equipment must be used: rubber gloves, long pants, eye protection, etc. The use of organic herbicides is generally restricted to the following products. These may not be effective on all weed species:
 - a. Acetic acid (20% vinegar) is effective on small annuals
 - b. Essential oils: Includes cinnamon, clove, summer savory and thyme must be used at the appropriate concentration.
6. Plant species listed as invasive by the state of Texas are not allowed. Refer to the following website for a list of plants and additional information.
http://www.texasinvasives.org/Invasives_Database/Invasives.html
7. Mosquito Management: This water quality treatment system shall not be a breeding place for mosquitoes. Incidental standing water must not be present for longer than three days (72 hours). If water exists for periods longer than this, the party responsible for maintenance shall remove the water from the system and conduct any repairs or design flaws to ensure that this condition is not repeated. See the earth wise guide to Mosquitoes for further information.

8. Wildlife and Pet Management: In addition to water quality treatment, this facility offers environmental benefits such as providing food and habitat for wildlife. Pets may also be attracted to them. However, activities by animals within the water quality control shall not interfere with its functions and design objectives. Digging or burrowing by animals is particularly troublesome. Defecation from pets must be picked up on a regular basis. Where problems with wildlife exist, fencing or similar exclusionary methods shall be implemented.
9. Irrigation System Performance: Not all water quality treatment facilities include an irrigation system. When an irrigation system exists evaluate the efficiency of the system on a periodic basis, especially at the beginning of each irrigation season. The evaluation shall identify problems with the system, highlight strengths and weaknesses in system performance, and ensure that problems are properly addressed.
10. Erosion: Erosion damage to the treatment system shall be repaired immediately. Determine the cause of the erosion and address the situation to prevent it from recurring.
11. Digging: Contact utility companies to request that all underground utilities be located and marked prior to excavating in or near storm water facilities. At least one of the following systems shall be contacted.
 - a. Dig-Tess (Texas Excavation Safety System): 1-800-344-8377
 - b. Texas One-Call System: 1-800-245-4545
12. Pest Management Plans: Refer to the Grow Green website for updated versions of pest management plans. <http://www.ci.austin.tx.us/growgreen/>

POTENTIAL PESTS AND GENERAL LANDSCAPING INFORMATION

There are no anticipated pest problems that are unique to the site. The following pest management strategies address common problems for this region.

The following materials can be found at the City of Austin Grow Green website:

<http://www.ci.austin.tx.us/growgreen/default.htm>

[Aphids](#)

[Beetles](#)

[Beneficial Insects](#)

[Caterpillars](#)

[Fertilizing Recommendations](#)

[Fire Ants](#)

[Fleas](#)

[Galls](#)

[Hiring a Landscaping Professional](#)

[Landscaping](#)

[Lawn Care](#)

[Lawn Problems](#)

[Mosquitos](#)

[Poison Ivy](#)

[Pruning](#)

[Spider Mites](#)

[Product Ratings](#)

[Scale](#)

[Snails](#)

[Stink Bugs](#)

[Weeds](#)

Please refer to this website for further information on the Grow Green initiative, updates and contact information.