ORDINANCE NO. 000309-78

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

A 45.208 ACRE TRACT OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT, LOCALLY KNOWN AS 6011-6411 CITY PARK ROAD AND 5801-6507 F.M. 2222 ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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 district from Single Family Residence Standard Lot (SF-2) district to General Office-Conditional Overlay (GO-CO) combining district on the property described in File C14-98-0162, as follows:

A 45.208 acre tract of land out of the James Jett Survey No. 1, in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance, (the “Property”)

commonly known as Tract 3, locally known as 6011-6411 City Park Road and 5801-6507 F.M. 2222 Road, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit “B”.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property and the property described in Exhibits C, D, E, F, and G, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 6,500 adjusted trips per day.

2. Office development may not exceed 30,000 square feet of gross floor area.

3. A building or structure may not be constructed or maintained within 100 feet of the southern property line.
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the General Office (GO) base district and other applicable requirements.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on March 20, 2000.

PASSED AND APPROVED

March 9, 2000

Kirk Watson
Mayor

APPROVED: Andrew Martin
City Attorney

ATTEST: Shirley A. Brown
City Clerk
FIELD NOTES
FOR
JOSIE CHAMPION

45.208 ACRE TRACT

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, BEING A PORTION OF
THE JAMES JETT SURVEY NO. 1, IN TRAVIS COUNTY, TEXAS, BEING A
PORTION OF THAT CERTAIN 254 ACRE TRACT OF LAND AS CONVEYED TO
MRS. ALMA CHAMPION, MARY CHAMPION, NOW KNOWN AS MARY M.
ROBERSON, ALMA J. CHAMPION, NOW KNOWN AS JUANITA MEIER, AND
JOSIE E. CHAMPION BY INSTRUMENT OR RECORD IN CAUSE NUMBER 11062
OF THE PROBATE MINUTES OF TRAVIS COUNTY, TEXAS, SAID TRACT OF
LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
FOLLOWS:

BEGINNING at a point at the intersection of the South line of the said 254 acre tract, being in
the East r.o.w. line of City Park Road, for the Southwest corner hereof,

THENCE with the East and Southeast r.o.w. line of City Park Road, the following courses:

N 39°47'59"E for a distance of 18.25 feet to an angle point;

N 38°31'29"E for a distance of 292.05 feet to a point of curve;
Along a curve to the right, whose radius is 1,225.75 feet, and whose chord bears
N 44°56'36"E for a distance of 274.28 feet to a point of compound curve;

Along a curve to the right, whose radius is 1,544.11 feet, and whose chord bears
N 55°57'43"E for a distance of 247.67 feet to a point of compound curve;

Along a curve to the right, whose radius is 522.77 feet, and whose chord bears
N 63°29'14"E for a distance of 53.69 feet to a point of compound curve;

Along a curve to the right, whose radius is 381.97 feet, and whose chord bears
N 76°01'34"E for a distance of 122.32 feet to a point of tangency;

N 85°14'24"E for a distance of 166.43 feet to a point of curve;

Along a curve to the left, whose radius is 381.97 feet, and whose chord bears
N 72°19'21"E for a distance of 170.78 feet to a point of tangency;

N 59°24'17"E for a distance of 46.43 feet to a point of curve;

Along a curve to the right, whose radius is 472.18 feet, and whose chord bears
N 73°22'55"E for a distance of 107.16 feet to a point at the intersection of the
Southeast r.o.w. line of City Park Road with the new Southwest r.o.w. line of
RM 2222, for the most Northerly corner hereof;

THENCE with the new Southwest r.o.w. line of RM 2222, the following courses;

Along a curve to the right, whose radius is 1,407.89 feet, and whose chord bears
S 32°16'16"E for a distance of 283.26 feet to a point of tangency;

S 26°29'51"E for a distance of 508.04 feet to a point of curve;

Along a curve to the left, whose radius is 2,984.79 feet, and whose chord bears
S 32°21'08"E for a distance of 608.93 feet to a point of tangency;

S 38°12'25"E for a distance of 420.57 feet to a point in the Northwest line of that
certain 0.966 acre tract of land conveyed to Jones-Reynolds Joint Venture by deed
recorded in Volume 7764, Page 826, Deed Records, Travis County, Texas, for a
corner hereof;

000304-78

EXHIBIT A
FIELD NOTES
FOR
JOSIE CHAMPION

45.208 ACRE TRACT

THENCE S 55°13'16"W for a distance of 49.61 feet to the Northwest corner of the said Jones-Reynolds tract, for an inside corner hereof;

THENCE S 34°46'44"E for a distance of 208.78 feet to a point, for the most Southerly corner of the said Jones-Reynolds tract, for an inside corner hereof;

THENCE N 55°13'16"E for a distance of 61.92 feet to a point in the new Southwest r.o.w. line of RM 2222, for a corner hereof;

THENCE with the new Southwest r.o.w. line of RM 2222, S 37°20'42"E for a distance of 249.36 feet to a point in the West r.o.w. line Loop 360, for a corner hereof;

THENCE with the West r.o.w. line of Loop 360, S 06°01'45"E for a distance of 245.20 feet to a point in the Southwest line of the said 254 acre tract, being the Northeast corner of Lot 2, Sheppard Mountain Phase One, as recorded in Plat Book 83, Pages 200A-200B, Plat Records, Travis County, Texas, for the most Southerly corner hereof;

THENCE with Southwest line of the said 254 acre tract, N 60°48'45"W at a distance of 1,755.00 feet pass, the Northwest corner of the said Lot 2, Shepherd Mountain Phase One, being the Northeast corner of Lot B, Shepherd Mountain Phase Two, as recorded in Plat Book 86, Pages 155D-156C, Plat Records, Travis County, Texas, and continue on for a total distance of 2,858.70 feet to an angle point, and N 60°45'08"W for a distance of 5.61 feet to the PLACE OF BEGINNING, and containing 45.208 acres of land, more or less.

This description was prepared from deed records only, and does not represent an on the ground survey.

AS PREPARED BY
DOUG SEELIG LAND SURVEYORS P.C.

DOUGLAS A. SEELIG
Registered Professional Land Surveyor No. 1908
3802 Manchaca Road
Austin, Texas 78704
October 22, 1998

Work Order No. 15646
DESCRIPTION

OF A 98.467 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 260 ACRE TRACT OF LAND CONVEYED TO C.C. CHAMPION ET. AL. BY PARTITION DEED OF RECORD IN VOLUME 482, PAGE 627 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 98.467 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the westerly line of Capital of Texas Highway North (Loop 360 - R.O.W. varies), same being the northerly line of said 260 acres and the southeasterly corner of The Overlook at Jester Section Two, a subdivision of record in Book 90, Pages 124-125 of the Plat Records of Travis County, Texas;

THENCE, along the westerly line of Capital of Texas Highway North, being the easterly line hereof, the following four (4) courses and distances:

1) S37°07'34"W, a distance of 303.59 feet to an angle point;
2) S16°02'28"W, a distance of 441.39 feet to an angle point;
3) S05°06'38"W, a distance of 314.45 feet to an angle point;
4) S01°06'51"E, a distance of 286.11 feet to the southeasterly corner hereof;

THENCE, leaving the westerly line of Capital of Texas Highway North, over and across said 260 acres, the following twenty-six (26) courses and distances:

1) S61°22'42"W, a distance of 25.89 feet to an angle point;
2) S66°56'23"W, a distance of 20.20 feet to an angle point;
3) S57°01'15"W, a distance of 29.21 feet to an angle point;
4) S49°42'09"W, a distance of 35.48 feet to an angle point;
5) S41°39'01"W, a distance of 29.00 feet to an angle point;
6) S29°23'47"W, a distance of 22.18 feet to an angle point;
7) S28°02'01"W, a distance of 51.77 feet to an angle point;
8) S14°20'27"W, a distance of 33.18 feet to an angle point;

EXHIBIT C
9) S22°46'11"W, a distance of 53.35 feet to an angle point;
10) S19°42'58"W, a distance of 51.25 feet to an angle point;
11) S24°25'52"W, a distance of 56.90 feet to an angle point;
12) S29°23'47"W, a distance of 88.73 feet to an angle point;
13) S30°31'07"W, a distance of 62.86 feet to an angle point;
14) S44°03'36"W, a distance of 53.50 feet to an angle point;
15) S61°22'42"W, a distance of 46.49 feet to an angle point;
16) S71°00'14"W, a distance of 44.50 feet to an angle point;
17) S80°42'40"W, a distance of 39.43 feet to an angle point;
18) N72°12'22"W, a distance of 49.02 feet to an angle point;
19) N63°38'32"W, a distance of 33.28 feet to an angle point;
20) N36°53'45"W, a distance of 877.18 feet to an angle point;
21) S24°25'59"W, a distance of 355.69 feet to an angle point;
22) N09°29'34"W, a distance of 595.42 feet to an angle point;
23) N39°39'22"W, a distance of 781.86 feet to an angle point;
24) N83°15'32"W, a distance of 178.04 feet to an angle point;
25) S65°36'11"W, a distance of 208.75 feet to an angle point;
26) S29°43'04"W, a distance of 160.07 feet to a point in the northerly line of R.M. 2222 (R.O.W. varies), for an angle point hereof;

TRENCE, along the northerly line of R.M. 2222, the following three (3) courses and distances:

1) N73°25'00"W, a distance of 217.09 feet to the point of curvature of a non-tangent curve to the right;

2) Along said non-tangent curve to the right having a radius of 665.04 feet, a central angle of 02°45'13", an arc length of 31.96 feet and a chord which bears N72°02'23"W, a distance of 31.96 feet to the end of said curve;

3) N56°35'35"W, a distance of 106.50 feet to the southeasterly corner of the remainder of 1 acre of land conveyed to Mrs. D. W. Williams by deed of record in Volume 2507, Page 17 of said Real Property Records;
THENENCE, leaving the northerly line of R.M. 2222, along the easterly, northerly and westerly lines of said Williams tract, the following three (3) courses and distances:

1) N29°48'54"E, a distance of 177.10 feet to the northeasterly corner of said Williams tract;

2) N58°11'06"W, a distance of 208.70 feet to the northwesterly corner of said Williams tract;

3) S29°48'54"W, a distance of 171.29 feet to a point in the curving northerly line of said R.M. 2222, being the southwesterly corner of said Williams tract;

THENENCE, along a non-tangent curve to the right having a radius of 1517.02 feet, a central angle of 00°22'42", an arc length of 10.02 feet and a chord which bears N56°22'01"W, a distance of 10.02 feet to the southeasterly corner of the remainder of 1 acre of land conveyed to L.W. Taylor et. ux. by deed of record in Volume 1946, Page 255 of said Real Property Records;

THENENCE, leaving the northerly line of R.M. 2222, along the easterly and northerly lines of said Taylor tract, the following two (2) courses and distances:

1) N29°48'54"E, a distance of 170.97 feet to the northeasterly corner of said Taylor Tract;

2) N58°11'06"W, a distance of 208.70 feet to a point in the easterly line of Jester Village, a subdivision of record in Book 89, Page 305 of said Plat Records, same being the westerly line of said 260 acres, the northwesterly corner of said Taylor tract and the southwesterly corner hereof;

THENENCE, along the westerly line of said 260 acres, being the easterly line of said Jester Village and the easterly line of a 3.81 acre tract conveyed to Beard Family Partnership by deed of record in Volume 12618, Page 566 of said Real Property Records, the following two (2) courses and distances:

1) N29°48'54"E, a distance of 918.44 feet to the common easterly corner of said Jester Village and said 3.81 acres;

2) N29°47'28"E, a distance of 403.84 feet to the northwesterly corner hereof;

THENENCE, leaving the easterly line of said 3.81 acres, over and across said 260 acres, along the northerly line hereof, the following nine (9) courses and distances:

1) S59°48'01"E, a distance of 650.85 feet to an angle point;

2) S59°51'19"E, a distance of 100.31 feet to an angle point;
3) S59°58'51"E, a distance of 267.64 feet to an angle point;
4) S00°56'48"E, a distance of 238.12 feet to an angle point;
5) S60°08'07"E, a distance of 229.80 feet to an angle point;
6) N31°38'56"E, a distance of 203.64 feet to an angle point;
7) S59°58'51"E, a distance of 103.35 feet to an angle point;
8) S60°13'14"E, a distance of 348.56 feet to an angle point;
9) N29°46'46"E, a distance of 200.00 feet to a point in the southerly line of said The Overlook at Jester Section Two, being the northerly line of said 260 acres;

THENCE, S60°13'14"E, along the southerly line of said The Overlook at Jester Section Two, being the northerly line of said 260 acres, a distance of 973.72 feet to the POINT OFBEGINNING, containing an area of 98.467 acres of land, more or less, within these metes and bounds.

THE ABOVE DESCRIPTION IS BASED ON RECORD INFORMATION. IT DOES NOT REFLECT THE RESULTS OF AN ON-THE-GROUND SURVEY.
13.930 ACRES - 1C
ZONING TRACT IV
CHAMPION FAMILY TRACT

DESCRIPTION

OF A 13.930 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 260 ACRE TRACT OF LAND CONVEYED TO C.C. CHAMPION ET AL. BY PARTITION DEED OF RECORD IN VOLUME 482, PAGE 627 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.930 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a point in the westerly line of Capital of Texas Highway North (Loop 360 - R.O.W. varies), same being the northerly line of said 260 acres and the southeasterly corner of The Overlook at Jester Section Two, a subdivision of record in Book 90, Pages 124-125 of the Plat Records of Travis County, Texas;

THENENCE, along the westerly line of Capital of Texas Highway North, the following twelve (12) courses and distances:

1) S37°07'34"W, a distance of 303.59 feet to a point;
2) S16°02'28"W, a distance of 441.39 feet to a point;
3) S05°06'38"W, a distance of 314.45 feet to a point;
4) S01°06'51"E, a distance of 603.26 feet to a point;
5) S05°05'53"W, a distance of 406.78 feet to a point;
6) S17°38'07"W, a distance of 370.27 feet to a point;
7) S31°58'24"W, a distance of 200.55 feet to a point;
8) S17°43'46"W, a distance of 282.13 feet to a point;
9) S55°14'05"W, a distance of 136.29 feet to a point;
10) N47°01'53"W, a distance of 164.83 feet to a point;
11) N26°59'56"W, a distance of 232.25 feet to a point;
12) S63°13'18"W, a distance of 125.29 feet to a point in the
northerly line of R.M. 2222 (R.O.W. varies);

THENENCE, along the northerly line of R.M. 2222, being the southerly line hereof, the following two (2) courses and distances:

1) N37°56'07"W, a distance of 711.23 feet to the point of curvature of a curve to the right;

000309-78  EXHIBIT D
2) Along said curve to the right having a radius of 2734.79 feet, a central angle of 07°29'06", an arc length of 357.27 feet and a chord which bears N34°27'57"W, a distance of 357.01 feet to the POINT OF BEGINNING, and southeasterly corner hereof;

THENCE, continuing along the northerly line of R.M. 2222, being the southerly line hereof, the following five (5) courses and distances:

1) Continuing along said curve to the right having a radius of 2734.79 feet, a central angle of 04°13'28", an arc length of 201.64 feet and a chord which bears N28°36'40"W, a distance of 201.59 feet to the end of said curve;

2) N22°38'53"W, a distance of 261.62 feet to a point;

3) N12°27'08"W, a distance of 305.76 feet to the point of curvature of a non-tangent curve to the left;

4) Along said non-tangent curve to the left having a radius of 622.93 feet, a central angle of 69°27'45", an arc length of 755.21 feet and a chord which bears N38°41'08"W, a distance of 709.80 feet to the end of said curve;

5) N73°25'00"W, a distance of 130.28 feet to the southwesterly corner hereof;

THENCE, leaving the northerly line of R.M. 2222, over and across said 260 acres, the following seven (7) courses and distances:

1) N29°43'04"E, a distance of 180.07 feet to a point;

2) N65°36'11"E, a distance of 208.75 feet to a point;

3) S83°15'32"E, a distance of 178.04 feet to a point;

4) S39°39'22"E, a distance of 781.86 feet to a point;

5) S09°29'34"E, a distance of 595.42 feet to a point;

6) S06°54'40"W, a distance of 196.19 feet to a point;

7) S53°36'16"W, a distance of 246.01 feet to the POINT OF BEGINNING, containing an area of 13.930 acres of land, more or less, within these metes and bounds.

00309-76
DESCRIPTION

OF A 28.794 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES JETT
SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS, BEING A PORTION OF THAT CERTAIN 260 ACRE TRACT OF LAND
CONVEYED TO C.C. CHAMPION ET. AL. BY PARTITION DEED OF RECORD IN
VOLUME 482, PAGE 627 OF THE REAL PROPERTY RECORDS OF TRAVIS
COUNTY, TEXAS; SAID 28.794 ACRES BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a point in the westerly line of Capital of Texas
Highway North (Loop 360 - R.O.W. varies), same being the
northerly line of said 260 acres and the southeasterly corner of
The Overlook at Jester Section Two, a subdivision of record in
Book 90, Pages 124-125 of the Plat Records of Travis County,
Texas;

TENENCE, along the westerly line of Capital of Texas Highway
North, the following four (4) courses and distances:

1) S37°07'34"W, a distance of 303.59 feet to a point;
2) S16°02'28"W, a distance of 441.39 feet to a point;
3) S05°06'38"W, a distance of 314.45 feet to a point;
4) S01°06'51"E, a distance of 286.11 to the POINT OF BEGINNING
   and northeasterly corner hereof;

TENENCE, along the westerly line of Capital of Texas Highway
North, being the easterly line hereof, the following nine (9)
courses and distances:

1) S01°06'51"E, a distance of 317.15 feet to a point;
2) S05°05'53"W, a distance of 406.78 feet to a point;
3) S17°38'07"W, a distance of 370.27 feet to a point;
4) S31°58'24"W, a distance of 200.55 feet to a point;
5) S17°43'46"W, a distance of 282.13 feet to a point;
6) S55°14'05"W, a distance of 136.29 feet to a point;
7) N47°01'53"W, a distance of 164.83 feet to a point;
8) N26°59'56"W, a distance of 232.25 feet to a point;
9) S63°13'18"W, a distance of 125.29 feet to a point in the
   northerly line of R.M. 2222 (R.O.W. varies);

000309-78

EXHIBIT E
THENENCE, along the northerly line of R.M. 2222, being the southerly line hereof, the following two (2) courses and distances:

1) N37°56'07"W, a distance of 711.23 feet to the point of curvature of a curve to the right;

2) Along said curve to the right having a radius of 2734.79 feet, a central angle of 07°29'06", an arc length of 357.27 feet and a chord which bears N34°27'57"W, a distance of 357.01 feet to the end of said curve and the southwesterly corner hereof;

THENENCE, leaving the northerly line of R.M. 2222, over and across said 260 acres, the following twenty-three (23) courses and distances:

1) N53°36'16"E, a distance of 246.01 feet to a point;
2) N06°54'40"E, a distance of 196.19 feet to a point;
3) N24°25'59"E, a distance of 355.69 feet to a point;
4) S36°53'45"E, a distance of 877.18 feet to a point;
5) S63°38'32"E, a distance of 33.28 feet to a point;
6) S72°12'22"E, a distance of 49.02 feet to a point;
7) N80°42'40"E, a distance of 39.43 feet to a point;
8) N71°00'14"E, a distance of 44.50 feet to a point;
9) N61°22'42"E, a distance of 46.49 feet to a point;
10) N44°03'36"E, a distance of 53.50 feet to a point;
11) N30°31'07"E, a distance of 62.86 feet to a point;
12) N29°23'47"E, a distance of 88.73 feet to a point;
13) N24°25'52"E, a distance of 56.90 feet to a point;
14) N19°42'58"E, a distance of 51.25 feet to a point;
15) N22°46'11"E, a distance of 53.35 feet to a point;
16) N14°20'27"E, a distance of 33.18 feet to a point;
17) N28°02'01"E, a distance of 51.77 feet to a point;
18) N29°23'47"E, a distance of 22.18 feet to a point;
19) N41°39'01"E, a distance of 29.00 feet to a point;
20) N49°42'09"E, a distance of 35.48 feet to a point;

21) N57°01'13"E, a distance of 29.21 feet to a point;

22) N66°56'23"E, a distance of 20.20 feet to a point;

23) N61°22'42"E, a distance of 25.89 feet to the POINT OF BEGINNING, containing an area of 28.794 acres of land, more or less, within these metes and bounds.
13.499 ACRES
ZONING TRACT V-REVISED
CHAMPION FAMILY TRACT

DESCRIPTION

OF A 13.499 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 250 ACRE TRACT OF LAND CONVEYED TO C.C. CHAMPION ET. AL. BY PARTITION DEED OF RECORD IN VOLUME 482, PAGE 627 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.499 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a point in the westerly line of said 260 acres, being a point in the easterly line of that certain remainder of 12.51 acre tract of land conveyed to Henry R. Scholtz, et. ux. by deed of record in Volume 2681, Page 136 of said Deed Records, same being the northwesterly corner of that certain 1.906 acre tract of land conveyed to Frank and Kathey Gillispie by quit-claim deed of record in Volume 12524, Page 380 of the Real Property Records of Travis County, Texas;

THENCE, S61°10'58"W, leaving the westerly line of said 260 acres, along the northerly line of said 1.906 acres, a distance of 200.01 feet to the POINT OF BEGINNING and southwesterly corner hereof;

THENCE, leaving the northerly line of said 1.906 acres, over and across said 260 acres, along a portion of the westerly line hereof, the following two (2) courses and distances:

1) N29°24'45"E, a distance of 844.36 feet to a point hereof;

2) N58°34'40"W, a distance of 94.59 feet to a point in the easterly line of said remainder of 12.51 acres, being an angle point hereof;

THENCE, N30°25'20"E, along the easterly line of said remainder of 12.51 acre tract, being a portion of the westerly line of said 260 acres and the westernmost line hereof, a distance of 349.46 feet to a point in the southerly right-of-way line of R.M. 2222 (R.O.W. varies), being the most northeasterly corner of said remainder of 12.51 acre tract for the northwesterly corner hereof;

THENCE, leaving the easterly line of said remainder of 12.51 acres, along the southerly line of R.M. 2222, being the northerly line hereof, the following three (3) courses and distances:

1) Along a curve to the left having a radius of 1757.02 feet, a central angle of 02°56'53", an arc distance of 90.41 feet and a chord which bears S55°07'08"E, a distance of 90.40 feet to the end of said curve;

EXHIBIT F

000309-76
2) S56°35’35”E, a distance of 518.83 feet to the point of curvature of a curve to the right;

3) Along said curve to the right having a radius of 1407.89 feet, a central angle of 10°40’27”, an arc distance of 262.29 feet and a chord which bears S51°15’21”E, a distance of 261.91 feet to the most northwesterly corner of that certain remainder of 0.27 acres of land conveyed to George Randall Baird by deed of record in Volume 5959, Page 1987 of said Deed Records, being the northermost northeasterly corner hereof;

THENCE, leaving the southerly line of R.M. 2222, along the westerly and southerly lines of said remainder of 0.27 acre tract, being the irregular easterly line hereof, the following two (2) courses and distances:

1) S35°09’03”W, a distance of 52.60 feet to the southwesterly corner of said remainder of 0.27 acre tract for an angle point;

2) S33°31’40”E, a distance of 85.48 feet to a point in the southerly line of said remainder of 0.27 acre tract for an angle point hereof;

THENCE, leaving the southerly line of said remainder of 0.27 acres and continuing along the irregular easterly line hereof, the following seven (7) courses and distances:

1) S73°57’57”W, a distance of 151.64 feet to the point of curvature of a curve to the right;

2) Along said curve to the right having a radius of 950.00 feet, a central angle of 07°19’47”, an arc distance of 121.53 feet and a chord which bears S77°37’51”W, a distance of 121.45 feet to the point of tangency of said curve;

3) S81°17’44”W, a distance of 93.74 feet to the point of curvature of a curve to the left;

4) Along said curve to the left having a radius of 582.77 feet, a central angle of 20°44’02”, an arc distance of 210.89 feet and a chord which bears S70°55’43”W, a distance of 209.74 feet to the point of compound curvature;

5) Along said compound curve having a radius of 1604.11 feet, a central angle of 09°11’59”, an arc distance of 257.57 feet and a chord which bears S55°57’43”W, a distance of 257.29 feet to the point of compound curvature;

6) Along said compound curve having a radius of 1286.75 feet, a central angle of 12°50’13”, an arc distance of 288.29 feet and a chord which bears S44°56’36”W, a distance of 287.69 feet to the point of tangency of said compound curve;
7) S38°31'29"W, a distance of 106.35 feet to a point in the northerly line of said 1.906 acres, being the southeasterly corner hereof.

THENCE, N61°10'58"W, along the northerly line of said 1.906 acres, being the southerly line hereof, a distance of 229.90 feet to the POINT OF BEGINNING, containing an area of 13.499 acres of land, more or less, within these metes and bounds.

THE ABOVE DESCRIPTION IS BASED ON RECORD INFORMATION. IT DOES NOT REFLECT THE RESULTS OF AN ON-THE-GROUND SURVEY.
3.157 ACRES
ZONING TRACT I
CHAMPION FAMILY TRACT

DESCRIPTION

OF A 3.157 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 260 ACRE TRACT OF LAND CONVEYED TO C.C. CHAMPION ET. AL. BY PARTITION DEED OF RECORD IN VOLUME 482, PAGE 627 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.157 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a point in the westerly line of Capital of Texas Highway North (Loop 360 - R.O.W. varies), same being the northerly line of said 260 acres and the southeasterly corner of The Overlook at Jester Section Two, a subdivision of record in Book 90, Pages 124-125 of the Plat Records of Travis County, Texas;

THENENCE, along the northerly line of said 260 acres, being the southerly line of said The Overlook at Jester Section Two and in part along the southerly line of The Replat of the Overlook at Jester Section One, a subdivision of record in Book 90, Pages 336-338 of said Plat Records, the following two (2) courses and distances:

1) N60°13'14"W, a distance of 1321.87 feet;

2) N59°58'51"W, a distance of 101.86 feet to the POINT OF BEGINNING and northeasterly corner hereof;

THENENCE, leaving the southerly line of said The Replat of the Overlook at Jester Section One, over and across said 260 acres the following five (5) courses and distances:

1) S30°01'09"W, a distance of 144.49 feet to an angle point;

2) S31°38'56"W, a distance of 259.18 feet to the southeasterly corner hereof;

3) N60°08'07"W, a distance of 229.80 feet to the southwesterly corner hereof;

4) N00°56'48"W, a distance of 302.09 feet to an angle point;

5) N30°01'09"E, a distance of 145.15 feet to a point in the northerly line of said 260 acres, being the southerly line of said The Replat of the Overlook at Jester Section One and the northwesterly corner hereof;

EXHIBIT G
THENCE, S59°58'51"E, along the northerly line of said 260 acres, being the southerly line of said The Replat of the Overlook at Jester Section One and the northerly line hereof, a distance of 392.60 feet to the POINT OF BEGINNING, containing an area of 3.157 acres of land, more or less, within these metes and bounds.
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
NO. 94-07160

JOSIE ELLEN CHAMPION,  
JUANITA CHAMPION MEIER,  
AND MARY MARGARET CHAMPION  
ROBERSON,  

PLAINTIFFS  

VS.  

CITY OF AUSTIN,  

DEFENDANT  

IN THE DISTRICT COURT  

OF TRAVIS COUNTY, TEXAS  

353RD JUDICIAL DISTRICT  

COMPROMISE SETTLEMENT AGREEMENT  

This Compromise Settlement Agreement (Agreement) is made effective on the 13th day  
of June, 1996, by and between Josie Ellen Champion, Juanita Champion Meier and, Mary  
Margaret Champion Roberson (the Champions) and the City of Austin (the City).  

In consideration of the mutual promises and obligations set forth herein and for other  
good and valuable consideration, the sufficiency of which is acknowledged by the Champions  
and the City, the parties agree as follows:  

1. For purposes of this Agreement, "the Subject Property" will be the real estate  
contained in Tracts 1, 2, 3, 4 and 5, such tracts being the following:  

Tract 1: 153.75 acres, more or less, out of the James Jett  
Survey No. 1, Travis County, Texas, Travis  
County Plat No. 1 4218 08 18, referred to in the  
Application for Land Status Determination  
bearing City of Austin filing No. C81-87-020,  
the legal description of such tract contained in  
such application being adopted herein as if fully  
rerestated.
Tract 2: 20.59 acres, more or less, out of the James Jett Survey No. 1, Travis County, Texas, Travis County Tax Plat No. 1 4218 08 18, referred to in Application for Land Status Determination No. C81-87-021, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 3: 49.70 acres, more or less, out of the James Jett Survey No. 1, Travis County, Texas, Travis County Tax Plat No. 1 4218 08 18, referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-022, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 4: 9 acres, more or less, out of the T. J. Chambers Survey, Travis County, Travis County Tax Plat No. 1 3912 06 01, referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-023, the legal description of such tract contained in such application being adopted herein as if fully restated.

Tract 5: 26 acres, more or less, out of the James Jett Survey No. 1 and the Thomas Jefferson Chambers Grant, Travis County, Texas, Travis County Tax Plat No. 1 4211 04 08 (pieces being located on 13418, 14218, 14312) referred to in Application for Land Status Determination bearing City of Austin filing No. C81-87-024, the legal description of such tract contained in such application being adopted herein as if fully restated.

2. Future development of the Subject Property, insofar as such development is within the regulatory and permitting authority of the City, will be governed by the following:
a. Unless otherwise specifically provided in this Agreement, during the term of this agreement all applications relating to development of the Subject Property will be governed solely by the applicable ordinances, rules or other regulations in effect for the subject property on December 8, 1993 immediately prior to the enactment of City of Austin Ordinance No. 931209-H, (the "Bull Creek Ordinance") , including the Lake Austin Watershed Ordinances by virtue of the fact that the tracts were "legal tracts." Such development applications shall include, but not be limited to, all applications for subdivision preliminary plans and final plats, resubdivision or replats, site plans, site development permits, zoning and rezoning (only to the extent that zoning and rezoning ordinances affect lot size, lot dimensions, lot coverage or building size), and all other permits and approvals required for the development of the Subject Property, and all revisions and amendments thereto (other than applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit).

b. During the term of this Agreement, it is expressly agreed that the Subject Property may be subdivided and resubdivided so that each Tract may be comprised of one or more separate tracts or lots, under the requirements of the Lake Austin Watershed Ordinance without compliance with any ordinance, rule, regulation or other permitting or approval
requirement adopted after December 8, 1993, including specifically, but without limitation, the Comprehensive Watersheds Ordinance (Ordinance No. 860508-V) as the same has been codified and amended, which ordinance was not applicable by exemption to the Subject Property on December 8, 1993, and that further resubdivisions or replatting of the Subject Property will not trigger the necessity of compliance with the Comprehensive Watersheds Ordinance or any other ordinance, regulation or rule not in effect on December 8, 1993, (except with respect to all applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit).

c. During the term of this Agreement, the total amount of impervious cover that may be constructed within Tracts 1, 2 and 3, and that portion of Tract 5 not made subject to Ordinance No. 930513-R will be the maximum impervious cover permitted by the Lake Austin Watershed Ordinance and other ordinances governing such tracts prior to the enactment of the Bull Creek Ordinance, and the amount of impervious cover will not be restricted to an amount less than that permitted by those ordinances.

d. The City will not require a new boundary survey as a condition for rezoning of Tracts 1, 2 and 3.
e. During the term of this Agreement, Tracts 4 and 5 will be permitted to be developed to the maximum extent of impervious cover and building square footage permitted by the Lake Austin Watershed Ordinance and other ordinances in effect on December 8, 1993, and by zoning ordinance No. 920507-B relating to such Tract 4 and zoning ordinance No. 930513-R relating to Tract 5. The restrictive covenant entered into in connection with the enactment of Ordinance 920507-B will be and is hereby amended to delete the following provisions thereof:

"12. Owners shall construct and maintain a detention pond with a minimum volume of two acre feet on the Property. The detention pond will be lined with grasses such as Switchgrass and Bushy Bluestem and other appropriate native vegetation for the purpose of reducing the rate of stormwater discharge to the rate of discharge without improvements constructed on the Property"; and

"5. Disturbance of the native vegetation on hillrock and rock outcropping in and along the southern portion of the Property shall be prohibited."

The Champions or their successors in interest shall be permitted to grade the said "hill rock and rock outcropping" to the surrounding natural level.

The aforementioned restrictive covenants will be removed in exchange for the following Agreements as set forth in the Special Exceptions Ordinance, to-wit:

A. For any development on the Property, applicant shall construct property engineered water-quality controls, including at minimum, water quality filtration ponds with full sedimentation chambers as described in the City of Austin Environmental Criteria Manual. The ponds shall be sized to capture the first one-half (.50) inch of stormwater plus one-tenth (.10) of an inch for each additional 10% of impervious cover above 20% from the contributing drainage areas of the project which include impervious
cover. In the event that any cut and fill variances necessary for the construction of these ponds are not granted, the Applicant shall not be required to comply with this subparagraph 2. e. A. Detention of the 2-year storm will not be required.

B. Any agreements, restrictions, covenants, or other legal documentation necessary to construct and maintain the water quality controls required hereby shall be reviewed by the City Law Department prior to execution, and shall include a provision requiring written City approval prior to termination or assignment.

C. Prior to the issuance of a certificate of occupancy or return of fiscal security for development on all or part of the Property, construction of the water-quality controls required hereby shall be completed, as determined by City of Austin inspection, for the portion of the subject property for which a Certificate of Occupancy or return of fiscal is requested.

f. During the term of this Agreement approvals of site plans for the Subject Property will be approved with necessary variances or other provisions reducing the set backs from Loop 360 and RR 2222 required by the Hill Country Roadways Ordinance (No. 860116-J) to twenty-five feet.

3. The provisions of this Agreement will not be affected by any transfer or ownership of all or any part of the Subject Property. The rights and duties expressed herein will run with the land, and shall be binding upon, will be for the benefit of, will be assigned by, and will be enforceable by, the Champions and the subsequent owner(s) of the Subject Property, or any part thereof, and their respective successors and assigns.

4. In consideration for the dismissal of the claims in the lawsuit described below, during the term of this Agreement the City will not impose or require any filing, review, inspection, construction or notification fees with respect to any application for the processing or
approval of any subdivision preliminary plans and final plats, resubdivisions or replats, site plans or site development permits, zoning or rezoning for the development of the Subject Property, and all such fees are hereby expressly waived by the City.

5. During the term of this Agreement, the City will follow established regulations and procedures for any legislative actions (including, but not limited to, zoning or rezoning) related to the Subject Property to the extent that such regulations are not inconsistent with the Lake Austin Watershed Ordinance and this Agreement; provided, however, in the event any such legislative action results in requirements or conditions that are contrary to, in addition to, or in any manner inconsistent with, the provisions hereof, the owner(s) of the Subject Property, or any part thereof, may elect any one or more of the following with respect to any such ordinances, rules, regulations or other requirements sought to be imposed on the development or use of the Subject Property: (i) enforcement of any state law applicable to the development of the subject property, including without limitation, Sections 481.142, et seq., TEX. GOV'T CODE; (ii) assertion of all claims for attorneys' fees, court costs, temporary taking damages, permanent taking damages or other damages that were asserted or could have been asserted in the lawsuit described below and any such claims that may arise hereafter; and (iii) assertion of any other legal or equitable rights or claims that might exist with respect to the City's actions regarding the Subject Property.

6. Tracts 4 and 5 (excluding that portion of Tract 5 not made subject to zoning ordinance No. 930513-R). The exception granted herein shall apply to any "project" as that term is defined in Section 481.142, Texas Government Code, commenced on Tracts 4 and 5.
within ten years by the filing of an application for preliminary subdivision (if applicable) and by the filing and approval of a site plan. In the event that said subdivision and site plan approval are not obtained within the ten year period, all subsequent permits for a "project" shall be governed by the Austin City Code in effect at the time of the filing of the development application.

Tracts 1, 2 and 3 and the portion of Tract 5 not made subject to zoning ordinance No. 930513-R. The exceptions granted herein shall apply to any "project" as that term is defined in Section 481.142, Texas Government Code, commenced on Tracts 1, 2 3, or that portion of Tract 5 not made subject to zoning ordinance No. 930513-R within six years by the filing of an application for preliminary subdivision plan or any other development permit. Provided, however, that any application filed within six years will be subject to expirations contained in the Austin City Code in effect as of December 8, 1993. In the event that said development permit is not filed within the six year period, all subsequent permits for a "project" shall be governed by the Austin City Code in effect at the time of the filing of the development application.

Notwithstanding the foregoing, should the owners elect, applications filed during the first six years from the effective date of this Ordinance may be governed by the provisions of state law and the Austin City Code in effect at the time of the filing of said applications.

7. Nothing in this Agreement will prevent the City and the owner(s) of the Subject Property, or any part thereof, from making agreements regarding the development or use of the Subject Property, or any part thereof owned by such party, in addition or contrary to the
provisions hereof by agreement; provided, any such agreement must be in writing and executed by the City and the owners of the portions of the Subject Property affected thereby, and further provided that any such agreement shall expressly reference this Agreement.

8. The Champions and the City agree to submit to the Court in Cause No. 94-07160, in the 353rd District Court of Travis County, Texas, a proposed Agreed Order in the form attached hereto as Exhibit A and to request the Court to enter the Agreed Order in accordance with the settlement set forth in this Agreement.

9. Notwithstanding anything herein to the contrary, in the event of any conflict between any provision of this Compromise Settlement Agreement and the Special Exceptions Ordinance, the parties hereto agree that the Special Exceptions Ordinance shall control.

10. The City and the Champions warrant that the parties executing this Agreement have the all requisite authority to bind the parties and are executing the Agreement within the scope of and in accordance with such authority.

11. Unless expressly stated otherwise in this Agreement, the provisions hereof are binding on all successors, agents, employees, representatives and assigns of the City and the Champions.

12. This Agreement is made in settlement of disputed claims and causes of action, and the provisions hereof are not to be construed as an admission of liability by any party, which liability is hereby denied; nor is this Agreement or any proceeding in the lawsuit between the parties to be considered as res judicata, collateral estoppel or binding in any manner on persons or entities not parties hereto or otherwise entitled to the benefits by the express provisions
EXECUTED to be effective the 11th day of July, 1996.

Josie Ellen Champion

Jeanita Champion Meier

Mary Margaret Champion Roberson

City of Austin

By: Alice Glusco
Printed Name: Alice Glusco
Its:

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, appeared JOSIE ELLEN CHAMPION, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on the 11th day of July, 1996, to certify which witness my hand and official seal.

Onetta Weedon
Notary Public, State of Texas
My Commission Expires: ____________________________
Printed Name: ____________________________

-10-
EXHIBIT "A"

To Ordinance No. __________

The Tracts made the subject of this ordinance are those tracts having the metes and bounds, set forth in the attached survey notes, as follows:

TRACT 1: The property described in the attached as "PARCEL A"
TRACT 2: The property described in the attached as "PARCEL B"
TRACT 3: The property described in the attached as "PARCEL C"
TRACT 4: The property described in the attached as "PARCEL D"
TRACT 5: The property described in the attached as "PARCEL E"
AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR DEVELOPMENT OF FIVE (5) TRACTS OF LAND: TRACT 1: BEING 153.75 ACRES, MORE OR LESS, OUT OF JAMES JETT SURVEY NO. 1, BEING MORE PARTICULARLY DESCRIBED IN CITY APPLICATION NO. C-81-87-020; TRACT 2: BEING A 20.59 ACRES, MORE OR LESS, OUT OF JAMES JETT SURVEY NO. 1, MORE PARTICULARLY DESCRIBED IN CITY APPLICATION NO. C-81-87-021; TRACT 3: BEING 49.70 ACRES, MORE OR LESS, OUT OF JAMES JETT SURVEY NO. 1, MORE PARTICULARLY DESCRIBED IN CITY APPLICATION NO. C-81-87-022; TRACT 4: BEING 9 ACRES, MORE OR LESS, OUT OF T.J. CHAMBERS SURVEY, MORE PARTICULARLY DESCRIBED IN CITY APPLICATION NO. C-81-87-023; AND TRACT 5: BEING 26 ACRES, MORE OR LESS, OUT OF THE JAMES JETT SURVEY NO. 1 AND THOMAS JEFFERSON CHAMBERS GRANT, MORE PARTICULARLY DESCRIBED IN CITY APPLICATION NO. C-81-87-024; GRANTING A SPECIAL EXCEPTION UNDER DIVISION 3 OF ARTICLE V OF CHAPTER 13-1, ARTICLE 1 OF CHAPTER 13-7, AND ARTICLE V OF CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992, AS AMENDED; IMPOSING WATER QUALITY PROTECTIONS ON DEVELOPMENT OF THE PROPERTY; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, 2-2-7, 13-1-301 AND 13-1-302 OF THE AUSTIN CITY CODE OF 1992, AS AMENDED; ESTABLISHING AN EXPIRATION DATE; AND ESTABLISHING AN EFFECTIVE DATE.

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

PART 1. That a special exception from the Austin City Code of 1992, as amended, is granted for development on the Champion property, (the "Property") more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes; provided that the following conditions are met:

(1) The development of the Property must comply with the provisions of the Austin City Code in effect on December 8, 1993 including (the Lake Austin Watershed Ordinance) with the exception that development of the Property shall provide additional water quality control as set forth in (2) below.

(2) For any development of the Property, applicant shall construct properly engineered water-quality controls, including at minimum, water-quality filtration ponds with full sedimentation chambers as described in the City of Austin Environmental Criteria Manual. The ponds shall be sized to capture the first one-half (.50) inch of stormwater plus one-tenth (.10) of an inch for each additional 10% of impervious cover above 20% from the contributing drainage areas of the project which include impervious cover. In the event that any cut and fill variances necessary for the construction of these ponds are not granted the applicant shall not be required to comply with this paragraph (2). Detention of the 2-year storm will not be required.
(3) Any agreements, restrictions, covenants, or other legal documentation necessary to construct and maintain the water quality controls required by conditions (1) and (2) above shall be reviewed by the City Law Department prior to execution, and shall include a provision requiring written City approval prior to termination or assignment.

(4) Prior to the issuance of a certificate of occupancy or return of fiscal security for development on all or part of the Property, construction of the water-quality controls required by conditions (1) and (2) above shall be completed, as determined by City of Austin inspection, for the portion of the Property for which a Certificate of Occupancy or return of fiscal security is requested.

(5) The set-backs from Loop 360 and RR 2222 required by the Hill Country Roadways Ordinance (No. 860116-J) shall be reduced from 100 feet to 25 feet.

**PART 2.** Tracts 4 and 5 (excluding that portion of Tract 5 not made subject to zoning ordinance No. 930513-R). The exception granted herein shall apply to any "project" as that term is defined in Section 481.142, Texas Government Code, commenced on Tracts 4 and 5 (excluding that portion of Tract 5 not made subject to zoning ordinance No. 930513-R) within ten years by the filing and approval of an application for preliminary subdivision (if applicable) and by the filing and approval of a site plan. In the event that said subdivision and site plan approval are not obtained within the ten year period, all subsequent permits for a "project" shall be governed by the Austin City Code in effect at the time of the filing of the development application.

Tracts 1, 2, 3, and that portion of Tract 5 not made subject to zoning ordinance 930513-R. The exceptions granted herein shall apply to any "project" as that term is defined in Section 481.142, Texas Government Code, commenced on Tracts 1, 2, and 3, and that portion of Tract 5 not made subject to zoning ordinance 930513-R within six years by the filing of an application for preliminary subdivision plan or any other development permit. Provided, however, that any application filed within six years will be subject to expirations contained in the Austin City Code in effect as of December 8, 1993. In the event that said development permit is not filed within the six year period, all subsequent permits for a "project" shall be governed by the Austin City Code in effect at the time of the filing of the development application.

Notwithstanding the foregoing, should the owners elect, applications filed during the first six years from the effective date of this Ordinance may be governed by the provisions of state law and the Austin City Code in effect at the time of the filing of said applications.

**PART 3.** Unless otherwise specifically provided in this Agreement, during the term of Part 2 above, all applications relating to development of the Property will be governed solely by the Lake Austin Watershed Ordinance and other applicable ordinances, rules or other regulations in effect on December 8, 1993 immediately prior to the enactment of City of Austin Ordinance No. 931209-H, (the "Bull Creek Ordinance"). Such development applications shall include, but not be limited to, all applications for subdivisions preliminary plans and final plats, resubdivisions or replats, site plans, site development permits, and zoning and rezoning (only to the extent that zoning and rezoning ordinances affect size, lot dimensions, lot coverage or building size), relating to the Subject Property, and all revisions and amendments thereto (other than applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the
provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit).

During the term of Part 2 above it is expressly agreed that the Property may be subdivided and resubdivided under the requirements of the Lake Austin Watershed Ordinance so that each Tract may be comprised of one or more separate tracts without compliance with any ordinance, rule, regulation or other permitting or approval requirement adopted after December 8, 1993, including specifically, but without limitation, the Comprehensive Watersheds Ordinance (Ordinance No. 860508-V) as the same has been codified and amended, which ordinance was not applicable by exemption to the Property on December 8, 1993, and that further resubdivisions or replatting of the Property during the term of Part 2 will not trigger the necessity of compliance with the Comprehensive Watersheds Ordinance or any other ordinance, regulation or rule in effect after December 8, 1993, except with respect to all applications for building or construction permits for structures intended for human occupancy or habitation, which applications will be governed by the laws, ordinances, rules or regulations adopting solely the provisions of uniform building, fire, plumbing or mechanical codes promulgated by a nationally recognized code organization or local amendments to such codes enacted solely to address imminent threats of destruction of property or injury to persons in effect as of the date of the application for the applicable building or construction permit.

During the term of Part 2 above, the total amount of impervious cover that may be constructed within Tracts 1, 2, and 3, and that portion of Tract 5 not made subject to Zoning Ordinance No. 930513-R will be the maximum impervious cover permitted by the Lake Austin Watershed Ordinance and other ordinances governing such tracts prior to the enactment of the Bull Creek Ordinance, and the amount of impervious cover will not be restricted to an amount less than that permitted by those ordinances.

PART 4. That the approval of this special exception does not constitute approval of any development permit nor does it constitute a commitment to any specified land use, intensity of land use, or utility services.

PART 5. That the requirements imposed by Sections 13-1-301 and 13-1-302 of the Austin City Code of 1992, as amended, (Land Development Code) regarding notice and hearing requirements and procedures for a Special Exception are hereby waived.

PART 6. That the requirement imposed by Sections 2-2-3, 2-2-5 and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the Austin City Council.
PART 7. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the City Charter of the City of Austin.

PASSED AND APPROVED:

June 13, 1996.

Bruce Todd
Mayor

APPROVED: Andrew Martin
City Attorney

ATTEST: James E. Aldridge
City Clerk
EXHIBIT "A"

To Ordinance No. __________

The Tracts made the subject of this ordinance are those tracts having the metes and bounds set forth in the attached survey notes, as follows:

**TRACT 1:** The property described in the attached as "PARCEL A"

**TRACT 2:** The property described in the attached as "PARCEL B"

**TRACT 3:** The property described in the attached as "PARCEL C"

**TRACT 4:** The property described in the attached as "PARCEL D"

**TRACT 5:** The property described in the attached as "PARCEL E"
A FIELD NOTE DESCRIPTION OF 252.06 ACRES OF LAND OUT OF THE JAMES JETT SURVEY NO. 1 AND THE THOMAS JEFFERSON CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; BEING COMPRISED OF A 153.75 ACRE PARCEL (A), A 20.59 ACRE PARCEL (B), A 49.70 ACRE PARCEL (C), A 9.20 ACRE PARCEL (D), AND AN 18.82 ACRE PARCEL (E); THE SAID 252.06 ACRES BEING THE REMAINDER PORTION OF TWO TRACTS OF LAND, DESCRIBED AS 260 ACRES AND 43.32 ACRES, GRANTED TO C. C. CHAMPION BY A DEED OF PARTITION WITH MRS. JOSIE CHAMPION HILL EXECUTED ON SEPTEMBER 12, 1932 AND RECORDED IN VOLUME 482, PAGE 627 OF THE DEED RECORDS OF THE SAID TRAVIS COUNTY, TEXAS; THE SAID 252.06 ACRES, AS SHOWN ON EH&A PLAT NO. 14970-5371-2, BEING MORE PARTICULARLY DESCRIBED BY THE SAID FIVE (5) SEPARATE PARCELS, AS FOLLOWS:

PARCEL A

BEGINNING at an iron pipe found, being the most northerly corner of the said 260 acre tract, also being a point on the southwest line of Lot 33, Block A, of The Jester Estate, Section 1, Phase 1, a subdivision recorded in Plat Book 78, Page 385-389 of the Plat Records of Travis County, same also being the most easterly corner of that certain 3.81 acre tract of land conveyed to Howard L. Burris, Jr., Agent, referred to as Tract Two, by warranty deed recorded in Volume 7948, Page 324 of the said Deed Records of Travis County, said iron pipe also being the most northerly corner of the herein described parcel;

THENCE, with the northeast line of the said 260 acre tract, being the said southwest line of Lot 33, Block A of The Jester Estate, Section 1, Phase 1, S 59° 48' 01" E, a distance of 651.65 feet to an iron rod found in concrete, being the most southerly corner of the said Lot 33, Block A, of The Jester Estate, Section 1, Phase 1, also being the most southerly southwest corner of Lot 6, Block B of Jester Point 2, Section 2, Phase A, a subdivision recorded in Plat Book 84, Page 2A-2B of the said Plat Records of Travis County;

THENCE, leaving the said southwest line of Lot 33, Block A of The Jester Estate, Section 1, Phase 1, continuing with the said northeast line of the 260 acre tract, being the southwest line of the said Lot 6, Block B of Jester Point 2, Section 2, Phase A, S 59° 51' 19" E, a distance of 99.99 feet to an iron rod found, being the most southerly corner of the said Lot 6, Block B of Jester Point 2, Section 2, Phase A, also being the most westerly corner of that certain 18.213 acre tract of land conveyed to Alvin J. Golden, Trustee, by deed of trust recorded in Volume 8286, Page 255 of the said Deed Records of Travis County;

THENCE, leaving the said southwest line of Lot 6, Block B of Jester Point 2, Section 2, Phase A, continuing with the said northeast line of the 260 acre tract, being the southwest line of the said Golden 18.213 acre tract, the following two (2) courses and distances:

1. S 59° 58' 51" E, a distance of 728.97 feet to an iron rod found in a rock mound, and

2. S 60° 13' 14" E, a distance of 1321.87 feet to an iron rod found, being the most southerly southeast corner of the said Golden 18.213 acre tract, same being the intersection of the said northeast line of the 260 acre tract and the west right-of-way line of State Highway Loop 360;
THENCE, leaving the said northeast line of the 260 acre tract and leaving the said southwest line of the Golden 18.213 acre tract, with the said west right-of-way line of State Highway Loop 360, over and across the said 260 acre tract, the following twelve (12) courses and distances:

1. S 37° 07' 34" W, a distance of 303.59 feet to a concrete monument found,
2. S 16° 02' 28" W, a distance of 441.39 feet to a concrete monument found, being 290 feet right of the State Highway Loop 360 centerline station 329+85.8,
3. S 05° 06' 38" W, a distance of 314.45 feet to a concrete monument found,
4. S 01° 06' 51" E, a distance of 603.26 feet to a concrete monument found, being 225 feet right of the State Highway Loop 360 centerline station 339+00.0,
5. S 05° 05' 53" W, a distance of 406.78 feet to a concrete monument found,
6. S 17° 38' 07" W, a distance of 370.27 feet to a concrete monument found,
7. S 31° 58' 24" W, a distance of 200.55 feet to a concrete monument found,
8. S 17° 43' 46" W, a distance of 282.13 feet to a concrete monument found,
9. S 55° 14' 05" W, a distance of 136.29 feet to a concrete monument found,
10. N 47° 01' 53" W, a distance of 164.83 feet to a calculated point,
11. N 26° 59' 56" W, a distance of 232.25 feet to a concrete monument found, and
12. S 63° 13' 18" W, a distance of 149.55 feet to a concrete monument found, being the intersection of the said west right-of-way line of State Highway Loop 360 and the curving north right-of-way line of RM Highway 2222;

THENCE, leaving the said west right-of-way line of State Highway Loop 360, continuing over and across the said 260 acre tract, with the said north right-of-way line of RM Highway 2222, the following nine (9) courses and distances:

1. with a curve to the left having a radius of 1190.85 feet, a central angle of 29° 30' 28" and an arc length of 613.30 feet, along the chord bearing N 41° 29' 46" W, a chord distance of 606.54 feet to a calculated point at a point of tangency,
2. N 56° 15' 00" W, a distance of 121.14 feet to a calculated point at a point of curvature,
3. with a curve to the right having a radius of 666.20 feet, a central angle of 35° 34' 00" and an arc length of 413.55 feet, along the chord bearing N 38° 28' 00" W, a chord distance of 406.94 feet to a calculated point at a point of tangency,

4. N 20° 41' 00" W, a distance of 52.74 feet to a calculated point at a point of curvature,

5. with a curve to the right having a radius of 1379.29 feet, a central angle of 16° 43' 45" and an arc length of 402.72 feet, along the chord bearing N 12° 19' 07" W, a chord distance of 401.29 feet to an iron rod found in concrete at a point of tangency, being 50 feet left of the RM Highway 2222 centerline station 252+90.0,

6. N 03° 57' 15" W, a distance of 302.32 feet to an iron rod found in concrete at a point of curvature,

7. with a curve to the left having a radius of 622.93 feet, a central angle of 69° 27' 44" and an arc length of 755.21 feet, along the chord bearing N 38° 41' 08" W, a chord distance of 709.80 feet to a calculated point at a point of tangency,

8. N 73° 25' 00" W, a distance of 347.37 feet to an iron rod found in concrete at a point of curvature, being 50 feet left of the RM Highway 2222 centerline station 239+52.4, and

9. with a curve to the right having a radius of 665.04 feet, a central angle of 11° 58' 09" and an arc length of 138.93 feet, along the chord bearing N 67° 25' 55" W, a chord distance of 138.68 feet to a calculated point, being the intersection of the said north right-of-way line of RM Highway 2222 and the southeast line of that certain 1 acre tract of land conveyed to D. W. Williams by warranty deed recorded in Volume 2507, Page 17 of the said Deed Records of Travis County;

THENCE, leaving the said north right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the east and north lines of the said Williams 1 acre tract, the following three (3) courses and distances:

1. N 29° 48' 54" E, a distance of 194.70 feet to a calculated point, being the most easterly corner of said Williams 1 acre tract,

2. N 58° 11' 06" W, a distance of 208.70 feet to a calculated point, being the most northerly corner of said Williams 1 acre tract, and

3. S 29° 48' 54" W, a distance of 198.07 feet to a calculated point, being the intersection of the northwest line of the said Williams 1 acre tract and the said north right-of-way line of RM Highway 2222;

THENCE, leaving the said northwest line of the Williams 1 acre tract, with the said north right-of-way line of RM Highway 2222, N 58° 56' 06" W, a distance of 10.00 feet to a calculated point, being the intersection of the said north right-of-way line of RM Highway 2222 and the southeast line of that certain 1 acre tract of land conveyed to L. W. Taylor and wife by deed recorded in Volume 1946, Page 255 of the said Deed Records of Travis County;
CHAMPION TRACT

FN 2663 (JMJ)
June 25, 1985

EH& Job No. 5371-03
EH&A Plat No. 14970-5371-2

TRAVIS COUNTY, TEXAS

THENCE, leaving the said north right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the east line of the said Taylor 1 acre tract, the following two (2) courses and distances:

1. N 29° 48' 54" E, a distance of 198.20 feet to a calculated point, being the most easterly corner of the said Taylor 1 acre tract, and

2. N 58° 11' 06" W, a distance of 208.70 feet to a calculated point, being the most northerly corner of the said Taylor 1 acre tract, same being a point on the northwest line of the said 260 acre tract, same also being a point on the southeast line of that certain 2.641 acre tract of land conveyed to Jim B. Beard and wife by deed recorded in Volume 6448, Page 64 of the said Deed Records of Travis County, and from the said calculated point an iron rod found, being the most westerly corner of the said Taylor 1 acre tract, same being the most southerly corner of the said Beard 2.641 acre tract, bears S 29° 48' 54" W, a distance of 200.18 feet;

THENCE, leaving the said east line of the Taylor 1 acre tract, with said northwest line of the 260 acre tract, being the said southeast line of the Beard 2.641 acre tract, N 29° 48' 54" E, a distance of 918.44 feet to an iron rod found, being the most easterly northeast corner of the said Beard 2.641 acre tract, same being the most southerly corner of the said Burris 3.81 acre tract;

THENCE, leaving the said southeast line of the Beard 2.641 acre tract, continuing with the said northwest line of the 260 acre tract, being the southeast line of the said Burris 3.81 acre tract, the following two (2) courses and distances:

1. N 29° 47' 28" E, a distance of 596.25 feet to an iron rod found, and

2. N 33° 52' 19" E, a distance of 7.60 feet to the POINT OF BEGINNING, containing 153.75 acres of land.

PARCEL B

BEGINNING at a 3/8-inch iron rod found in a rock mound, being a point on the northwest line of the said 260 acre tract, same being a point on the southeast line of that certain 12.51 acre tract of land conveyed to Henry R. Schotz and wife by deed recorded in Volume 2681, Page 136 of the said Deed Records of Travis County, same also being the most northerly corner of that certain 1.92 acre tract of land conveyed to Grover C. Phinney and wife by deed recorded in Volume 700, Page 57 of the said Deed Records of Travis County, said iron rod found being the most westerly corner of the herein described parcel, from which a 7/8-inch iron pipe found in a rock mound, being the most westerly corner of the said 260 acre tract, same being the most southerly corner of the said Schotz 12.51 acre tract, same also being the most westerly corner of the said Phinney 1.92 acre tract, bears S 29° 26' 47" W, a distance of 207.59 feet;

THENCE, with said northwest line of the 260 acre tract, being the said southeast line of the Schotz 12.51 acre tract, N 29° 24' 45" E, passing at a distance of 809.89 feet a nail set in a fence corner post, a total distance of 853.45 feet to a calculated point, being an interior corner on the said southeast line of the Schotz 12.51 acre tract;
THENCE, leaving the said northwest line of the 260 acre tract, continuing with the said southeast line of the Schotz 12.51 acre tract, over and across the said 260 acre tract, S 58° 34' 40" E, a distance of 105.53 feet to a calculated point, being the most southerly northeast corner of the said Schotz 12.51 acre tract;

THENCE, with the east line of the said Schotz 12.51 acre tract, N 30° 25' 20" E, passing at a distance of 59.00 feet a 1 1/4-inch iron pipe found, a total distance of 456.51 feet to a calculated point, being the intersection of the said east line of the Schots 12.51 acre tract and the south right-of-way line of RM Highway 2222;

THENCE, leaving the said east line of the Schots 12.51 acre tract, continuing over and across the said 260 acre tract, with the said south right-of-way line of RM Highway 2222, the following four (4) courses and distances:

1. S 58° 56' 06" E, a distance of 280.28 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 237+71.6,

2. with a curve to the left having a radius of 765.04 feet, a central angle of 14° 28' 54" and an arc length of 193.36 feet, along the chord bearing S 66° 10' 33" E, a chord distance of 192.85 feet to an iron rod found in concrete at a point of tangency, being 50 feet right of the RM Highway 2222 centerline station 239+52.4,

3. S 73° 25' 00" E, a distance of 347.37 feet to a calculated point at a point of curvature, and

4. with a curve to the right having a radius of 522.93 feet, a central angle of 05° 56' 17" and an arc length of 54.20 feet, along the chord bearing S 70° 26' 51" E, a chord distance of 54.17 feet to a calculated point, being the intersection of the said south right-of-way line of RM Highway 2222 and the west line of that certain 2 acre tract of land conveyed from C. C. Champion to Roy W. Cowan by deed recorded in Volume 556, Page 439 of the said Deed Records of Travis County, same being the west line of that certain tract of land conveyed from the said Roy W. Cowan to Thomas R. Williams by deed recorded in Volume 936, Page 279 of the said Deed Records of Travis County;

THENCE, leaving the said south right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the said west line of the Cowan 2 acre tract, being the stone ledge at the brow of a cliff, same being, consecutively, the said west line of the Williams tract, the west line of the remainder portion of the said Cowan 2 acre tract, and the west line of that certain 0.27 acre tract of land conveyed to George Randall Baird by deed recorded in Volume 5959, Page 1987 of the said Deed Records of Travis County, the following five (5) courses and distances:

1. S 53° 58' 33" W, a distance of 35.84 feet to an angle point in the said stone ledge,

2. S 42° 49' 12" W, a distance of 47.98 feet to a 3/8-inch iron rod found at an angle point in the said stone ledge,

3. S 28° 04' 39" W, a distance of 71.27 feet to an angle point in the said stone ledge,

4. S 11° 54' 43" W, a distance of 97.00 feet to an iron rod found at an angle point in the said stone ledge, and
5. S 35° 09' 03" W, a distance of 101.18 feet to a 3/8-inch iron rod found, being the most westerly corner of the said Baird 0.27 acre tract;

THENCE, leaving the said stone ledge, with the southwest line of the said Cowan 2 acre tract, being the southwest line of the said Baird 0.27 acre tract, S 33° 31' 40" E, a distance of 85.48 feet to a calculated point, being the intersection of the said southwest line of the Cowan 2 acre tract, same being the said southwest line of the Baird 0.27 acre tract, and a calculated line for the southeast line of the herein described parcel, being a 30-foot perpendicular offset from, and parallel and concentric with, the approximate centerline of the existing pavement of a county road known as City Park Road, and from the said calculated point, a 3/8-inch iron rod found, being the southwest corner of the said Baird 0.27 acre tract, bears S 33° 31' 40" E, a distance of 10.91 feet;

THENCE, leaving the said southwest line of the Cowan 2 acre tract and southwest line of the Baird 0.27 acre tract, continuing over and across the said 260 acre tract, with the said calculated line for the southeast line hereof, the following seven (7) courses and distances:

1. S 73° 57' 57" W, a distance of 151.64 feet to a calculated point at a point of curvature,

2. with a curve to the right having a radius of 950.00 feet, a central angle of 07° 19' 48" and an arc length of 121.54 feet, along the chord bearing S 77° 37' 51" W, a chord distance of 121.45 feet to a calculated point at a point of tangency,

3. S 81° 17' 44" W, a distance of 93.74 feet to a calculated point at a point of curvature,

4. with a curve to the left having a radius of 582.77 feet, a central angle of 20° 44' 03" and an arc length of 210.89 feet, along the chord bearing S 70° 55' 43" W, a chord distance of 209.74 feet to a calculated point at a point of compound curvature,

5. with a curve to the left having a radius of 1604.11 feet, a central angle of 09° 01' 00" and an arc length of 257.57 feet, along the chord bearing S 55° 57' 43" W, a chord distance of 257.29 feet to a calculated point at a point of compound curvature,

6. with a curve to the left having a radius of 1286.75 feet, a central angle of 12° 50' 14" and an arc length of 288.30 feet, along the chord bearing S 44° 56' 36" W, a chord distance of 287.69 feet to a calculated point at a point of tangency, and

7. S 38° 31' 29" W, a distance of 106.35 feet to a calculated point, being the intersection of the said calculated line for the southeast line hereof and the northeast line of the said Phinney 1.92 acre tract, from which a 3/8-inch iron rod found, being the most easterly corner of the said Phinney 1.92 acre tract, bears S 61° 10' 58" E, a distance of 0.36 feet;

THENCE, leaving the said calculated line for the southeast line hereof, continuing over and across the said 260 acre tract, with the said northeast line of the Phinney 1.92 acre tract, being the southwest line of the herein described parcel, N 61° 10' 58" W, a distance of 429.93 feet to the POINT OF BEGINNING, containing 20.59 acres of land.
PARCEL C

BEGINNING at a nail set in a fence post, being a point on the southwest line of the said 260 acre tract, same being an angle point on the west right-of-way line of State Highway Loop 360, same also being the most northerly northeast corner of the remainder portion of Lot 2 of Shepherd Mountain, Phase One, a subdivision recorded in Plat Book 83, Page 200A-200B of the Plat Records of Travis County, said nail in a fence post also being the most southerly southeast corner of the herein described parcel, from which a concrete monument found, being an angle point on the said west right-of-way line of State Highway Loop 360, also being 461.43 feet right of the State Highway Loop 360 centerline station 359+67.82, bears S 30° 16' 14" W, a distance of 329.77 feet;

THENCE, with the said southwest line of the 260 acre tract, being, consecutively, the northeast line of the said remainder portion of Lot 2 of Shepherd Mountain, Phase One, the northeast line of that certain 19.947 acre tract of land out of the said Shepherd Mountain, Phase One conveyed to Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 75 of the said Deed Records of Travis County, the northeast line of that certain 40.38 acre tract of land conveyed to the said Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 72 of the said Deed Records of Travis County, and the northeast line of that certain 33.88 acre tract of land conveyed to the said Shepherd Mountain Venture by warranty deed recorded in Volume 8394, Page 227 of the said Deed Records of Travis County, N 60° 38' 58" W, a distance of 2858.70 feet to a 3/8-inch iron rod found, being the most northerly northeast corner of the said Shepherd Mountain Venture 33.88 acre tract;

THENCE, leaving the said northeast line of Shepherd Mountain Venture 33.88 acre tract, continuing with said southwest line of the 260 acre tract, N 60° 38' 58" W, a distance of 5.61 feet to a calculated point, being the intersection of the said southwest line of the 260 acre tract and a calculated line for the northwest line of the herein described parcel, being a 30-foot perpendicular offset from, and parallel and concentric with, the approximate centerline of the existing pavement of a county road known as City Park Road, and from the said calculated point a 7/8-inch iron pipe found in a rock mound, being the most westerly corner of the said 260 acre tract, bears N 60° 38' 58" W, a distance of 64.36 feet and N 60° 45' 39" W, a distance of 392.21 feet;

THENCE, leaving the said southwest line of the 260 acre tract, with the said calculated line for the northwest line hereof, over and across the said 260 acre tract, the following eleven (11) courses and distances:

1. with a curve to the left having a radius of 410.00 feet, a central angle of 0° 33' 00" and an arc length of 18.25 feet, along the chord bearing N 39° 47' 59" E, a chord distance of 18.25 feet to a calculated point at a point of tangency;

2. N 38° 31' 29" E, a distance of 292.05 feet to a calculated point at a point of curvature;

3. with a curve to the right having a radius of 1226.75 feet, a central angle of 12° 50' 14" and an arc length of 274.85 feet, along the chord bearing N 44° 56' 36" E, a chord distance of 274.28 feet to a calculated point at a point of compound curvature.
4. with a curve to the right having a radius of 1544.11 feet, a central angle of 09° 12' 00" and an arc length of 247.94 feet, along the chord bearing N 55° 57' 43" E, a chord distance of 247.67 feet to a calculated point at a point of compound curvature,

5. with a curve to the right having a radius of 522.77 feet, a central angle of 20° 44' 03" and an arc length of 189.18 feet, along the chord bearing N 70° 55' 43" E, a chord distance of 188.15 feet to a calculated point at a point of tangency,

6. N 81° 17' 44" E, a distance of 93.74 feet to a calculated point at a point of curvature,

7. with a curve to the left having a radius of 1010.00 feet, a central angle of 07° 19' 48" and an arc length of 129.21 feet, along the chord bearing N 77° 37' 51" E, a chord distance of 129.12 feet to a calculated point at a point of tangency,

8. N 73° 57' 57" E, a distance of 156.63 feet to a calculated point at a point of curvature,

9. with a curve to the right having a radius of 688.40 feet, a central angle of 16° 44' 01" and an arc length of 201.05 feet, along the chord bearing N 82° 19' 57" E, a chord distance of 200.34 feet to a calculated point at a point of reverse curvature,

10. with a curve to the left having a radius of 4944.96 feet, a central angle of 02° 20' 35" and an arc length of 202.22 feet, along the chord bearing N 89° 31' 40" E, a chord distance of 202.21 feet to a calculated point at a point of tangency, and

11. N 88° 21' 23" E, a distance of 19.31 feet to a calculated point, being the intersection of the said calculated line for the northwest line hereof, and the curving southwest right-of-way line of RM Highway 2222;

THENCE, leaving the said calculated line for the northwest line hereof, continuing over and across the said 260 acre tract, with the said southwest right-of-way line of RM Highway 2222, being the northeast line of the herein described parcel, the following seven (7) courses and distances:

1. with a curve to the right having a radius of 522.93 feet, a central angle of 05° 41' 51" and an arc length of 52.00 feet, along the chord bearing S 06° 48' 11" E, a chord distance of 51.98 feet to an iron rod found in concrete at a point of tangency,

2. S 03° 57' 15" E, a distance of 302.31 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 252+90.0,

3. with a curve to the left having a radius of 1479.29 feet, a central angle of 16° 43' 45" and an arc length of 431.92 feet, along the chord bearing S 12° 19' 07" E, a chord distance of 430.39 feet to a calculated point at a point of tangency,

4. S 20° 41' 00" E, a distance of 52.74 feet to a calculated point at a point of curvature,
with a curve to the left having a radius of 766.20 feet, a central angle of 35° 34' 00" and an arc length of 475.62 feet, along the chord bearing S 38° 28' 00" E, a chord distance of 468.02 feet to a calculated point at a point of tangency,

6. S 56° 15' 00" E, a distance of 121.14 feet to an iron rod found in concrete at a point of curvature, being 50 feet right of the RM Highway 2222 centerline station 263+26.2, and

7. with a curve to the right having a radius of 1090.85 feet, a central angle of 15° 54' 41" and an arc length of 302.93 feet, along the chord bearing S 48° 17' 40" E, a chord distance of 301.96 feet to a calculated point, being the intersection of the said curving southwest right-of-way line of RM Highway 2222 and the northwest line of that certain 0.956 acre tract of land conveyed to Jones-Reynolds Joint Venture by warranty deed recorded in Volume 7764, Page 826 of the said Deed Records of Travis County;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, continuing over and across said 260 acre tract, with, consecutively, the northwest, the southwest and the southeast lines of the said Jones-Reynolds Joint Venture 0.956 acre tract, the following three (3) courses and distances:

1. S 55° 13' 16" W, passing at a distance of 71.52 feet a 3/8-inch iron rod found, a total distance of 195.86 feet to a 3/8-inch iron rod found,

2. S 34° 46' 44" E, a distance of 208.78 feet to a 3/8-inch iron rod found, and

3. N 55° 13' 16" E, a distance of 196.11 feet to a calculated point, being the intersection of the said southeast line of the Jones-Reynolds Joint Venture 0.956 acre tract and the said curving southwest right-of-way line of RM Highway 2222;

THENCE, leaving the said southeast line of the Jones-Reynolds Joint Venture 0.956 acre tract, continuing over and across the said 260 acre tract, with the said southwest right-of-way line of RM Highway 2222, with a curve to the right having a radius of 1090.85 feet, a central angle of 05° 37' 41" and an arc length of 50.03 feet, along the chord bearing S 28° 02' 32" E, a chord distance of 50.03 feet to a concrete monument found, being the intersection of the said curving southwest right-of-way line of RM Highway 2222 and the said west right-of-way line of State Highway Loop 360;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, continuing over and across the said 260 acre tract, with the said west right-of-way line of State Highway Loop 360, S 05° 12' 45" E, a distance of 476.44 feet to the POINT OF BEGINNING, containing 49.70 acres of land.

PARCEL D

BEGINNING at a concrete monument found, being the intersection of the east right-of-way line of State Highway Loop 360 and the southwest right-of-way line of RM Highway 2222, same being a point within the said 43.32 acre tract, same also being the most northerly corner of the herein described parcel, the said concrete monument also being 50 feet right of the RM Highway 2222 centerline station 287+10.7;
THENCE, with the said southwest right-of-way line of RM Highway 2222, over and across the said 43.32 acre tract, S 72° 53' 58" E, a distance of 105.98 feet to a calculated point, being the intersection of the said southwest right-of-way line of RM Highway 2222 and the southwest line of the said 43.32 acre tract, same being the northwest corner of the remainder portion of that certain 65.56 acre tract of land granted to the said Josie Champion Hill by the said deed of partition recorded in Volume 482, Page 627 of the said Deed Records of Travis County;

THENCE, leaving the said southwest right-of-way line of RM Highway 2222, with the said southwest line of the 43.32 acre tract, being the west line of the said remainder portion of the Hill 65.56 acre tract, also being approximately with an old fence line along the top of the west bank of Bull Creek, the following three (3) courses and distances:

1. S 19° 50' 00" E, passing at a distance of 1.81 feet a 3/8-inch iron rod found, a total distance of 319.98 feet to a calculated point,

2. S 03° 50' 00" E, a distance of 102.82 feet to a fence post found, being an angle point in the said old fence line, and

3. S 14° 20' 00" E, a distance of 182.79 feet to a calculated point, being the most southeasterly point on the said southwest line of the 43.32 acre tract, same being the southwest corner of the said remainder portion of the Hill 65.56 acre tract, same also being a point on the north line of Lot 52 of The Courtyard Phase 3-D, a subdivision recorded in Plat Book 82, Pages 90-91 of the Plat Records of Travis County, and from the said calculated point a 3/8-inch iron rod found, being a point on the south line of the said remainder portion of the Hill 65.56 acre tract, same being an angle point on the said north line of Lot 52 of The Courtyard Phase 3-D, bears S 86° 56' 19" E, a distance of 6.55 feet;

THENCE, leaving the said west line of the remainder portion of the Hill 65.56 acre tract, continuing with the said southwest line of the 43.32 acre tract, being the said north line of Lot 52 of The Courtyard Phase 3-D, the following eleven (11) courses and distances:

1. N 86° 56' 19" W, a distance of 98.13 feet to a calculated point,

2. N 83° 58' 18" W, a distance of 83.75 feet to a 3/8-inch iron rod found,

3. N 85° 33' 31" W, a distance of 94.02 feet to a 3/8-inch iron rod found,

4. N 81° 03' 32" W, a distance of 86.45 feet to a 3/8-inch iron rod found,

5. N 83° 58' 53" W, a distance of 174.73 feet to a 3/8-inch iron rod found,

6. N 83° 06' 35" W, a distance of 78.21 feet to a 3/8-inch iron rod found,
Champion Tract
252.06 Acres
Travis County, Texas

FN 2663 (JJM)
June 25, 1985
EH& Job No. 5371-03
EH&A Plat No. 14970-5371-2

7. N 73° 17' 32" W, a distance of 30.48 feet to a 3/8-inch iron rod found,
8. N 68° 38' 43" W, a distance of 68.97 feet to a 3/8-inch iron rod found,
9. N 60° 27' 31" W, a distance of 55.52 feet to a 3/8-inch iron rod found,
10. N 55° 41' 26" W, a distance of 70.14 feet to a 3/8-inch iron rod found, and
11. N 49° 39' 52" W, a distance of 125.09 feet to a calculated point, being the northerly northwest corner of said Lot 52 of The Courtyard Phase 3-D, same being the intersection of the said southwest line of the 43.32 acre tract and the said east right-of-way line of State Highway Loop 360, and from the said calculated point a concrete monument found, being an angle point in the said east right-of-way line of State Highway Loop 360, bears S 25° 34' 08" W, a distance of 462.07 feet;

THENCE, leaving the said north line of Lot 52 of The Courtyard Phase 3-D and leaving the said southwest line of the 43.32 acre tract, with the said east right-of-way line of State Highway Loop 360, over and across the said 43.32 acre tract, the following three (3) courses and distances:

1. N 25° 34' 08" E, a distance of 289.82 feet to a concrete monument found, being 307.46 feet left of the State Highway Loop 360 centerline station 356+86.42,
2. N 72° 57' 37" E, a distance of 331.35 feet to a concrete monument found,
3. N 87° 25' 43" E, a distance of 203.16 feet to the POINT OF BEGINNING, containing 9.20 acres of land.

PARCEL E

BEGINNING at an iron rod found, being the intersection of the northeast line of the said 260 acre tract and the east right-of-way line of State Highway Loop 360, same being the most westerly corner of that certain 7.3795 acre tract of land conveyed to C. A. Davis, Trustee, by warranty deed recorded in Volume 7027, Page 2091 of the said Deed Records of Travis County, same also being the most northerly corner of the herein described parcel;

THENCE, with the said northeast line of the 260 acre tract, being the southwest line of the said Davis 7.3795 acre tract, the following four (4) courses and distances:

1. S 60° 06' 22" E, a distance of 42.94 feet to an iron rod found,
2. S 60° 32' 39" E, a distance of 166.95 feet to a 3/8-inch iron rod found,
3. S 59° 28' 48" E, a distance of 265.74 feet to a 3/8-inch iron rod found, and
4. $620^\circ 34' 14'' E$, a distance of 79.87 feet to a 3/8-inch iron rod found, being the most northerly corner of that certain 0.998 acre tract of land conveyed to Josie Ellen Champion by deed recorded in Volume 4189, Page 77 of the said Deed Records of Travis County;

THENCE, leaving the said southwest line of the Davis 7.3795 acre tract and leaving the said northeast line of the 260 acre tract, with the west line of the said Champion 0.998 acre tract, over and across the said 260 acre tract, the following two (2) courses and distances:

1. $300^\circ 20' 12'' W$, passing at a distance of 50.15 feet a 3/8-inch iron rod found, a total distance of 186.62 feet to a 3/8-inch iron rod found, and

2. $040^\circ 59' 51'' E$, a distance of 96.97 feet to a 1/4-inch iron rod found, being the southwest corner of the said Champion 0.998 acre tract, same being a point on the east line of the said 260 acre tract, same also being a point on the northwest line of that certain 3.35 acre tract of land conveyed to Joe T. Robertson, Jr., Daniel B. Robertson, and Thomas H. Robertson by deed recorded in Volume 5536, Page 303 of the said Deed Records of Travis County, the said iron rod also being on the approximate centerline of Bull Creek, from which an iron rod found, being an angle point on the south line of the said Champion 0.998 acre tract, also being an angle point on the said northwest line of the Robertson 3.35 acre tract, bears $N 76^\circ 41' 32'' E$, a distance of 102.46 feet;

THENCE, leaving the said west line of the Champion 0.998 acre tract, with the said east line of the 260 acre tract, being the said northwest line of the Robertson 3.35 acre tract, same being with the meanders of the approximate centerline of Bull Creek, the following seven (7) courses and distances:

1. $76^\circ 41' 32'' W$, a distance of 73.63 feet to a calculated point,

2. $86^\circ 55' 00'' W$, a distance of 103.20 feet to a calculated point,

3. $47^\circ 50' 00'' W$, a distance of 70.29 feet to a calculated point,

4. $25^\circ 05' 00'' W$, a distance of 322.30 feet to a calculated point,

5. $36^\circ 20' 00'' W$, a distance of 235.03 feet to a calculated point,

6. $00^\circ 10' 00'' E$, a distance of 241.83 feet to a calculated point, and

7. $09^\circ 52' 00'' E$, a distance of 5.80 feet to a calculated point, being the southwest corner of the said Robertson 3.35 acre tract, same being the northwest corner of Lot 20, Block B of the said Lakewood Village, same being the southwest corner of Lot 21, Block B of Lakewood Park, Section 1, a subdivision recorded in Plat Book 9, Page 107 of the said Plat Records of Travis County, same also being a point on the east right-of-way line of a 60-foot wide county road known as Lakewood Drive, bears $N 87^\circ 16' 00'' E$, a distance of 161.24 feet;
THENCE, leaving the said northwest line of the Robertson 3.35 acre tract, continuing with the said east line of the 260 acre tract, being the west line of the said Lot 75 of Lakewood Village, same being with the said meanders of the approximate centerline of Bull Creek, the following two (2) courses and distances:

1. S 09° 52' 00" E, a distance of 572.31 feet to a calculated point, and
2. S 16° 27' 00" E, a distance of 412.47 feet to a calculated point, being the most easterly southeast corner of the said 260 acre tract;

THENCE, leaving the said west line of Lot 75 of Lakewood Village and leaving the said approximate centerline of Bull Creek, continuing with the said east line of the 260 acre tract, S 43° 32' 06" W, a distance of 566.26 feet to a calculated point, being the intersection of the said east line of the 260 acre tract and the north line of the said 43.32 acre tract, from which an old fence corner found, being the northeast corner of the said 43.32 acre tract, same being the northeast corner of the said Lakewood Village, same also being the northeast corner of Parkhill, a subdivision recorded in Plat Book 81, Pages 307-308 of the said Plat Records of Travis County, bears N 89° 51' 41" E, a distance of 1537.65 feet;

THENCE, leaving the said north line of the 43.32 acre tract, with the said west line of Lot 75 of Lakewood Village, being with the meanders of the approximate centerline of Bull Creek, over and across the said 43.32 acre tract, S 14° 30' 31" E, a distance of 12.87 feet to a calculated point, being the southwest corner of the said Lot 75 of Lakewood Village;
3. S 04° 49' 06" E, a distance of 345.92 feet to a calculated point, being the intersection of the said west right-of-way line of Lakewood Drive and the north right-of-way line of RM Highway 2222, from which an iron rod found in concrete, being the intersection of the said east right-of-way line of Lakewood Drive and the said north right-of-way line of RM Highway 2222, same being the southwest corner of Lot 6, Block A of the said Parkhill, bears S 72° 53' 58" E, a distance of 64.68 feet;

THENCE, leaving the said west right-of-way line of Lakewood Drive, continuing over and across the said 43.32 acre tract, with the said north right-of-way line of RM Highway 2222, N 72° 53' 58" W, a distance of 269.32 feet to a concrete monument found, being the intersection of the said north right-of-way line of RM Highway 2222 and the said east right-of-way line of State Highway Loop 360;

THENCE, leaving the said north right-of-way line of RM Highway 2222, over and across, consecutively, the said 43.32 acre tract and the said 260 acre tract, with the said east right-of-way line of State Highway Loop 360, the following seven (7) courses and distances:

1. N 59° 26' 47" W, a distance of 427.04 feet to a concrete monument found,
2. N 24° 18' 12" W, a distance of 89.75 feet to a concrete monument found,
3. N 15° 08' 18" E, a distance of 462.64 feet to a concrete monument found,
4. N 01° 28' 16" E, a distance of 885.09 feet to a concrete monument found, being 190 feet left of the State Highway Loop 360 centerline station 339+00,
5. N 06° 15' 33" W, a distance of 203.87 feet to a concrete monument found,
6. N 05° 04' 31" E, a distance of 713.98 feet to a concrete monument found at a point of curvature, being 150 feet left of the State Highway Loop 360 centerline station 329+85.8, and
Champion Tract
252.06 Acres
Travis County, Texas

7. with a curve to the right having a radius of 1759.27 feet, a central angle of 18° 32' 54" and an arc length of 569.52 feet, along the chord bearing N 14° 20' 58" E, a chord distance of 567.04 feet to the POINT OF BEGINNING, containing 18.82 acres of land.

THE STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

That I, Patrick A. Smith, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27th day of JUNE, 1985, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
P.O. Box 519
Austin, Texas 78767

Patrick A. Smith
Registered Public Surveyor
No. 4280 - State of Texas
AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

David DeVargas

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date (s): July 3, 1996

Class: 9980  Lines: 46  Cost: $113.16

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 3rd day of July 1996.

[Signature]

Notary Public in and for TRAVIS COUNTY, TEXAS

Sharon Janak
Notary Public in and for TRAVIS COUNTY, TEXAS

My Commission Expires: 11/10/99

(Type or Print Name of Notary)