



HOUSING DEVELOPMENT ASSISTANCE (RHDA/OHDA)

Application for Housing Development Financing

PLEASE NOTE: AHFC Reserves the right to fund projects at a lower amount than requested, and the right to deny applications that do not coincide with the [Austin Strategic Housing Blueprint](#) and policy direction from the Austin City Council.

Applicant Information

(If the developer involves multiple entities, is a partnership or joint venture, please provide the requisite information for each and identify the entity that will serve as the "lead" organization.)

Developer Name

Accessible Housing Austin!

Owner Name

Accessible Housing Austin!

Street Address

1100 South IH 35 Frontage Road

City

Austin

State

Texas

Zip

78704

Contact Name

Jolene Keene

Contact Telephone

512-640-7781

Contact Email

jolene.keene@ahaustin.org

Federal Tax ID Number

74-3156314

D-U-N-S Number (visit www.dnb.com for free DUNS#.)

830871054

The applicant/developer certifies that the data included in this application and the exhibits attached hereto are true and correct. *Unsigned/undated submissions will not be considered.*

Legal Name of Developer/Entity

Accessible Housing Austin!

Title of Authorized Officer

Executive Director


Signature of Authorized Officer

8-1-2019
Date

INSTRUCTIONS: Applications will be reviewed on a quarterly basis. All applications submitted in the review period that achieve the minimum threshold score will be reviewed by an internal panel of NHCD staff. All awards will be made by the AHFC Board of Directors. To be considered for an award, please complete this application electronically, print, sign, and deliver to:

Department of Neighborhood
Housing and Community
1000 East 11th Street
Austin, Texas 78702
Attn: James May
Community Development Manager

City of Austin

AUG 02 2019

NHCD / AHFC

Project Summary Form

1) Project Name AHA! At Briarcliff	2) Project Type 100% Affordable	3) New Construction or Rehabilitation? New Construction
4) Location Description (Acreage, side of street, distance from intersection) 1915 Briarcliff, Austin, Texas 78723		5) Mobility Bond Corridor
6) Census Tract 21.06	7) Council District District 1	8) Elementary School HARRIS EL
9) Affordability Period 40 years		
10) Type of Structure Multi-family	11) Occupied? No	12) How will funds be used? re-development and Construction

13) Summary of Rental Units by MFI Level

Income Level	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four (+) Bedroom	Total
Up to 20% MFI						0
Up to 30% MFI		10	7			17
Up to 40% MFI						0
Up to 50% MFI		5	5			10
Up to 60% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
Total Units	0	15	12	0	0	27

14) Summary of Units for Sale at MFI Level

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Up to 60% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
Total Units	0	0	0	0	0	0

15) Initiatives and Priorities (of the Affordable Units)

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	27	Continuum of Care Units	
Accessible Units for Sensory Impairments	3		

Use the City of Austin GIS Map to Answer the questions below

- 16) Is the property within 1/2 mile of an Imagine Austin Center or Corridor?
- 17) Is the property within 1/4 mile of a High-Frequency Transit Stop?
- 18) Is the property within 3/4 mile of Transit Service?
- 19) The property has Healthy Food Access?

20) Estimated Sources and Uses of funds

Sources	
Debt	557737
Third Party Equity	4438260
Grant	
Deferred Developer Fee	
Other	245000
City of Austin	300000

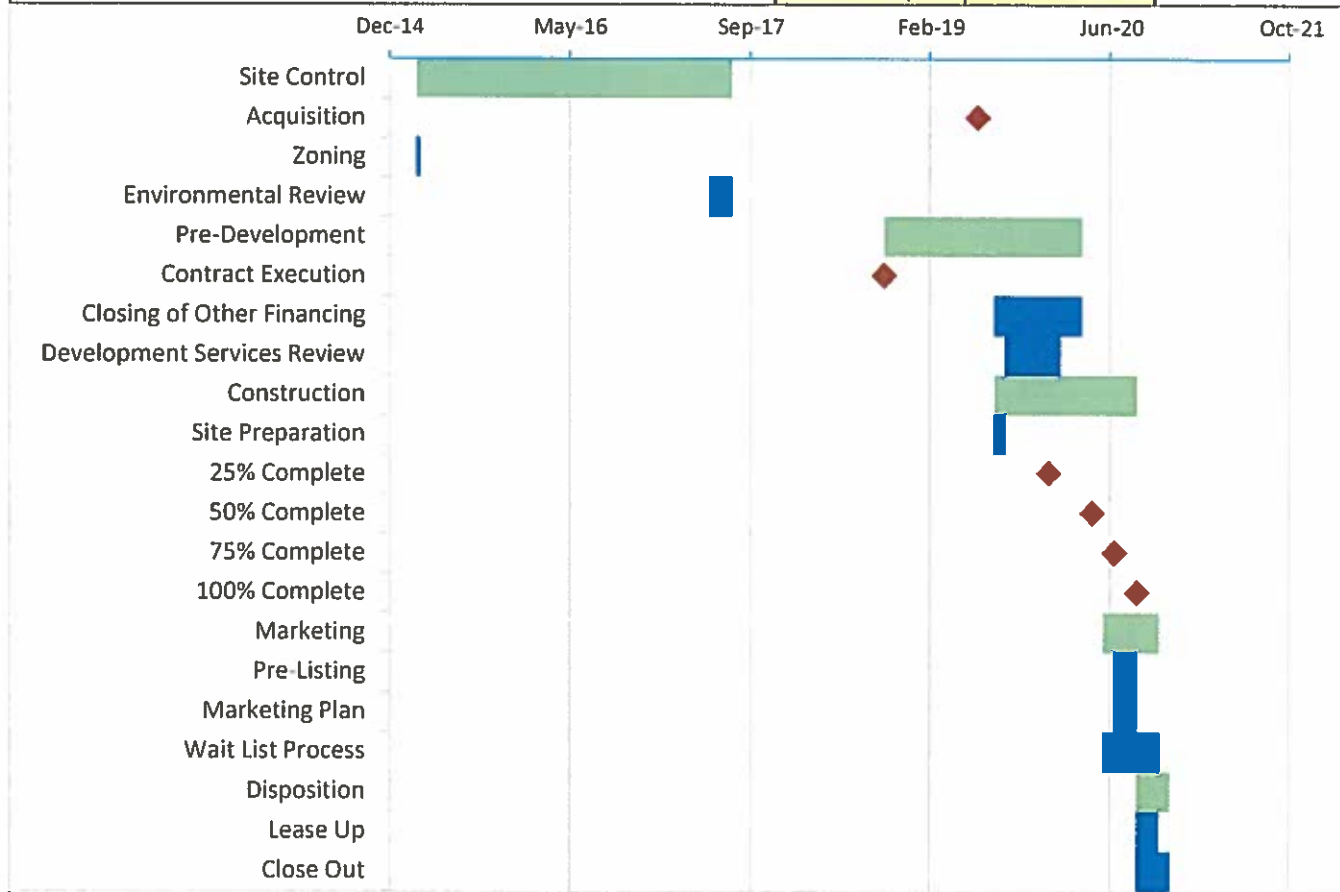
Uses	
Acquisition	1100
Off-Site	0
Site Work	597505
Sit Amenities	3500
Building Costs	3663642
Contractor Fees	597051
Soft Costs	448602
Financing	58428
Developer Fees	171169

Total \$ 5,540,997

Total \$ 5,540,997

Development Schedule

	Start Date	End Date
Site Control	Mar-15	Aug-17
Acquisition	Jun-19	
Zoning	Mar-15	Mar-15
Environmental Review	Jun-17	Aug-17
Pre-Development	Oct-18	Apr-20
Contract Execution	Oct-18	
Closing of Other Financing	Aug-19	Apr-20
Development Services Review	Sep-19	Feb-20
Construction	Aug-19	Sep-20
Site Preparation	Aug-19	Sep-19
25% Complete	Jan-20	
50% Complete	May-20	
75% Complete	Jul-20	
100% Complete	Sep-20	
Marketing	Jun-20	Nov-20
Pre-Listing	Jul-20	Sep-20
Marketing Plan	Jul-20	Sep-20
Wait List Process	Jun-20	Nov-20
Disposition	Sep-20	Dec-20
Lease Up	Sep-20	Nov-20
Close Out	Sep-20	Dec-20



Development Budget			
	Total Project Cost	Requested AHFC Funds	Description
Pre-Development			
Appraisal	4,500		
Environmental Review	9,360		
Engineering	117,696		
Survey	5,000		
Architectural	128,046		
Subtotal Pre-Development Cost	\$264,602	\$0	
Acquisition			
Site and/or Land	1,100		Legal costs and lease payments
Structures			
Other (specify)			
Subtotal Acquisition Cost	\$1,100	\$0	
Construction			
Infrastructure	0		
Site Work	594,072	100,000	
Demolition	6,933		
Concrete	250,480		
Masonry	63,577		
Rough Carpentry	565,718	100,000	
Finish Carpentry	27,552		
Waterproofing and Insulation	100,709		
Roofing and Sheet Metal	348,766	50,000	Includes Metal Stairs
Plumbing/Hot Water	421,238		
HVAC/Mechanical	484,826		Included 2 elevators
Electrical	475,301		
Doors/Windows/Glass	85,942		
Lath and Plaster/Drywall and Acoustical	130,075		
Tiel Work	0		
Soft and Hard Floor	63,828		
Paint/Decorating/Blinds/Shades	183,179		
Specialties/Special Equipment	74,685		
Cabinetry/Appliances	177,797		
Carpet	0		
Other (specify)	721,026	50,000	Insurance, Fees, Profit, Overhead, General Conditions
Construction Contingency	85,994		
Subtotal Construction Cost	\$4,861,698	\$300,000	
Soft & Carrying Costs			
Legal	1,000		
Audit/Accounting	0		
Title/Recordin	33,490		
Architectural (Inspections)	5,000		
Construction Interest	19,938		
Construction Period Insurance	0		
Construction Period Taxes	0		
Relocation	0		
Marketing	0		
Davis-Bacon Monitoring	10,000		
Other (specify)	344,169	0	Materials Testing, Reserves, Developer Fee, Permits, Marketi
Subtotal Soft & Carrying Costs	\$413,597	\$0	
TOTAL PROJECT BUDGET	\$5,540,997	\$300,000	

15 Year Rental Housing Operating Pro Forma (RHDA)

The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$210,924	\$215,142	\$219,445	\$223,834	\$228,311	\$252,074	\$278,310
Secondary Income	\$15,900	\$16,218	\$16,542	\$16,873	\$17,211	\$19,002	\$20,980
POTENTIAL GROSS ANNUAL INCOME	\$226,824	\$231,360	\$235,988	\$240,707	\$245,522	\$271,076	\$299,289
Provision for Vacancy & Collection Loss	-\$17,012	-\$17,352	-\$17,699	-\$18,053	-\$18,414	-\$20,331	-\$22,447
Rental Concessions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EFFECTIVE GROSS ANNUAL INCOME	\$209,812	\$214,008	\$218,288	\$222,654	\$227,107	\$250,745	\$276,842
EXPENSES							
General & Administrative Expenses	\$21,700	\$22,351	\$23,022	\$23,712	\$24,424	\$28,314	\$32,823
Management Fee	\$10,491	\$10,701	\$10,915	\$11,133	\$11,356	\$12,538	\$13,843
Payroll, Payroll Tax & Employee Benefits	\$51,972	\$53,531	\$55,137	\$56,791	\$58,495	\$67,812	\$78,612
Repairs & Maintenance	\$23,600	\$24,308	\$25,037	\$25,788	\$26,562	\$30,793	\$35,697
Electric & Gas Utilities	\$3,413	\$3,515	\$3,621	\$3,729	\$3,841	\$4,453	\$5,162
Water, Sewer & Trash Utilities	\$21,274	\$21,912	\$22,570	\$23,247	\$23,944	\$27,758	\$32,179
Annual Property Insurance Premiums	\$12,500	\$12,875	\$13,261	\$13,659	\$14,069	\$16,310	\$18,907
Property Tax	\$2,500	\$2,575	\$2,652	\$2,732	\$2,814	\$3,262	\$3,781
Reserve for Replacements	\$6,750	\$6,953	\$7,161	\$7,376	\$7,597	\$8,807	\$10,210
Other Expenses	\$2,760	\$2,843	\$2,928	\$3,016	\$3,106	\$3,601	\$4,175
TOTAL ANNUAL EXPENSES	\$156,960	\$161,564	\$166,304	\$171,184	\$176,208	\$203,647	\$235,390
NET OPERATING INCOME	\$52,852	\$52,444	\$51,985	\$51,470	\$50,899	\$47,098	\$41,452
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$39,058	\$39,058	\$39,058	\$39,058	\$42,058	\$39,058	\$36,058
Second Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Third Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Annual Required Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ANNUAL NET CASH FLOW	\$13,794	\$13,386	\$12,927	\$12,412	\$8,841	\$8,040	\$5,394
CUMULATIVE NET CASH FLOW	\$13,794	\$27,180	\$40,107	\$52,519	\$61,361	\$103,565	\$137,151
Debt Coverage Ratio	1.35	1.34	1.33	1.32	1.21	1.21	1.15

Projected Affordability Data for Home Sales (OHDA)

	Unit Model 1	Unit Model 2	Unit Model 3	Unit Model 4	Unit Model 5	Unit Model 6	Unit Model 7
Number of Units	0	0	0	0	0	0	0
Number of Bedrooms	0	0	0	0	0	0	0
Square Footage	0	0	0	0	0	0	0
Anticipated Sale Price	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Borrower Contribution	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Homebuyer Subsidy	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Principal Amount of Mortgage	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Anticipated Interest Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Monthly Principal Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Monthly Interest	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Estimated Monthly Taxes	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Estimated Monthly Insurance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL Estimated PITI	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Project Name	AHA! At Briarcliff	
Project Type	100% Affordable	
Council District	District 1	
Census Tract	21.06	
AHFC Funding Request Amount	\$300,000	
Estimated Total Project Cost	\$5,540,997	
High Opportunity	No	
High Displacement Risk	NO	
High Frequency Transit	Yes	
Imagine Austin	No	
Mobility Bond Corridor	0	
SCORING ELEMENTS		Description
UNITS		
< 20% MFI	0	# of rental units at < 20% MFI
< 30% MFI	17	# of rental units at < 30% MFI
District Goal	2.40%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	0.00%	% of annual goal reached with units
High Frequency Transit	6.20%	% of annual goal reached with units
Imagine Austin	0.00%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	2	% of Goals * 20
< 40% MFI	0	# of rental units at < 40% MFI
< 50% MFI	10	# of rental units at < 50% MFI
District Goal	1.41%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	0.00%	% of annual goal reached with units
High Frequency Transit	3.65%	% of annual goal reached with units
Imagine Austin	0.00%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	1	% of Goals * 15
< 60% MFI	0	# of units for purchase at < 60% MFI
< 80% MFI	0	# of units for purchase at < 80% MFI
District Goal	0.00%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	0.00%	% of annual goal reached with units
High Frequency Transit	0.00%	% of annual goal reached with units
Imagine Austin	0.00%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
SCORE	0	% of Goals * 15
Unit Score	2	MAXIMUM SCORE = 350
INITIATIVES AND PRIORITIES		
Continuum of Care	0	Total # of units provided up to 100 per year
Continuum of Care Score	0	(total CoC Units/100 + HF Units/50)*20
Access to Healthy Food	Yes	Within 1 Mile of Healthy Food (City GIS)
Continuum of Care Weighted Score	0	Mobility, Access to Jobs, Community Institutions, Social Cohesion
2 Bedroom Units	12	Total Affordable 2 Bedroom units
3 Bedroom Units	0	Total Affordable 3 Bedroom units
4 Bedroom Units	0	Total Affordable 4+ Bedroom units
Multi-Generational Housing Score	9	Multi-bedroom Unit/Total Units * 20
TEA Grade	65	Elementary School Rating from TEA
Multi-Generational Housing Weighted Score	3	Educational Attainment, Environment, Community Institutions, Social Cohesion, Es
Accessible Units	30	mobility and sensory units
Non-PSH, Non Voucher Under 20% MFI	0	Total units under 20% MFI
Accessibility Score	22	Accessible Unit/Total Units * 20
Metro Access Service	Yes	Within 3/4 mile of fixed route transit
Accessibility Weighted Score	12	Housing Stability, Health, Mobility, Community Institutions
Initiatives and Priorities Score	47	MAXIMUM SCORE = 200
UNDERWRITING		
AHFC Leverage	5%	% of total project cost funded through AHFC request
Leverage Score	24	25 - (% leverage * 25)
AHFC Per Unit Subsidy	\$11,111.11	Amount of assistance per unit
Subsidy per unit score	24	(\$200,000 - per unit subsidy)*25/\$200,000
AHFC Per Bedroom Subsidy	\$7,692.31	Amount of assistance per bedroom
Subsidy per Bedroom Score	24	(\$200,000 - per bedroom subsidy)*25/\$200,000
Debt Coverage Ratio (Year 5)	1.21	Measured at the 5 Year mark
Debt Coverage Ratio Score	21.02170971	Minimum = 1.0; Maximum = 1.5; 1.25 = best score
Underwriting Score	92	MAXIMUM SCORE = 100
APPLICANT		
FINAL QUANTITATIVE SCORE	141	THRESHOLD SCORE = 50
Previous Developments		
Compliance Score		
Proposal		
Supportive Services		
Development Team		
Management Team		
Notes		



James May
Community Development Manager
City of Austin, Department of Neighborhood Housing and Community Development
1000 East 11th Street
Austin, Texas 78702

8/2/2019

Dear Mr. May,

Accessible Housing Austin! (AHA!) respectfully submits this application to the Austin Housing Finance Corporation for funding under 2019 Rental Housing Development Assistance program. The request is for \$300,000 in additional funding for the AHA! at Briarcliff development at 1915 Briarcliff Blvd, Austin TX 78723.

As you know the Austin Housing Finance Corporation has a contract with AHA for \$2,192,000 to develop this property - new construction for 27 deeply affordable, 100% ADA accessible units. That funding was awarded in response to our 2016 request. Over the intervening years, we have completed the design, gotten permits, raised funds, and are on the verge of closing funding from the Texas Department of Housing and Community Affairs (TDHCA), \$1,492,200 and a loan from the Texas State Affordable Housing Corporation (TSAHC), \$995,000. The TDHCA funds will be in the form of a deferred forgivable loan. The TSAHC fund are repayable at a 5.75% interest rate. A considerable delay resulted from our rejection of initial TDHCA repayable funding and a successful subsequent application for forgivable funding.

The 2016 development budget was projected at \$4,299,365 with construction costs at \$3,308,089. Our 2019 current project budget has risen to \$5,540,000 a 29% increase with construction cost rising to \$4,861,698, a 47% increase. AHA! has reduced our developer fee by \$308,931 to help address this increase and other increases. The purpose of this request is to seek additional funds to lower the TSAHC loan amount and thus the requirements that the proforma carry a large annual repayment and AHA! contribute annual funding to subsidize the development revenue.

The attached application for funding gives all the details of the current development model. We are proposing that of the 27 units, 17 will be affordable for households at or below the 30% MFI level and 10 will be at the 50% MFI level. With the addition of the requested \$300,000 in 2019 funding the AHFC investment will total \$2,492,000, 45% of the total and \$92,296 per unit.

We appreciate your consideration of this request and look forward to your review.

Sincerely,

Jolene Keene
Executive Director
Accessible Housing Austin

Attachment 1 - Applicant Entity

a. *Introduction: Brief description of the applicant entity and any relevant experience.*

Accessible Housing Austin! (AHA!) was founded in 2005 by disability rights advocates who recognized that the scarcity of housing was a critical issue for people with disabilities. Our mission is to provide affordable, accessible, and integrated housing for very low-income people with disabilities. Our first two homes were received from, and are dedicated to, the memory of two ardent disability rights activists; Carol Eisenberg and James “J.T.” Templeton. AHA! is the only housing non-profit in Austin led by members of the disability community.

In 2010, AHA! entered into a partnership with the Texas State Affordable Housing Corporation (TSAHC) to rehabilitate and manage seven foreclosed properties under the State of Texas Neighborhood Stabilization Program (NSP). Over the last nine years, AHA! has been making updates to the homes under our guidelines, which comply with the standards of the Fair Housing Act, Section 504 of the Rehabilitation Act, the Americans With Disabilities Act, and Austin Visitability Ordinance, as applicable.

In response to the critical need for affordable and accessible housing, AHA! is constructing the AHA! at Briarcliff apartments. AHA! at Briarcliff will be a new, integrated, twenty-seven-unit apartment complex for very low-income people both with and without disabilities. All the units will serve households whose incomes are below fifty percent of the median family income.

With a mix of one- and two-bedroom units, AHA! expects to house between forty and seventy individuals at any given time. In accordance with federal integration standards, one-quarter of the units will be dedicated to people with disabilities, while the remainder will be open to people with or without disabilities. To provide the maximum amount of choice and integration, all units will be fully accessible. AHA! is partnering with the State of Texas’s Section 811 Project Rental Assistance program, which will provide rental subsidies in up to six units for extremely low-income people with disabilities currently living in institutions, people with serious mental illness, and youth with disabilities exiting foster care.

b. *Applicant Capacity - Curriculum Vitae (CV) for all principals of the applicant entity highlighting relevant experience in the development of affordable housing noting the following elements:*

- i. project management,*
- ii. market analysis,*
- iii. site selection and control,*
- iv. planning and construction,*
- v. design, architecture and engineering,*
- vi. legal and accounting,*
- vii. federal funding rules, and*
- viii. Other funding source rules (e.g. Low-Income Housing Tax Credits).*

- **Executive Director** - Jolene Keene, has made a career in affordable housing since 2006. She got her start at Austin Habitat for Humanity in the Family Services department. There, she worked a diverse array of positions, including loan application underwriter, program coordinator, and eventually the Family Services’ Manager. Jolene designed and implemented two home

repair programs which became the national model for affiliates, and often spoke at conferences about the successes of the Austin Habitat Family Services department. Jolene left Austin Habitat for Humanity to join the Texas State Affordable Housing Corporation in 2011.

There, she managed several programs within the Development Finance Department, including the Affordable Communities of Texas Land Bank program and the Texas Housing Impact Fund. Jolene oversaw the sale of more than 200 homes to low- and moderate-income families, implemented a program to sell and donate homes to disabled Veterans throughout Texas, and underwrote more than five million dollars' worth of loans to developers to be used for affordable housing.

- Project management – Designed and implemented housing programs which became the national model for their kind, including at Austin Habitat for Humanity and TSAHC.
 - Market analysis – Analyzed profitability of receiving properties to rehabilitate and sell, including demographics, income targeting, and sales analysis at TSAHC.
 - Site selection and control – analyzed foreclosed and vacant properties to verify their Suitability for rehab and sale at TSAHC.
 - Planning and construction – Oversaw the rehabilitation and new construction of properties through the NSP program as well as through the TSAHC Land Bank.
 - Legal and accounting – Analyzed and modified legal documents pertaining to the sale or donation of a home, including Notes and Deeds of Trust, as well as legal documents pertaining to large loans at TSAHC.
 - Federal funding rules – Complied with Fair Housing Laws, NSP and HOME regulations at both Austin Habitat for Humanity and TSAHC.
- **Board President** - Stephanie Thomas, has worked in disability rights and housing for nearly four decades. As a person in a wheelchair, she knows firsthand the difference that accessible housing makes in improving one's quality of life. Stephanie led the effort for the 1996 voluntary compliance agreement between ADAPT of Texas and the City of Austin to address widespread housing discrimination against people with disabilities. This led to Austin's Visitability Ordinance, the accessibility in SMART housing, and the development of hundreds more accessible units in Austin.
- Prior to moving to Austin, Stephanie worked with the Atlantis Community in Denver where she developed positive integrated housing options. In addition, she has authored numerous articles, white papers and other informational pieces on housing rights for people with disabilities. As one of the founders of AHA!, Stephanie is proud of how the organization operates, partnering people with disabilities with people of various housing expertise to create viable integrated, accessible housing solutions that are affordable to low-income families and individuals. (Please note there is no resume on file as Ms. Thomas is retired.)
- **Board Vice-President** - David Chapple, lives and works in Austin, Texas with his wife, Kate Chapple (Kate May). He is a contract employee of Knowbility, Inc. a nonprofit organization that trains staff, implements effective accessibility strategies, and monitors the long-term goal of wide-spread availability of accessible information technology. He uses an Accent 1400 to communicate, and serves on the Board of Directors for Accessible Housing Austin (AHA!).
- **Board Treasurer** - Jean Langendorf, has worked on housing issues for many years. Previously, she served as the Vice President of Community and Housing Services at Easter Seals Central Texas. Jean was also the Executive Director of United Cerebral Palsy of Texas (UCP

Texas), which merged with Easter Seals in the beginning of 2010. During her tenure with UCP, she served as the Project Director for the Texas Home of Your Own Coalition, a program designed to expand home-ownership opportunities to Texans with disabilities.

Jean has served as a consultant, providing technical assistance to Public Housing Authorities for Project Access and Fannie Mae, as well as to housing and homeownership programs throughout the United States. Jean was one of the disability advocates who helped to found Accessible Housing Austin! to address the great need for accessible, affordable housing in Austin.

- **Board Secretary** - Paul Hilgers, has a long history of working in housing and housing policy. He has been an advocate for affordable housing in Austin for over 30 years. He was the Director of the City of Austin's Neighborhood Housing and Community Development Department and the Executive Director of the Austin Housing Finance Corporation. In addition, he served as the Executive Director of the Austin Board of REALTORS for five years.
- **Board Member** - Jennifer McPhail, has served as a national and local community organizer for ADAPT for 23 years, working to improve long term services and supports so that people with disabilities can live in the community. She has worked to improve sidewalk access throughout Austin, increase access to local businesses, and increase the availability of affordable, accessible, integrated housing.

She has twice been appointed to the City of Austin's Bond Advisory Committee and has volunteered with the Community Emergency Response Team. She served on the Texas Democratic Party Chairman's Platform Advisory Committee in 2004, 2006, 2008, and 2010 and represented Senate District 14 at the 2004 National Convention. (Please note Jennifer does not have a formal resume on file.)

- **Board Member** - Renee Lopez, is an organizer for ADAPT of Texas. Renee has thirty years of experience working in disability services. She has also worked as an activist and advocate with disability rights organizations. She earned her Bachelor's and Master's degrees from the University of Texas at Austin.

From 1987 to 2013, Renee worked for the state of Texas adjudicating Social Security-Disability claims. She has served on the advisory board for SafePlace Disability Services since 2010, and on the board of VSA Texas, which is the State Organization for Arts and Disability.

c. Financial Capacity: Provide narrative information on recent, similar, and successful experience in affordable housing development. Include experience using multiple fund sources and previous working history with the Austin Housing Finance Corporation, if any.

Accessible Housing Austin! has over ten years' experience in rental development and property management. Throughout this time, we have worked extensively with various state and local partners who have provided us funding and other in-kind benefits.

As mentioned above, AHA! worked with the Texas State Affordable Housing Corporation to acquire seven units of affordable housing through the State of Texas NSP program. For several years, while the Texas State Affordable Housing Corporation remained the legal owners of the properties, AHA! worked as the property manager. In 2016, the Austin Housing Finance Corporation lent AHA! the funds to purchase the homes from TSAHC, in the form of a deferred-forgivable loan.

One of the homes acquired under the NSP program, 9215 Kempler Drive, was rehabilitated using funds from the Austin Housing Finance Corporation's RHDA CHDO loan

program. This loan is also deferred-forgivable.

The AHA! at Briarcliff project has many partners, including the Housing Authority of the City of Austin, who provided AHA! with a ninety-nine-year ground lease on a tract of land, in order to allow us to build. AHA! has received funding of 2.2 million dollars from the AHFC RHDA program, 1.4 million from the TDHCA NHTF and TCAP programs, as well as 1 million dollars (repayable) from TSAHC.

See Attached:

- *Certificate of Status: Issued by the Texas Secretary of State*
- *Federal IRS certification granting non-profit tax-exempt status*
- *Certified financial audit for most recent year - Include the auditor's opinion and management letters*
- *Board resolution approving the proposed project and authorizing the request for funding*

Attachment 2 - Development Team

- a. *List of persons or entities anticipated to be involved in the project (i.e. lenders, attorneys, accountants, architects, engineers, general contractor, sub-contractors, consultants);*
- b. *Include contact information and indicate if any person or entity involved is certified by the City of Austin as a minority or women-owned business enterprise (MBE/WBE), or if any of the entities are also non-profit organizations.*
- c. *Curriculum Vitae for all members of the Development Team highlighting relevant experience in the development of affordable housing.*

Accessible Housing Austin! has put together an experienced and committed team to professionals to bring this development to completion. Members include:

- **Board Member** – Paul Hilgers, has a long history of working in housing and housing policy. He has been an advocate for affordable housing in Austin for over 30 years. He was the Director of the City of Austin's Housing and Community Development Department and the Executive Director of the Austin Housing Finance Corporation. In addition, he served as the Executive Director of the Austin Board of REALTORS for five years. Mr. Hilgers holds a Experience Certificate from the Texas Department of Housing and Community Affairs. His experience and vitae are included in the Attachment 1 regarding agency Principals.
- **Executive Director** – Jolene Keene, has 13 years of experience in housing development with Habitat for Humanity, the Texas State Affordable Housing Corporation, and now Accessible Housing Austin!. Her experience and vitae are included in Attachment 1 regarding the agency Principals.
- **Development Consultant** – Mitch Weynand, has a bachelor's degree from the University of Texas, 1975. Mr. Weynand retired from LifeWorks in January 2017 after a 40-year career and now provides consulting services to non-profit organizations, primarily in property development and construction management. At LifeWorks Mr. Weynand served at the Chief Operating Officer (COO) for 19 years, and previous to that for 14 years as an Executive Director.

As COO, responsibilities included management of all agency facilities, acquisition and development of new sites, and operational planning. He supervised all housing programs as well as financial, IT, and personnel systems. Responsibilities also included participation in agency strategic management team, liaison to Board committees, grant writing, contract negotiation, facility and equipment acquisition and maintenance, cost allocations, and administrative supervision and development.

Through his work at LifeWorks, the agency became one of the nation's premier human service organizations, with an annual budget of over \$11 million as well as 170 employees, eight locations and service to over 6,000 clients per year.

Mr. Weynand's development experience includes fundraising, property acquisition, site and design development, construction, facility deployment, and compliance. Over the past 18 years under Mr. Weynand's supervision, LifeWorks built 3 office buildings; a youth shelter and transitional living center, and a 45-unit apartment development with 29 more units in development. Activities also include property sales, commercial rental property finish-out, master leasing 20 apartments, leasing a street

outreach location, and participation in the merger of six organizations into LifeWorks. Mr. Weynand is experienced in working with multiple federal agencies including Housing and Urban Development, Health and Human Services, and the Department of Labor. Texas state agency experience includes the Department of Family and Protective Services, the Department of State Health Services, and the Department of Development and Disability Services. Local government experience includes managing contracts with the City of Austin and Travis County Health and Human Services Departments and affordable housing construction contracts with the Austin Housing Finance Corporation. Resume is attached.

Other Professionals and Organizations Supporting the Development team:

- **Austin Community Design and Development Center** – Architects led by Nicole Joslin, AIA, EED AP, Executive Director. Nicole has a diverse professional and academic background in architecture, development, disaster recovery, and community engaged-design. After working for Architecture for Humanity's Hurricane Katrina recovery program in Biloxi, MS, Nicole moved to Austin and co-founded Women.Design.Build to provide more opportunities for women to engage in community driven design and construction activities. She concurrently practiced at architecture firm BOKA Powell and received her architectural license in 2012.

Nicole's experience contributed to her research on the role of community organizations in disaster preparedness and recovery in the Community and Regional Planning graduate program at the University of Texas. Nicole returned to the Gulf Coast in 2014 for a research fellowship at architecture and planning firm Es skew+Dumez+Ripple in New Orleans, LA investigating community engagement frameworks in professional design practice. These experiences inform Nicole's current role as the Executive Director of ACDDC and visiting researcher at the University of Texas School of Architecture.

- **Michael Gatto** - Michael Gatto is a registered architect and LEED™ Accredited Professional who specializes in regenerative development and design. Michael is the co-founder of the Austin Community Design and Development Center (ACDDC), a 501(c)3 non-profit whose mission is to improve the quality of life for all by providing sustainable design, planning, and development services to low-and moderate-income individuals, families, and neighborhoods, which he directed from 2006 - 2016.

Prior to co-founding ACDDC, Michael was intern architect and project manager at Foundation Communities, a regional affordable housing provider, where he was a Rose Architectural Fellow. Previously, Michael served as a LEED™ sustainable design consultant on several municipal buildings at the Center for Maximum Potential Building Systems in Austin. Michael earned a B.S. in Chemical Engineering from MIT and a Master of Architecture from the University of Texas at Austin, where he has also served as adjunct faculty in the School of Architecture. In his prior career, Michael worked for 15 years at Advanced Micro Devices as an engineer and engineering section manager. Resume is attached.

- **Rizzo Construction** – General Contractor – Brian Lauterjung, President. **Rizzo Construction Inc. (RCI)** has been in the construction business in Austin, Texas for 32

years and has maintained a locally staffed office of construction professionals. With years of performing construction services in the Austin, Texas area, **RCI** has extensive experience with the City of Austin and other jurisdictional codes and permitting and inspection processes. On construction projects, **RCI** personnel has been involved with the following:

- Zoning Applications and providing support information.
- Subdivision Applications and providing support information.
- Site Plan Applications • Research and layout of site plans to meet code.
- Processing and attendance in meetings with City staffs and boards.
- Subchapter E (Design Standards and Mixed Use) • Research and creating drawings to meet code.
- IECC 2006 Energy Code • Completion of Energy Budgets
- Coordination of Drawings and Specifications to Comply with code.
- ADA/TAS Compliance • Research and creating drawings to meet compliance.
- Implementation of compliance during construction.
- Green Building Practices • Research and creating drawings to meet compliance.
- SWPPP and Water Pollution Abatement Plan • Provide support information
- Building Permitting • Completion and submission of plan review applications
- Process and provide updates as required for permit issuance.
- Water/Wastewater/Industrial Waste Permitting • Completion and submission of plan review applications
- Construction Inspections • Scheduling, notifying and compliance with all governmental inspectors
- Notifications if necessary, to design professional of any issues raised by inspectors.
- Austin area construction costs and practices.

With over 30 years of continuous operation in the Austin area **RCI** has complete knowledge of local construction costs and practices. **RCI** is known for providing very in depth and accurate construction estimates in the pre-construction phase of the project.

Brian Lauterjung, President. **Rizzo Construction Inc. (RCI)** - Brian graduated from The University of Texas at Austin in 1996 with a Bachelor of Science in Business Administration. Immediately following graduation Brian worked for JPI in Irving, Texas. His initial role was in the construction accounting department and he completed his employment in the Asset Management group as a financial analyst. Brian began working for Rizzo Construction in January of 1999. He has almost 20 years of experience managing a wide range of projects, from tenant finish out to ground up construction with full site development. Brian's duties at RCI include new business development, working with owner and design teams during pre-construction, project cost estimating, negotiating contracts with owners and subcontractors, developing and updating construction schedules, writing subcontracts and purchase orders, and managing subcontractors. Brian's experience, leadership, and affable personality have allowed him to build strong, lasting relationships with clients, local architects and engineers, and subcontractors and vendors. His knowledge and commitment to safety make him an invaluable asset to the projects he leads.

AHA! at Briarcliff – RHDA Application 8-2-2019

- **Civiltude – Civil Engineers – a minority owned business enterprise.** Led on this project by Nhat Ho, PE, LEED GA - Vice President, Public Sector. Nhat brings a passion for integrated design into land development through his background in Architectural Engineering. As Vice President, he manages multiple projects and clients, develops new business, and oversees Building Information Modeling and construction document production. His integrated civil and structural knowledge ranges from a stormwater management system, wet utilities, and sports running track, to retaining structures, buildings spatial arrangement, and site integration. His land development experience includes site feasibility studies, zoning change, subdivisions, and commercial site plans. He has cultivated relationship and reputation with review staff, especially at the City of Austin, for effective and responsible design. His in-depth expertise includes utilities, innovative water quality management, and site plan accelerated permitting. Nhat had successfully delivered several Fasttrack and general permit in record timing. With intimate knowledge of the permitting process and personal relationships with City staff, Nhat is the go-to man to rescue projects in crisis.
 - Education - BS Architectural Engineering, The University of Texas at Austin
 - Affiliation & Involvement - Water & Wastewater Commissioner; COA Joint Sustainability Committee; Past Chair of Mueller Neighborhood Association; Umlauf Sculpture Garden & Museum Board Member; Real Estate Council of Austin; Greater Austin Asian Chamber of Commerce; Downtown Austin Alliance; South Congress Combined Neighborhood Contact Team; The Congress for the New Urbanism Central Texas Chapter; USGBC Central Texas – Balcones Chapter; American Society of Civil Engineers

Contact Info for Development Team

Jolene Keene	AHA/Executive Director	512-640-7781	jolene.keene@ahaustin.org
Paul Hilgers	AHA/ Board Secretary	512-791-1171	philgers@austin.rr.com
Mitch Weynand	AHA/Project Manager	512-496-7135	mitchweynand@yahoo.com
Nicole Joslin	ACDDC/Architect	512-220-4254	Nicole.joslin@acddc.org
Michael Gatto	ACDDC/Architect	512-215-1484	Michael.gatto@acddc.org
Brian Lauterjung	Rizzo/General Contractor	512 328-4690	lauterjung@rizzoinc.com
Nhat Ho	Civiltude/Civil Engineer	512 761 6161	nhat@civiltude.com

Other professionals working under the Architect's contract include:

- Nicholas Engineering – MEP – David Nichols
- Structures - Structural Engineering – Jerry Garcia
- Asakura Robinson – Landscape Architects – Margaret Robinson

Other Third Parties include:

- Horizon Environment Services - ESA Provider – Lee Sherrod
- Affordable Housing Analysts – Market Study – Robert Coe
- Lone Star Appraisals and Realty Inc. – Appraisals – Chris P. Greisbach
- Renee Barry, CPA – Accounting Services
- Katie Van Dyke - Attorney

Attachment 3 – Property Management Team

a. Provide Curriculum Vitae for the Property Management Team highlighting experience in the management of affordable rental housing.

- **Executive Director** - Jolene Keene, has 13 years of experience in housing development with Habitat for Humanity, the Texas State Affordable Housing Corporation, and now Accessible Housing Austin!. Her experience and vitae are included in the section on agency Principals.
- **Operations Manager** - Kristen Davis, is responsible for operational and administrative support of nine scattered-site units of single family homes for low-income families, in a variety of neighborhoods in Austin. The Operations Manager maintains and oversees effective project management systems. Specific duties include housing applications and eligibility determinations, lease enforcement, tenant communications, answering inquiries, bookkeeping support, grant research and writing, and compliance monitoring.
- **Maintenance Technician** - Chris Bryant, is responsible for all basic maintenance work on AHA! properties. For any problem needing skilled labor Chris is in charge of finding companies and collecting bids to get the work done. Chris also helps in the office by scheduling volunteer days and tech assistance.

a. Provide Compliance Reports issued by the NHCD or its representative, citing no open violations for properties located in the City of Austin and managed by the Property Management team.

See attached TDHCA Report from 12/31/2018.

a. If the CV includes developments outside the territorial boundaries of the City of Austin, please attach a Compliance Letter stating the number of properties managed by the team, number of years of management and citing no violations, issued by the appropriate department of the jurisdictional government.

Not Applicable

Attachment 4 – Project Proposal

a. ***Project Description:*** Applicants shall provide a brief project description to include the following details:

- i. *Describe the proposed tenant population, income levels, and services, if any, to be provided to or made available to residents.*

In response to the critical need for affordable, accessible, integrated housing in the Austin area, AHA! is constructing the AHA! at Briarcliff apartments, a new, integrated, twenty-seven-unit apartment complex for very low-income people both with and without disabilities. All the units will serve households whose incomes are below 50% of the Area Median Family Income. Specifically, 17 units will be reserved for households below 30% MFI and 10 units for households below 50% MFI. With a mix of one- and two-bedroom units, AHA! expects to house between forty and seventy individuals at any given time.

In accordance with federal integration standards, one-quarter of the units will be dedicated to people with disabilities, while the remainder will be open to people with or without disabilities. To provide the maximum amount of choice and integration, all units will be fully accessible. The apartments will be located on two bus lines, one mile directly north of the Mueller development and one mile east of Capital Plaza, with jobs, doctor's offices, grocery stores, and other shopping and services nearby.

Additionally, AHA! is partnering with the Financial Literacy Coalition of Central Texas to provide money management and financial literacy courses. The Housing Authority of the City of Austin is leasing the land to AHA! for a minimal fee for 99 years. We plan to break ground in August of 2019 and have the project completed mid-2020.

- ii. *Indicate the number of units reserved for Housing Choice Voucher holders (Section 8).*

We have not reserved a specific number of units for Housing Choice Voucher holder but will certainly accept these households and expect that many of our tenant will hold these vouchers. AHA! is also partnering with the State of Texas's Section 811 Project Rental Assistance program, which will provide rental subsidies in up to six units for extremely low-income people with disabilities currently living in institutions, people with serious mental illness, and youth with disabilities exiting foster care. Without this subsidy, these individuals would be stuck in institutions without a choice of where to live. Under this plan, they can choose where they live and bring their Medicaid services with them.

- iii. *Indicate the number of units that are or will be made accessible and adaptable for persons with mobility, sight or hearing disabilities.*

All of the units will be ADA and Fair Housing accessible units with two gurney-sized elevators servicing all three floors. Two units will be sight and hearing accessible.

- iv. *If applicable, demonstrate the project's compatibility with current Neighborhood Plan.*

The AHA! at Briarcliff management team have met several times with the University Hills/Windsor Park Neighborhood Plan contact team during the planning process for this

development. The site and proposed development are 100% compatible with the Neighborhood Plan, and meets several of their goals. The meetings allowed for the contact team members, as well as members of the two neighborhood associations to express concerns and ask questions. As a result of these meetings, AHA! has made several design changes, in order to produce a more aesthetically pleasing street-side building. Concerns regarding the proposed client population and property management were addressed.

- v. *Summarize the key financials of the project, clearly indicating the total project cost, the amount and intended use of AHFC/NHCD funds being requested, and the amount(s) and provider(s) of other funding and the status of those funding.*

Proposed Funding Sources and Status:

TDHCA 2017 MFDL Construction	\$ 1,492,200	Committed, not yet closed
TDHCA 2019 TCAP	\$ 507,800	Application in Process
City 2019	\$ 300,000	Proposed in this application
City of Austin 2016 RHDA Construction	\$ 2,192,000	Committed – Closed
TSAHC Loan	\$ 557,737	Committed, not yet closed
City of Austin-predev 2011 and 2016	\$ 57,260	Expended in predevelopment
FHLB-Dallas	\$ 189,000	Committed
AHA! Fundraising-bingo,	\$ 295,000	Committed

Our approved loan from the Texas State Affordable Housing Corporation is \$995,000. With this request for \$300,000 in City/AHFC funds we plan to only draw \$557,737 of these funds.

Expense line items:

Acquisition: The Housing Authority of the City of Austin owns the property and has leased the property to AHA! for \$100 per year for 99 years. See the attached lease agreement.

Construction: Hard construction costs are projected to be \$4,861,698. AHA! has contracted with Rizzo Construction as the General Contractor for this construction. The development period is expected to take 12 months. Rizzo has provided extensive pre-development consultation and has lined up most of the sub-contractors. They are ready to begin, pending a formal Notice to Proceed, which AHA! will issue upon closing their TDHCA and TSAHC funding.

Soft/Cost Costs/Professional Fees – Major items are:

- Architectural Services - \$128,046
- Engineering including Civil, Structural, MEP - \$128,046
- Austin Energy Fees to bring power to the property - \$100,000
- Third party reports – Market Analysis, Appraisal, Surveys and Environmental - \$34,500
- Loan Closing, Construction Period Interest, Inspections - \$58,428
- Davis Bacon Monitoring via HOME funds - \$10,000
- Lease up/Operating Reserves - \$20,000

AHA! has budgeted \$171,169 as a developer fee to cover project management and administrative expenses – 3.09% of the budget total which is \$5,540,997. This total equates to \$205,222 per

unit and the development includes a laundry room, leasing office, community room, and two elevators. The \$300,000 requested in this proposal will be used for hard construction costs.

- vi. *If the property is occupied by residents at the time of application submission, specify that along with the following additional information: Include details on the type of structure (multi-family or single-family), number and size of units in square feet.*

This is new construction on vacant/never development land, therefore not occupied.

- vii. *Indicate whether the project meets the requirements of the City's Vertical Mixed Use (VMU) Ordinance or is in a Planned-Unit Development (PUD) or Transit Oriented Development (TOD) or any other City of Austin density bonus program.*

This development is not a Vertical Mixed-Use development or a Planned-Unit Development. It is not located in a Transit Oriented Development Area.

- viii. *Indicate how the project will meet S.M.A.R.T. Housing requirements.*

The AHA! at Briarcliff development has received S.M.A.R.T. certification in 2017 and has requested an updated letter. The development will comply with S.M.A.R.T. requirements as follows:

- **Safe** - The development complies with Land Development Code, as well as the adopted Building Codes for Austin.
- **Mixed Income/Reasonably Priced** - All units will be reserved for households below 50% of the Area Median Income. Seventeen of the units will be reserved for households below 30% of the Area Median Income. These restrictions will be in place for 40 years or longer.
- **Accessibility and Visitability** - All of the units in the Development will be accessible, accessible routes will be in place, refuge areas near elevators on 2nd and 3rd levels will be in place, and handicapped parking included, per code. All Visitability requirements will be met.
- **Transit Oriented** - Two bus lines are located within ¼ mile of the development.

b. **Market Assessment:** *Applicants should address pricing and absorption relating to the whole project, and not just the units being funded. Market analysis should also include the following:*

- i. *Evaluate general demographic, economic, and housing conditions in the community. Including;*
 1. *Identifying the target population(s) of the development, and area demographic makeup*
 2. *Evaluating overall economic conditions and trends*
 3. *General housing conditions and trends in the community*
- ii. *Identify the geographic area from which the majority of a project's tenants or buyers are likely to come. Identify the primary market/geographic area, based on US census tract or neighborhood boundaries*
- iii. *Quantify the pool of eligible tenants or buyers in terms of household size, age, income,*

- tenure, and other relevant factors.*
- iv. Analyze the competition by evaluating other housing opportunities with an emphasis on other affordable rental developments or sales opportunities in the market area. Identify comparable units based on location, year of construction, target population, property condition, unit mix, unit amenities, and occupancy and turnover.*
 - v. Assess the market demand for the planned units and determine if there is sufficient demand to rent/sell the units.*
 - vi. Evaluate the effective demand and the capture rate, usually expressed as a percentage of the projects units divided by the application pool. The capture rate is the percentage of likely eligible and interested households living nearby who will need to rent units in the proposed project in order to fully occupy it. The lower this rate, the more likely a project is to succeed.*
 - vii. Estimate the absorption period. Plan how many units can be successfully leased or sold each month and how long it will take to achieve initial occupancy/sale of the units and stabilized occupancy for the project as a whole. Absorption should be calculated using comparable units only.*

Please see the attached Market Study from 8/7/2017. All the above items are addressed in the Market Study. AHA! has contracted with Affordable Housing Analysts for a new study; however, the study will not be available until mid-August 2019. We will make it available to the Austin Housing Finance Corporation as soon as possible.

c. City of Austin Good Neighbor Policy – required submissions:

- i. The developer's communication plan for engaging stakeholders and neighborhood organizations.*
- ii. Documentation of written notice provided to property owners and neighborhood organizations.*
- iii. A signed City of Austin Good Neighbor Checklist*

As part of the process for applying for funding in 2016 from the City of Austin and in 2016 and 2017 from TDHCA, AHA! engaged with the Neighborhood Plan Contact Team, neighborhood associations around the property, property owners, and their leadership. All of these entities were notified of plans to develop the property. Significant engagement resulted with neighboring property owners and association leadership. A formal presentation was made at a meeting on 6/10/2017.

In the attachments section are following documents:

AHA! Neighborhood Communications and Engagement Plan

List of Elected Officials and Neighborhood Associations Notified

Text of the Notification Email that was sent

Certification of former AHA! Executive Director Isabell Headrick that the notifications were made

Certification of former AHA! Executive Director Melissa Orren that the notifications were made

Email Receipt that notification was sent to Chair of Windsor Park Neighborhood Contact Team

Email Receipt that notification was sent to President of Windsor Park Neighborhood Association

Signed Austin Good Neighbor Checklist

Additional email receipts are available if needed.

d. S.M.A.R.T. Housing *All new construction projects will be required to obtain S.M.A.R.T. Housing certification prior to loan application. S.M.A.R.T. Housing is not applicable to rehabilitation projects. The S.M.A.R.T. housing program certification letter must be submitted along with the application. Program details and contact information are available on NHCD's website. The S.M.A.R.T. Housing letter must be dated no more than six months prior to the application deadline.*

The AHA! at Briarcliff has received a S.M.A.R.T. Housing Certification letter dated 8/1/2019 – see attached. The development is eligible for a 100% waiver of eligible fees.

e. Memorandum of Understanding (MOU) with the Ending Community Homelessness Coalition (ECHO) *If proposal includes Continuum of Care (CoC) units, a MOU with ECHO including information on the type of CoC units planned.*

This proposal does not include Continuum of Care Units. AHA! will work with ECHO on referrals for any prospective eligible tenants.

f. General Services

- a. A description of the services to be provided to residents and/or clients.*
- b. The number and types of residents/clients expected to be served annually.*
- c. Developer's experience and qualifications in providing the services to be offered, if services are offered by the developer.*
- d. Description of the organization(s) providing the services and a memorandum of understanding or some other type of signed agreement that indicates the relationship between the developer and service provider, if the services are provided by an external organization.*
- e. Financial capacity of the Services provider:*
 - i. Identify sources and amounts of funds that will be or are expected to be utilized to provide supportive services for 3 years from the date of issuance of the Certificate of Occupancy.*
 - ii. Include a services budget which reflects current and anticipated funding and expenses associated with the provision of services for three (3) years*

The target population for Accessible Housing Austin! includes mobility impaired and other households where a disabled member is present. Our experience is that these individuals desire to be independent, and do not readily accept labeling as, “in need of supportive services”. The following described services will be made available to our residents, though they are not required to participate.

The contracts for NHTF and TCAP funds executed between Accessible Housing Austin! and the Texas Department of Housing and Community Affairs stipulate a minimum threshold of services that must be met.

One service that will be offered is free access to a notary. There is a notary on the staff of

AHA! and this service will be available by appointment in the AHA! at Briarcliff offices during regular business hours. The AHA! Staff will also maintain a list of organizations from which our tenant may obtain services. One such organization is the St. John's Community Center, which offers employment counseling, a food pantry, and even bus services for qualified tenants. Please see the attached referral partnership letter.

In addition, AHA! has executed a Memorandum of Understanding with the Financial Literacy Coalition of Central Texas (FLCCT). Per the MOU, the FLCCT will offer free, quarterly, financial literacy courses to any resident of AHA! at Briarcliff. (see attachment).

AHA! staff is in talks with several substance abuse recovery programs, including SMART Recovery and Recovery Austin, to offer a weekly recovery meeting on-site. In addition, staff plans to reach out to local service providers to offer ESL, GED, or Health and Nutrition classes.

It is our hope that these services will be offered at no-cost to AHA!, and minimal cost to the service provider, as they provide a wider community benefit.

Finally, many individuals will be referred by Case Managers from community service agencies. AHA! will allow use of our community room for meetings between Case Managers and tenants. AHA! Personnel will also refer individuals to community-based service providers as needs are identified.

Attachment 5 – Property Information

a. Map of the property: *Attach a map generated by the City of Austin ArcGIS showing the location of the development in reference to the geographic priorities established in the Strategic Housing Blueprint, such as:*

- i. *High Opportunity Census Tracts*
- ii. *Tracts at risk of Displacement or Gentrification*
- iii. *Imagine Austin Centers and Corridors with 0.5-mile buffer*
- iv. *High-Frequency Transit Stops with 0.25-mile walk*
- v. *Transit Stops with 0.75-mile walk*
- vi. *Mobility Corridor with 0.5-mile buffer*
- vii. *Healthy Food Access with 1-mile buffer*
- viii. *100-year Flood Plain*

See the attached maps

b. Real Estate Appraisal: *Acquisition of land or existing residential properties are eligible only if the acquisition price is equal to or less than the fair market value of the property.*

Applicants should provide one of the following to demonstrate fair market value of property.

- i. *a pre-construction appraisal on the property to be acquired, conducted less than six months prior to receipt of a funding application by AHFC/NHCD; or*
- ii. *an appraisal for comparable properties within the same neighborhood, conducted less than six months prior to receipt of a funding application by AHFC/NHCD; or*
- iii. *a tax assessment (less than one year old) for the property or for comparable properties within the same neighborhood*

There is no Acquisition of land associated with this project. The Housing Authority of the City of Austin, through its affiliate organization Austin Affordable Housing Corporation (AAHC) owns the site where this property will be developed. AAHC and AHA! executed a 99-year ground lease for only \$10 per year; essentially a donation of the property.

Attached is the executive summary of an appraisal completed by Lone Star Appraisal and Realty Inc., completed 9/17/2017 with an as-is value of the site at \$885,000 and an as-completed value of \$7,925,000. The full appraisal is available if needed. A ten-dollar per year lease is less than Fair Market Value. AHA! has ordered an updated appraisal which will be completed in approximately three weeks and will be forwarded to NHCD/AHFC as soon as possible.

The legal lot description is:

A leasehold estate over and across 0.8289 of an acre of land (36,108 square feet), more or less, out of The Leisure Time Village-Gaston Place Condominiums, a condominium project in Travis County, Texas, according to the Declaration of Condominium and the attached plats and exhibits of record in Volume 9415, Page 331, and amended in Volume 11462, Page 1475 of the Real Property Records of Travis County, Texas and in Document Number 2019084546, of the Official Public Records of Travis County, Texas; Said leasehold being further described in that Memorandum of Ground Lease recorded under Document Number 2016142660, of the Official Public Records of Travis County, Texas. Said 0.8289-acre tract being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof.

*c. **Zoning Verification Letter:** Include a letter from the City of Austin Planning and Zoning Department (PZD) verifying that the current zoning of the site for the proposed project is compatible with the anticipated use, or include documentation verifying that a request to change current zoning has been submitted to PZD. Should the project be approved for funding, the appropriate zoning must be in place prior to execution of loan documents.*

See the attached zoning verification letter. Zoning is MF-2-NP which allows for the construction of our project.

C. *Proof of Site Control*

i. Include evidence of site control such as a warranty deed or a current earnest money contract and provide a real estate appraisal or current tax documentation that substantiates the value of the property.

ii. If there are existing structures, provide documentation from the taxing authority or another third-party source indicating the year the structure was built.

See the attached Ground Lease and Appraisal. There are no existing structures on the property.

d. *Phase I Environmental Assessment*

i. Applicants must provide a Phase I Environmental Site Assessment (ESA) report prepared by qualified environmental professionals.

ii. Applicants must provide mitigation strategies for concerns raised in the Phase I ESA report.

iii. City of Austin Resource Recovery Department provides free assessments for eligible entities. For more information contact the Brownfields Office: brownfields@austintexas.gov, 512-974-6085.

See the attached Phase I Environmental Assessment. This proposal development has already received HUD Environmental Clearance from the City of Austin Neighborhood Housing and Community Development Department and the Texas Department of Housing and Community Affairs as required by our use of HUD HOME funds.

e. State Historical Preservation Officer Consultation Section 106 of the National Historic Preservation Act of 1966, requires federal agencies to consider the effects of their undertakings on historic properties and consult with the State Historic Preservation Officer (SHPO). If there are any buildings, structures, designed landscape features (such as parks or cemeteries), or historic districts, 45 years old or older and potential or known archeological resources within the project area, consultation with the SHPO is required. Information required for SHPO consultation is available at: http://www.thc.texas.gov/public/upload/forms/SHPO_Consultation_Form_Instructions-Ver0811.pdf

There are no buildings, structures, designed landscape features (such as parks or cemeteries), or historic districts, 45 years old or older, nor any potential or known archeological resources within the project area. This has previously been confirmed by the City of Austin NHCD and Texas Department of Housing and Community Affairs.

The applicant needs to provide the required information (including maps, photographs etc.) along with the application and AHFC/NHCD will conduct the SHPO consultation as required.

Attachments:

Maps

Appraisal

Zoning Verification Letter

Ground Lease

Phase 1 Environmental Assessment

Attachment 6 – Enclosed Attachments

From Attachment 1 – Applicant Entity

Principals Resumes:

Jolene Keene – Executive Director
David Chapple – Board Vice-President
Jean Langendorf – Board Treasurer
Paul Hilgers – Board Secretary
Renee Lopez – Board Member

Certificate of Status: Issued by the Texas Secretary of State

Federal IRS certification granting non-profit tax-exempt status

Certified financial audit & auditor's opinion & management letters

Board resolution approving the proposed project and authorizing the request for funding

From Attachment 2 – Development Team

Resume - Mitch Weynand – Affordable Housing Consultant/Project Manager

Resume - Michael Gatto – Architect and Affordable Housing Advocate/Consultant

Development Team Contact Info

From Attachment 3 – Property Management

Resume - Kristen Davis – Operations Manager

Resume - Chris Bryant – Maintenance Technician

TDHCA Report from 12/31/2018

From Attachment 4 – Project Proposal

AHA! Neighborhood Communications and Engagement Plan

List of Elected Officials and Neighborhood Associations Notified

Text of the Notification Email that was sent

Certification of Notification by former AHA! Executive Director Isabelle Headrick

Certification of Notifications by former AHA! Executive Director Melissa Orren

Email Receipt - Notification of Chair of Windsor Park Neighborhood Contact Team

Email Receipt - Notification of President of Windsor Park Neighborhood Association

Signed Austin Good Neighbor Checklist

SMART Housing Letter

FLCCT and AHA! MOU

From Attachment 5 – Property

Maps

Appraisal

Zoning Verification Letter

Ground Lease

Phase 1 Environmental Assessment



Franchise Tax Account Status

As of : 05/23/2019 13:35:14

This Page is Not Sufficient for Filings with the Secretary of State

ACCESSIBLE HOUSING AUSTIN!

Texas Taxpayer Number	17431563141
Mailing Address	1640 E 2ND ST BLDG A100 AUSTIN, TX 78702-4589
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	12/20/2005
Texas SOS File Number	0800587184
Registered Agent Name	STEPHANIE K. THOMAS
Registered Office Street Address	1100 S INTERSTATE 35 FRONTAGE ROAD AUSTIN, TX 78704

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 08 2006**

ACCESSIBLE HOUSING AUSTIN
1016 LA POSADA STE 145
AUSTIN, TX 78752

Employer Identification Number:
74-3156314
DLN:
17053081001026
Contact Person:
DONNA ELLIOT-MOORE ID# 50304
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
DECEMBER 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
YES
Effective Date of Exemption:
DECEMBER 20, 2005
Contribution Deductibility:
YES
Advance Ruling Ending Date:
SEPTEMBER 30, 2010

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

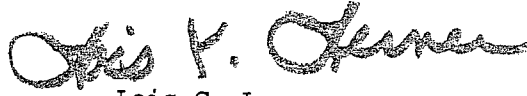
Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

-2-

ACCESSIBLE HOUSING AUSTIN

Sincerely,

A handwritten signature in dark ink, appearing to read "Lois G. Lerner". The signature is fluid and cursive, with the first name "Lois" being the most prominent.

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CG)



Resolution to Seek Funding

Pursuant to the Authority granted to the Board of Directors to take action by majority consent, the Board of Directors of Accessible Housing Austin! (the Corporation), do hereby consent to adopt the following resolution.

WHEREAS, the Board of Directors have been presented with the proposal to seek funding from the City of Austin, Austin Housing Finance Corporation, Rental Housing Development Assistance Program in the amount of \$300,000.

RESOLVED, the Board of Directors of the Corporation hereby grants to Corporation Staff and Consultants the authority to seek funding as noted above.

IN WITNESS THEREOF, the undersigned have set forth their hand in their capacity as of this 24 day of July, 2019.

By: Stephanie Thomas
Stephanie Thomas, President

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**www.tdhca.state.tx.us

Greg Abbott
GOVERNOR

BOARD MEMBERS

J.B. Goodwin, *Chair*
Leslie Bingham-Escareño, *Vice Chair*
Paul A. Braden, Member
Asusena Reséndiz, Member
Sharon Thomason, Member
Leo Vasquez, Member

December 21, 2018

(512) 475-2299

enrique.trejo@tdhca.state.tx.us

Jolene Keene
Accessible Housing Austin!
Austin, TX
Jolene.keene@ahaustin.org

RE: Accessible Housing Austin**CMTS ID: 5169**

Dear Ms. Keene:

The Texas Department of Housing and Community Affairs (Department) has received and reviewed the corrective action submitted in response to the physical inspection of Accessible Austin conducted on August 17, 2018.

Accessible Austin has made all repairs and corrections required. Please note that although the identified deficiencies have been mitigated, only a sample of units was inspected for the purposes of the report. It is the owner's responsibility to maintain compliance property wide. The Department may select a sample of units to re-inspect in order to verify that corrective actions have been completed.

This letter addresses only deficiencies noted during the physical inspection. Other findings may have resulted from other reviews. Please contact the appropriate lead monitor for additional information concerning other reviews.

If you have any questions about this inspection report, please contact us toll free in Texas at (800) 643-8204, directly at (512) 475-2299, or email: enrique.trejo@tdhca.state.tx.us.

Sincerely,

Enrique H. Trejo

Digitally signed by Enrique H.
Trejo
Date: 2018.12.21 13:31:54 -06'00'

Enrique H. Trejo
Inspection Specialist

Encl: List of Deficiencies

Site	Area	Bldg Name	Bldg Unit Name	Inspectable Item	Bldg Common Item	Deficiency	Level	Note	Completed Date	Completed By
Accessible Housing Austin	Unit	1	9407 A	Doors		Damaged Frames/Threshold/Lintels/Trim	L2	Entry door frame damaged.	11/30	Chris
Accessible Housing Austin	Unit	1	9407 A	Doors		Damaged Surface (Holes/Paint/Rusting)	L1	Surface door damage in master bedroom.	11/30	Chris
Accessible Housing Austin	Unit	1	9407 A	Health & Safety		Hazards - Tripping	L3	Cord in master bedroom along walking path.	11/30	tenant
Accessible Housing Austin	Unit	1	9407 A	Laundry Area		Dryer Vent Missing/Damaged/Inoperable	L3	Missing dryer vent.	11/30	Chris
Accessible Housing Austin	Unit	1	9407 A	Outlets/Switches		Missing	L3	Missing outlet cover.	11/30	tenant
Accessible Housing Austin	Unit	1	9407 B	Kitchen		Range/Stove - Missing/Damaged/Inoperable	L2	Right rear burner is not functional.	12/17	tenant/pic
Accessible Housing Austin	Building Systems	3		Fire Protection		Missing/Damaged/Expired Extinguishers	L3	Disposable PE not good.	8/20	Kristen
Accessible Housing Austin	Unit	3	7624	Doors		Damaged Frames/Threshold/Lintels/Trim	L2	Front door frame damage.	12/12	Chris
Accessible Housing Austin	Unit	3	7624	Laundry Area		Dryer Vent Missing/Damaged/Inoperable	L3	Disconnected dryer vent.	12/14	Chris
Accessible Housing Austin	Unit	4	7009	Smoke Detector		Missing/Inoperable	L3	Inoperable smoke detector in hall and one inoperable in right, center bedroom.	8/20	Kristen

Texas Department of Housing and Community Affairs Owner Certification of Corrected Noncompliance

Development Name: Accessible Housing Austin CMTS ID: 5169

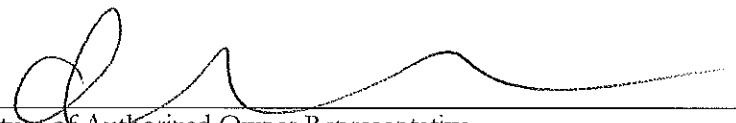
A Uniform Physical Condition Standards ("UPCS") inspection was performed on August 17, 2018 at the development above to assess compliance with the NSP program. The review resulted in a finding of noncompliance under Title 10, Chapter 10, Subchapter F related to Compliance Monitoring, §10.621, Property Condition Standards, and §92.251. Please see attached Deficiency Report that details the deficiencies identified.

Because the inspection resulted in a score that exceeds 75, to correct, submit only the following:

1. Update the Deficiency Report:
 - a. In the column named "Corrected By" enter the name of the person or contractor that completed the work to correct that deficiency. (NOTE: If state or local code requires a licensed professional to complete the work to correct a deficiency [e.g. infestation or fire systems], it is the Owner's responsibility to be familiar with such codes and to correct deficiencies accordingly. The Department relies on the Owner's due diligence in these instances.)
 - b. In the column named "Date Corrected" enter the date on which the work to correct that deficiency was completed.
2. Execute this certification to support that the work represented in the Deficiency Report has been performed.

In accordance with 10 TAC §2.401(a)(3), *Providing fraudulent information, knowingly falsified documentation, or other intentional or negligent material misrepresentation or omission with regard to any documentation, certification or other representation made to the Department* is grounds for debarment. If it is found that the deficiencies cited in the Deficiency Report were not resolved, the Department will consider the Owner to have materially misrepresented the facts and circumstances related to UPCS Inspection conducted on August 17, 2018 may be recommended for debarment.

I, Joleve Reeve, on behalf of Accessible Housing Austin, am a duly authorized representative, who is so authorized by reason of my position as _____ to hereby certify, as true and correct, that the above referenced noncompliance has been corrected in the manner described and I further understand that if it is found that this certification was fraudulently executed, the owner is subject to debarment.



Signature of Authorized Owner Representative

12-20-18

Date

AHA! Neighborhood Communications and Engagement Plan

Accessible Housing Austin's mission is to provide affordable, accessible, and integrated housing for low-income people with disabilities. To date, we have provided nine units of such housing at scattered sites throughout Austin. We encourage our tenants to be good neighbors and actively participate in their community, including getting to know their neighbors and participating in neighborhood events. As such, neighborhood engagement is a critical part of the integration piece of AHA's mission.

AHA! believes that the Windsor Park neighborhood is an ideal location for our first multifamily development, and we are thrilled to be a part of the community. Per the University Hills/Windsor Park Neighborhood Plan, as adopted by City Council in 2007, one of the goals within the neighborhood is to encourage a diversity of housing options at various levels of affordability. AHA! at Briarcliff will meet that goal by providing housing units to low-, very low-, and disabled households.

AHA! plans to invite community members to participate in the supportive services we will provide, including meetings, classes, and access to our notary services. We also plan to host community events, including safe trick-or-treating and an Easter egg hunt where both disabled and able-bodied children are able to hunt for eggs.

AHA! has also been in contact with the developer working to rehabilitate the existing shopping center at 2005 Wheelless Lane, next to the Briarcliff development. The development manager has introduced himself to staff members of AHA! and has asked us to provide input on the types of business and services that the neighborhood needs.

Other action that AHA! plans to take to facilitate open communication with the neighborhood is to join the NextDoor neighborhood forum and the Windsor Park Neighborhood Association. AHA! staff plans to attend Neighborhood Association meetings, offering to host neighborhood-based meetings on-site, and submitting articles to the neighborhood newsletter. AHA! will ensure that Neighborhood Association members and leaders have contact information in order to reach the AHA! staff as needed.

Elected Officials

- ☐ Elected officials were identified in the **Pre-Application**, and there have been no changes.
(If box above is checked, these forms may be left **BLANK**.)

Please identify all elected officials which represent the Development Site.

Roger Williams

25

**** US Representative**

District

Kirk Watson

14

State Senator

District

Support Letter

Steve Adler

City Mayor

Dawnna Dukes

46

State Representative

District

Support Letter

Sarah Echardt

County Judge

Paul Cruz

Austin ISD

superintendent@austinisd.org

School Superintendent

District Name

Email

1111 West 6th Street

Austin

78703

Address

City

Zip

Kendall Pace

Kendall@kendallpace.com

Presiding officer of Board of Trustees

Email

1111 W. 6th St

Austin

78703

Address

City

Zip

** While Applicants are not required to notify US Representatives, the Department is required to notify these elected officials. Therefore, Applicant must identify the appropriate US Representative of the district containing the Development.

Elected Officials (Continued)		
Ora Houston	1	ora.houston@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Delia Garza	2	Delia.Garza@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Sabino Renteria	3	Sabino.Renteria@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Gregoria Casar	4	Gregoria.Casar@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Ann Kitchen	5	Ann.Kitchen@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Jimmy Flannigan	6	jimmy.flannigan@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Leslie Pool	7	Leslie.Pool@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Ellen Troxclair	8	Ellen.Troxclair@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Kathie Tovo	9	Kathie.Tovo@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Alison Alter	10	alison.alter@austin.texas.gov
City Council Member	District/Precinct	Email or Phone
Jeff Travillion	1	Jeff.Travillion@traviscountytexas.gov
	District/Precinct	Email or Phone
Brigid Shea	2	Brigid.Shea@traviscountytexas.gov
	District/Precinct	Email or Phone
Gerald Daugherty	3	Gerald.Daugherty@traviscountytexas.gov
	District/Precinct	Email or Phone

Elected Officials (Continued)		
Margaret Gomez	4	Margaret.Gomez@traviscountytexas.gov
	District/Precinct	Email or Phone

Neighborhood Organizations

Identify all Neighborhood Organizations on record with the county or Texas Secretary of State as of the beginning of the Application Acceptance Period whose boundaries include the Development Site.

- ☐ Organizations were identified in the Pre-Application, and there have been no changes.
(If above is checked, these forms may be left **BLANK**)

1.	Responsible Growth for Windsor Park <hr/> Name of Organization 2612 Sweeney Lane <hr/> Address 78723 (512) 928-4441 <hr/> Zip Phone	Scooter Cheatham <hr/> Contact Name Austin <hr/> City info@usefulwildplants.org <hr/> Fax or Email
2.	Windsor Park Neighborhood Assn. <hr/> Name of Organization P.O. Box 16183 <hr/> Address 78761 (512) 786-7224 <hr/> Zip Phone	Meghan Dougherty <hr/> Contact Name Austin <hr/> City president@windsorpark.info <hr/> Fax or Email
3.	Windsor Park Neighborhood Plan Contact Team <hr/> Name of Organization 2125 Brunswick Dr. <hr/> Address Texas (512) 451-5412 <hr/> Zip Phone	Conor Kenny <hr/> Contact Name Austin <hr/> City chair@windsorparkcontactteam.org <hr/> Fax or Email
4.	Friends of Northeast Austin <hr/> Name of Organization 6705 Hillcroft Dr. <hr/> Address 78724 (512) 922-1202 <hr/> Zip Phone	Barbara Scott <hr/> Contact Name Austin <hr/> City barbara_scott@sbcglobal.net <hr/> Fax or Email
5.	Windsor Park-Pecan Springs Hertiage NA <hr/> Name of Organization 1125 Corona <hr/> Address 78723 (512) 363-0251 <hr/> Zip Phone	Steve Ashley <hr/> Contact Name Austin <hr/> City steveashley_1@yahoo.com <hr/> Fax or Email

Dear Austin Area Elected Officials and Neighbors,

RE: NOTICE TO PUBLIC – Accessible Housing Austin! application submission for the AHA! at Briarcliff Development: TDHCA Multi-Family Direct Loan Program

Dear Neighbor,

Accessible Housing Austin! is applying for funding to the Texas Department of Housing and Community Affairs for their Multi-Family Direct Loan Program. These funds would be used for new construction to build the AHA! at Briarcliff development at 1915 Briarcliff Blvd., Austin, Texas 78723. This new construction development is a three-story apartment building comprised of 27 units of which 100% (27) of the total will be for low-income tenants. Development of this type of housing is consistent with the Windsor Park Neighborhood Plan.

For more information or to submit comments, please contact me at 1640-A E. 2nd, Austin, Texas 78702, Phone: 512-422-6680 x 1; or email at melissa.orren@ahaustin.org.

Sincerely,

Melissa Orren
Executive Director – Accessible Housing Austin!

Sent by:

Mitch Weynand | Development Consultant

CERTIFICATION OF NOTIFICATIONS (ALL PROGRAMS)

Pursuant to §10.203 of the Uniform Multifamily Rules, evidence of notifications includes this sworn affidavit, and the Elected Officials and Neighborhood Organizations Forms. All Applicants, or persons with signing authority, must complete either Part 1 or Part 2 below:

Part 1. Notifications made at Pre-Application (Competitive HTC only):

☐ I (We) certify that The pre-application included evidence of these notifications pursuant to §10.203 of the Uniform Multifamily Rules, the pre-application met all threshold requirements, and no additional notifications were required with this full application.

Part 2. Notifications or Re-notifications made at Application

☒ The pre-application for this full Application met all threshold requirements, but all required entities were re-notified as required by §10.203 of the Uniform Multifamily Rules. As applicable, all changes in the Application have been made on the *Elected Officials and/or Neighborhood Organizations Form(s)*.

☒ I (we) certify that the notifications are not older than 3 months from the first day of the Application Acceptance Period for Competitive HTC Applications and not older than three (3) months prior to the date Parts 5 and 6 of the Application are submitted for Tax Exempt Bond Developments, and not older than three (3) months prior to the date the Application is submitted for all other Applications.

☒ I (We) certify that, in addition to all of the required neighborhood organizations, the following entities were notified in accordance with §10.203 of the Multifamily Uniform Rules. The notifications were in the format provided in the *Application Notification Template*. All of the following entities were notified and are correctly listed on the *Elected Officials Form* and *Neighborhood Organizations Form*:

- Superintendent of the school district containing the Development;
- Presiding officer of the board of trustees of the school district containing the Development;
- Mayor of any municipality containing the Development;
- All elected members of the Governing Body of any municipality containing the Development;
- Presiding officer of the Governing Body of the county containing the Development;
- All elected members of the Governing Body of the county containing the Development;
- State senator of the district containing the Development; and
- State representative of the district containing the Development.

☒ While not required to be submitted in this Application, I have kept evidence of all notifications made and this evidence may be requested by the Department at any time during the Application review.

Part 3. No Neighborhood Organizations exist (competitive HTC only):

☐ I (We) certify that no Neighborhood Organizations exist for which this Application would be eligible to receive points under §11.9(d)(4) of the QAP or for which notification is required.

By:



Signature of Applicant/Development Owner

Isabelle Headrick

Printed Name

1/13/2018

Date

TEXAS

Notary Public, State of

TRAVIS

County of

1/16/2019

My Commission expires

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this

13th day of January, 2018





Notary Public Signature

CERTIFICATION OF NOTIFICATIONS (ALL PROGRAMS)

Pursuant to §10.203 of the Uniform Multifamily Rules, evidence of notifications includes this sworn affidavit, and the Elected Officials and Neighborhood Organizations Forms. All Applicants, or persons with signing authority, must complete either Part 1 or Part 2 below:

Part 1. Notifications made at Pre-Application (Competitive HTC only) :

☐ I (We) certify that The pre-application included evidence of these notifications pursuant to §10.203 of the Uniform Multifamily Rules, the pre-application met all threshold requirements, and no additional notifications were required with this full application.

Part 2. Notifications or Re-notifications made at Application

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- Superintendent of the school district containing the Development;
- Presiding officer of the board of trustees of the school district containing the Development;
- Mayor of any municipality containing the Development;
- All elected members of the Governing Body of any municipality containing the Development;
- Presiding officer of the Governing Body of the county containing the Development;
- All elected members of the Governing Body of the county containing the Development;
- State senator of the district containing the Development; and
- State representative of the district containing the Development.

☒ While not required to be submitted in this Application, I have kept evidence of all notifications made and this evidence may be requested by the Department at any time during the Application review.

Part 3. No Neighborhood Organizations exist (competitive HTC only) :

☐ I (We) certify that no Neighborhood Organizations exist for which this Application would be eligible to receive points under §11.9(d)(4) of the QAP or for which notification is required.

By: 

 Signature of Applicant/Development Owner

 Melissa Orren

 Printed Name

 09/01/2017

 Date

 Texas

 Notary Public, State of

 Travis

 County of

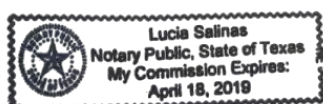
 04/18/2019

 My Commission expires

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this

1st day of September, 2017





 Notary Public Signature

Mitch Weynand

From: Microsoft Outlook
To: chair@windsorparkcontactteam.org
Sent: Monday, August 28, 2017 2:47 PM
Subject: Relayed: Accessible Housing Austin - AHA! at Briarcliff

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

chair@windsorparkcontactteam.org (chair@windsorparkcontactteam.org)

Subject: Accessible Housing Austin - AHA! at Briarcliff

Mitch Weynand

From: Microsoft Outlook
To: president@windsorpark.info
Sent: Monday, August 28, 2017 2:46 PM
Subject: Relayed: Accessible Housing Austin - AHA! at Briarcliff

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

president@windsorpark.info (president@windsorpark.info)

Subject: Accessible Housing Austin - AHA! at Briarcliff

ATTACHMENT 6b

City of Austin Good Neighbor Checklist

The Neighborhood Housing and Community Development Office (NHCD) offers a Good Neighbor Policy to standardize process and identify expectations for all projects funded through the City of Austin's Rental Housing Development Assistance (RHDA) and Acquisition and Development (A&D) programs. Applicants of these programs are required to prepare and begin implementing a community engagement plan, including neighborhood notification activities. The community engagement plan is required whether the application is for funding for new construction or renovation of an existing building, regardless of whether there is a change in ownership.

A successful community engagement plan leads to open, ongoing two-way communication between developers and neighbors. This requires good-faith efforts and cooperation by developers, City officials and residents. A positive, open dialogue between housing developers and neighbors can prevent misunderstandings, facilitate prompt resolution of any inadvertent misunderstandings, and provide a fair, thoughtful, dependable means of resolving differences.

The following checklist of items is required of all applicants for funding:

(1) Preliminary Research

☒ Review the Neighborhood Plan (if applicable)

(2) Neighborhood Notification

☒ Notify property owners within at least 500 feet of the site and registered neighborhood organizations with boundaries included in the proposed development site, using a written notice, letter or flyer.

(3) Pre-Application Engagement

☒ Contact neighborhood organizations to provide current information about the project, including any neighborhood association whose boundaries are included in the proposed development site and Neighborhood Planning Contact Team (if applicable). *(see full City of Austin Good Neighbor Guidelines for more detailed information on what kind of information may be appropriate to share)*

☒ Appoint a Single-Point-of-Contact (SPOC) to serve as the liaison for exchanging information.

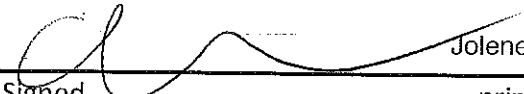
(4) Application requirements

☒ Provide communications plan

☒ Provide documentation showing the content of the notice, and proof of delivery

☒ Provide signed copy of this checklist.

I have reviewed and completed all of the above checklist items required by the City of Austin's Good Neighbor Guidelines.


Signed _____ printed name

7-31-19
date



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

August 1, 2019 (revision to letter dated March 21, 2017)

S.M.A.R.T. Housing Certification
AHA! at Briarcliff – 1915 Briarcliff Blvd (ID 117)

TO WHOM IT MAY CONCERN:

Accessible Housing Austin! (development contact: Jolene Keene, Executive Director, 512.640.7781; Jolene.Keene@ahaustin.org) is planning to develop a twenty-seven (27) unit, multi-family project at 1915 Briarcliff Blvd, Austin TX 78723. This project is located in the University Hills/Windsor Park Neighborhood Planning Area. The project is subject to a minimum 5 year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

This revision changed the development contact to the current Executive Director and updated the S.M.A.R.T. Housing certification date.

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the units will serve households at or below 50% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees	Site Plan Review	Land Status Determination
Building Permit	Misc. Site Plan Fee	Building Plan Review
Concrete Permit	Construction Inspection	Parkland Dedication (<i>by separate ordinance</i>)
Electrical Permit	Subdivision Plan Review	
Mechanical Permit	Misc. Subdivision Fee	
Plumbing Permit	Zoning Verification	

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenenergy.com).
- ◆ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at Sandra.harkins@austintexas.gov if you need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Sandra Harkins". The signature is fluid and cursive, with the first name "Sandra" being more prominent than the last name "Harkins".

Sandra Harkins, Project Coordinator
Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE
Mashell Smith, ORS

Ellis Morgan, NHCD Jonathan Orenstein, AWU



Memorandum of Understanding

Between The

The Financial Literacy Coalition of Central Texas (FLCCT)

and

Accessible Housing Austin! (AHA!)

(Host Partner Organization)

This Memorandum of Understanding (MOU) establishes a partnership between FLCCT and Accessible Housing Austin! (AHA!) henceforth referred to as **Host Partner**. *(Host Partner Organization)*

I. MISSION

The mission of FLCCT is to foster community prosperity by enhancing the knowledge and skills Central Texans need for improved financial decision-making.

The mission of the Host Partner is to *(complete in one to three sentences)* develop and promote affordable, accessible, integrated housing for low-income people with disabilities in Austin, Texas.

Together, the organizations enter into this MOU to mutually promote financial literacy among the Host Partner's employees and/or volunteers and/or clients.

II. PURPOSE AND SCOPE

FLCCT and Host Partner will collaborate in order to provide the Host Partner's class participants with education to improve their financial acumen. The goal of this education is to endow the Host Partner's class participants with the knowledge and skills they need to pursue more financially-secure and sustainable lifestyles.

To achieve this goal, FLCCT's Volunteer Instructor(s) will teach and facilitate financial literacy education classes as agreed upon between the Host Partner and FLCCT.



Each party is responsible for its own expenses related to this MOU. There will not be an exchange of funds between the parties for tasks or expenses associated with this MOU.

FLCCT and the Host Partner agree to operate under this MOU as follows:

III. RESPONSIBILITIES

FLCCT will designate a staff person(s) who will be responsible for:

- (1) Reviewing and approving (as resources allow) each Class Request as soon as practical.
- (2) Maintaining effective and on-going communication and coordination with the Host Partner Site Coordinator regarding class requests, scheduling, schedule changes, cancellations, class logistics, etc.
- (3) Providing a Volunteer Instructor(s) to teach and facilitate each approved Class Request at the designated Host Partner site(s).
- (4) Providing class materials and handouts for class participants (as needed).
- (5) Providing evaluation forms for class participants.
- (6) Providing a Site Coordinator Class Report form

Host Partner will designate a Site Coordinator for each class (or series of classes) requested who will be responsible for:

- (1) Publicizing the availability of classes to the target audience. If possible, this will include using FLCCT's and Agrilife's logos on promotional materials.
- (2) Making a good faith effort at obtaining 10 pre-registered participants for each class or series of classes.
- (3) Promoting an on-time arrival policy.
- (4) Submitting to FLCCT a Class Request form for each class, or series of classes, requested.
- (5) Maintaining effective and on-going communication and coordination with FLCCT staff regarding class requests, scheduling, schedule changes, cancellations, class logistics, etc.



- (6) Providing a site facility for FLCCT to conduct each class that promotes effective learning. This includes making best efforts to prevent interruptions and maintain quiet.
- (7) Providing logistical support for each class, **as agreed on by both parties**. Examples of this would be appropriate projection equipment, writing materials, white boards, etc.
Depending on target audience, it *might* include providing water and snacks for participants, child care, and incentives, door prizes, etc, designed to encourage class attendance.
- (8) Accommodating participants with disabilities.
- (9) Ensuring that a Host Partner representative (Site Coordinator or otherwise) is on-site to coordinate with FLCCT's Volunteer Instructor(s) each time he/she arrives to teach a class.
- (10) Ensuring to the best of the Host Partner's ability a safe environment for FLCCT's Volunteer Instructor(s) and class participants at the Host Partner site(s).

IV. TERMS OF UNDERSTANDING

FLCCT reserves the right to cancel a scheduled class, or a series of classes in progress, if:

- (1) The number of participants falls significantly below the number of pre-registered participants.
- (2) There is no Host Partner representative present to coordinate with FLCCT's Volunteer Instructor before each class.
- (3) FLCCT's Volunteer Instructor cannot attend due to a sudden illness or emergency.

The term of this MOU is for a period of one (1) year from the date of the last signatory to this MOU.

Either organization may terminate this MOU without penalties or liabilities upon thirty (30) days written notice to the other organization.



V. AUTHORIZATION

The authorized organizational representatives whose information and signatures appear below enter this MOU in good faith.

FLCCT:

Signature: _____

Name (Print): _____

Title: _____

Date: _____

(Host Partner Organization)

Host Partner Address: 1640-A E. 2nd Street, Austin Texas 78702

Host Partner Contact Business Phone Number: 512-442-6680, ext.1

Signature: 

Name (Print) Isabelle Headrick

Title: Executive Director

Date: 4/27/2017

Please submit signed MOU to: info@flcct.org

GENERAL CONTACT INFORMATION FOR FLCCT:

Email: info@flcct.org
 Phone: 512-456-8630
 FAX: 512-854-9611
 Mailing: 1600-B Smith Rd.
 Austin, TX 78721



Austin Public Health

OFFICE OF THE DIRECTOR
P.O. Box 1088
Austin, Texas 78767
(512) 972-5010 Fax (512) 972-5016

Isabelle Headrick
Accessible Housing Austin!
1640-A E. 2nd Street
Austin, Texas 78702

May 9th, 2017

Dear Ms. Headrick,


We are pleased to enter into a referral partnership between your organizations, Accessible Housing Austin! (AHA!), and the City of Austin's St. John Community Center. In doing so, we recognize the complementary nature of the workforce development, health, social service and affordable housing services that we each provide to low-income residents of Travis County and strive to ensure that these residents have both their service and housing needs met.

St. John Community Center is located a short bus ride from your new housing development, AHA! at Briarcliff. The neighborhood center provides a variety of social services to low and moderate-income families in need. Here your tenants can access our self-sufficiency case management services: which include employment counseling, access to computers for job searches and resume preparation, and direct connections to a co-located Workforce and Education Readiness Continuum (WERC) program that provides additional help with job search, job readiness instruction and occupational training. Additionally, the neighborhood center helps people meet their basic needs, through our food pantry, fresh foods and child safety seat programs, and provides links to community resources. Qualified residents may access other services including help with bus passes and referrals for rent and utility assistance. Finally, residents can access help through our public health nurses who provide preventive health screenings, education and links to primary care and health insurance resources.

We understand that your staff will promote the resources available at the St. John Community Center to your tenants and, as requested, help to arrange and provide logistical support for onsite presentations to your tenants regarding our services. Likewise, our staff will provide social services including employment support services at the community center to your qualified tenants who request those services and refer our clients to your organization to give them the opportunity to apply to your housing.

We will continue to communicate with you as AHA! Approaches the completion of constructing AHA! at Briarcliff. We look forward to working together to empower our clients and your tenants to be informed and independent consumers of employment support services and affordable housing in order to access higher levels of stability and economic opportunity.

Sincerely,


Stephanie Hayden, LMSW
Interim Director

COMMITMENT FOR TITLE INSURANCE
EXHIBIT "A"
LEGAL DESCRIPTION

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 236085

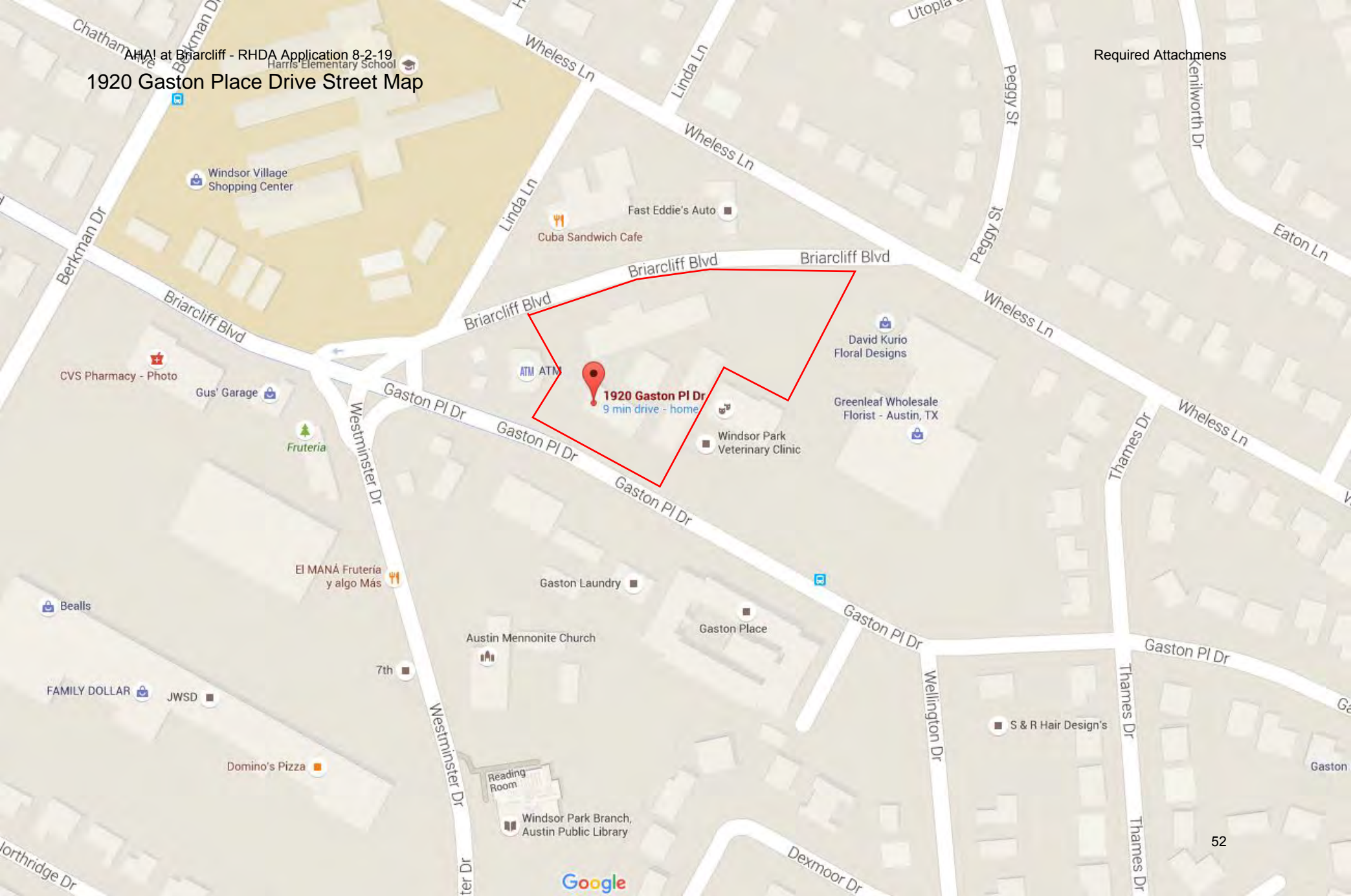
A leasehold estate over and across 0.8289 of an acre of land (36,108 square feet), more or less, out of The Leisure Time Village-Gaston Place Condominiums, a condominium project in Travis County, Texas, according to the Declaration of Condominium and the attached plats and exhibits of record in Volume 9415, Page 331, and amended in Volume 11462, Page 1475 of the Real Property Records of Travis County, Texas and in Document Number 2019084546, of the Official Public Records of Travis County, Texas; Said leasehold being further described in that Memorandum of Ground Lease recorded under Document Number 2016142660, of the Official Public Records of Travis County, Texas. Said 0.8289 acre tract being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof.

NOTE: The Company does not represent that the above acreage or square footage calculations are correct.

[EXHIBIT "A-1"](#)

AHA! at Briarcliff - RHDA Application 8-2-19
1920 Gaston Place Drive Street Map

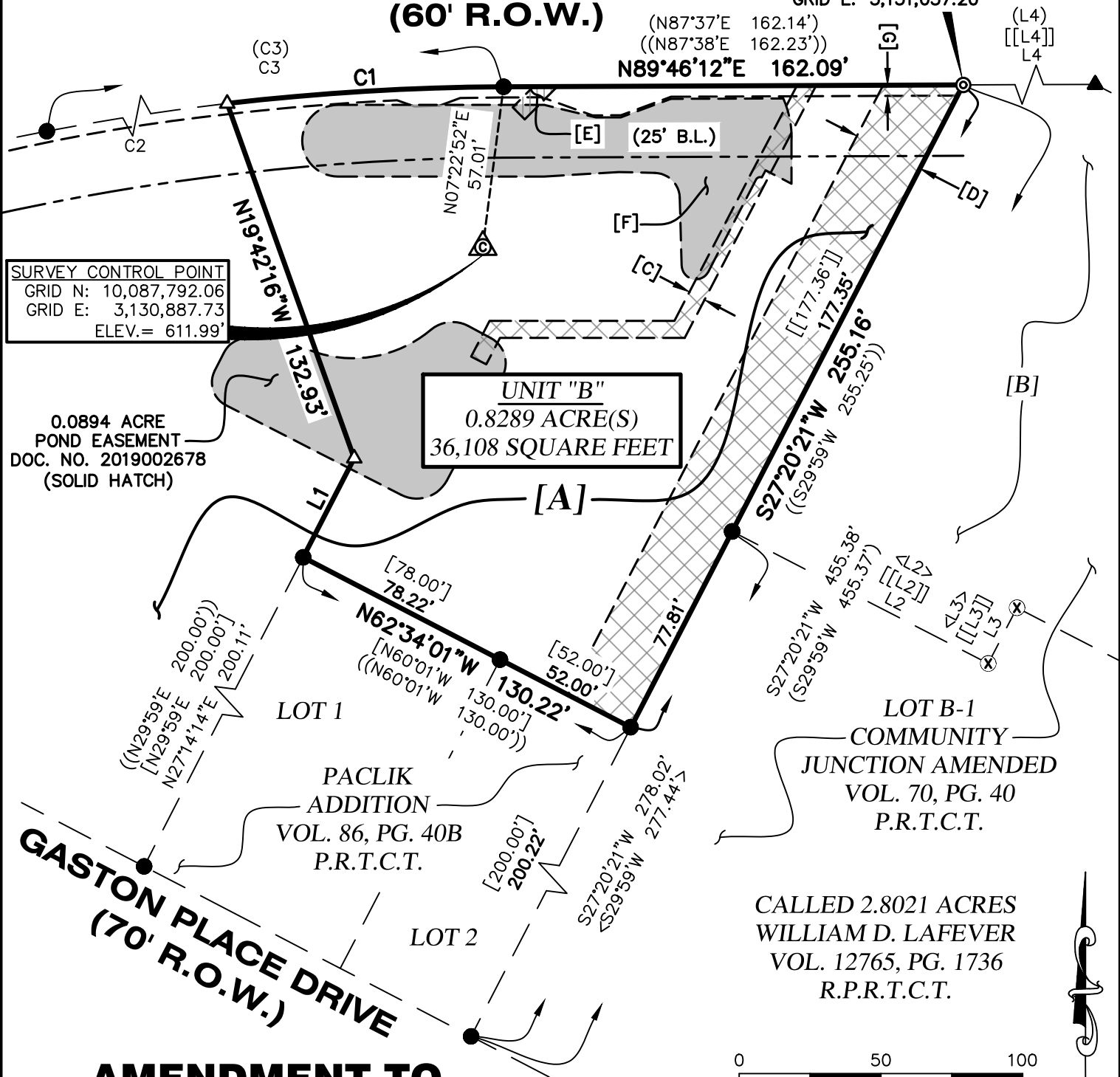
Required Attachments



GRID N: 10,087,849.29

GRID E: 3,131,057.20

14') \square \backslash



**AMENDMENT TO
UNITS 111-123 OF THE
LEISURE TIME
VILLAGE-GASTON
PLACE CONDOMINIUMS
City of Austin, Travis
County, Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	6/20/2019
Project:	00070
Scale:	1" = 50'
Reviewer:	JSW
Tech:	FM
Field Crew:	JCR
Survey Date:	JAN. 2016
Sheet:	53 1 OF 4

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	97.72'	878.16'	6°22'33"	N86°32'13"E	97.67'
C2	204.52'	878.16'	13°20'39"	S76°40'37"W	204.06'
C3	302.24'	878.16'	19°43'12"	N79°51'53"E	300.75'

RECORD CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
(C3)	(302.24')	(878.16')	(19°43'12")	(N79°51'53"E)	(300.75')

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N27°14'14"E	39.33'
L2	S62°42'36"E	101.62'
L3	N27°14'52"E	22.15'
L4	N89°46'12"E	77.21'

RECORD LINE TABLE

LINE #	DIRECTION	LENGTH
[[L2]]	[[S60°05'26"E]]	[[101.53']]
<L2>	<S60°05'00"E>	<101.61'>
[[L3]]	[[N29°57'34"E]]	[[22.17']]
<L3>	<N30°00'36"E>	<22.17'>
[[L4]]	[[N87°35'50"E]]	[[77.14']]
(L4)	(N87°37'00"E)	(77.13')

[A]
LEISURE TIME
VILLAGE-GASTON
PLACE
CONDOMINIUMS
VOL. 9415, PG. 331
R.P.R.T.C.T.

[B]
 CALLED 1.47 ACRES
 GREENLEAF WHOLESALE
 FLORIST, INC
 DOC. # 2007119355
 O.P.R.T.C.T.

[C]
 0.0240 ACRE
 DRAINAGE EASEMENT
 DOC. NO. 2019002678
 (CROSS HATCH)

[D]
 25' RESTRICTED AREA
 PER RESTRICTIVE
 COVENANT AGREEMENT
 VOL. 7447, PG. 260

[E]
 0.0018 ACRE
 DRAINAGE EASEMENT
 DOC. NO. 2019002678
 (SLANT HATCH)

[F]
 0.1120 ACRE
 POND EASEMENT
 DOC. NO. 2019002678
 (SOLID HATCH)

[G]
 SIDEWALK, TRAIL, AND
 RECREATIONAL EASEMENT
 DOC. NO. 2019002676

NOTES:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000076064830.
- 2) UNITS 111-123 OF THE LEISURE TIME VILLAGE-GASTON PLACE CONDOMINIUMS ARE HEREBY AMENDED TO BE REPLACED BY UNIT "B" AS SHOWN, HEREON.

LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD FOUND
	CHISELED "X" FOUND IN CONCRETE
	PUNCH HOLE FOUND IN CONCRETE
	NAIL FOUND
	CALCULATED POINT
	SURVEY CONTROL POINT
P.O.B.	POINT OF BEGINNING
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME, PAGE
B.L.	BUILDING LINE
R.O.W.	RIGHT-OF-WAY
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 70, PG. 40
((.....))	RECORD INFORMATION PER VOL. 9415, PG. 331
[.....]	RECORD INFORMATION PER VOL. 86, PG. 408
[[.....]]	RECORD INFORMATION PER DOC. NO. 2007119355
<.....>	RECORD INFORMATION PER VOL. 12765, PG. 1736

AMENDMENT TO
UNITS 111-123 OF THE
LEISURE TIME
VILLAGE-GASTON
PLACE CONDOMINIUMS
City of Austin, Travis
County, Texas



PO Box 90876, Austin Texas 78709
 WWW.4WARDLS.COM (512) 537-2384
 TBPLS FIRM #10174300

Date:	6/20/2019
Project:	00070
Scale:	N/A
Reviewer:	JSW
Tech:	FM
Field Crew:	JCR
Survey Date:	JAN. 2016
Sheet:	54 2 OF 4

TITLE COMMITMENT NOTES:

COMMITMENT FOR TITLE INSURANCE PREPARED BY: STEWART TITLE GUARANTY COMPANY

FILE NO.: 236085

EFFECTIVE DATE: JUNE 3, 2019

ISSUED: JUNE 13, 2019

THE SURVEYOR HAS RELIED UPON THE REFERENCED COMMITMENT FOR TITLE REGARDING EASEMENTS, RESTRICTIONS, AND OTHER MATTERS AFFECTING THIS PROPERTY. NO ADDITIONAL RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY. ITEMS LISTED ARE WORDED ACCORDING TO THE COMMITMENT, FOLLOWED BY SURVEYOR'S NOTES AND/OR OBSERVATIONS SHOWN IN BRACKETS. []

1) THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD ITEMIZED BELOW:

THOSE RECORDED IN VOLUME 7447, PAGE 260, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND VOLUME 8792, PAGE 225, VOLUME 9415, PAGE 331, AND VOLUME 11462, PAGE 1475, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, DOCUMENT NUMBERS 2016150306, 2016150307, 2019002677, 2019002678 AND 2019084546 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BUT OMITTING ANY COVENANTS, CONDITION, OR RESTRICTION, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN OR (B) RELATES TO HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS. **[SUBJECT TO]**

10) THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

- B. AN ELECTRIC AND TELEPHONE EASEMENT AS DESCRIBED IN VOLUME 9143, PAGE 844, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AFFECTING THE COMMON AREAS ONLY, AS NOTED ON SURVEY DATED APRIL 16, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[SUBJECT TO - UNABLE TO PLOT - NO METES AND BOUNDS DESCRIPTION GIVEN]**
- C. EASEMENT FOR CABLE TELEVISION WIRING AS DESCRIBED IN CABLE TELEVISION INSTALLATION AGREEMENT OF RECORD IN VOLUME 9325, PAGE 80, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL TERMS, PROVISIONS AND CONDITIONS OF SAID INSTRUMENT, AFFECTING THE COMMON AREAS ONLY, AS NOTED ON SURVEY DATED APRIL 16, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[SUBJECT TO]**
- D. A PIPELINE AND APPURTENANCES EASEMENT GRANTED TO UNITED GAS PIPELINE CO., AS DESCRIBED IN VOLUME 930, PAGE 576, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TO THE EXTENT THAT THE SAME MAY AFFECT THE COMMON ELEMENTS, AS NOTED ON SURVEY DATED APRIL 16, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[POSSIBLY SUBJECT TO - UNABLE TO PLOT - NO METES AND BOUNDS DESCRIPTION GIVEN]**
- E. SUBJECT TO ALL DEFINITIONS, RESTRICTIONS, EASEMENTS, COVENANTS, LIMITATIONS, CONDITIONS, RIGHTS, PRIVILEGES, OBLIGATIONS, LIABILITIES, CHARGES, LIENS, ASSESSMENTS, AND ALL OTHER TERMS AND PROVISIONS OF THAT CERTAIN DECLARATION OF CONDOMINIUM AND ATTACHED BY-LAWS (IF ATTACHED), RECORDED IN VOLUME 9415, PAGE 331, AS AFFECTED BY VOLUME 11462, PAGE 1475, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. **[SUBJECT TO]**
- G. ALL TERMS, CONDITIONS, AND PROVISIONS OF THAT CERTAIN MEMORANDUM OF GROUND LEASE, DATED FEBRUARY 18, 2016, OF RECORD UNDER DOCUMENT NUMBER 2016142660, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. **[SUBJECT TO]**
- H. ALL TERMS, CONDITIONS, AND PROVISIONS OF THAT CERTAIN RESTRICTIVE COVENANT RUNNING WITH THE LAND, RECORDED IN/UNDIVIDEDER DOCUMENT NUMBERS 2016150306 AND 2016150307 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. **[SUBJECT TO]**

**AMENDMENT TO
UNITS 111-123 OF THE
LEISURE TIME
VILLAGE-GASTON
PLACE CONDOMINIUMS
City of Austin, Travis
County, Texas**

 <p>4WARD Land Surveying <small>A Limited Liability Company</small></p> <p>PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384 TBPLS FIRM #10174300</p>	Date:	6/20/2019
	Project:	00070
	Scale:	N/A
	Reviewer:	JSW
	Tech:	FM
	Field Crew:	JCR
	Survey Date:	JAN. 2016
Sheet:	55 3 OF 4	


TITLE COMMITMENT NOTES (CONTINUED):

- I. FOR INFORMATIONAL PURPOSES ONLY: EACH ASSESSMENT LIEN DESCRIBED IN VOLUME 9415, PAGE 331, AS AFFECTED BY VOLUME 11462, PAGE 1475, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, IS EXPRESSLY SUBORDINATE AND INFERIOR TO AMOUNTS DUE UNDER ANY FIRST LIEN MORTGAGE INSTRUMENTS DULY RECORDED PRIOR TO THE RECORDATION OF ANY LIEN ASSESSMENT. (LOAN POLICY ONLY) **[SUBJECT TO]**
- J. ALL TERMS, CONDITIONS, AND PROVISIONS OF THAT CERTAIN DECLARATION OF DRAINAGE EASEMENT AND UNIFIED DEVELOPMENT AND MAINTENANCE OF DRAINAGE FACILITIES RESTRICTIVE COVENANT, RECORDED IN/UNDER DOCUMENT NUMBER 2019002678 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS SHOWN ON SURVEY DATED APRIL 16, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[SUBJECT TO – SHOWN ON SURVEY]**
- K. REPLACEMENT ELECTRIC DISTRIBUTION UTILITY EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED JANUARY 24, 2019, RECORDED IN/UNDER DOCUMENT NUMBER 2019016810 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AS NOTED ON SURVEY DATED APRIL 12, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[SUBJECT TO – UNABLE TO PLOT – NO METES AND BOUNDS DESCRIPTION GIVEN]**
- L. SIDEWALK, TRAIL, AND RECREATIONAL EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED DECEMBER 5, 2018, RECORDED IN/UNDER DOCUMENT NUMBER 2019002676 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. **[SUBJECT TO – SHOWN ON SURVEY]**
- N. 25' IN WIDTH "RESTRICTIVE AREA" ALONG THE EAST PROPERTY LINE DESCRIBED AND SET OUT IN THE RESTRICTIVE COVENANT AGREEMENT RECORDED IN/UNDER VOLUME 7447, PAGE 260 OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS, AS SHOWN ON SURVEY DATED APRIL 16, 2019, PREPARED BY JASON WARD, R.P.L.S. NO. 5811, PROJECT 00070, 4WARD LAND SURVEYING. **[SUBJECT TO – SHOWN ON SURVEY]**
- P. ALL TERMS, CONDITIONS, AND PROVISIONS OF THAT CERTAIN SECOND AMENDMENT TO DECLARATION AND MASTER DEED OF THE LEISURE TIME VILLAGE-GASTON PLACE CONDOMINIUM, RECORDED IN/UNDER DOCUMENT NUMBER 2019084546 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. **[SUBJECT TO]**

SURVEYOR'S CERTIFICATE:

CERTIFIED TO: ACCESSIBLE HOUSING AUSTIN!, TEXAS STATE AFFORDABLE HOUSING CORPORATION, TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, CITY OF AUSTIN, AND STEWART TITLE GUARANTY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION ON THE DATE SHOWN, AND THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF: THERE ARE NO APPARENT ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, DISCREPANCIES, DEED LINE CONFLICTS, OBSERVABLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON.

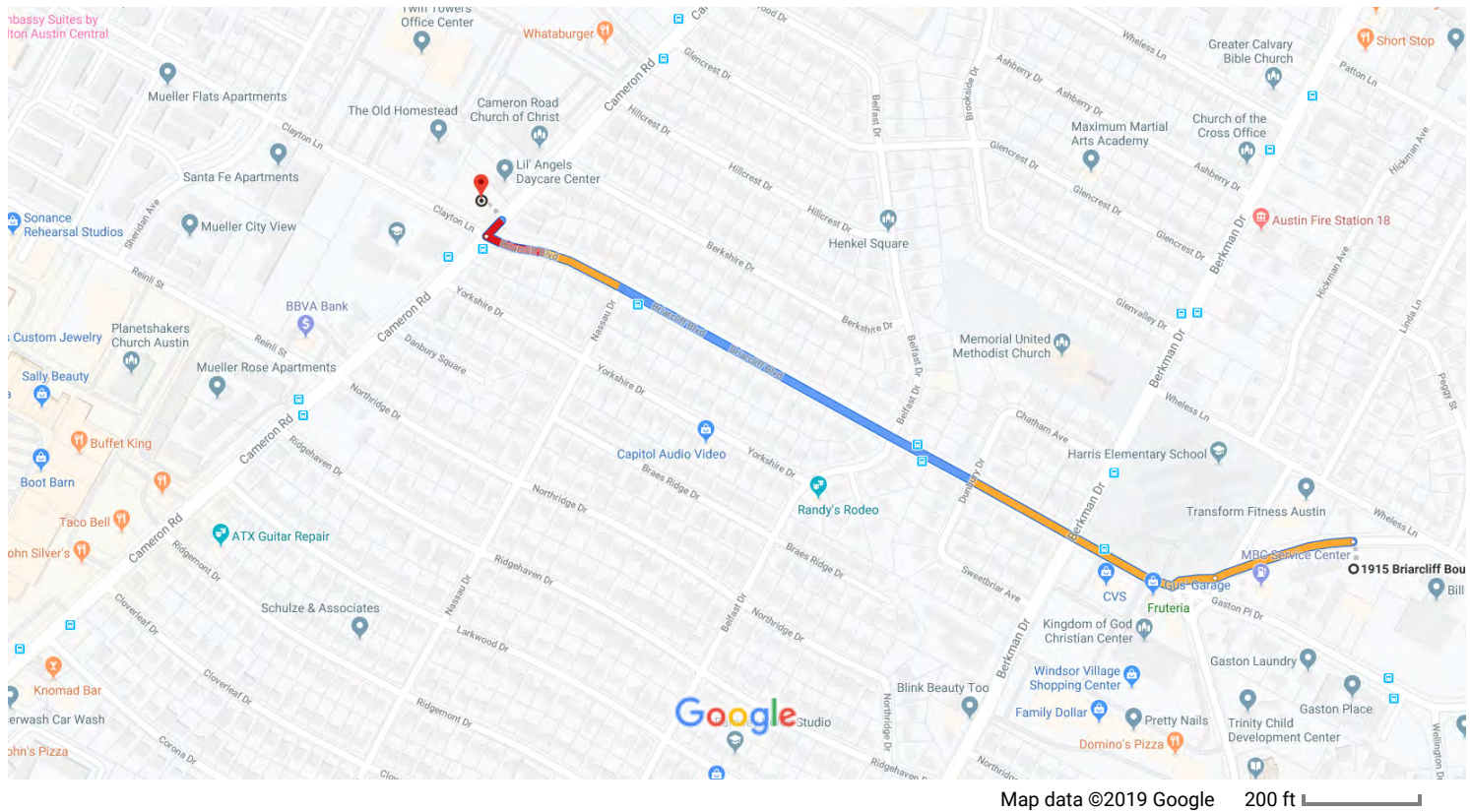

 JASON WARD, R.P.L.S.
 TEXAS REGISTRATION NO. 5811


6/20/2019
 DATE



**AMENDMENT TO
 UNITS 111-123 OF THE
 LEISURE TIME
 VILLAGE-GASTON
 PLACE CONDOMINIUMS
 City of Austin, Travis
 County, Texas**

 4WARD Land Surveying <small>A Limited Liability Company</small> PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384 TBPLS FIRM #10174300	Date:	6/20/2019
	Project:	00070
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	Field Crew:	JCR
	Survey Date:	JAN. 2016
Sheet:	56 4 OF 4	





via Briarcliff Blvd

Fastest route, despite the usual traffic

3 min

0.7 mile

ArcGIS ▾ Central Texas Opportunity Map

Details

Basemap

Share

Print






Measure

1'






Legend

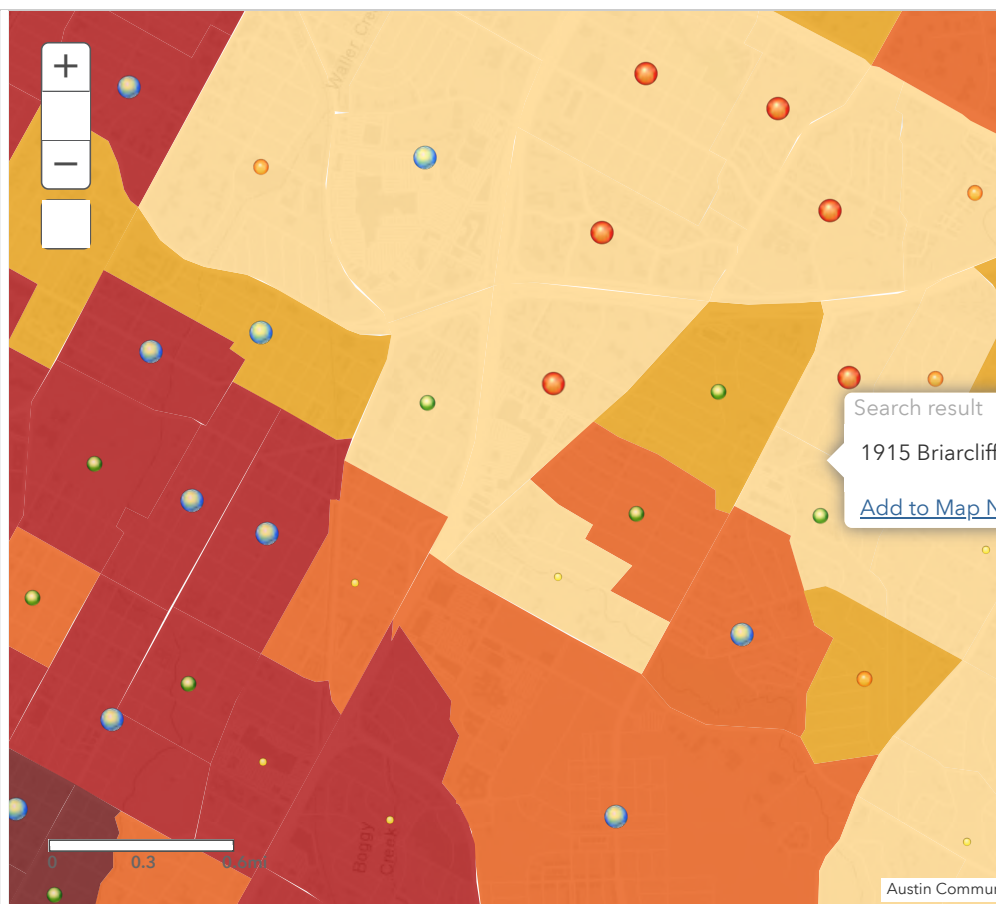
Change Index Overlay

Overall Change Z Score

-  0.12 ~ 1.45
-  -0.17 ~ 0.12
-  -0.42 ~ -0.17
-  -0.71 ~ -0.42
-  -2.48 ~ -0.71

Comprehensive Opportunity Index

-  Very Low
-  Low
-  Moderate
-  High
-  Very High

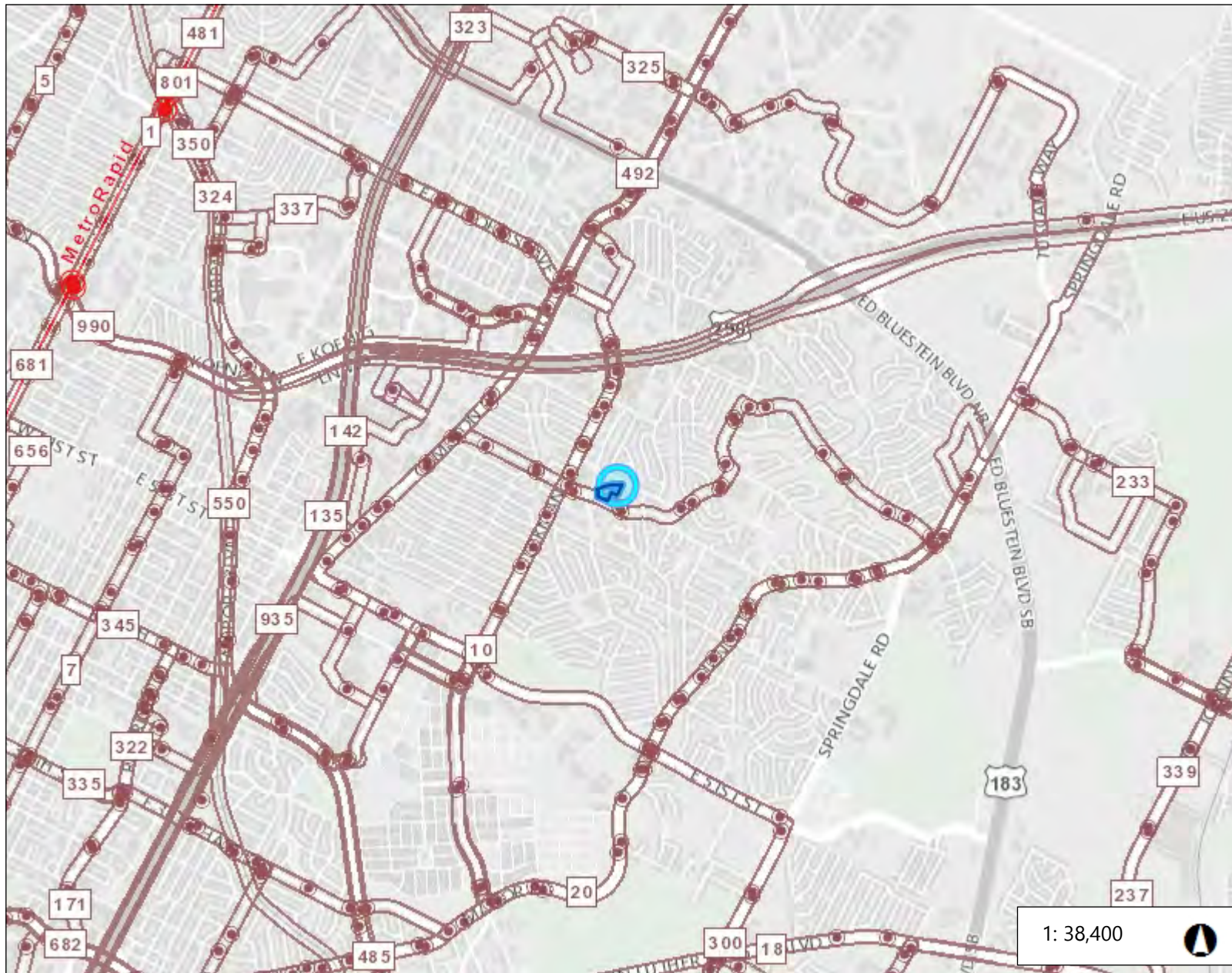
[Trust Center](#) [Legal](#) [Contact Esri](#) [Report Abuse](#)



Property Profile

Required Attachments Legend

- Capital Metro Rapid Bus Stops
- Capital Metro Rapid Bus
- Capital Metro Bus Stops
- Capital Metro Bus Routes



1.2 0 0.61 1.2 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

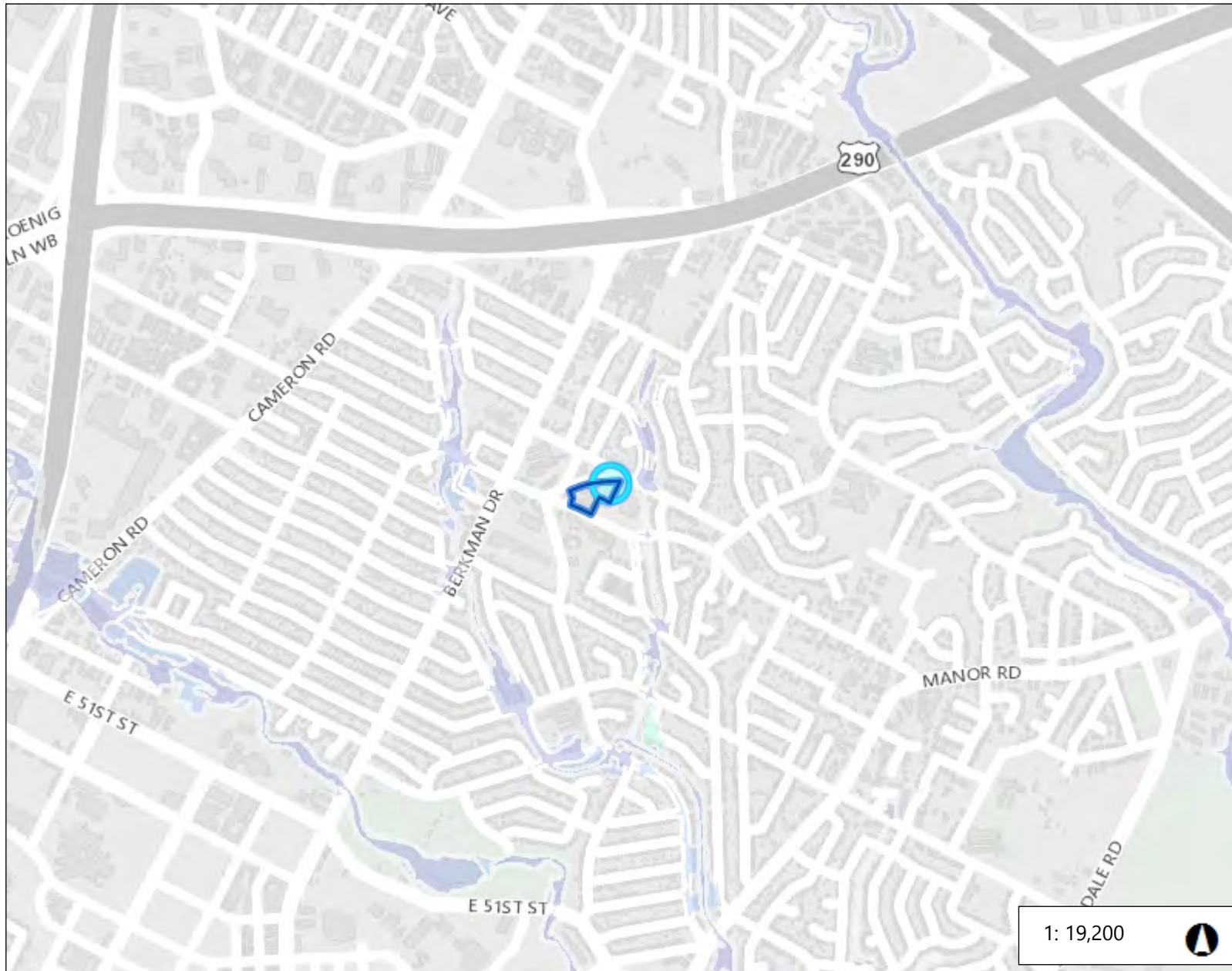
Date Printed:

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Notes



Property Profile



1: 19,200



0.6 0 0.30 0.6 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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Required Attachments Legend

Greater Austin Fully Developed

- COA Fully Developed 25-Year
- COA Fully Developed 100-Year
- COA Master Plan 25-Year
- COA Master Plan 100-Year
- 100-Year (Detailed-AE)
- 100-Year (Shallow-AO,AH)
- 100-Year (Approx-A)

Flood Plain Map

Notes

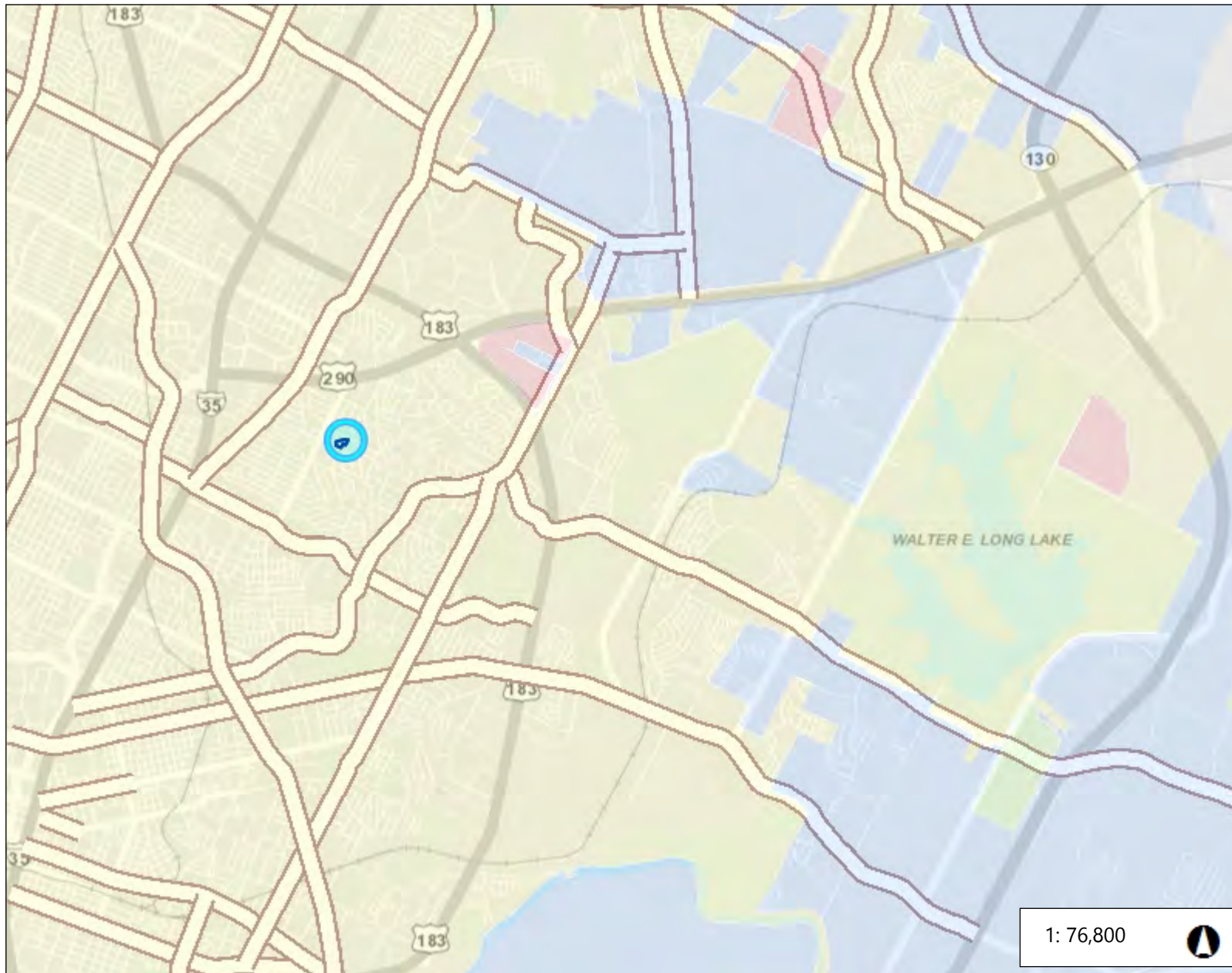


Property Profile

Required Attachments Legend

Jurisdiction

- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTION
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ
- Imagine Austin Corridors



1: 76,800



2.4 0 1.21 2.4 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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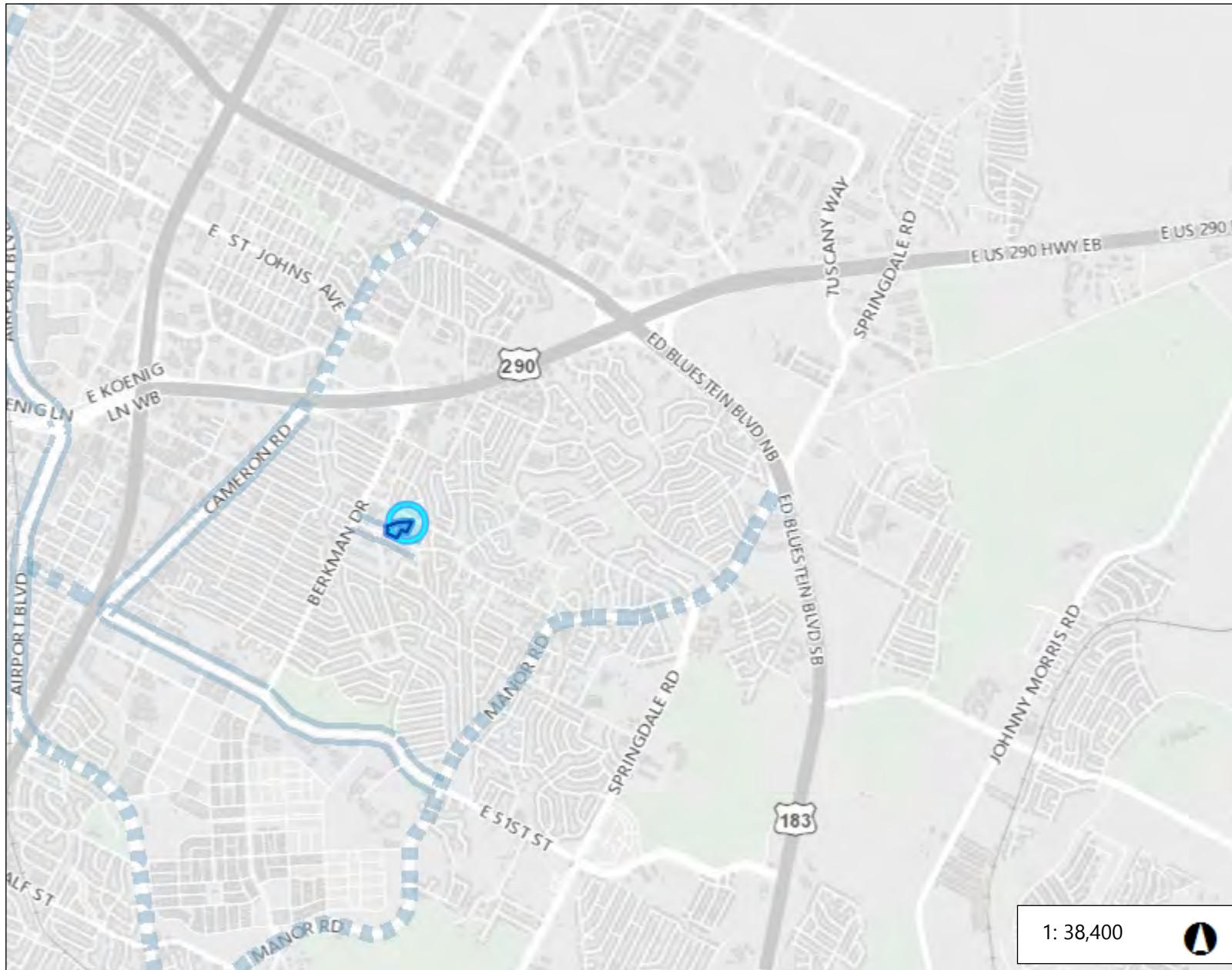
Notes



Property Profile

Required Attachments Legend

- Core Transit Corridors
- Future Core Transit Corridors



1: 38,400



1.2 0 0.61 1.2 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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Notes

REAL ESTATE APPRAISAL REPORT

PROPERTY ADDRESS: 1915 BRIARCLIFF BLVD, AUSTIN, TRAVIS COUNTY, TX 78723

PROPERTY: +/- PROPOSED 27-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT ON +/- 0.8289 ACRES

PROPERTY TAX ID: 220866

OWNER: AUSTIN AFFORDABLE HOUSING



Appraisal Prepared For:

**Melissa Orren
Executive Director
Accessible Housing Austin!
1640A East 2nd Street
Austin, Texas 78702**

As Of:

**September 26, 2017
August 1, 2019**

Prepared By:

**Lone Star Appraisals & Realty, Inc.
Chris P. Griesbach, MAI
State Certified General Real Estate Appraisers**



LONE STAR APPRAISALS & REALTY, INC.

October 2, 2017

Melissa Orren
 Executive Director
 Accessible Housing Austin!
 1640A East 2nd Street
 Austin, Texas 78702

RE: Appraisal of a proposed 27-unit multifamily residential development on a +/- 0.8289 acre lot located at 1915 Briarcliff Blvd, Austin, Travis County, TX 78723; LSAR File #6005c.cpg/mrd

Ms. Orren:

Per your instructions, we have prepared a real estate appraisal of the subject property. The appraisal has been presented herein in a narrative format at your request. We have inspected the subject property described above. At the request of the client, the subject will be valued on an **"As Is"** and **"As Complete and Stabilized"** basis.

For the purposes of this appraisal, the subject property is described as follows: a proposed 27-unit multifamily residential development on a +/- 0.8289 acre lot located at 1915 Briarcliff Blvd, Austin, Travis County, TX 78723. At the time of the appraiser's inspection, the subject site was an unimproved tract of land. A detailed description of the proposed multifamily residential development can be found in the body of this report. The appraiser estimates that the subject site features +/- 259 linear feet of frontage along the south side of Briarcliff Blvd.

This report was prepared in accordance with the assumptions and limiting conditions stated within the report and is intended to comply with the Uniform Standards of Professional Appraisal Practice as promulgated by The Appraisal Foundation. We will provide you with **"As Is"** and **"As Complete and Stabilized"** market values of the proposed multifamily residential development. The appraiser estimates that construction of the proposed improvements could be completed by August 1, 2019 according to the provided development schedule. The research and analysis necessary to furnish you with a market value recommendation for the subject property has been completed. Market value is defined within the body of this report.

Based upon the investigation and analysis of the data, the following represents our estimate of the **"As Is"** market value of the fee simple estate, as of September 26, 2017:

"AS IS"

EIGHT HUNDRED EIGHTY FIVE THOUSAND DOLLARS

(\$885,000)

Based upon the investigation and analysis of the data, the following represents our estimate of the **"As Complete and Stabilized"** market value of the fee simple estate, as of August 1, 2019:

"AS COMPLETE AND STABILIZED"

SEVEN MILLION NINE HUNDRED TWENTY FIVE THOUSAND DOLLARS

(\$7,925,000)

Your attention is directed to the following pages, which contain an analysis of the subject property in addition to information regarding the data utilized and the analysis of the appraiser in formulating the conclusions reported herein.

If you should have any questions or need additional information, please inform us of such. We appreciate the opportunity to be of service to you.

Respectfully submitted,
LONE STAR APPRAISALS & REALTY, INC.
Valuation Consultants



Chris P. Griesbach, MAI
Principal
State Certified (Texas)
TX-1321135-G

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SUMMARY OF SALIENT FACTS AND CONCLUSIONS

TCAD Parcel Number (Parent Tract):	220866
Site Size:	+/- 0.8289 acres or 36,108 square feet
Subject Improvements (Proposed):	Two (2) three-story multifamily residential buildings with a total of 27 units
Subject Size(s):	
Building A:	+/- 12,153 Square Feet - Gross Building Area (GBA)
Building B:	+/- <u>9,792</u> Square Feet - Gross Building Area (GBA)
Total:	+/- 21,945 Square Feet - Gross Building Area (GBA)
Net Rentable Area (NRA):	+/- 20,394 Square Feet
Property Owner:	Austin Affordable Housing
Location/Address:	1915 Briarcliff Blvd, Austin, Travis County, TX 78723
Effective Date(s) of Appraisal:	
As Is:	September 26, 2017
As Complete and Stabilized:	August 1, 2019
Date of Inspection:	September 26, 2017
Property Rights Appraised:	Fee Simple Estate
Current Zoning:	MF-2: Multi-Family Residence - Low Density
Frontage:	+/- 259 linear feet of frontage along the south side of Briarcliff Blvd
Floodplain:	0%
Highest and Best Use:	
As Vacant:	Develop the subject property with a multifamily residential use
As Improved:	Not Applicable - Vacant Land

VALUATION ESTIMATES: MARKET VALUE

The sales comparison approach to value has produced the following estimate of value **"As Is"**:

"AS IS" – LAND VALUE

"AS IS" LAND VALUE.....\$885,000

Based on the information contained in this report, it is our opinion that the subject property, as of September 26, 2017, has an estimated **"As Is"** market value of the **fee simple estate** of:

"AS IS"

EIGHT HUNDRED EIGHTY FIVE THOUSAND DOLLARS

(\$885,000)

The cost, sales comparison, and income capitalization approaches to value have produced the following estimates of value **"As Complete and Stabilized"**:

"AS COMPLETE AND STABILIZED" – MARKET VALUE

COST APPROACH\$7,925,000

SALES COMPARISON APPROACH.....\$7,965,000

INCOME CAPITALIZATION APPROACH\$7,890,000

INDICATED MARKET VALUE.....\$7,925,000

Based on the information contained in this report, it is our opinion that the subject property, as of August 1, 2019, has an estimated **"As Complete and Stabilized"** improved market value of the **fee simple estate** of:

"AS COMPLETE AND STABILIZED"

SEVEN MILLION NINE HUNDRED TWENTY FIVE THOUSAND DOLLARS

(\$7,925,000)

SUBJECT PHOTOGRAPHS



View of subject site looking northwest



View of subject site looking north



View of subject site looking east



View of subject site looking southeast



View of subject site looking southwest



View of Briarcliff Blvd frontage looking west, subject on left



CITY OF AUSTIN - ZONING VERIFICATION LETTER

For questions concerning zoning compliance or any development criteria contact the Development Assistance Center of the City of Austin at (512) 974-6370.

This letter is to verify that the parcel listed is covered by the listed zoning classification on the date the letter was created.

Party Requesting Verification

Name: Isabelle Headrick-Associate Housing Austin
Mailing Address:
1640- A E 2nd St.
Austin, Tx 78702

Tax Parcel Identification Number

Agency: TCAD
Parcel ID: 0222171506

Zoning Classification(s)

Find definitions at <http://www.austintexas.gov/page/zoning-districts>

MF-2-NP

Zoning Case Number(s)

Look up case info at https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp

C14-2007-0007

Zoning Ordinance Number(s)

Look up ordinances at <http://austintexas.gov/edims/search.cfm>

20070809-057

For Address Verification visit:

<http://austintexas.gov/addressverification>

To access zoning ordinance documentation visit:

<http://austintexas.gov/edims/search.cfm>

To access zoning overlay documentation (Land Development Code Chapter 25-2 Division 6) visit:

<http://austintexas.gov/department/austin-city-code-land-development-code>

<http://austintexas.gov/department/zoning>

This letter was produced by the City of Austin Communication Technology Management Department on behalf of the Planning and Development Review Department.

I, RoxAnne Parker, of the Communications and Technology Management Department for the City of Austin, do hereby certify that the above information reflects the data and records on file in this office.

A handwritten signature in cursive script, reading "RoxAnne Parker".

3/10/2015

836114
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**Amended and Restated Ground Lease
Of
Unit B, Gaston Place Condominiums
From
Austin Affordable Housing Corporation
To
Accessible Housing Austin!**

AMENDED AND RESTATED GROUND LEASE

This Amended and Restated Ground Lease is executed to be effective as of February 18, 2016, between Austin Affordable Housing Corporation, a Texas nonprofit corporation ("**Landlord**"), and Accessible Housing Austin!, a Texas nonprofit corporation ("**Tenant**").

Landlord and Tenant previously entered into that certain Ground Lease dated as of February 18, 2016, and hereby amend and restate that agreement in its entirety with this Amended and Restated Ground Lease.

ARTICLE 1. DEMISE OF LEASED PREMISES

Landlord is the owner of Unit B, together with an undivided interest in and to the common elements appurtenant thereto, of The Leisure Time Village – Gaston Place Condominiums, a condominium project in Travis County, Texas, according to the Condominium Declaration and attached plats and exhibits of record in Volume 9415, Page 331, of the Real Property Records of Travis County, Texas, as amended ("**Landlord's Property**").

Landlord and Tenant acknowledge that Landlord's Property is currently undeveloped.

In consideration of the mutual covenants and agreements of this lease, and other good and valuable consideration, Landlord demises and leases to Tenant, and Tenant leases from Landlord, Landlord's Property (referred to as the "**premises**" or the "**leased premises**" in this lease) for the purposes of Tenant's development and operation upon the Leased Premises of an affordable housing community.

Tenant is to have and to hold the premises, together with all rights, privileges, easements, appurtenances, and immunities belonging to or in any way appertaining to them, including but not limited to any easements, rights, title, and privileges of Landlord, existing now or at any time during the lease term, in, to, or under adjacent streets, sidewalks, alleys, party walls, and property contiguous to the premises and reversions that may later accrue to Landlord as owner of the premises by reason of the closing of any street, sidewalk, or alley.

ARTICLE 2. LEASE TERM

Fixed Beginning and Termination Date

§2.01. The term of this lease commences as of February 18, 2016 (the "Commencement Date") and expires at 11:59 o'clock P.M. on the day immediately before the ninety-ninth (99th) anniversary of the first (1st) day of the first (1st) full calendar month following the Commencement Date, unless terminating sooner as provided in this lease.

§2.02. Reserved

Termination

§2.03. This lease will terminate without further notice when the term specified in §2.01 expires, and any holding over by Tenant after that term expires will not constitute a renewal of the lease or give Tenant any rights under the lease in or to the premises.

Holdover

§2.04. If Tenant holds over and continues in possession of the premises after the lease term (or any extension) expires, Tenant will be considered to be occupying the premises on a month-to-month tenancy, subject to the terms of this lease.

ARTICLE 3. RENT

Minimum Yearly Rent

§3.01. Tenant will pay Landlord \$10.00 (ten dollars) per year commencing on the date of this lease and continuing as annual rent for using and occupying the premises.

Time and Manner of Payment

§3.02. Tenant will pay all rent due under this article on an annual basis. Such annual rent is due and payable in equal annual installments in advance on the first day of February. Payment must be in lawful money of the United States to the Landlord.

Interest on Delinquent Payments

§3.03. Rent Installments unpaid for thirty (30) days will bear interest at the rate of twelve percent annually, beginning on the day after each such installment was due and continuing until the installment is paid as provided in §3.02 above.

ARTICLE 4. TAXES

Payment by Tenant

§4.01. In addition to the rent specified in Article 3, if applicable, Tenant will pay and discharge all taxes, general and special assessments, and other charges of any kind levied on or assessed against the premises and all interests in the premises and all improvements and other property on them during the lease term, whether belonging to Landlord or to Tenant: Tenant will pay all the taxes, charges and assessments directly to the public officer charged with their collection not fewer than thirty (30) days before they become delinquent, and Tenant will indemnify Landlord and hold it harmless from all such taxes, charges, and assessments. Tenant may in good faith at its own expense (in its own name or in that of Landlord, or path, as Tenant may determine appropriate), contest any such taxes, charges, and assessments and must pay the contested amount, plus any penalty and interest imposed, if and when finally determined to be due.

Payment by Landlord

§4.02. At any time that the payment of any item of taxes, special assessments, or governmental charges that Tenant must pay under §4.01 remains unpaid and uncontested later than thirty (30) days before it becomes delinquent, Landlord may give written notice

to Tenant of its default under §4.01, specifying the default if Tenant continues to fail to pay the taxes, special assessments, or governmental charges, or to contest them in good faith within ten (10) days after the written notice, Landlord may pay the items specified in the notice, and Tenant will, on demand, reimburse Landlord any amount paid or expended by Landlord for this purpose, with interest on the amount at the rate of ten percent annually from the date of Landlord's payment until reimbursement by Tenant.

ARTICLE 5. UTILITIES

Tenant will pay or cause to be paid all charges for water, heat, gas, electricity, sewers, and all other utilities used on the premises throughout the lease term, including any connection fees.

ARTICLE 6. USE OF PREMISES

Permitted and Prohibited Use of Premises

§6.01. Tenant may use the premises for the purpose of constructing and operating an affordable housing community and for no other purpose without the prior written consent of Landlord. Under no circumstances during the term of this lease will Tenant use or cause to be used in the business operated on the premises any hazardous or toxic substances or materials, or store or dispose of any such substances or materials on the premises.

Illegal Use Not Permitted

§6.02. Tenant may not use all or any part of the premises or any building situated on them for any use or purpose that violates any valid and applicable law, regulation, or ordinance of the United States, the State of Texas, the County of Travis, the City of Austin or other lawful authority with jurisdiction over the premises. Tenant is not considered to have violated this provision unless:

- a. Landlord has notified Tenant in a writing specifying the alleged violation;
 - b. There has been a final adjudication by a court of competent jurisdiction that the specified use violates the law, regulation, or ordinance specified in the notice;
 - c. The specified law, regulation, or ordinance is valid and applies to the premises;
- and
- d. Tenant has had a reasonable time after the final adjudication to cure the specified violation.

ARTICLE 7. CONSTRUCTION BY TENANT

General Conditions

§7.01. Tenant may, at any time and from time to time during the lease term, erect, maintain, alter, remodel, reconstruct, rebuild, the parking lots and parking structures, perimeter fence and other improvements on the premises. Tenant can correct and change the contour of the premises, subject to the following:

- a. Tenant bears the cost of any such work; and
- b. The premises must at all times be kept free of mechanics and material men's liens.

Easements, Dedications, Zoning and Restrictions

§7.02. Landlord must cooperate with Tenant concerning easements, dedications, zoning, and restrictions of the premises as follows:

a. Easements and Dedications. To provide for the more orderly developments of the premises, it may be necessary, desirable, or required that street, water, sewer, drainage, gas, power lines, and other easements and dedications and similar rights be granted or dedicated over or within portions of the premises. Landlord must, on Tenant's request, join with Tenant in executing and delivering the documents, from time to time, and throughout the lease term, as may be appropriate, necessary, or required by the several governmental agencies, public utilities, and companies for the purpose of granting the easements and dedications. Any documents for Landlord's execution must be in form acceptable to Landlord.

b. Zoning. If Tenant considers it necessary or appropriate to obtain use, zoning, or subdivision and precise plan approval and permits for the premises or any part of them Landlord will execute the documents, petitions, applications, and authorizations as are appropriate or required to submit the premises, or any part of them, for the purposes of obtaining conditional use permits, zoning and rezoning, tentative and final tract approval, precise plan approval, and further, for the purposes of annexation to or the creation of districts and governmental subdivisions. Landlord will execute these documents from time to time as requested by Tenant, in form acceptable to Landlord.

c. Restrictions. At Tenant's request, Landlord will, from time to time, execute and deliver or join in the execution and delivery of the documents that are appropriate, necessary, or required to impose on the premises covenants, conditions, and restrictions providing for the granting of exclusive uses of the premises, or any part of them; the establishment of common and parking areas; the establishment of party walls; provisions for enlarging the common and parking areas by establishing mutual and reciprocal parking rights and the rights of ingress and egress; and other like matters, all of which are for the purpose of orderly development of the premises. Any documents for Landlord's execution must be in form acceptable to Landlord.

d. Expenses. Tenant exclusively bears the cost and expense of any action required of Landlord under subparagraphs a through c, above.

§7.03. Reserved.

Landlord's Approval of Plans

§7.04. The following rules govern Landlord's approving construction, additions, and alterations of buildings or other improvements on the premises:

a. Written Approval Required. No building or other improvement may be constructed on the premises unless the plans, specifications, and proposed location of the building or other improvement has received Landlord's written approval and the building or other improvement complies with the approved plans, specifications, and proposed

location. No material addition to or alteration of any building or structure erected on the premises may be begun until plans and specifications covering the exterior of the proposed addition or alteration have been first submitted to and approved by Landlord.

b. **Submission of Plans.** Tenant must, at its own expense, engage a licensed architect or engineer to prepare plans and specifications for constructing the proposed improvements and constructing any other buildings or improvements or additions or alterations to any buildings or improvements that require Landlord's approval under subparagraph a above. Tenant must submit copies of detailed working drawings, plans, and specifications for constructing any improvements for the Landlord's approval prior to construction commencement. If Tenant wishes to construct any other buildings or improvements or make any additions or alterations to buildings or improvements for which Landlord's approval is required under Subsection (a) above, Tenant must submit copies of detailed working drawings, plans, and specifications for any such projects for Landlord's approval before the project begins.

c. **Landlord's Approval.** Landlord will promptly review and approve all plans submitted under subparagraph b above or note in writing any required changes or corrections that must be made to the plans. Minor changes in work or materials not affecting the general character of the building project may be made at any time without Landlord's approval, but a copy of the altered plans and specifications must be furnished to Landlord.

d. **Exception to Landlord's Approval.** The following items do not require submission to, and approval by, Landlord:

i. Minor repairs and alterations necessary to maintain existing structures and improvements in a useful state of repair and operation; and

ii. Changes and alterations required by an authorized public official with authority or jurisdiction over the buildings or improvements, to comply with legal requirements.

e. **Effect of Approval.** Landlord's approval of any plans and specifications applies only to the conformity of the plans and specifications to the general architectural plan for the premises, and Landlord may not unreasonably withhold approval. Landlord's approval does not constitute approval of the architectural or engineering design, and Landlord, by approving the plans and specifications, assumes no liability or responsibility for the architectural or engineering design or for any defect in any building or Improvement constructed from the plans or specifications.

Ownership of Buildings, Improvements, and Fixtures

§7.05. The buildings, improvements, additions, alterations, fixtures, furniture, and trade fixtures constructed, placed or maintained on any part of the leased premises and during the lease term are considered part of the real property of the premises and must remain on the premises and become Landlord's property when the lease terminates unless extended as provided by §2.02.

**ARTICLE 8. ENCUMBRANCE OF LEASEHOLD ESTATE
AND
LEASEHOLD MORTGAGE REQUIREMENTS**

Tenant's Right to Encumber

§8.01. Landlord acknowledges and agrees that it will not be possible for the Tenant to construct the improvements without obtaining a loan or loans from one or more persons or entities in order to finance the constructions of said improvements and the development of the Project. Therefore, Tenant may, at any time and from time to time, encumber the leasehold interest, by deed of trust, mortgage, or other security instrument, without obtaining Landlord's consent. No encumbrance shall be permitted against Landlord's fee estate, and no such encumbrance constitutes a lien on Landlord's fee title interest. Provided, however, and notwithstanding anything contained herein to the contrary, Landlord shall not be required to suffer, incur, accept or assume any personal liability for any such financing, loans or indebtedness, or any costs or expenses thereof, or any other indebtedness or liability of Tenant thereunder, and any mortgage, assignments of rents and leases, security agreements, and other collateral or security documents or instruments of any nature whatsoever which the Landlord may be called upon to join in, execute and/or deliver under and pursuant to this section shall expressly exculpate Landlord from and against any and all such personal liability. Tenant shall be entitled to record any Land Use Restriction Agreement required by the Texas Department of Housing and Community Affairs.

ARTICLE 9. REPAIRS, MAINTENANCE, AND RESTORATION

Tenant's Duty to Maintain and Repair

§9.01. At all times during the lease term, Tenant will keep and maintain, or cause to be kept and maintained, all buildings and improvements erected on the premises in a good state of appearance and repair (except for reasonable wear and tear) at Tenant's own expense.

Damage or Destruction

§9.02. If any building or improvement constructed on the premises is damaged or destroyed by fire or any other casualty, regardless of the extent of the damage or destruction, Tenant must, unless stated otherwise in Tenant's leasehold mortgage, within one year from the date of the damage or destruction, begin to repair, reconstruct or replace the damaged or destroyed building or improvement and pursue the repair, reconstruction, or replacement with reasonable diligence so as to restore the building to substantially the condition it was in before the casualty. But if beginning or completing this restoration is prevented or delayed by war, civil commotion, acts of God, strikes, government restrictions or regulations, or interferences, fire or other casualty, or any other reason beyond Tenant's control, whether similar to any of those enumerated or not, the time for beginning or completing the restoration (or both) will automatically be extended for the period of each such delay.

ARTICLE 10. MECHANICS' LIENS

Tenant will not cause or permit any mechanics' liens or other liens to be filed against the fee of the premises or against Tenant's leasehold interest (excluding a leasehold mortgage) in the land or any buildings or improvements on the premises by reason of any work, labor, services, or materials supplied or claimed to have been supplied to Tenant or anyone holding the premises or any part of them through or under Tenant. If such a mechanic's lien or material man's lien is recorded against the premises or any buildings or improvements on them, Tenant must either cause it to be removed or, if Tenant in good faith wishes to contest the lien, take timely action to do so, at Tenant's sole expense. If Tenant contests the lien, Tenant will indemnify Landlord and hold it harmless from all liability for damages occasioned by the lien or the lien contest and will, in the event of a judgment of foreclosure on the lien, cause the lien to be discharged and removed before the judgment is executed.

ARTICLE 11. CONDEMNATION

Parties' Interests

§11.01. If the premises or any part of them are taken for public or quasi-public purposes by condemnation as a result of any action or proceeding in eminent domain, or are transferred in lieu of condemnation to any authority entitled to exercise the power of eminent domain, this article governs Landlord's and Tenant's interests in the award or consideration for the transfer and the effect of the taking or transfer on this lease. Any award or consideration paid to Tenant will be subject to Tenant's leasehold mortgage.

Total Taking—Termination

§11.02. If the entire premises are taken or so transferred as described in §11.01 this lease and all of the rights, titles, and interests under it will cease on the date that title to the premises or part of them vests in the condemning authority, and the proceeds of the condemnation will be the property of Landlord with the exception of the cost of improvements constructed by Tenant.

Partial Taking—Termination

§11.03. If only part of the premises is taken or transferred as described in §11.01, this lease will terminate if in Tenant's opinion (with the consent of Tenant's Lender, if any), the remainder of the premises is in such a location, or is in such form, shape, or reduced size, that Tenant's business cannot be effectively and practicably operated on the remaining premises. In that event, this lease and all rights, title, and interest under it will cease on the date that title to the portion of the premises taken or transferred vests in the condemning authority. The proceeds of the condemnation will be divided between Landlord and Tenant, subject to Tenant's leasehold mortgage. The proceeds payable to Tenant, subject to Tenant's leasehold mortgage, shall reimburse Tenant for its cost to construct the improvements.

Partial Taking—Continuation With Rent Abatement

§11.04. If part of the premises is taken or transferred as described in §11.01 and, in Tenant's opinion (with the consent of Tenant's Lender, if any), the remainder of the

premises is in such a location and in such form, shape, or size that Tenant's business can be effectively and practicably operated on the remaining premises, this lease will terminate with respect to the portion of the premises taken or transferred as of the date title to such portion vests in the condemning authority but will continue in full force with respect to the portion of the premises not taken or transferred.

Voluntary Conveyance

§11.05. Nothing in this article prohibits Landlord from voluntarily conveying all or part of the premises to a public utility, agency, or authority under threat of a taking under the power of eminent domain. Any such voluntary conveyance will be treated as a taking within the meaning of this article.

ARTICLE 12. INSURANCE AND INDEMNIFICATION

Insurance on Buildings and Improvements

§12.01. At all times during the lease term, Tenant will keep all buildings and other improvements located or being constructed on the premises insured against loss or damage by fire, with extended- coverage endorsement or its equivalent. This insurance is to be carried by insurance companies authorized or admitted to transact business in Texas with a Best's Insurance Rating of B or better, selected by Tenant and approved by Landlord and any lender under Article 8. The insurance must be paid for by Tenant and will be in amounts not less than Eighty (80%) percent of the full insurable value of the buildings and other improvements. The insurance policy or policies must name both Landlord and Tenant as named insured.

Liability Insurance

§12.02. At all times during the lease term, Tenant will provide and keep in force liability insurance covering Landlord and Tenant for liability for property damage and personal injury. This insurance is to be carried by one or more insurance companies duly authorized or admitted to transact business in Texas with a Best's Insurance Rating of B or better, selected by Tenant and approved by Landlord, and will be paid for by Tenant. The insurance provided under this section must be in the amount of not less than Two Hundred and Fifty Thousand Dollars (\$250,000) for property damage and not less than One Million Dollars (\$1,000,000) for one person and not less than Two Million Dollars (\$2,000,000) for personal injury. This insurance will protect Landlord and Tenant against liability to any employees or servants of Tenant and to any other person or persons whose property damage or personal injury arises out of or in connection with the occupation, use, or condition of the premises.

Construction Builders Risk and Liability Insurance

§12.03. Tenant will obtain and maintain (to the extent reasonably procurable) construction liability insurance at all times when demolition, excavation, or construction work is in progress on the premises. Tenant shall require its General Contractor to carry Builders Risk and Liability Insurance during the construction of the project and related improvements. This insurance must be carried by insurance companies authorized or admitted to transact business in Texas with a Best's Insurance Rating of B or better,

selected by Tenant and approved by Landlord, and must be paid for by Tenant. The insurance will have limits of not less than Two Hundred and Fifty Thousand Dollars (\$250,000) property damage and One Million Dollars (\$1,000,000) for one person and Two Million Dollars (\$2,000,000) general aggregate applying to personal injury and must protect Landlord and Tenant, as well as any other person or persons Tenant may designate, against all liability for injury or damage to any person or property in any way arising out of demolition, excavation, or construction work on the premises.

Insurance Certificates

§12.04. Tenant must furnish Landlord with certificates of all insurance required by this article. If Tenant does not keep this insurance in full force, Landlord may notify Tenant of this failure, and if Tenant does not deliver to Landlord certificates showing all such insurance to be in full force within ten (10) days after this notice, Landlord may, at its option, take out or pay the premiums on the insurance needed to fulfill Tenant's obligations under this article. On Landlord's demand, Tenant must reimburse Landlord the full amount of any insurance premiums paid by Landlord under this section, with interest at the rate of ten (10%) percent annually from the date of Landlord's demand until reimbursement by Tenant.

Insurance Proceeds

§12.05. All insurance proceeds (other than any proceeds which are separately paid on account of any damage to or destruction of Tenant's personal property, inventory or work-in-process, all of which shall be paid to Tenant) payable as a result of such casualty under policies of insurance held by or for the account of Tenant pursuant to this Article 12 against such casualty and received by Tenant (less such reasonable attorneys' fees or other expenses as are incurred by the Landlord or Tenant in the collection thereof, which shall be paid out of such proceeds), shall be paid to the lender or a trustee it designates, to be used first to restore the Improvements, if so required under the relevant loan documents. Any remainder shall be disbursed to the Lender to the extent required by its loan documents. In the case of a casualty, this Lease shall continue.

Indemnification of Landlord

§12.06. Landlord is not liable for any loss, damage, or injury of any kind to any person or property arising from any use of the premises (or any part of them), or caused by any defect in any building, structure, improvement, equipment, or facility on the premises or caused by or arising from any act or omission of Tenant, or of any of its agents, employees, licensees, or invitees, or by or from any accident, fire, or other casualty on the land, or brought about by Tenant's failure to maintain the premises in safe condition. TENANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS LANDLORD AND LANDLORD'S RELATED PARTIES FROM THIRD PARTY CLAIMS AND AGAINST AND FROM ANY AND ALL LIABILITY, CLAIM OF LIABILITY OR EXPENSE ARISING OUT OF OR IN ANY WAY CONNECTED WITH (A) THE USE, OCCUPANCY, CONDUCT, OPERATION OR MANAGEMENT OF THE PREMISES DURING THE TERM, OR (B) ANY WORK OR THING WHATSOEVER DONE OR NOT DONE ON THE PREMISES DURING THE TERM, OR (C) ANY BREACH OR DEFAULT BY TENANT IN PERFORMING ANY OF ITS

OBLIGATIONS UNDER THIS LEASE OR APPLICABLE LEGAL REQUIREMENTS, OR (D) ANY NEGLIGENT, INTENTIONALLY TORTIOUS OR OTHER ACT OR OMISSION OF TENANT OR ANY OF THE TENANT RELATED PARTIES DURING THE TERM, OR (E) ANY INJURY TO OR DEATH OF ANY PERSON, OR DAMAGE TO ANY PROPERTY, OCCURRING ON THE PREMISES DURING THE TERM (WHETHER OR NOT SUCH EVENT RESULTS FROM A CONDITION EXISTING BEFORE THE EXECUTION OF THIS LEASE EXPRESSLY) OR (F) ANY DEFAULT OR BREACH BY TENANT OF ANY MORTGAGE, WHETHER OR NOT SUCH DEFAULT OR BREACH IS CLAIMED OR ASSERTED BY THE LEASEHOLD MORTGAGEE, AND FROM AND AGAINST ALL REASONABLE EXPENSES AND LIABILITIES INCURRED IN CONNECTION WITH ANY SUCH CLAIM OR ANY ACTION OR PROCEEDING BROUGHT THEREON (INCLUDING BUT NOT LIMITED TO THE REASONABLE FEES OF ATTORNEYS, INVESTIGATORS AND EXPERTS), ALL REGARDLESS OF WHETHER SUCH CLAIM IS ASSERTED DURING OR AFTER THE EXPIRATION DATE. THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS LEASE. **THE INDEMNITY CONTAINED IN THIS PARAGRAPH (a) IS INDEPENDENT OF TENANT'S INSURANCE, (b) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS, (c) WILL SURVIVE THE END OF THE TERM, AND (d) WILL APPLY EVEN IF AN INJURY IS CAUSED IN WHOLE OR IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF LANDLORD BUT WILL NOT APPLY TO THE EXTENT AN INJURY IS CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF LANDLORD.**

ARTICLE 13. ASSIGNMENT AND SUBLEASE

Without Landlord's prior written consent, Tenant may not sell or assign its leasehold estate in its entirety or any portion of it. Tenant during its normal course of business may lease the apartment units to its tenants and sublet the common area premises or any portion of them or any portion of any building or other improvement erected on the premises, at any time and from time to time, and the rights of Tenant or its successor or assignee, may pass by operation of law, but each such transfer, assignment, or sale is subject to Tenant's obligations to Landlord under this lease and will not release Tenant from its obligations under this lease.

ARTICLE 14. DEFAULT AND REMEDIES

Termination on Default

§14.01. If Tenant defaults in performing any covenant or term of this lease and does not correct the default within sixty (60) days after receipt of written notice from Landlord to Tenant, Landlord may declare this lease, and all rights and interest created by it, terminated. If Landlord elects to terminate, this lease will cease as if the day of Landlord's election were the day originally fixed in the lease for its expiration. Landlord or its agent or attorney may resume possession of the premises and re-let them for the

remainder of the term at the best rent obtainable for the account of Tenant, who must make good any deficiency.

Other Remedies

§14.02. Any termination of this lease as provided in this article will not relieve Tenant from paying any sum or sums due and payable to Landlord under the lease at the time of termination, or any claim for damages then or previously accruing against Tenant under this lease. Any such termination will not prevent Landlord from enforcing the payment of any such sum or sums or claim for damages by any remedy provided for by law, or from recovering damages from Tenant for any default under the lease. All Landlord's rights, options, and remedies under this lease will be construed to be cumulative, and no one of them is exclusive of the other, Landlord may pursue any or all such remedies or any other remedy or relief provided by law, whether or not stated in this lease. No waiver by Landlord of a breach of any of the covenants or conditions of this lease may be construed a waiver of any succeeding or preceding breach of the same or any other covenant or condition of this lease.

ARTICLE 15. LANDLORD'S WARRANTIES AND COVENANTS

Warranty of Title

§15.01. Landlord warrants that it is the owner in fee simple absolute of Landlord's Property, subject to any and all matters of record in Travis County, Texas.

Warranty of Quiet Enjoyment

§15.02. Landlord covenants that as long as Tenant pays the rent and other charges under this lease and observes the covenants and terms of this lease, Tenant will lawfully and quietly hold, occupy and enjoy the premises during the lease term without being disturbed by Landlord or any person claiming under Landlord, except for any portion of the premises that is taken under the power of eminent domain.

ARTICLE 16. GENERAL PROTECTIVE PROVISIONS

Right of Entry and inspection

§16.01. Tenant must permit Landlord or its agents, representatives, or employees to enter the premises for the purposes of inspection; determining whether Tenant is complying with this lease; maintaining, repairing, or altering the premises; or showing the premises to prospective tenants, purchasers, mortgagees, or beneficiaries under trust deeds.

No Partnership or Joint Venture

§16.02. The relationship between Landlord and Tenant is at all times solely that of Landlord and Tenant and may not be deemed a partnership or a joint venture.

§16.03. Reserved.

No Termination on Bankruptcy

§16.04. Bankruptcy, insolvency, assignment for the benefit of creditors, or the appointment of a receiver will not affect this lease as long as Tenant and Landlord or their respective successors or legal representatives continue to perform all covenants of this lease.

No Waiver

§16.05. No waiver by either party of any default or breach of any covenant or term of this lease may be treated as a waiver of any subsequent default or breach of the same or any other covenant or term of this lease.

Release of Landlord

§16.06. If Landlord sells or transfers all or part of the premises and as a part of the transaction assigns its interest as Landlord in this lease, then as of the effective date of the sale, assignment, or transfer, Landlord will have no further liability under this lease to Tenant, except with respect to liability matters that have accrued and are unsatisfied as of that date. Underlying this release is the parties' intent that Landlord's covenants and obligations under this lease will bind Landlord and its successors and assigns only during and in respect of their respective successive periods of ownership of the fee.

Joint and Several Liability

§16.07. If this lease names more than one Tenant or Landlord, the obligation of all such Tenants or Landlords is joint and several.

ARTICLE 17. MISCELLANEOUS

Delivery of Rents and Notices

§17.01. All rents or other sums, notices, demands, or requests from one party to another may be personally delivered or sent by mail, certified or registered, postage prepaid, to the addresses stated in this section and are considered to have been given at the time of personal delivery or of mailing.

All payments, notices, demands, or requests from Tenant to Landlord should be mailed to Landlord at 1124 S IH 35, Austin, Texas 78704, or at such other address or fax number as Landlord requests in writing.

All payments, notices, demands, or requests from Landlord to Tenant should be mailed to Tenant at 1640-A E. 2nd Street, Austin, Texas 78702, or at such other address or fax number as Tenant requests in writing.

Multiple Parties

§17.02. If this lease names more than one Landlord or Tenant, service of any notice on any one Tenant or Landlord is considered service on all Tenants or Landlords, respectively.

Limited Third Party Rights

§17.03. Notwithstanding anything to the contrary set forth in this lease, the investor limited partner shall be deemed a third-party beneficiary of this for the sole and exclusive purpose of entitling the investor limited partner to exercise its rights to notice and cure, as expressly stated herein. The foregoing rights of the investor limited partner to be a third-party beneficiary under this lease shall be the only rights of investor limited partner (express or implied) to be a third-party beneficiary under this lease. Additionally, notwithstanding anything to the contrary set forth in this lease, a permitted leasehold mortgagee shall be deemed a third-party beneficiary of the this lease in such circumstances as the provisions of this lease expressly grant third party rights to a permitted leasehold mortgagee, and such shall be the only circumstances under which a permitted leasehold mortgage is granted third party rights (expressed or implied) under this lease.

Parties Bound

§17.04. This agreement binds, and inures to the benefit of, the parties to the lease and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

Texas Law to Apply

§17.05. This agreement is to be construed under Texas law, and all obligations of the parties created by this lease are performable in Travis County, Texas.

Legal Construction

§17.06. If any one or more of the provisions contained in this agreement are for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability will not affect any other provision of the lease, which will be construed as if it had not included the invalid, illegal, or unenforceable provision.

Prior Agreements Superseded

§17.07. This agreement constitutes the parties' sole agreement and supersedes any prior understandings or written or oral agreements between the parties with respect to the subject matter.

Amendment

§17.08. No amendment, modification, or alteration of this lease is binding unless in writing, dated subsequent to the date of this lease, and duly executed by the parties.

Rights and Remedies Cumulative

§17.09. The rights and remedies provided by this lease agreement are cumulative, and either party's using any right or remedy will not preclude or waive its right to use any other remedy. The rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

Attorneys' Fees and Costs

§17.10. This Agreement shall be binding upon the parties hereto and their successors and assigns and shall be construed, interpreted and enforced in accordance with the laws of the State of Texas, without giving effect to its conflict of laws provisions. Venue of any legal proceedings hereunder shall be in Travis County, Texas.

If, as a result of either party's breaching this agreement, the other party employs an attorney to enforce its rights under this lease and it becomes necessary to file a lawsuit to enforce its rights under this agreement or any provision herein, the party prevailing such action shall be entitled to recover, in addition to all other remedies or damages, reasonable attorney's fees pertaining to such lawsuit.

Time of Essence

§17.11. Time is of the essence of this agreement.

Estoppel Certificate

§17.12. Each party hereto shall, at any time and from time to time within fifteen (15) days after being requested to do so by the other party and/or Lender in writing, execute, acknowledge, and address and deliver to the requesting party (or, at the latter's request, to any existing or prospective lender, transferee or other assignee of the requesting party's interest in the premises or under this lease which acquires such interest in accordance with this lease) a certificate in recordable form, certifying (a) that this lease is unmodified and in full force and effect (or, if there has been any modification thereof, that it is in full force and effect as so modified, stating therein the nature of such modification); (b) that Tenant has accepted possession of the premises, and the date on which the term of this lease commenced; (c) as to the dates to which rent and other charges arising hereunder have been paid; (d) as to the amount of any prepaid rent or any credit due to Tenant hereunder; (e) as to whether, to the best of such party's knowledge, information and belief, the requesting party is then in default in performing any of its obligations hereunder (and, if so, specifying the nature of each such default); (f) as to any other fact or condition reasonably requested by the requesting party; and (g) acknowledging and agreeing that any statement contained in such certificate may be relied upon by the requesting party and any such other addressee.

[SIGNATURE PAGE FOLLOWS]

THIS LEASE has been executed by the parties on the date and year first above written.

LANDLORD:

**AUSTIN AFFORDABLE HOUSING
CORPORATION,**

a Texas nonprofit corporation

By: 

Ron Kowal
Vice President

TENANT:

ACCESSIBLE HOUSING AUSTIN!,

a Texas nonprofit corporation

By: 

Jolene Keene
Executive Director

As consented to by:

**THE LEISURE TIME VILLAGE – GASTON PLACE CONDOMINIUMS
HOMEOWNERS ASSOCIATION, INC.**

By: 

Michael Gerber
President



Environmental Services, Inc.

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT
APPROXIMATELY 2.51-ACRE AHA TRACT
1915 BRIARCLIFF BOULEVARD
AUSTIN, TRAVIS COUNTY, TEXAS
HJN 170147 PI**

PREPARED FOR:

**ACCESSIBLE HOUSING AUSTIN!
AUSTIN, TEXAS**

PREPARED BY:

HORIZON ENVIRONMENTAL SERVICES, INC.

AUGUST 2017

170147 PI

CORPORATE HEADQUARTERS
1507 S Interstate 35 ★ Austin, TX 78741-2502 ★ (512) 328-2430 ★ www.horizon-esi.com
An LJA Company

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EXECUTIVE SUMMARY

ASTM-SCOPE FINDINGS AND RECOMMENDATIONS

Per request by Accessible Housing Austin! (AHA) of Austin, Texas (the User), Horizon Environmental Services, Inc. (Horizon) has performed a Phase I Environmental Site Assessment (ESA) for the approximately 2.51-acre tract located at 1915 Briarcliff Boulevard, Austin, Travis County, Texas (the Property). All work was done in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E1527-13 (ASTM, 2013). This assessment was conducted under the supervision or responsible charge of Greg Sherrod, Environmental Professional. Jeremy Mantooth performed the site reconnaissance on 21 August 2017. Any exceptions to, or deletions from, ASTM Practice E1527-13 are described in Section 8.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the Property.

The following findings are worthy of note but are not considered recognized environmental conditions:

NON-REC FINDINGS

Figure 6-1 Map ID	Appendix C Photo Number(s)	Description	REC, CREC, or HREC?*
A	1, 4 – 6, 8	The Leisure Time Village condominium complex was observed on the central portion of the Property, with multiple heating, ventilation, and air conditioning (HVAC) units and associated asphalt parking lot.	No
B	2, 4, 6	Two pad-mounted transformers and one pole-mounted transformer were observed near the southern and northern portions of the Property, respectively.	No
F	10	Two gasoline pumps were observed on the immediately adjacent site to the west of the Property.	No
G	9	One aboveground storage tank (AST) likely to contain used oil was observed to the north of the Property, across Briarcliff Boulevard.	No

* REC = recognized environmental condition
CREC = controlled recognized environmental condition
HREC = historical recognized environmental condition

Based upon a review of regulatory records, historical use information, interviews, User-provided information, and a site reconnaissance, the Property was found to have a low probability for environmental risk related to significant levels of hazardous substances or petroleum products.



VAPOR ENCROACHMENT SCREENING

Per request by the User, Horizon has also performed a Tier I Vapor Encroachment Screening in conjunction with the Phase I ESA for the Property. All work was done in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E 2600-10 (ASTM, 2010). Based upon a review of regulatory records, historical use information, interviews, User-provided information, and a site reconnaissance, the Property was found to have a low probability for environmental risk related to VECs, and Horizon recommends no additional investigations, studies, or sampling efforts at the time of this report.

1.0 INTRODUCTION

Per request by Accessible Housing Austin! (AHA) of Austin, Texas (the User), Horizon Environmental Services, Inc. (Horizon) has performed a Phase I Environmental Site Assessment (ESA) for the approximately 2.51-acre tract located at 1915 Briarcliff Boulevard, Austin, Travis County, Texas (the Property). All work was done in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E1527-13 (ASTM, 2013). This assessment was conducted under the supervision or responsible charge of Greg Sherrod, Environmental Professional. Jeremy Mantooth performed the site reconnaissance on 21 August 2017.

Horizon has pursued all appropriate inquiry into previous ownership and uses of the Property according to customarily accepted, sound professional practices and procedures as defined in 40 Code of Federal Regulations (CFR) Part 312. Horizon has obtained as much information as is “reasonably ascertainable,” as defined by ASTM Practice E1527-13. Horizon assumes no responsibility for the accuracy of information provided by the User (or User’s agent) or federal, state, or local agency file information. Horizon is not required to verify independently the accuracy of information obtained during this Phase I ESA, but has relied on the information unless Horizon has actual knowledge that certain information is incorrect or unless it is obvious that certain information is incorrect based on other information obtained during the Phase I ESA or otherwise actually known to Horizon. Horizon did compare information obtained from different sources for consistency.

Horizon has observed the Property in an effort to identify recognized environmental conditions. The site reconnaissance included observation of physical conditions of the land, as well as any structures on or improvements of the Property, as accessible, for potential indicators of recognized environmental conditions. Horizon also observed adjoining properties, to the extent physically possible from the boundary of the Property, in an effort to detect the presence of recognized environmental conditions that may have the potential to impact the Property.

1.1 PURPOSE

ASTM Practice E1527-13 is intended to satisfy one of the requirements to qualify for the “innocent landowner” defense to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability. The purpose of the Phase I ESA is to identify “recognized environmental conditions” in connection with the Property. This includes the presence or likely presence of any hazardous substances or petroleum products, as defined by CERCLA (42 USC §9601), on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the Property or into the ground, groundwater, or surface water of the Property.

The term “recognized environmental conditions” includes hazardous substances or petroleum products, even under conditions in compliance with laws. However, the term is not



intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that, generally, would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not recognized environmental conditions. Some substances may be present on the Property in quantities and under conditions that may lead to contamination of the Property or of nearby properties, but are not included in the CERCLA definition of hazardous substances or do not otherwise present potential CERCLA liability.

1.2 SCOPE OF SERVICES

Horizon performs its Phase I ESAs in conformance with the scope and limitations of ASTM Practice E1527-13. A detailed scope of this service is provided in Appendix A. Any significant data gaps or deviations from this scope are reported in Sections 7.0 and 8.0 of this document. Horizon did conduct additional ASTM-scope assessments during this Phase I ESA at the request of the User (see Section 12 of this report).

1.3 USER RELIANCE

Within the scope and limitations of ASTM Practice E1527-13, Accessible Housing Austin! may rely on the results of this Phase I ESA regarding the potential for hazardous substance liabilities on the Property as of the date of its preparation. Horizon assumes no responsibility for liabilities or costs that may arise in the future due to features/conditions that could not have been reasonably identified at the time the work reported herein was performed.

2.0 DESCRIPTION OF THE PROPERTY

2.1 LOCATION AND LEGAL DESCRIPTION

The Property is located at 1915 Briarcliff Boulevard, Austin, Travis County, Texas (Figure 2-1). The Property is legally described as "Lot 2-B-2b, Block E, Delwood Terrace Commercial Area subdivision." A copy of the legal description, as provided by the User, is included in Appendix B.

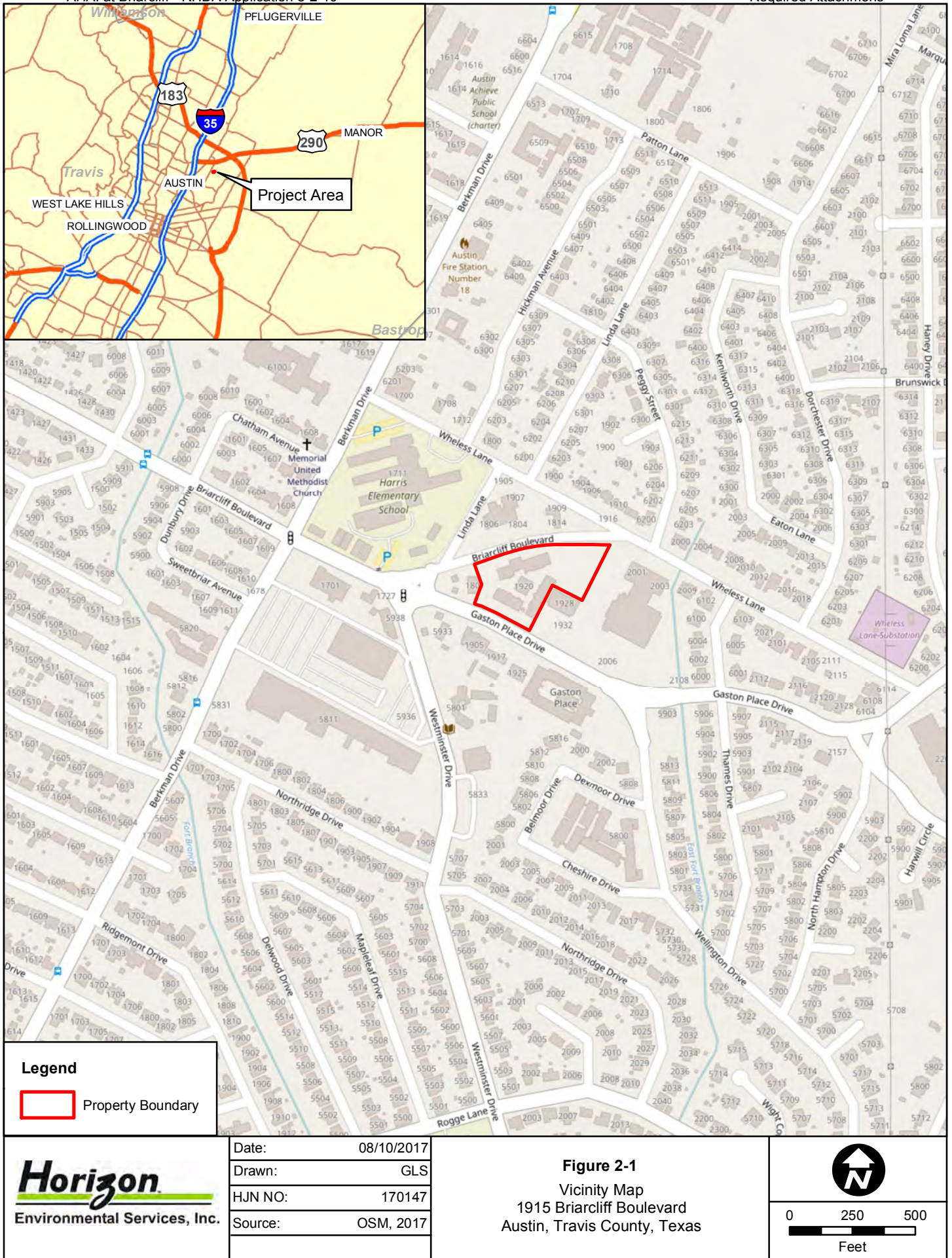
2.2 SITE AND VICINITY GENERAL CHARACTERISTICS

The Property consists of approximately 2.51 acres of vacant and residential land located within an area that is surrounded by residential and commercial development. On-site photographs are provided in Appendix C.

2.3 CURRENT USE OF THE PROPERTY

Current land use on the Property is vacant and residential, with vacant land on the northeastern portion of the Property and a multi-family residential complex on the central portion of the Property.

Any structures, roads, and/or improvements of the Property, as well as current uses of adjoining properties, are discussed within Section 6.2 of this report. An aerial view of the Property and adjacent land use, dated 2016, is provided in Section 4.4.1.2.





3.0 USER-PROVIDED INFORMATION

3.1 TITLE RECORDS

Horizon obtained the historical chain-of-title documentation reviewed for this Phase I ESA on the User's behalf. The chain-of-title review is discussed in Section 4.4.1 (Standard Historical Sources), and a copy is provided in Appendix E (Historical Research Documentation).

3.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

The User reported no knowledge of any environmental liens or activity and use limitations (AULs) for the Property (see User Questionnaire, Appendix B). The User reported that a search for environmental liens and/or AULs was not conducted prior to this assessment.

3.3 SPECIALIZED KNOWLEDGE

No specialized knowledge or experience related to the Property or nearby properties was reported to Horizon by the User (see User Questionnaire, Appendix B).

3.4 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

The User reported having no commonly known or reasonably ascertainable information about the Property that would help Horizon to identify conditions indicative of releases or threatened releases (see User Questionnaire, Appendix B).

3.5 PURCHASE PRICE VS. FAIR MARKET VALUE

The User reported that the purchase price being paid for the Property reasonably reflects the fair market value of the Property if it were not contaminated (see User Questionnaire, Appendix B).

3.6 OWNER, PROPERTY MANAGER, AND OCCUPANT INFORMATION

The User identified itself (AHA) as the current owner of the Property. An interview conducted with AHA development consultant Mitch Weynand indicated that he has been associated with the Property for 8 months (see Appendix F).

Current occupants of the Property include residents of Leisure Time Village condos on the central portion of the Property. Occupant interviews were not conducted with tenants of Leisure Time Village. Due to the nature of multi-family residence occupants typically residing at a location for a short period of time, it is Horizon's opinion that no new information could have been gathered about the Property had occupant interviews been conducted.



3.7 REASON FOR PERFORMING THE PHASE I ESA

The User's reason for requesting performance of the Phase I ESA is as a requirement by the Texas Department of Housing and Community Affairs (see User Questionnaire, Appendix B).

4.0 RECORDS REVIEW

The purpose of the records review is to obtain and review records that will help identify recognized environmental conditions in connection with the Property. Accuracy and completeness of record information vary among information sources. Horizon makes a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that were obvious when compared to other information reviewed or based on actual knowledge.

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

Horizon commissioned TelALL Phase I Support Services, Inc. (TelALL) of Austin, Texas, to provide an environmental database review of selected state and federal agency records. TelALL conducted the data search for the Property using minimum search distances outlined in the ASTM standards (ASTM, 2013). The minimum search distance for each category is provided in the following table. The location of the Property and area of review are indicated on the site location map within the complete Environmental Data Search report provided in Appendix D.

**TABLE 4-1
SUMMARY OF TELALL ENVIRONMENTAL DATA SEARCH FINDINGS**

Database	Acronym	Last Updated	Minimum Search Distance (miles)	Findings
National Priority List	NPL	06/2017	1.0	0
Comprehensive Environmental Response, Compensation, and Liability Information System	CERCLIS	06/2017	0.5	0
No Further Remedial Action Planned	NFRAP	06/2017	0.5	0
Resource Conservation and Recovery Act Information System – Treatment, Storage, or Disposal	RCRA-TSD	04/2017	1.0	0
Corrective Action	CORRACT	04/2017	1.0	0
Resource Conservation and Recovery Act Information System – Generators	RCRA-G	04/2017	0.25	2
Emergency Response Notification System	ERNS	05/2017	0.25	0
Texas Voluntary Cleanup Program	TXVCP	04/2017	0.5	1
Texas Innocent Owner/Operator Program	TXIOP	04/2017	0.5	0
Texas State Superfund	TXSSF	05/2017	1.0	0
TCEQ Solid Waste Facilities	TXLF	06/2017	1.0	1
Unauthorized and Unpermitted Landfill Sites	LFUN	06/2017	0.5	0
Texas Leaking Underground Storage Tanks	TXLUST	05/2017	0.5	2
Texas Underground Storage Tanks	TXUST	05/2017	0.25	25
Texas Aboveground Storage Tanks	TXAST	05/2017	0.25	0
Texas Spills List	TXSPILL	06/2017	0.25	0
Brownfield	BRNFD	04/2017	0.5	0
Dry Cleaner	DRYC	05/2017	0.5	1
Indian Reservation Underground Storage Tanks	IRUST	05/2017	0.25	0

4.1.1 National Priority List Database

The National Priority List (NPL) is a priority subset of the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) list that contains those CERCLIS facilities or locations evaluated and confirmed as contaminated. The CERCLIS list was created by CERCLA in order to fulfill the need to track contaminated sites. TelALL identified no NPL sites on the Property or within a 1.0-mile radius of the Property.

4.1.2 Comprehensive Environmental Response, Compensation, and Liability Information System Database

The CERCLIS database lists facilities reported to and identified by the US Environmental Protection Agency (EPA), pursuant to Section 103 of CERCLA. This database contains sites that are either proposed to be listed or are listed on the NPL, and sites that are in the screening and assessment phase for possible inclusion on the NPL. These sites are known to or have the potential to release hazardous substances or pollutants into the environment. TelALL identified no CERCLIS hazardous waste sites on the Property or within a 0.5-mile radius of the Property.

A no further remedial action planned (NFRAP) site indicates a CERCLIS site that was designated as requiring no further agency action by the EPA. TelALL identified no NFRAP sites on the Property or within a 0.5-mile radius of the Property.

4.1.3 Resource Conservation and Recovery Information System Database

TelALL derived the data contained in this list from the Resource Conservation and Recovery Information System (RCRIS) database, which attempts to track the status of those regulated under the Resource Conservation and Recovery Act (RCRA). RCRA requires generators, transporters, treaters, storers, and disposers of hazardous waste to provide information concerning their activities to state environmental agencies, who, in turn, provide the information to regional and national EPA offices. The RCRA Treatment, Storage, or Disposal (RCRA-TSD) database is a subset of the RCRIS list that tracks facilities that fall under the treatment, storage, or disposal classification. TelALL reviewed the RCRA-TSD database for those facilities where treatment, storage, or disposal of hazardous waste takes place and found no RCRA-TSD facilities on the Property or within a 1.0-mile radius of the Property.

The RCRA Generators (RCRA-Gs) database is a subset of the RCRIS list that tracks facilities that generate or transport either small or large quantities of substances regulated under RCRA. RCRA classifies 3 generators, including conditionally exempt, small-quantity generators (CESQGs); small-quantity generators (SQGs); and large-quantity generators (LQGs). The CESQG produces less than 100 kilograms (kg) per month of hazardous waste; the SQG produces at least 100 kg per month, but less than 1000 kg per month of hazardous waste; and the LQG produces at least 1000 kg per month of hazardous waste. TelALL reviewed the RCRA-G database and found 2 facilities within a 0.25-mile radius of the Property. One facility is registered to CVS Pharmacy 6895 at 1701 Briarcliff Boulevard, approximately 0.186 miles southwest of the



Property. The generator is a LQG with no institutional or engineering controls. The other facility is registered to Family Dollar #1782 at 5811 Berkman Drive #114, approximately 0.211 miles southwest of the Property. That generator is a CESQG with no institutional or engineering controls.

The Corrective Action (CORRACT) database lists RCRIS sites that are currently subject to or have in the past been subject to corrective action. No CORRACT sites were identified on the Property or within a 1.0-mile radius of the Property.

4.1.4 Emergency Response Notification System Database

The Emergency Response Notification System (ERNS) supports the release of notification requirements of Section 103 of CERCLA, as amended; Section 311 of the Clean Water Act; and Sections 300.51 and 300.65 of the National Oil and Hazardous Substances Contingency Plan. Additionally, ERNS serves as a mechanism to document and verify incident location information as initially reported, and is utilized as a direct source of easily accessible data needed for analyzing oil and hazardous substances spills. TelALL identified no documented ERNS incidents on the Property or within a 0.25-mile radius of the Property.

4.1.5 Texas Voluntary Cleanup Program and the Texas Innocent Owner/Operator Program

The Texas Voluntary Cleanup Program (TXVCP) was established to provide administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Because future lenders and landowners receive protection from liability to the State of Texas for cleanup of sites under the TXVCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or under-used properties may be restored to economically productive or community-beneficial uses. After cleanup, the parties receive a certificate of completion from the Texas Commission on Environmental Quality (TCEQ) stating that all lenders and future landowners who are not potentially responsible parties are released from all liability to the State. TelALL identified 1 TXVCP participant at 5936 Westminster Drive (known as Windsor Village Shopping Center), approximately 0.2 miles southwest of the Property. The TXVCP site application was received by TCEQ on 2 November 2005 for a dry cleaner site with chlorinated solvents affecting the soil/groundwater. Institutional controls were applied and the cleanup was completed on 15 May 2009. Due to the completed cleanup and inactive status of the site, the TXVCP poses no threat to the Property.

The Texas Innocent Owner/Operator Program (TXIOP) provides a certificate to an innocent owner or operator if his or her property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property and the owner or operator did not cause or contribute to the source or sources of contamination. TelALL identified no TXIOP participants on the Property or within a 0.5-mile radius of the Property.

4.1.6 Texas State Superfund Database

The Texas State Superfund (TXSSF) database is a list of sites that the State of Texas has identified for investigation or remediation. TXSSF sites are reviewed for potential upgrading to CERCLIS status by the EPA. TelALL identified no state or federal Superfund sites on the Property or within a 1.0-mile radius of the Property.

4.1.7 TCEQ Solid Waste Facilities and Unauthorized and Unpermitted Landfill Sites

The TCEQ Solid Waste Facilities (TXLF) listing, derived from the permit files of the TCEQ, contains known active and inactive solid waste disposal, transfer, and processing stations registered within municipalities and/or counties. Subchapter R of Chapter 361 of the State of Texas Health and Safety Code regulates land use on sites determined to be, or contain, solid waste landfills. Based on a review of all available information developed during this Phase I ESA, Horizon found no evidence suggesting that a municipal solid waste landfill exists on the Property. TelALL identified 1 active TXLF site, registered to the City of Austin and located approximately 0.82 miles southwest of the Property at 1901 E 51st street. Due to the site's location downgradient from the Property, it is Horizon's opinion that it poses no threat to the Property.

Unauthorized and Unpermitted Landfill (LFUN) sites have no permit and are considered abandoned. All information about these sites was compiled by Texas State University – San Marcos (formerly Southwest Texas State University) under contract with the TCEQ. TelALL identified no LFUN sites on the Property or within a 0.5-mile radius of the Property.

4.1.8 TCEQ Registered Storage Tanks

TelALL reviewed the TCEQ database listings that contain information on permitted Texas Underground Storage Tanks (TXUST), permitted Texas Aboveground Storage Tanks (TXAST), and known Texas Leaking Underground Storage Tanks (TXLUST). TelALL identified no TXASTs on the Property or within a 0.25-mile radius of the Property. Twenty-five TXUSTs were identified within a 0.25-mile radius of the Property, and are listed below.

**TABLE 4-2
TELALL ENVIRONMENTAL DATA SEARCH REPORT
TXUST FINDINGS**

TXLUST FACILITY NAME AND OWNER	ADDRESS	DISTANCE FROM PROPERTY (MILES)	TXUST CAPACITY AND CONTENTS	TANK CONSTRUCTION	TANK STATUS	TCEQ UNIT ID
Briarcliff SC, Capitol City Oil Company	1814 Briarcliff Blvd.	0.33 NW	3000 gallons gasoline	Steel	Permanently filled in place	00001739
Briarcliff SC, Capitol City Oil Company	1814 Briarcliff Blvd.	0.33 NW	3000 gallons gasoline	Steel	Permanently filled in place	00001741



TXLUST FACILITY NAME AND OWNER	ADDRESS	DISTANCE FROM PROPERTY (MILES)	TXUST CAPACITY AND CONTENTS	TANK CONSTRUCTION	TANK STATUS	TCEQ UNIT ID
Briarcliff SC, Capitol City Oil Company	1814 Briarcliff Blvd.	0.33 NW	500 gallons used oil	Steel	Removed from ground	00001742
Briarcliff SC, Capitol City Oil Company	1814 Briarcliff Blvd.	0.33 NW	3000 gallons gasoline	Steel	Permanently filled in place	00001740
Briarcliff SC, Capitol City Oil Company	1814 Briarcliff Blvd.	0.33 NW	3000 gallons gasoline	Steel	Permanently filled in place	00001738
Neighborhood Food Mart, Ben F Foster	1810 Briarcliff Blvd.	0.064 NW	8000 gallons gasoline	Steel	Removed from ground	00009444
Neighborhood Food Mart, Ben F Foster	1810 Briarcliff Blvd.	0.064 NW	6000 gallons gasoline	Steel	Removed from ground	00009445
MBC Station, MBC Station Inc.	1801 Briarcliff Blvd.	0.078 SW	6000 gallons gasoline	FRP Double Wall	In Use	00093814
MBC Station, MBC Station Inc.	1801 Briarcliff Blvd.	0.078 SW	300 gallons used oil	Coated Single Wall	In Use	00093810
MBC Station, MBC Station Inc.	1801 Briarcliff Blvd.	0.078 SW	4000 gallons gasoline	Steel	Removed from ground	00093812
MBC Station, MBC Station Inc.	1801 Briarcliff Blvd.	0.078 SW	4000 gallons gasoline	Steel	Removed from ground	00093813
TU Disco Latino, Rayan International Inc.	5933 Westminster Dr.	0.11 SW	550 gallons used oil	Steel	Removed from ground	00030962
TU Disco Latino, Rayan International Inc.	5933 Westminster Dr.	0.11 SW	6000 gallons gasoline	Steel	Removed from ground	00030961
TU Disco Latino, Rayan International Inc.	5933 Westminster Dr.	0.11 SW	6000 gallons gasoline	Steel	Removed from ground	00030960
TU Disco Latino, Rayan International Inc.	5933 Westminster Dr.	0.11 SW	6000 gallons gasoline	Steel	Removed from ground	00030959
PDQ 10- minute Master Lube, Centeramerica Property Trust	1727 Briarcliff Blvd.	0.157 SW	Unknown	Unknown	Removed from ground	00025444



TXLUST FACILITY NAME AND OWNER	ADDRESS	DISTANCE FROM PROPERTY (MILES)	TXUST CAPACITY AND CONTENTS	TANK CONSTRUCTION	TANK STATUS	TCEQ UNIT ID
PDQ 10-minute Master Lube, Centeramerica Property Trust	1727 Briarcliff Blvd.	0.157 SW	Unknown	Unknown	Removed from ground	00025445
PDQ 10-minute Master Lube, Centeramerica Property Trust	1727 Briarcliff Blvd.	0.157 SW	500 gallons used oil	Unknown	Permanently filled in place	00025446
PDQ 10-minute Master Lube, Centeramerica Property Trust	1727 Briarcliff Blvd.	0.157 SW	Unknown	Unknown	Removed from ground	00025447
SS 6 4662, Exxon Mobile	1701 Briarcliff Blvd.	0.186 SW	8000 gallons gasoline	Steel	Removed from ground	00067252
SS 6 4662, Exxon Mobile	1701 Briarcliff Blvd.	0.186 SW	8000 gallons gasoline	Steel	Removed from ground	00067250
SS 6 4662, Exxon Mobile	1701 Briarcliff Blvd.	0.186 SW	550 gallons used oil	Steel	Removed from ground	00067253
SS 6 4662, Exxon Mobile	1701 Briarcliff Blvd.	0.186 SW	3000 gallons gasoline	Steel	Removed from ground	00067251
SS 6 4662, Exxon Mobile	1701 Briarcliff Blvd.	0.186 SW	3000 gallons gasoline	Steel	Removed from ground	00067254
Fire Station 18, City of Austin	6311 Berkman Drive	0.228 NW	110 gallons diesel	Steel	Removed from ground	00138251

Two TXLUSTs were identified within a 0.5-mile radius of the Property:

**TABLE 4-3
TELALL ENVIRONMENTAL DATA SEARCH REPORT
TXLUST FINDINGS**

TXLUST FACILITY NAME AND OWNER	ADDRESS	DISTANCE FROM PROPERTY (MILES)	DATE REPORTED	PRIORITY	TCEQ STATUS	TCEQ END CLEANUP DATE	TCEQ LPST ID
MBC Service Station, Cameron Jordan	1801 Briarcliff Blvd.	0.078 SW	02/13/1989	4A - Soil contamination only; requires full site assessment and RAP	Final concurrence issued; case closed	Unknown	092579
Exxon 64662	1701 Briarcliff Blvd.	0.186 SW	06/23/1989	2A – Groundwater other than 1B, site characterization incomplete	Final concurrence issued; case closed.	Unknown	093158

Eighteen of the 25 TXUSTs have been removed from the ground; 2 are currently in use; 5 are permanently installed in the ground and are empty. Therefore, it is Horizon's opinion that none of the 25 TXUSTs would have any adverse impacts to the Property. Due to the current regulatory statuses of the 2 TXLUST facilities, with final concurrences issued and cases closed, Horizon would not consider these TXLUSTs likely to have any adverse impacts to the Property.

4.1.9 TCEQ Spills List

The TCEQ tracks cases where emergency response is needed for cleanup of hazardous or potentially hazardous substance spills (TXSPILL). TelALL identified no TXSPILL cases on the Property or within a 0.25-mile radius of the Property.

4.1.10 Brownfields

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. TelALL identified no Brownfield sites on the Property or within a 0.5-mile radius of the Property.

4.1.11 Dry Cleaners

Texas House Bill 1366 (78th Legislature, 2003) created the Dry Cleaner Environmental Response Program. Codified in Texas Health and Safety Code (THSC) Chapter 374, the law, as amended, requires all dry cleaning drop stations and facilities in Texas to register with the TCEQ and implement new performance standards at their facilities as appropriate. It also requires distributors of dry cleaning solvents to collect fees on the sale of dry cleaning

solvents at certain facilities. TelALL identified no dry cleaner sites on the Property and 1 dry cleaner site within a 0.5-mile radius of the Property. A registration for Yulis Cleaners, located 0.057 miles northwest of the Property at 1909 Wheless Lane, was identified in the TCEQ database. The site is a regulated entity (ID: RN103962767) owned by Anselma Segura (Customer ID: CN602926461), and the type of solvent utilized by this facility is unknown.

4.1.12 Indian Reservation Underground Storage Tanks

Permitted underground storage tanks on Indian land are tracked and maintained by the EPA. TelALL identified no Indian reservation underground storage tanks on the Property or within a 0.25-mile radius of the Property.

4.1.13 Federal or State IC/EC Registries

Institutional controls (ICs) are actions, such as legal controls, that help minimize the potential for human exposure to contamination by ensuring appropriate land or resource use. Engineering controls (ECs) may include various forms of caps, building foundations, liners, or treatment methods to create pathway elimination for regulated substances to enter environmental media or affect human health. As of the time of this report, no known federal or state databases specific to IC or EC records were available. However, any information on ICs or ECs related to findings of the government databases reported herein is included in the discussion of findings within the specific database above, as applicable.

4.2 ADDITIONAL ENVIRONMENTAL RECORD SOURCES

4.2.1 Oil and Gas Activity

Railroad Commission of Texas (RCT) records were investigated to determine the presence of active natural gas, crude oil, or refined product pipelines, as well as oil or gas wells that may exist on or within 1000 feet from the Property. The records reviewed did not indicate the presence of any of these structures on the Property or within 1000 feet of the Property (RCT, 2017).

4.2.2 Documented Water Wells

A review of the records of the Texas Water Development Board (TWDB) revealed no documented water wells on the Property or within a 0.5-mile radius from the Property (TWDB, 2017). No evidence of water wells was observed on the Property during Horizon's site reconnaissance.

The results of this assessment do not preclude the existence of undocumented and abandoned wells. If a water well or casing is encountered during construction, work should be halted near the feature until the TCEQ is contacted.

4.3 PHYSICAL SETTING SOURCES

The Property is mapped on the US Geological Survey (USGS) Austin East, Texas, topographic quadrangle (USGS, 1988) (Figure 4-1). Topography on the Property is flat, with an average surface elevation of 620 feet above mean sea level. The Property is in the Fort Branch watershed (COA, 2017), with surface water flowing southeast toward a tributary of Boggy Creek. None of the Property lies within the Federal Emergency Management Agency (FEMA) 100-year floodplain boundaries (FEMA, 2016).

The Property is located within the Blackland Prairie ecological area of Texas (Gould, 1975) and the Silver Bluestem-Texas Wintergrass Grassland vegetational area of Texas (McMahan et al., 1984).

Geologically, the Property is underlain by the following:

**TABLE 4-4
GEOLOGY**

Unit	Period	Epoch	Description
Ozan Formation (Ko)	Cretaceous	Upper Cretaceous	Locally named Sprinkle Formation, "lower Taylor marl;" clay, marly, calcareous content decreases upward, montmorillonitic, some glauconite, phosphate pellets, and hematite and pyrite nodules, variable amount of silt-sized quartz and calcite fragments, become more abundant upward, blocky with conchoidal fracture, light gray to brown; weathers light gray to grayish orange and white, develops poor fissility; thickness 600+/- feet

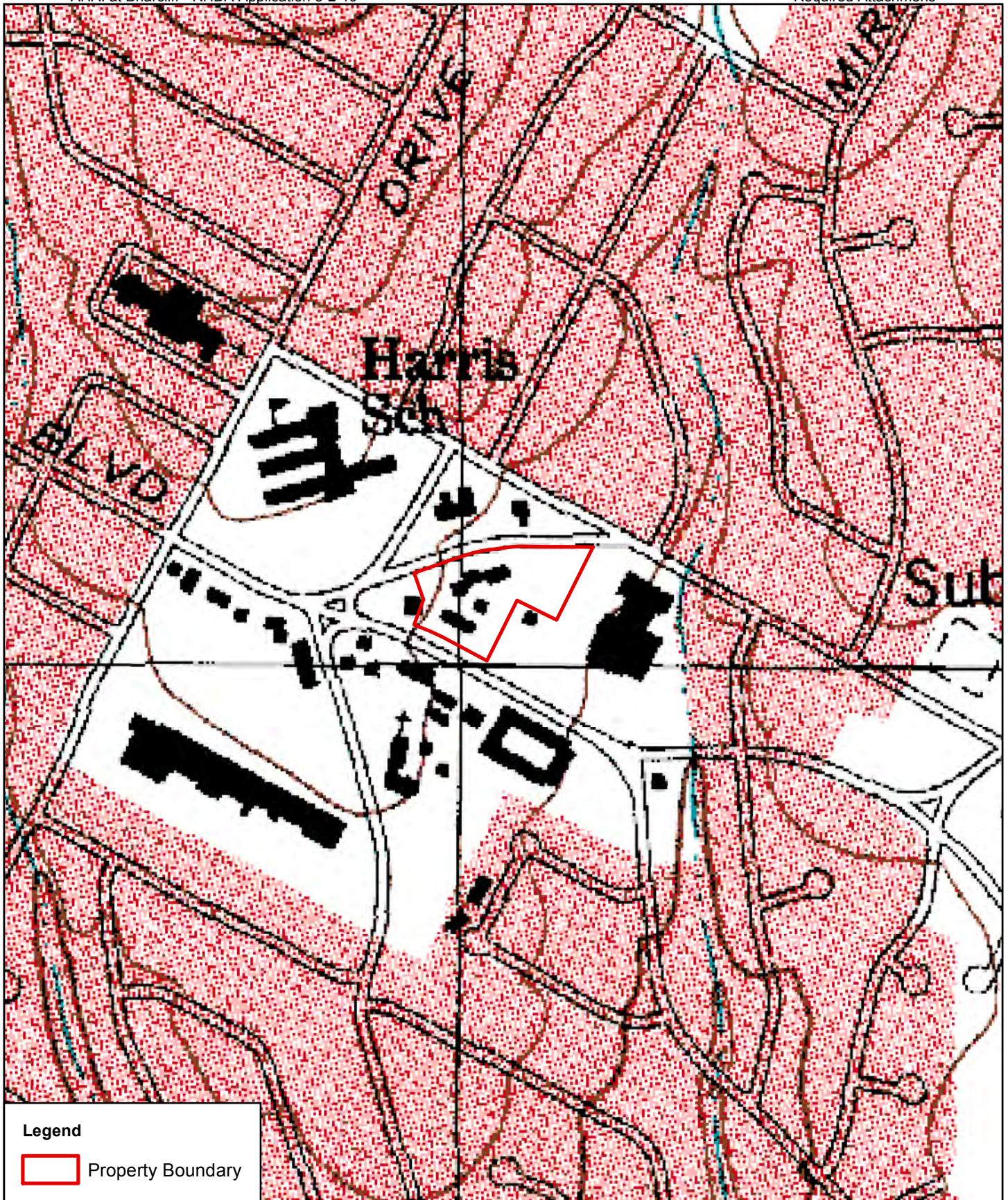
Source: UT-BEG, 1995

Mapped soils on the Property include the following:


**TABLE 4-5
SOILS**

Soil Name	Soil Type	Soil Depth (feet)	Underlying Material	Permeability	Available Water Capacity	Shrink-Swell Capacity
Lewisville soils and Urban land, 0 to 2% slopes (LeB)	silty clay	0 to 5.0	silt loam	moderate	high	high

Source: NRCS, 2017; Werchan et al., 1974



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USGS, 1988

Figure 4-1
Topographic Map
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



4.4 HISTORICAL USE INFORMATION ON THE PROPERTY AND ADJOINING PROPERTIES

Horizon conducted an examination of available historical use information, including ownership records, aerial photography, fire insurance maps, and local street directories, to develop a history of the previous uses of the Property and the surrounding area to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the Property. ASTM Practice E1527-13 calls for identification of all obvious uses of the Property from the present to the Property's obvious first "developed use" or 1940, whichever is earlier. For the purpose of identifying the historical uses of the Property, Section 8.3.2 of ASTM Practice E1527-13 defines the term "developed use" to include agricultural uses and placement of fill onto the Property. Section 8.3.2.1 of ASTM Practice E1527-13 does not require a review of standard historical sources at less than approximately 5-year intervals. If the specific use of the site appears unchanged over a period longer than 5 years, then ASTM Practice E1527-13 does not require research of the use during that period. A standard historical source may be excluded if the source is not reasonably ascertainable, or if past experience indicates that the source is not likely to be sufficiently useful, accurate, or complete.

4.4.1 Standard Historical Sources

4.4.1.1 Title Records

Historical ownership records are reviewed to develop a history of the previous uses of the Property in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the Property, as well as to identify any environmental liens associated with the Property. Horizon obtained historical chain-of-title documentation for the Property from Real Property Services, The Woodlands, Texas.

The records suggest that the Property was owned by private individuals since 1900, and that the Property is currently owned by Housing Authority of the City of Austin, as recorded in a warranty deed filed 10 March 1978 in Volume 6097, Page 1844 of the Deed Records of Travis County, Texas. A review of the ownership information produced no evidence suggesting an owner who may have conducted activities resulting in recognized environmental conditions for the Property. No easements or leases of environmental concern and no environmental liens were noted during the title research. The chain of title detailing site ownership from 1900 to present is provided in Appendix.

4.4.1.2 Historical Aerial Photography

Horizon reviewed aerial photographs dated 1952, 1966, 1973, and 1988, provided for the Property by TelALL from the Texas Natural Resources Information System (TNRIS). Texas Department of Transportation (TxDOT), and USGS originally supplied the aerial photography available for review at TNRIS. Horizon also reviewed in-house aerial photography dated 1995, 2004, and 2016, acquired from USGS, Image Trader, and USDA.

In the 1952 aerial photograph (Figure 4-2), the Property appeared to be agricultural rangeland. Surrounding lands appear to be agricultural or contain rural single-family residences (SFRs). No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photograph.

The 1966 aerial photograph (Figure 4-3) revealed some land clearing near the borders of the Property and extensive residential and commercial development on surrounding properties. No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photograph.

The 1973 aerial photograph (Figure 4-4) revealed land clearing to the central portion of the Property. Surrounding lands saw continued commercial and residential development. No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photograph.

The 1988 aerial photograph (Figure 4-5) revealed further land clearing to the central portion of the Property. Surrounding lands saw continued commercial and residential development. No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photograph.

The 1995 aerial photograph (Figure 4-6) revealed the addition of a multi-family residential complex to the central portion of the Property. Surrounding lands saw continued commercial and residential development. No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photograph.

The 2004 and 2016 aerial photographs (Figures 4-7 and 4-8) revealed no significant visible changes to the Property or immediately surrounding properties. No recognized environmental conditions were evident on the Property or immediately surrounding properties based upon a review of the aerial photographs.



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USGS, 1952

Figure 4-2
1952 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USGS, 1966

Figure 4-3
1966 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USGS, 1973

Figure 4-4
1973 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	TXDOT, 1988

Figure 4-5
1988 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USGS, 1995

Figure 4-6
1995 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	Image Trader, 2004


Figure 4-7
2004 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



Legend

 Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/24/2017
Drawn:	JSM
HJN NO:	170147
Source:	USDA, 2016

Figure 4-8
2016 Aerial Photograph
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 250 500
Feet



4.4.1.3 Fire Insurance Maps

The Sanborn Company published fire insurance maps for urban areas designed for use by companies offering fire insurance policies. The maps show the size, shape, and construction materials of a structure; land use; and other independent improvements, such as gasoline storage tanks. The maps were originally published in the 1930s and updated periodically through at least the 1950s. Horizon reviewed 2 Sanborn Company fire insurance maps, dated 1962 and 1971, which showed no structures on the Property (Appendix E).

4.4.1.4 Local Street Directories

Local street directories are published by private (or sometimes government) sources and show ownership and/or use of a specific property for each year by reference to its street address. The ownership and/or use of a specific property listed in the local street directory are used to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the Property. Horizon commissioned TelALL to provide the local street directories for areas around the Property. Local street directories were searched using a general address range of 1800 to 2000 Briarcliff Boulevard (Appendix E). Directory listings dating 1960 to present show no listings for the Property.

4.4.1.5 Prior Assessment

Horizon conducted a previous Phase I ESA on the Property in June 2011 and December 2015 (Horizon, 2011; Horizon, 2015). The June 2011 assessment found the Property to have a low probability for environmental risk related to significant levels of hazardous substances or petroleum products. The December 2015 assessment revealed no evidence of recognized environmental conditions in connection with the Property, including a low probability for vapor encroachment conditions.

4.4.1.6 Other Standard Historical Sources

The 1988 USGS topographic map did not indicate any specific current or past land use of the Property or adjoining properties (see Figure 4-1).

4.4.2 Data Failure

The historical research objectives of ASTM Practice E1527-13 were met during the review of standard historical sources; data failure was not encountered.



5.0 INTERVIEWS

5.1 INTERVIEW WITH OWNER/KEY SITE MANAGER

A Phase I ESA Landowner/Occupant Interview Questionnaire was completed on 24 August 2017 by AHA's development consultant, Mr. Mitch Weynand. Mr. Weynand's responses to the interview questions indicated that he had no knowledge of any potential recognized environmental conditions in connection with the Property. The completed Landowner/Occupant Interview Questionnaire is provided in Appendix F.

5.2 INTERVIEWS WITH CURRENT OCCUPANTS

Current occupants of the Property include residents of Leisure Time Village condominiums on the central portion of the Property. Occupant interviews were not conducted with tenants of Leisure Time Village. Because occupants of multi-family residences typically reside at a location for a short period of time, it is Horizon's opinion that no new information could have been gathered about the Property had occupant interviews been conducted.

5.3 INTERVIEWS WITH LOCAL GOVERNMENT OFFICIALS

Horizon contacted the City of Austin to request information on recorded incidents that may indicate a release of hazardous materials or petroleum products on the Property or adjacent properties. The agency responded that it found no such recorded incidents for the Property or adjacent properties (see Appendix F).

6.0 SITE RECONNAISSANCE

Horizon conducted a site reconnaissance on 21 August 2017. Horizon also reviewed immediately adjacent lands, to the extent possible from the boundaries of the Property, to observe any existing or potential sources of off-site contamination that may affect the Property. Horizon's Phase I ESA Site Reconnaissance Checklist is provided in Appendix G. On-site photographs are provided in Appendix C.

6.1 METHODOLOGY AND LIMITING CONDITIONS

A pedestrian reconnaissance of the Property was conducted, as well as visual observation of immediately adjacent lands from the boundaries of the Property.

6.2 GENERAL SITE SETTING

The Property consists of approximately 2.51 acres of vacant and residential land located within an area surrounded by residential and commercial development. Vegetation observed on the Property includes hackberry (*Celtis occidentalis*), Texas live oak (*Quercus fusiformis*), Texas red oak (*Quercus texana*), cottonwood (*Populus deltoides* var. *deltoides*), and various landscape plants, forbs, and grasses.

6.2.1 Geologic, Hydrogeologic, Hydrologic, and Topographic Conditions

Observable geologic, hydrogeologic, hydrologic, and topographic conditions on the Property were generally consistent with the findings of our literature review (see Section 4.3). Horizon observed storm water drainage easements around the perimeter of the Property.

6.2.2 Property Uses

6.2.2.1 Current Use of the Property

Current land use on the Property is residential, with a multi-family residential complex on the central portion of the Property. Another portion of the Property is vacant grassland.

6.2.2.2 Past Uses of the Property

Information obtained during the review of standard historical sources, participant interviews, and the site reconnaissance indicates that past uses of the Property likely included urban residences and vacant grassland. It is Horizon's opinion that these past uses are unlikely to have involved the use, treatment, storage, disposal, or generation of significant quantities of hazardous substances or petroleum products on the Property.

6.2.2.3 Current/Past Uses of Adjoining Properties

An aerial view of the Property and adjoining land use, dated 2016, is provided in Section 4.4.1.2 (see Figure 4-8).

During the site reconnaissance, Horizon observed the following land uses on adjoining properties:

NORTH: Briarcliff Boulevard, commercial beyond;
SOUTH: Gaston Place Drive, commercial beyond;
EAST: Commercial;
WEST: Commercial.

On adjoining properties, Horizon did not observe any industrial uses. The adjoining property to the east is owned by MBC (Automotive) Service Center, which has 2 known USTs in use. Horizon also observed Banks Automotive Services to the north of the Property across Briarcliff Boulevard, which has 1 AST likely to contain used oil (photos in Appendix C).

The review of historical aerial photography and participant interviews indicates that past use of adjoining properties likely includes commercial retail and urban residential. Evidence of potential recognized environmental conditions on adjacent properties was revealed through a review of historical sources, interviews, and visual inspection from the Property's boundaries during the site reconnaissance.

6.2.2.4 Current/Past Uses of Surrounding Area

The surrounding area in general is dominated by multi-family and single-family residential neighborhoods with some local commercial retail sites. The surrounding area appears to have been historically used for grazing land prior to the development of multi-family and single-family residential neighborhoods and local commercial retail sites.

6.2.3 Improvements

Structures, roads, potable water supply sources, and/or sewage disposal systems observed on the Property during the site reconnaissance include the following:

**TABLE 6-1
IMPROVEMENTS OBSERVED ON THE PROPERTY**

Figure 6-1 Map ID	Appendix C Photo Number(s)	Description
A	1, 4 – 6, 8	The Leisure Time Village condominium complex was observed on the central portion of the Property, with multiple HVAC units and associated asphalt parking lot.

Figure 6-1 Map ID	Appendix C Photo Number(s)	Description
B	2, 4, 6	Two pad-mounted transformers and one pole-mounted transformer were observed near the southern and northern portions of the Property, respectively.
C	5	A City of Austin solid waste dumpster was observed on the southern portion of the Property.
D	7	A City of Austin sanitary sewer manhole cover was observed on the southern portion of the Property.
E	3	A City of Austin fire hydrant was observed on the northern portion of the Property.

6.3 SITE FINDINGS

6.3.1 Exterior Observations

On or immediately adjacent to the Property, Horizon observed the following exterior features or conditions, which ASTM Practice E1527-13 identifies as potential recognized environmental conditions:

**TABLE 6-2
EXTERIOR FEATURES/CONDITIONS OBSERVED**

Figure 6-1 Map ID	Appendix C Photo Number(s)	Description	REC, CREC, or HREC?*
B	2, 4, 6	Two pad-mounted transformers and one pole-mounted transformer were observed near the southern and northern portions of the Property, respectively.	No
F	10	Two gasoline pumps were observed on the immediately adjacent site to the west of the Property.	No
G	9	One AST likely to contain used oil was observed to the north of the Property, across Briarcliff Boulevard.	No

* REC = recognized environmental condition
CREC = controlled recognized environmental condition
HREC = historical recognized environmental condition

It is Horizon's opinion that none of the features/conditions listed in Table 6-2 above meet the ASTM definition of a recognized environmental condition, controlled recognized environmental condition, or historical recognized environmental condition.

Horizon did *not* observe any of the following exterior conditions on or immediately adjacent to the Property:

- Evidence of current or past industrial or manufacturing uses
- Pits, ponds, or lagoons



Legend

Property Boundary

Horizon
Environmental Services, Inc.

Date:	08/28/2017
Drawn:	JSM
HJN NO:	170147
Source:	USDA, 2016

Figure 6-1
ASTM-Scope Site Findings Map
1915 Briarcliff Boulevard
Austin, Travis County, Texas



0 62.5 125
Feet

- Stained soil or pavement
- Stressed vegetation
- Oil/gas wells
- Water wells
- Evidence of pipelines
- Septic systems
- Piles of debris or other evidence of solid waste disposed on site
- Evidence of wastewater discharges within, onto, or off of the Property
- Hazardous substances, petroleum products, or associated containers
- Storage drums
- Unidentified substance containers
- Hydraulic equipment or other equipment likely to contain polychlorinated biphenyl oils (PCBs)
- Strong, pungent, or noxious odors
- Pools of liquid suspected of containing hazardous materials or petroleum products

6.3.2 Interior Observations

The on-site structures observed on the central portion of the Property were associated with the Leisure Time Village complex and were inaccessible during Horizon's site reconnaissance. Interior inspections prescribed by ASTM Practice E1527-13 were not conducted during the site reconnaissance. It is Horizon's opinion that hazardous substances or petroleum products would not be stored within the MFR. It is Horizon's opinion that lack of access to the Leisure Time Village condos did not affect the Environmental Professional's ability to identify recognized environmental conditions on the Property.



7.0 DATA GAPS

According to ASTM Practice E1527-13, a “data gap” occurs when the environmental professional is unable to obtain information required by the practice despite good-faith efforts to gather such information.

No significant data gaps were encountered in the process of conducting this Phase I ESA that would affect Horizon’s ability to identify recognized environmental conditions. However, Horizon did not access the interior of the Leisure Time Village condos nor conduct occupant interviews with their residents. It is Horizon’s opinion that lack of access to Leisure Time Village condos did not affect the Environmental Professional’s ability to identify recognized environmental conditions on the Property.



8.0 LIMITING CONDITIONS/DEVIATIONS

There were no limiting conditions, deletions, or deviations from ASTM Practice E1527-13 in connection with this Phase I ESA. Horizon did conduct additional ASTM-scope assessments during this Phase I ESA at the request of the User (see Section 12 of this report).

9.0 FINDINGS AND CONCLUSIONS

Horizon has performed a Phase I ESA of the Property in conformance with the scope and limitations of ASTM Practice E1527-13. Any exceptions to, or deletions from, this practice are described in Section 8.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the Property.

The following findings are worthy of note but are not considered recognized environmental conditions:

**TABLE 9-1
NON-REC FINDINGS**

Figure 6-1 Map ID	Appendix C Photo Number(s)	Description	REC, CREC, or HREC?*
A	1, 4 – 6, 8	The Leisure Time Village condominium complex was observed on the central portion of the Property, with multiple HVAC units and associated asphalt parking lot.	No
B	2, 4, 6	Two pad-mounted transformers and one pole-mounted transformer were observed near the southern and northern portions of the Property, respectively.	No
F	10	Two gasoline pumps were observed on the immediately adjacent site to the west of the Property.	No
G	9	One AST likely to contain used oil was observed to the north of the Property, across Briarcliff Boulevard.	No

* REC = recognized environmental condition
CREC = controlled recognized environmental condition
HREC = historical recognized environmental condition



10.0 OPINION OF ENVIRONMENTAL PROFESSIONAL

Based upon a review of regulatory records, historical use information, interviews, User-provided information, and a site reconnaissance, the Property was found to have a low probability for environmental risk related to significant levels of hazardous substances or petroleum products.

**11.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL**

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR §312.10. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

For Horizon Environmental Services, Inc.

A handwritten signature in black ink, appearing to read "G. Sherrod", is written over a horizontal line.

Greg Sherrod
Environmental Specialist, EP¹

28 August 2017

Date

¹ Qualified Environmental Professional under ASTM Practice E1527-13



12.0 VAPOR ENCROACHMENT SCREENING

Per request by Accessible Housing Austin! of Austin, Texas (the User), Horizon Environmental Services, Inc. (Horizon) has performed a Tier I Vapor Encroachment Screening in conjunction with the Phase I Environmental Site Assessment (ESA) for the approximately 2.51-acre tract located at 1915 Briarcliff Blvd, Austin, Travis County, Texas (the Property). All work was done in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E 2600-10 (ASTM, 2010).

The goal of conducting a vapor encroachment screen is to identify a vapor encroachment condition (VEC) that is the presence or likely presence of chemical of concern (COC) vapors in the subsurface of the Property caused by the release of vapors from contaminated soil or groundwater either on or near the Property.

Based upon a review of regulatory records, historical use information, interviews, User-provided information, and a site reconnaissance, the Property was found to have a low probability for environmental risk related to VECs, and Horizon recommends no additional investigations, studies, or sampling efforts at the time of this report.



13.0 PARTICIPATING PERSONNEL

Horizon's participating personnel for this Phase I ESA are listed below. Qualifications of the Environmental Professional are provided in Appendix H.

<u>PERSON</u>	<u>PARTICIPATION</u>
Greg Sherrod, Environmental Specialist, EP ¹	Records Search Drafting
Jeremy Mantooth, Environmental Specialist.....	Field Investigation Records Search Report Contribution Drafting
Bridgette Miller, Technical Editor	Final Report Preparation

¹ Qualified Environmental Professional under ASTM Practice E1527-13

14.0 REFERENCES

- (ASTM) American Society for Testing and Materials. *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. Designation E 2600-10. West Conshohocken, Pennsylvania: ASTM, 2010.
- _____. *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. Designation E1527-13. West Conshohocken, Pennsylvania: ASTM, 2013.
- (COA) City of Austin. *City of Austin GIS*. Development Web Map <<http://www.austintexas.gov/GIS/developmentwebmap/Viewer.aspx>>. Accessed 24 August 2017.
- (FEMA) Federal Emergency Management Agency. Flood Insurance Rate Map (FIRM) Panel No. 48453C0455J, Travis County, Texas. 6 January 2016.
- Gould, F.W. *Texas Plants – A Checklist and Ecological Summary*. College Station: Texas A&M University. 1975.
- (Horizon) Horizon Environmental Services, Inc. *Phase I Environmental Site Assessment, 1920 Gaston Place Drive, Austin, Travis County, Texas*. HJN 110069 PI. Horizon Environmental Services, Inc., Austin, Texas. June 2011.
- _____. *1920 Gaston Place, Phase I Environmental Site Assessment Update*. HJN 150253 PI. Horizon Environmental Services, Inc., Austin, Texas. December 2015.
- Image Trader. Digital aerial photography: Travis County, Texas. Image Trader (GIS products), Flagstaff, Arizona. 2004.
- McMahan, Craig A., Roy G. Frye, and Kirby L. Brown. *The Vegetation Types of Texas – Including Cropland*. Austin: Texas Parks and Wildlife Department, 1984.
- (NRCS) US Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey, <<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>>. Accessed 24 August 2017.
- (OSM) OpenStreetMap contributors. Open Street Map, <<http://www.openstreetmap.org>>. Available under the Open Database License (www.opendatacommons.org/licenses/odbl). Accessed 16 August 2017.
- (RCT) Railroad Commission of Texas. GIS Map Viewer, <<http://www.gisp.rrc.state.tx.us/GISViewer2/>>. Accessed 24 August 2017.
- (TWDB) Texas Water Development Board. Water Information Integration and Dissemination System. TWDB Groundwater Database, <<http://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer>>. Accessed 24 August 2017.
- (TxDOT) Texas Department of Transportation. Aerial photography, Travis County, Texas. 1988.



(USDA) US Department of Agriculture. National Agriculture Imagery Program, Farm Service Agency, Aerial Photography Field Office. Travis County, Texas. 2016.

(USGS) US Geological Survey. 7.5-minute series topographic maps, Austin East, Texas, quadrangle. 1988.

_____. Aerial Photography, Travis County, Texas. 1952; 1966; 1973; and 1995.

(UT-BEG) University of Texas Bureau of Economic Geology, C.V. Proctor, Jr., T.E. Brown, J.H. McGowen, N.B. Waechter, and V.E. Barnes. *Geologic Atlas of Texas*, Austin Sheet, Francis Luther Whitney Memorial Edition. 1974; reprinted 1995.

Werchan, Leroy E., A.C. Lowther, and Robert N. Ramsey. *Soil Survey of Travis County, Texas*. US Department of Agriculture, Natural Resources Conservation Service (formerly Soil Conservation Service), in cooperation with the Texas Agricultural Experiment Station. 1974.



APPENDIX A

PHASE I ESA SCOPE OF SERVICES AND LIMITED GLOSSARY OF TERMS

SCOPE OF WORK

PHASE I ENVIRONMENTAL SITE ASSESSMENT

The following presents the 4 principal components of Horizon's scope of work for the performance of a Phase I Environmental Site Assessment (ESA). Horizon's Phase I ESA is performed in conformance with the scope and limitations of ASTM Practice E1527-13.

1.0 Records Review

A review of reasonably ascertainable environmental and historical use information from corporate and/or governmental records related to the Property is performed. Standard sources of information (e.g., various federal, state, local, and tribal governmental agencies) and search distances from the Property adhere to those specified in ASTM Practice E1527-13, as applicable. Sources of information reviewed include the following, as applicable and reasonably ascertainable:

- 1.1 Standard Environmental Record Sources (Federal and State)
 - 1.1.1 National Priority List Database
 - 1.1.2 Comprehensive Environmental Response, Compensation, and Liability Information System Database
 - 1.1.3 Resource Conservation and Recovery Information System Database
 - 1.1.4 Emergency Response Notification System Database
 - 1.1.5 Texas Voluntary Cleanup Program and the Texas Innocent Owner/Operator Program
 - 1.1.6 Texas State Superfund Database
 - 1.1.7 TCEQ Solid Waste Facilities and Unauthorized and Unpermitted Landfill Sites
 - 1.1.8 TCEQ Registered Storage Tanks
 - 1.1.9 TCEQ Spills List
 - 1.1.10 Brownfields
 - 1.1.11 Dry Cleaners
- 1.2 Additional Environmental Record Sources
 - 1.2.1 Oil and gas activity records
 - 1.2.2 Documented water wells and information concerning known or potentially contaminated wells
 - 1.2.3 Other local record sources as applicable and reasonably ascertainable
- 1.3 Physical Setting Sources
 - USGS topographic map and description of general topography
 - USDA mapped soils information
 - FEMA flood hazard mapping information
- 1.4 Standard Historical Sources
 - Historical chain-of-title documentation
 - Historical aerial photography
 - Fire insurance maps
 - Local street directories
 - Other standard historical sources (may include sources such as USGS topographic maps, property tax files, local building department records, local zoning/land use records, or information from prior ESAs conducted on the Property)

2.0 Interviews

Horizon makes a reasonable attempt to interview current owners and occupants of the Property. Selection of persons to be interviewed follows the guidance provided in ASTM Practice E1527-13.

- 2.1 Interview with Owner/Key Site Manager
- 2.2 Interview(s) with current occupants



- 2.3 Interview(s) with local government officials
- 2.4 Interview(s) with others, as deemed necessary by the Environmental Professional under ASTM Practice E1527-13

3.0 Site Reconnaissance

A site reconnaissance is performed on the Property, including observation of physical conditions of the land and any structures or improvements on the Property, and immediately adjacent properties as accessible or visible, for potential indicators of recognized environmental conditions. Representative photographs of the Property and immediately adjacent properties are taken to document conditions existing at the time of the site reconnaissance. Observed indications of current and past uses of the Property and adjoining properties, as accessible or visible, are noted. Certain features/conditions that may exist on the Property are documented, including, but not limited to, the following:

- 3.1 General Site Setting
 - 3.1.1 Geologic, hydrogeologic, hydrologic, and topographic conditions
 - 3.1.2 Property uses
 - Current/past uses of the Property
 - Current/past uses of adjoining properties
 - Current/past uses of surrounding area
 - 3.1.3 Structures on the Property
 - 3.1.4 Roads and parking areas on the Property
 - 3.1.5 Potable water supply
 - 3.1.6 Sewage disposal system
- 3.2 Exterior Observations
 - 3.2.1 Pits, ponds, or lagoons
 - 3.2.2 Stained soil or pavement
 - 3.2.3 Stressed vegetation
 - 3.2.4 Evidence of solid waste
 - 3.2.5 Evidence of wastewater discharges
 - 3.2.6 Wells
 - 3.2.7 Septic systems
 - 3.2.8 Hazardous substances or petroleum products
 - 3.2.9 Hazardous substance or petroleum products containers
 - 3.2.10 Storage tanks, vent pipes, and fill pipes
 - 3.2.11 Equipment likely to contain polychlorinated biphenyl oils (PCBs)
 - 3.2.12 Strong, pungent, or noxious odors
 - 3.2.13 Pools of liquid
- 3.3 Interior Observations
 - 3.3.1 Heating/cooling facilities
 - 3.3.2 Stains or corrosion
 - 3.3.3 Floor drains and sumps
 - 3.3.4 Hazardous substances or petroleum products
 - 3.3.5 Hazardous substance or petroleum products containers
 - 3.3.6 Storage tanks, vent pipes, and fill pipes
 - 3.3.7 Equipment likely to contain PCBs
 - 3.3.8 Strong, pungent, or noxious odors
 - 3.3.9 Pools of liquid

4.0 Report

Two copies of a written report are prepared presenting the findings of the Phase I ESA. The report includes the following:



- 4.1 Description of the Property
 - 4.1.1 Location and legal description
 - 4.1.2 Site and vicinity general characteristics
 - 4.1.3 Current use of the Property
 - 4.1.4 Description of structures, roads, and other improvements on the Property
 - 4.1.5 Current uses of the adjoining properties
- 4.2 User-provided Information
 - 4.2.1 Historical chain-of-title documentation
 - 4.2.2 Environmental liens or activity and use limitations (AULs)
 - 4.2.3 Specialized knowledge
 - 4.2.4 Commonly known or reasonably ascertainable information
 - 4.2.5 Purchase price vs. fair market value of the Property
 - 4.2.6 Owner, property manager, and occupant information
 - 4.2.7 Reason for performing the Phase I ESA
 - 4.2.8 Other User-provided information
- 4.3 Discussion of findings from Records Review, Interviews, and Site Reconnaissance
- 4.4 Identification of any significant data gaps
- 4.5 Identification of any deviations from ASTM Practice E1527-13
- 4.6 Findings and Conclusions
- 4.7 Opinion of the Environmental Professional
- 4.8 Signature of the Environmental Professional
- 4.9 Qualifications of the Environmental Professional

PHASE I ESA LIMITED GLOSSARY OF TERMS

The terms below may be found in the Phase I ESA report. They are defined by ASTM Standard Practice E1527-13 as follows. This should not be considered a comprehensive list of terms.

activity and use limitations (AULs) – legal or physical restrictions or limitations on the use of, or access to, a site or facility: (1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil, soil vapor, groundwater, and/or surface water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls, are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil, soil vapor, groundwater, and/or surface water on the property.

controlled recognized environmental condition – a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

data failure – a failure to achieve the historical research objectives prescribed by the practice, even after reviewing standard historical sources that are reasonably ascertainable and likely to be useful. Data failure is one type of data gap. Data failure is not uncommon in trying to identify the use of the property at 5-year intervals back to first use or 1940 (whichever is earlier).

data gap – a lack of or inability to obtain information required by the practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by the practice.

de minimis condition – a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

environmental lien – a charge, security, or encumbrance upon title to a property to secure the payment of a cost, damage, debt, obligation, or duty arising out of response actions, cleanup, or other remediation of hazardous substances or petroleum products upon a property.

historical recognized environmental condition – a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

recognized environmental condition – the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.



user – the party seeking to use Practice E1527 to complete an environmental site assessment of the property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. The user has specific obligations for completing a successful application of the practice.

APPENDIX B

USER-PROVIDED INFORMATION DOCUMENTS

Legal Description of the Property
Phase I ESA User Questionnaire

GENERAL PROPERTY INFORMATION

Property-specific information to be provided by the User to the Environmental Professional conducting the Phase I ESA includes the following:

- Property Description**
 Property Address or Intersection: 1915 Briarcliff Blvd
 City: Austin County: Travis
 State: Texas Zip Code: 78723
- Legal description.** Lot, block, and subdivision description, if applicable, or metes and bounds description, including survey name and abstract number, from a prior recorded instrument or surveyor's field notes covering the subject site.
 Legal Description: Attached
 Lot(s): 2-B-2b Block(s): E
 Subdivision: Delwood Terrace Commercial Area
 Plat Information: Vol 6097 p1844 Survey: _____
 Abstract No.: _____ Acreage: _____
 Other Information: _____
- Map** section or recent aerial photograph showing the location and shape of Property in detail sufficient to identify it. This map may be sent via email to **lee_sherrod@horizon-esi.com** (preferably in AutoDesk Map 3D 2005, AutoCAD 2010, ESRI ArcView/ArcInfo, Shapefiles for use with ESRI or AutoCAD). Please include georeferencing information with files. For files larger than 15 MB, please call Horizon's GIS Department (512-328-2430) for FTP instructions or send us a copy on CD.
- Names and phone numbers of all current owners and any major occupants of the Property** (attach additional sheet if necessary):
 Owner Name: Austin Affordable Housing Corp. - Ron Kowal, VP Phone No: 512-477-1314
 Owner Name: _____ Phone No: _____
 Occupant Name: _____ Phone No: _____
 Occupant Name: _____ Phone No: _____
- Name and phone number of contact person authorized to schedule access to the Property:**
 Contact Name: Monica Garcia (AAHC) Phone No: 512-767-7791
- Description of any structures** that exist on the Property, including age, size, and use (as applicable):
No structures on undeveloped portion. On developed portion: 3 residential buildings plus one common area building

PHASE I ESA USER QUESTIONNAIRE

ASTM Practice E 1527-05 defines the User as the party seeking to use Practice E 1527-05 to complete an environmental site assessment of the Property. In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "Brownfields Amendments"), the User must provide the following information (if available) to the Environmental Professional. **Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.** This form, as completed by the User, will be attached to the Phase I ESA report.

Instructions: Please complete form, print, sign, and FAX to 512-328-1804.

1. Environmental cleanup liens against the Property (40 CFR 312.25)

Have you conducted a search for environmental cleanup liens against the Property that are filed or recorded under federal, tribal, state, or local law? ☐ Yes ☒ No

Are you aware of any environmental cleanup liens against the Property that are filed or recorded under federal, tribal, state, or local law? ☐ Yes (Explain below) ☒ No

2. Activity and land use limitations (AULs) on the Property (40 CFR 312.25)

Have you conducted a search for AULs such as engineering controls, land use restrictions, or institutional controls that are in place for the Property, or filed/recorded in any registry under federal, tribal, state, or local law?

☐ Yes ☒ No

Are you aware of any AULs that are in place for the Property or filed/recorded in such registries?

☐ Yes (Explain below) ☒ No

3. Specialized knowledge or experience of person seeking to qualify for the LLP (40 CFR 312.28)

As the User of this ESA, do you have any specialized knowledge or experience related to the Property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the Property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? ☐ Yes (Explain below) ☒ No

4. Relationship of purchase price to fair market value (40 CFR 312.29)

Does the purchase price being paid for the Property reasonably reflect the fair market value of the Property if it were not contaminated? ☒ Yes ☐ No

If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the Property? ☐ Yes ☒ No

5. Commonly known or reasonably ascertainable information about the Property (40 CFR 312.30)

Are you aware of commonly known or reasonably ascertainable information about the Property that would help the Environmental Professional to identify conditions indicative of releases or threatened releases? For example, as User,

(a.) Do you know the past uses of the Property? ☐ Yes (Explain below) ☒ No

(b.) Do you know of specific chemicals that are present or once were present at the Property?

☐ Yes (Explain below) ☒ No

(c.) Do you know of spills or other chemical releases that have taken place at the Property?

☐ Yes (Explain below) ☒ No

(d.) Do you know of any environmental cleanups that have taken place at the Property?

☐ Yes (Explain below) ☒ No

6. Degree of obviousness of the presence or likely presence of contamination at the Property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31)

As the User of this ESA, based on your knowledge and experience related to the Property, are there any obvious indicators that point to the presence or likely presence of contamination at the Property?

☐ Yes (Explain below) ☒ No

7. Litigation, administrative proceedings, or notices from government entities (ASTM E 1527-05 §10.9)

As the User, are you aware of any pending, threatened, or past litigation or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the Property? ☐ Yes (Explain below) ☒ No

Are you aware of any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products? ☐ Yes (Explain below) ☒ No

8. Reason for requesting the Phase I ESA (ASTM E 1527-05 §6.7)

As the User, are you requesting this ESA be performed for the purpose of qualifying for one of the Landowner Liability Protections to CERCLA liability? ☐ Yes ☒ No

If no, please explain reason for requesting performance of the Phase I ESA:

It is required for funding by the Texas Department of Housing and Community Affairs

As the User, are you requesting additional non-ASTM-scope considerations (business-related risks such as the potential for occurrence of asbestos, radon, wetlands, cultural resources, threatened or endangered species habitat) be evaluated during this Phase I ESA? ☐ Yes ☒ No

REQUIRED INFORMATION:

IDENTIFICATION OF USER AND SIGNATURE OF PERSON COMPLETING USER QUESTIONNAIRE

Signature: Mitch Weynand Printed Name: Mitch Weynand
Representing: Accessible Housing Austin Title: Project Consultant
(Name of Firm, if any)
Date: 7/25/17
Address: 1640-A E. 2nd St
City, State, ZIP: Austin, Texas 78702

PLEASE SIGN AND RETURN VIA FAX TO HORIZON ENVIRONMENTAL SERVICES: 512-328-1804

This form has been developed using the standards in ASTM Practice E 1527-05 for the purpose of supporting a Phase I Environmental Site Assessment to satisfy the federal "All Appropriate Inquiries" rule.

References:

(ASTM) American Society for Testing and Materials. *ASTM Standards on Environmental Site Assessments for Commercial Real Estate*, 5th Edition, E 1527-05. West Conshohocken, PA: ASTM, 2006.

US Environmental Protection Agency. "Standards and Practices for All Appropriate Inquiries; Final Rule." 40 CFR Part 312. 1 November 2005.

HPN _____

APPENDIX C

PHOTOGRAPHS FROM SITE RECONNAISSANCE



PHOTO 1

Typical view of multi-family residence (MFR) and parking lot on the central portion of the Property

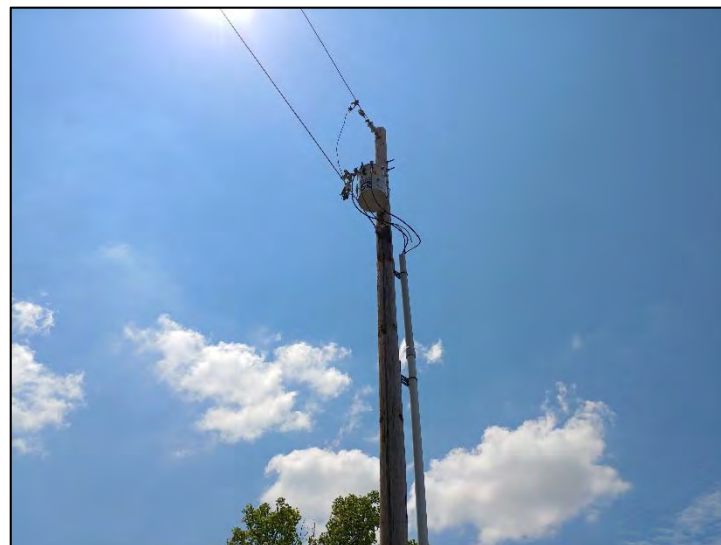


PHOTO 2

Pole-mounted transformer on the northern border of the Property; labeled No PCBs



PHOTO 3

Typical view of vacant lot and water utility on the northeastern portion of the Property



PHOTO 4

Pad-mounted transformer near MFR; no signs of leakage



PHOTO 5

View of municipal solid waste collection system on the central portion of the Property



PHOTO 6

View of pad-mounted transformer and sewer line cleanouts on the southern portion of the Property



PHOTO 7

View of municipal sewer manhole at the south corner of the Property



PHOTO 8

View of HVAC units in association with MFR on the site



PHOTO 9

View of Banks Automotive Service to the north of the Property



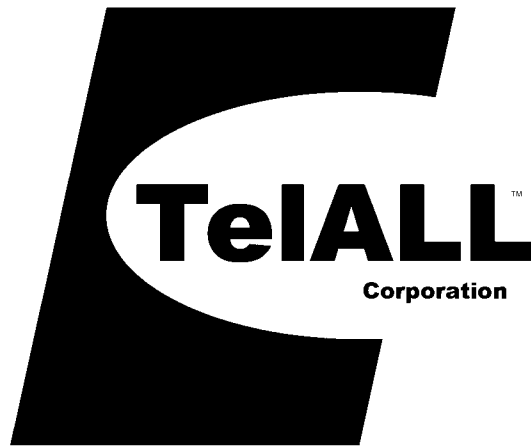
PHOTO 10

View of MBC Service Center to the west of the Property

APPENDIX D

REGULATORY RECORDS DOCUMENTATION

TelALL Environmental Data Search Report



Environmental Data Search

for the site

1915 Briarcliff Blvd, Austin, TX

170147

performed for

Horizon Environmental Services

8/11/2017

HESS8176

www.TelALL.net

Preface



This document of environmental concerns near 1915 Briarcliff Blvd, Austin, TX reports findings of the TelALL data search, prepared on the request of Horizon Environmental Services.

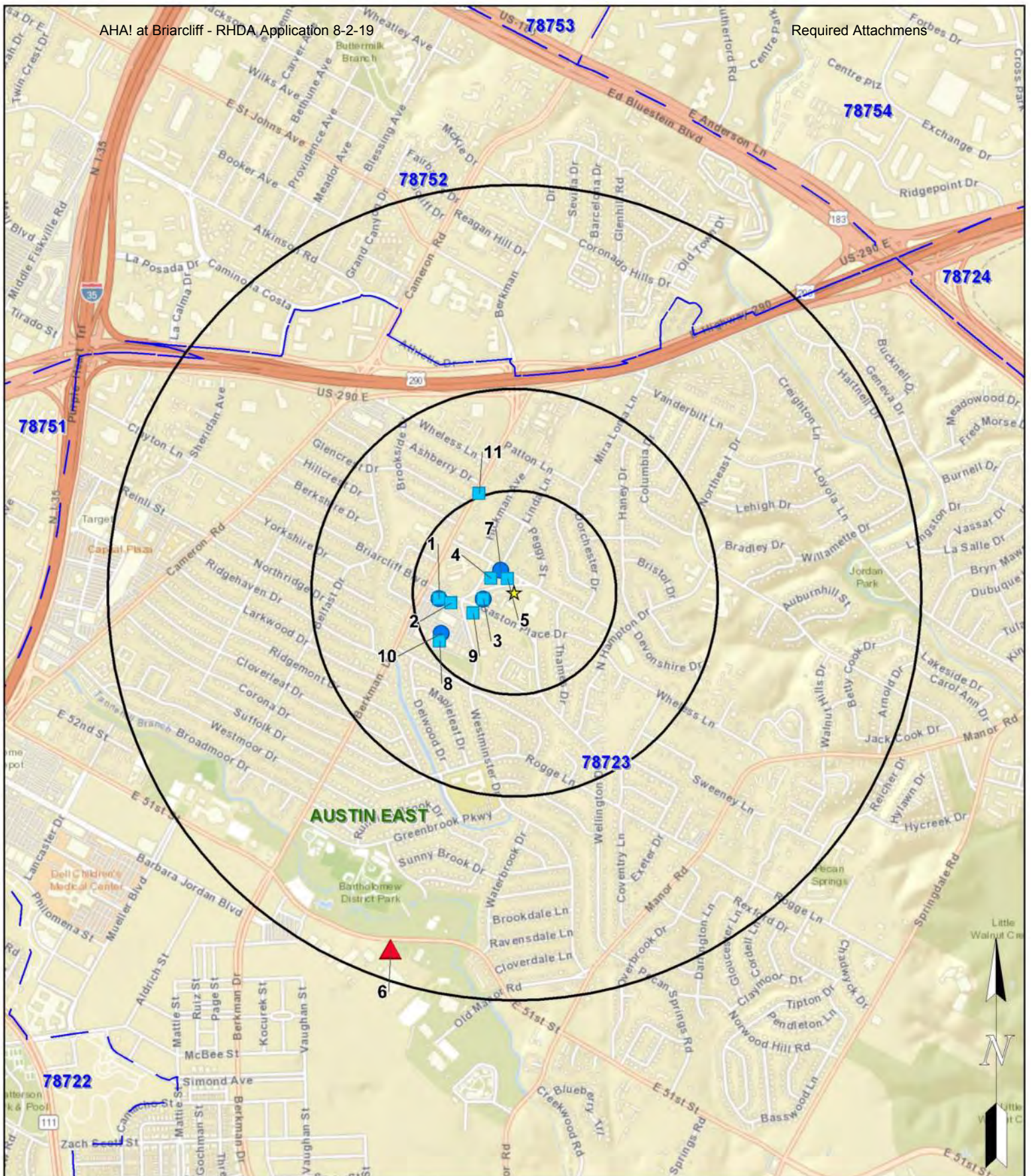
TelALL Corporation (TelALL) has designed this document to assist in complying with AAI and ASTM standard E 1527 - 13 (Accuracy and Completeness) and has used all available resources, but makes no claim to the entirety or accuracy of the cited government, state, or tribal records. Our databases are updated at least every 90 days or as soon as possible after publication by the referenced agencies. The following fields of governmental, state, and tribal databases may not represent all known, unknown, or potential sources of contamination to the referenced site. Many different variables effect the outcome of the following document. TelALL maintains extremely high standards, and stringent procedures that are used to search the referenced data. However, TelALL reserves the right at any time to amend any information related to this report. If there is a need for further information regarding this report, or for any customer support please call TelALL at 800.583.0004 for assistance.

This report is divided into the following components:

MAP	Identified geocodeable findings relative to this data search.
SUMMARY 1	Sorting of the identified sites by distance from the subject site.
FINAL	A description of each database and a detailed explanation of findings.

Sources

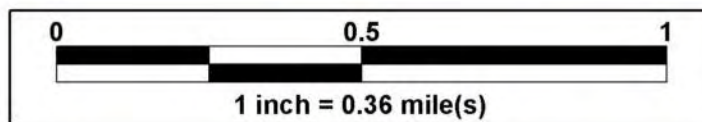
Database	Acronym	Last Updated	Minimum Search Distance	Findings
National Priority List	NPL	06/2017	1	0
Comprehensive Environmental Response, Compensation, and Liability Information System	CERCLIS	06/2017	0.5	0
No Further Remedial Action Planned	NFRAP	06/2017	0.5	0
Resource Conservation and Recovery Information System - Treatment Storage or Disposal	RCRA TSD	04/2017	1	0
Corrective Action	CORRACT	04/2017	1	0
Resource Conservation and Recovery Information System - Generators	RCRA-G	04/2017	0.25	2
Emergency Response Notification System	ERNS	05/2017	0.25	0
Texas Voluntary Cleanup Program	TXVCP	04/2017	0.5	1
Innocent Owner/Operator Program	TXIOP	04/2017	0.5	0
Texas State Superfund	TXSSF	05/2017	1	0
TCEQ Solid Waste Facilities	TXLF	06/2017	1	1
Unauthorized and Unpermitted Landfill Sites	LFUN	06/2017	0.5	0
Leaking Underground Storage Tanks	TXLUST	05/2017	0.5	2
Texas Underground Storage Tanks	TXUST	05/2017	0.25	25
Texas Above Ground Storage Tanks	TXAST	05/2017	0.25	0
Texas Spills List	TXSPILL	06/2017	0.25	0
Brownfield	BRNFD	04/2017	0.5	0
Dry Cleaner	DRYC	05/2017	0.5	1
Indian Reservation Underground Storage Tanks	IRUST	05/2017	0.25	0



CERCLIS
 CORRACT
 NFRAP
 NPL
 RCRA TSD
 TXLF
 TXSSF

BRNFD
 DRYC
 IRLUST
 LFUN
 TXIOP
 TXLUST
 TXVCP

ERNS
 IRUST
 RCRA-G
 TXAST
 TXSPILL
 TXUST



Site

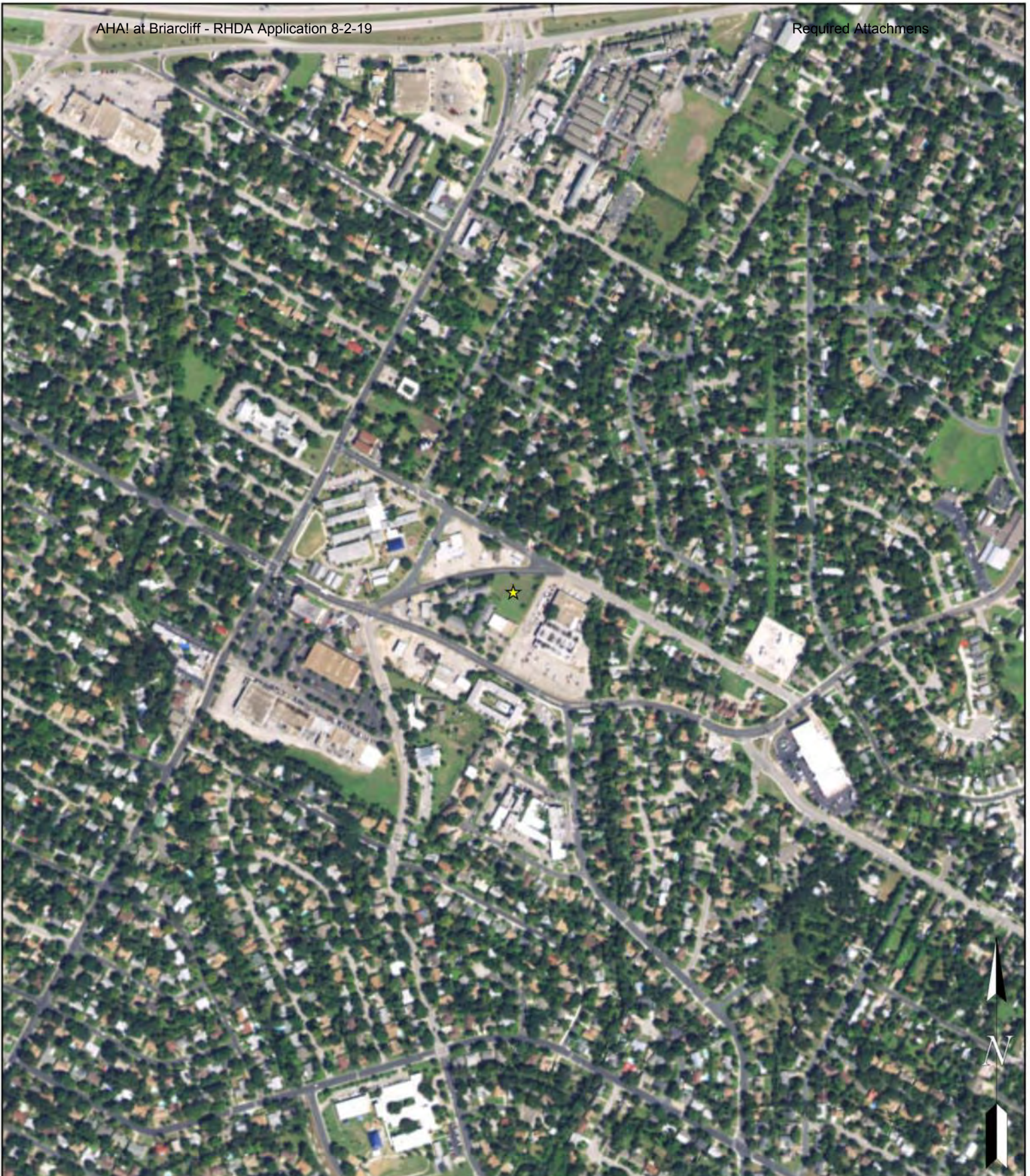
Topo Quad Boundary

Zip Code Boundary

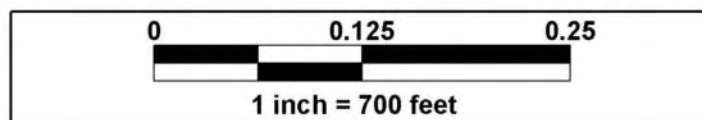


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Site Locations are Approximate Only



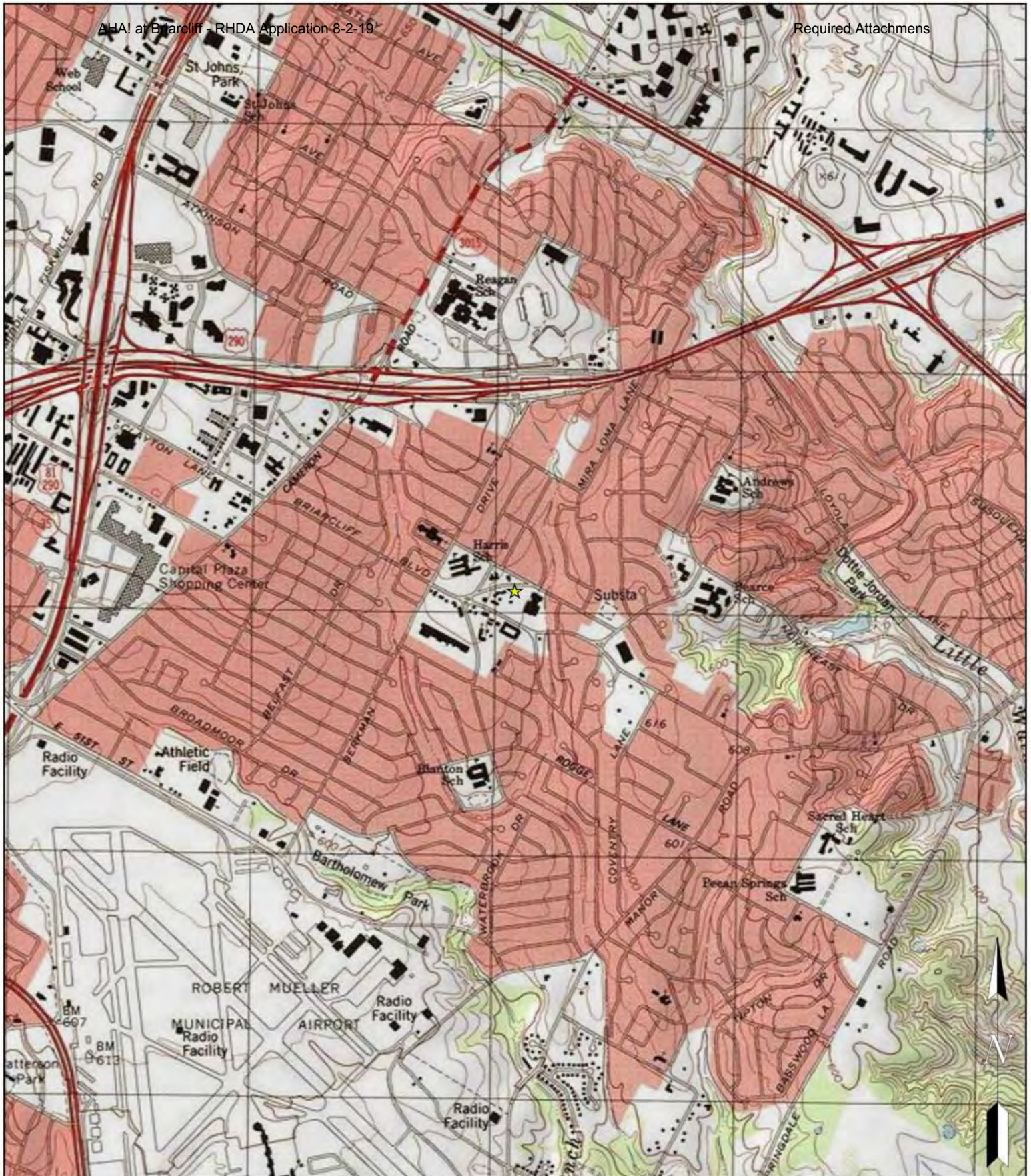
Recent NAIP Photo
(Natural Image)



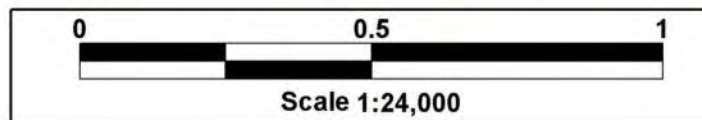
★
Site



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Recent USGS Topo
(7.5 Minute)



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Sites Sorted By Distance from Center

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Distance/Direction	Database	Site Number	Address	City/State	Site Name
					IRUST NO FINDINGS WITHIN 1/4 MILE.
					CERCLIS NO FINDINGS WITHIN 1/2 MILE.
					ERNS NO FINDINGS WITHIN 1/4 MILE.
					BRNFD NO FINDINGS WITHIN 1/2 MILE.
					TXIOP NO FINDINGS WITHIN 1/2 MILE.
					LFUN NO FINDINGS WITHIN 1/2 MILE.
					TXSPILL NO FINDINGS WITHIN 1/4 MILE.
					TXSSF NO FINDINGS WITHIN ONE MILE.
					TXAST NO FINDINGS WITHIN 1/4 MILE.
					RCRA TSD NO FINDINGS WITHIN ONE MILE.
					CORRACT NO FINDINGS WITHIN ONE MILE.
					NPL NO FINDINGS WITHIN ONE MILE.
					NFRAP NO FINDINGS WITHIN 1/2 MILE.
.03					
	N W	TXUST	5 1814 BRIARCLIFF BLVD	AUSTIN	BRIARCLIFF S C
	N W	TXUST	5 1814 BRIARCLIFF BLVD	AUSTIN	BRIARCLIFF S C
	N W	TXUST	5 1814 BRIARCLIFF BLVD	AUSTIN	BRIARCLIFF S C
	N W	TXUST	5 1814 BRIARCLIFF BLVD	AUSTIN	BRIARCLIFF S C
	N W	TXUST	5 1814 BRIARCLIFF BLVD	AUSTIN	BRIARCLIFF S C
.06					
	N W	DRYC	7 1909 WHELESS LN	AUSTIN	YULIS CLEANERS
.06					
	N W	TXUST	4 1810 BRIARCLIFF BLVD	AUSTIN	NEIGHBORHOOD FOOD MART
	N W	TXUST	4 1810 BRIARCLIFF BLVD	AUSTIN	NEIGHBORHOOD FOOD MART
.08					
	S W	TXLUST	3 1801 BRIARCLIFF BLVD	AUSTIN	MBC SERVICE STATION
	S W	TXUST	3 1801 BRIARCLIFF BLVD	AUSTIN	MBC STATION
	S W	TXUST	3 1801 BRIARCLIFF BLVD	AUSTIN	MBC STATION
	S W	TXUST	3 1801 BRIARCLIFF BLVD	AUSTIN	MBC STATION
	S W	TXUST	3 1801 BRIARCLIFF BLVD	AUSTIN	MBC STATION
.11					
	S W	TXUST	9 5933 WESTMINSTER DR	AUSTIN	TU DISCO LATINO
	S W	TXUST	9 5933 WESTMINSTER DR	AUSTIN	TU DISCO LATINO
	S W	TXUST	9 5933 WESTMINSTER DR	AUSTIN	TU DISCO LATINO
	S W	TXUST	9 5933 WESTMINSTER DR	AUSTIN	TU DISCO LATINO
.16					
	S W	TXUST	2 1727 BRIARCLIFF BLVD	AUSTIN	PDQ 10-MINUTE MASTER LUBE
	S W	TXUST	2 1727 BRIARCLIFF BLVD	AUSTIN	PDQ 10-MINUTE MASTER LUBE
	S W	TXUST	2 1727 BRIARCLIFF BLVD	AUSTIN	PDQ 10-MINUTE MASTER LUBE
	S W	TXUST	2 1727 BRIARCLIFF BLVD	AUSTIN	PDQ 10-MINUTE MASTER LUBE
.19					
	S W	TXUST	1 1701 BRIARCLIFF BLVD	AUSTIN	SS 6 4662
	S W	TXUST	1 1701 BRIARCLIFF BLVD	AUSTIN	SS 6 4662
	S W	TXUST	1 1701 BRIARCLIFF BLVD	AUSTIN	SS 6 4662
	S W	TXUST	1 1701 BRIARCLIFF BLVD	AUSTIN	SS 6 4662
	S W	RCRA-G	1 1701 BRIARCLIFF BLVD	AUSTIN	CVS PHARMACY 6895
	S W	TXUST	1 1701 BRIARCLIFF BLVD	AUSTIN	SS 6 4662
	S W	TXLUST	1 1701 BRIARCLIFF	AUSTIN	EXXON 64662

Distances given are tenths of a statute mile.



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Distance/Direction	Database	Site Number	Address	City/State	Site Name
.2					
S W	TXVCP	10	5936 WESTMINSTER DRIVE	AUSTIN	WINDSOR VILLAGE SHOPPING CENT
.21					
S W	RCRA-G	8	5811 BERKMAN DR. #114	AUSTIN	FAMILY DOLLAR #1782
.23					
N W	TXUST	11	6311 BERKMAN DR	AUSTIN	FIRE STATION 18
.82					
S W	TXLF	6	1901 E 51ST ST AUSTIN, TX 78723-3040	TRAVIS	CITY OF AUSTIN

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NPL

National Priority List

NPL is a priority subset of the CERCLIS list. (See CERCLIS, below) The Cerclis list was created by the Comprehensive Environmental Response, Compensation and Liability Acts (CERCLA) need to track contaminated sites. CERCLA was enacted on 12/11/80, and amended by the Superfund Amendments and Reauthorization Act of 1986. These acts established broad authority for the government to respond to problems posed by the release, or threat of release of hazardous substances, pollutants, or contaminants. CERCLA also imposed liability on those responsible for releases and provided the authority for the government to undertake enforcement and abatement action against responsible parties. Institutional/Engineering Controls searched. Delisted NPL sites are included.

Source: United States Environmental Protection Agency (EPA)

Database: NPL

Site: No findings within one mile.

Distance: 0

Address:

Zip Code:

City:

CERCLIS

Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS is the official repository for site and non-site specific Superfund data in support of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). It contains information on hazardous waste site assessment and remediation from 1983 to the present. CERCLIS information is used to report official Superfund accomplishments to Congress and the public, assist EPA Regional and Headquarters managers in evaluating the status and progress of site cleanup actions, track Superfund Comprehensive Accomplishments Plan (SCAP), and communicate planned activities and budgets. Institutional/Engineering Controls searched.

Source: United States Environmental Protection Agency (EPA)

Database: CERCLIS

Site: No findings within 1/2 mile.

Distance: 0

Address:

Zip Code:

City:

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NFRAP

No Further Remedial Action Planned

NFRAP Sites indicate a CERCLIS site that was designated "No further remedial action planned" by the EPA February 1995. Institutional/Engineering Controls searched.

Source: United States Environmental Protection Agency (EPA)

Database: NFRAP

Site: No findings within 1/2 mile.

Distance: 0

Address:

Zip Code:

City:

RCRA TSD

Resource Conservation and Recovery Information System - Treatment Storage or Disposal

Resource Conservation and Recovery Information System (RCRIS) Under the Resource Conservation and Recovery Act (RCRA), generators, transporters, treaters, storers, and disposers of hazardous waste as defined by the federally recognized hazardous waste are required to provide information concerning their activities to state environmental agencies, who in turn provide the information to regional and national U.S. EPA offices. The RCRA TSD (Treatment Storage or Disposal) is a subset of the RCRIS list. RCRA TSD tracks facilities that fall under the Treatment Storage or Disposal classification.

Source: United States Environmental Protection Agency (EPA)

Database: RCRA TSD

Site: No findings within one mile.

Distance: 0

Address:

Zip Code:

City:

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CORRACT

Corrective Action

CORRACT lists RCRIS (Resource Conservation and Recovery Information System) sites that are currently under corrective action. Institutional/Engineering Controls searched.

Source: United States Environmental Protection Agency (EPA)

Database: CORRACT

Site: No findings within one mile.

Distance: 0

Address:

Zip Code:

City:

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RCRA-G

Resource Conservation and Recovery Information System - Generators

Resource Conservation and Recovery Information System (RCRIS) Under the Resource Conservation and Recovery Act (RCRA), generators, transporters, treaters, storers, and disposers of hazardous waste as defined by the federally recognized hazardous waste, are required to provide information concerning their activities to state environmental agencies, who in turn provide the information to regional and national U.S. EPA offices. The RCRA-G (Generators) list is a subset of the RCRIS list. RCRA-G tracks facilities that fall under the generators or transporters classification.

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS (CESQG) produce less than 100 kg per month of hazardous waste. SMALL QUANTITY GENERATORS (SQG) produce at least 100 kg per month but less than 1000 kg per month of hazardous waste. LARGE QUANTITY GENERATORS (LQG) produce at least 1000 kg per month of hazardous waste. Source: United States Environmental Protection Agency (EPA)

1

Database: RCRA-G

Site: CVS PHARMACY 6895

Distance: 0.186 SW

Address: 1701 BRIARCLIFF BLVD

Zip Code: 78723

City: AUSTIN

EPA ID: TXR000081192 - Site type: Large Quantity Generator.
Institutional/Engineering Controls: No/No Contact Information: WENDY BRANT, 1
CVS DR WOONSOCKET, RI, 028956146, Tel. 4017651500 NAIC (North
American Industrial Classification) Code(s): 44611

8

Database: RCRA-G

Site: FAMILY DOLLAR #1782

Distance: 0.211 SW

Address: 5811 BERKMAN DR. #114

Zip Code: 78723-2624

City: AUSTIN

EPA ID: TXR000082243 - Site type: Conditionally Exempt Small Quantity
Generator. Institutional/Engineering Controls: No/No Contact Information: KEVIN
STRAIGHT, PO BOX 1017 CHARLOTTE, NC, 28201, Tel. 704-708-1909 NAIC
(North American Industrial Classification) Code(s): 45299

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ERNS

Emergency Response Notification System

ERNS supports the release notification requirements of section 103 of the Comprehensive Environmental Response Compensation, and Liability Act (CERCLA), as amended; section 311 of the Clean Water Act; and sections 300.51 and 300.65 of the National Oil and Hazardous Substances Contingency Plan. Additionally, ERNS serves as a mechanism to document and verify incident-location information as initially reported, and is utilized as a direct source of easily accessible data, needed for analyzing oil and hazardous substances spills.

Source: National Response Center (NRC)

Database: ERNS

Site: No findings within 1/4 mile.

Distance: 0

Address:

Zip Code:

City:

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TXVCP

Texas Voluntary Cleanup Program

Created under HB 2296, The Voluntary Cleanup Program (VCP) was established on 09/01/95 to provide administrative, technical, and legal reasons to promote the cleanup of tainted sites in Texas. Since future lenders and landowners get protection from liability to the State of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate deals at those sites are removed. As a result, many unused or under used sites may be restored to economically productive or community beneficial uses. After cleanup, the parties get a certificate of completion from the TCEQ which states that all lenders and future land owners who are not PRP's are free from all liability to the State. Institutional/Engineering Controls searched.

Parts of the above description were taken from the TCEQ/VCP Website (<http://www.TCEQ.state.tx.us/permitting/remed/vcp/>). The investigation phases are listed as INVESTIGATION, REMEDIATION, POST-CLOSURE, and COMPLETE. Contaminant Categories (PERC and BTEX). Source: Texas Commission on Environmental Quality (TCEQ)

10

Database: TXVCP

Site: Windsor Village Shopping Center

Distance: 0.2 SW

Address: 5936 WESTMINSTER DRIVE

Zip Code: 78723

City: AUSTIN

VCP ID: 1879 - Date app. received: 11/2/05. Phase: Completed. The certificate type is unknown. Facility Type: Dry Cleaners. Site Acres: 11 Contaminant type: Chlorinated Solvents. The type of media affected: Soils/Groundwater. Institutional Control/Remedy: PRAA/Unknown Applicant name: Austin Windsor Village, Inc. The Consultant/Attorney is InControl Technologies, Inc. (tel) 281-580-8892

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TXIOP

Innocent Owner/Operator Program

The TX IOP, created by House Bill 2776 of the 75th Leg, provides a cert. to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not loc. on the prop., and they did not cause or contribute to the source or sources of contamination. Like the TxVCP Prog., the IOP can be used as a redevelopment tool or as a tool to add value to a contaminated prop. by providing an Innocent Owner/Operator Certificate (IOC). However, unlike the VCP release of liability, IOCs are not trans. to future owners/oper's. Future owners/oper's are eligible to enter the IOP and may rec. an IOC only after they become an owner or operator of the site.

*The above description were taken from the TCEQ/IOP Website
(<http://www.TCEQ.state.tx.us/permitting/remed/vcp/iop.html>).
Source: Texas Commission on Environmental Quality (TCEQ)*

Database: TXIOP

Site: No findings within 1/2 mile.

Distance: 0

Address:

Zip Code:

City:

TXSSF

Texas State Superfund

The Texas State Superfund database is a list of sites that the State of Texas has identified for investigation or remediation. Texas State Superfund sites are reviewed for potential upgrading to Comprehensive Environmental Response, Compensation, and Liability Information System status by the federal Environmental Protection Agency. Institutional/Engineering Controls searched.

Source: Texas Commission on Environmental Quality (TCEQ)

Database: TXSSF

Site: No findings within one mile.

Distance: 0

Address:

Zip Code:

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TXLF

TCEQ Solid Waste Facilities

Texas Commission on Environmental Quality (TCEQ) Requires municipalities and counties to report known active and inactive landfills. Texas Landfills is a listing of solid waste facilities registered and tracked by the TCEQ Solid waste division. The facilities tracked include solid waste disposal sites as well as transfer stations and processing stations.

Source: Texas Commission on Environmental Quality (TCEQ)

6

Database: TXLF

Site: CITY OF AUSTIN

Distance: 0.82 SW

Address: 1901 E 51ST ST AUSTIN, TX 78723-3040

Zip Code:

City: TRAVIS

Site ID: 65022 - Permit app. received date: 3/4/2008. Facility type: CR-Unknown.
Site status: ACTIVE, Permit status: ISSUED, Business type: CITY, Permitted acreage: N/A, Population served: Unknown, Area served: TRAVIS COUNTY.
Tons per day: N/A, Yards per day: N/A, Estimated closing date: Unknown. App. name, address, phone number: CN600135198, City of Austin, 505 BARTON SPRINGS RD AUSTIN, TX 78704-1245, (512) 974 - 7084.

LFUN

Unauthorized and Unpermitted Landfill Sites

Unauthorized sites have no permit and are considered abandoned. All information about these sites was compiled by Southwest Texas State University under contract with TCEQ and is based on a search of publicly available records.

Source: Texas Commission on Environmental Quality (TCEQ)

Database: LFUN

Site: No findings within 1/2 mile.

Distance: 0

Address:

Zip Code:

City:

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TXLUST

Leaking Underground Storage Tanks

State lists of leaking underground storage tank sites. Section 9003(h) of Subtitle I of RCRA gives EPA and states, under cooperative agreements with EPA, authority to clean up releases from UST systems or require owners and operators to do so.

Source: Texas Commission on Environmental Quality (TCEQ)

3

Database: TXLUST

Site: MBC SERVICE STATION

Distance: 0.078 SW

Address: 1801 BRIARCLIFF BLVD

Zip Code: 78700

City: AUSTIN

Facility ID: 0035459, LPST ID: 092579, Facility Owner: CAMERON JORDAN.
Priority: PRIORITY: 4A - SOIL CONTAMINATION ONLY, REQUIRES FULL SITE
ASSESSMENT & RAP. Status: 6A - FINAL CONCURRENCE ISSUED, CASE
CLOSED. Program: 1 - RPR. Date Reported: 2/13/1989, Closure Date: Unknown.

1

Database: TXLUST

Site: EXXON 64662

Distance: 0.186 SW

Address: 1701 BRIARCLIFF

Zip Code: 78723

City: AUSTIN

Facility ID: 0026100, LPST ID: 093158, Facility Owner: EXXON CO USA. Priority:
PRIORITY: 2A - GROUNDWATER OTHER THAN 1B, SITE
CHARACTERIZATION INCOMPLETE. Status: 6A - FINAL CONCURRENCE
ISSUED, CASE CLOSED. Program: 1 - KMC. Date Reported: 6/23/1989, Closure
Date: Unknown.

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TXUST

Texas Underground Storage Tanks

Underground Storage Tanks - Permitted underground storage tanks tracked and maintained by the Texas Commission on Environmental Quality (TCEQ).

Source: Texas Commission on Environmental Quality (TCEQ)

5

Database: TXUST

Site: BRIARCLIFF S C

Distance: 0.033 NW

Address: 1814 BRIARCLIFF BLVD

Zip Code: 78723

City: AUSTIN

Facility ID: 000707, TCEQ Unit ID: 00001739, Tank ID: 4, Date Installed: 01/01/1966, Total Tank Capacity: 3000 gal. Tank Status: PERM FILLED IN PLACE, Compartment(s): Comp. A - GASOLINE - 0 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: CAPITOL CITY OIL COMPANY, Telephone Number: 17412847604.

Facility ID: 000707, TCEQ Unit ID: 00001741, Tank ID: 2, Date Installed: 01/01/1966, Total Tank Capacity: 3000 gal. Tank Status: PERM FILLED IN PLACE, Compartment(s): Comp. A - GASOLINE - 0 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: CAPITOL CITY OIL COMPANY, Telephone Number: 17412847604.

Facility ID: 000707, TCEQ Unit ID: 00001742, Tank ID: 5, Date Installed: 08/31/1987, Total Tank Capacity: 500 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - USED OIL - 500 gal. Tank Construction: Steel. Tank Design: Single Wall. Facility Owner: CAPITOL CITY OIL COMPANY, Telephone Number: 17412847604.

Facility ID: 000707, TCEQ Unit ID: 00001740, Tank ID: 3, Date Installed: 01/01/1966, Total Tank Capacity: 3000 gal. Tank Status: PERM FILLED IN PLACE, Compartment(s): Comp. A - GASOLINE - 0 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: CAPITOL CITY OIL COMPANY, Telephone Number: 17412847604.

Facility ID: 000707, TCEQ Unit ID: 00001738, Tank ID: 1, Date Installed: 01/01/1966, Total Tank Capacity: 3000 gal. Tank Status: PERM FILLED IN PLACE, Compartment(s): Comp. A - GASOLINE - 0 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: CAPITOL CITY OIL COMPANY, Telephone Number: 17412847604.

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4 **Database:** TXUST
Site: NEIGHBORHOOD FOOD MART
Distance: 0.064 NW
Address: 1810 BRIARCLIFF BLVD
Zip Code: 78723
City: AUSTIN

Facility ID: 003866, TCEQ Unit ID: 00009444, Tank ID: 1, Date Installed: 01/01/1982, Total Tank Capacity: 8000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 8000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: FOSTER BEN F, Telephone Number: UNKNOWN.

Facility ID: 003866, TCEQ Unit ID: 00009445, Tank ID: 2, Date Installed: 01/01/1982, Total Tank Capacity: 6000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 6000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: FOSTER BEN F, Telephone Number: UNKNOWN.

3 **Database:** TXUST
Site: MBC STATION
Distance: 0.078 SW
Address: 1801 BRIARCLIFF BLVD
Zip Code: 78723
City: AUSTIN

Facility ID: 035459, TCEQ Unit ID: 00093814, Tank ID: 1, Date Installed: 01/01/1978, Total Tank Capacity: 6000 gal. Tank Status: IN USE, Compartment(s): Comp. A - GASOLINE - 6000 gal. Tank Construction: Fiberglass-Reinforced Plastic (FRP). Tank Design: Double Wall. Facility Owner: MBC STATION INC, Telephone Number: 30115631951.

Facility ID: 035459, TCEQ Unit ID: 00093810, Tank ID: 3, Date Installed: 08/31/1987, Total Tank Capacity: 300 gal. Tank Status: IN USE, Compartment(s): Comp. A - USED OIL - 300 gal. Tank Construction: Coated (Steel w/ external Polyurethane Cladding). Tank Design: Single Wall. Facility Owner: MBC STATION INC, Telephone Number: 30115631951.

Facility ID: 035459, TCEQ Unit ID: 00093812, Tank ID: 3A, Date Installed: 01/01/1978, Total Tank Capacity: 4000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 4000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: MBC STATION INC, Telephone Number: 30115631951.

Facility ID: 035459, TCEQ Unit ID: 00093813, Tank ID: 2A, Date Installed: 01/01/1978, Total Tank Capacity: 4000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 4000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: MBC STATION INC, Telephone Number: 30115631951.

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Database: TXUST
Site: TU DISCO LATINO
Distance: 0.11 SW
Address: 5933 WESTMINSTER DR
Zip Code: 78723
City: AUSTIN

Facility ID: 011798, TCEQ Unit ID: 00030962, Tank ID: 4, Date Installed: 01/01/1976, Total Tank Capacity: 550 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - USED OIL - 550 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: RAYAN INTERNATIONAL INC, Telephone Number: 32016034087.

Facility ID: 011798, TCEQ Unit ID: 00030961, Tank ID: 2, Date Installed: 01/01/1976, Total Tank Capacity: 6000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - 0 gal. Tank Construction: Steel. Tank Design: Single Wall. Facility Owner: RAYAN INTERNATIONAL INC, Telephone Number: 32016034087.

Facility ID: 011798, TCEQ Unit ID: 00030960, Tank ID: 3, Date Installed: 01/01/1976, Total Tank Capacity: 6000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - 0 gal. Tank Construction: Steel. Tank Design: Single Wall. Facility Owner: RAYAN INTERNATIONAL INC, Telephone Number: 32016034087.

Facility ID: 011798, TCEQ Unit ID: 00030959, Tank ID: 1, Date Installed: 01/01/1976, Total Tank Capacity: 6000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - 0 gal. Tank Construction: Steel. Tank Design: Single Wall. Facility Owner: RAYAN INTERNATIONAL INC, Telephone Number: 32016034087.

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Job HESS8176
Date 8/11/2017

1915 Briarcliff Blvd, Austin, TX

2 **Database:** TXUST
Site: PDQ 10-MINUTE MASTER LUBE
Distance: 0.157 SW
Address: 1727 BRIARCLIFF BLVD
Zip Code: 78723
City: AUSTIN

Facility ID: 009611, TCEQ Unit ID: 00025444, Tank ID: 2, Date Installed: 08/31/1987, Total Tank Capacity: UNKNOWN Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - EMPTY - 0 gal. Tank Construction: . Tank Design: Unknown Wall. Facility Owner: CENTERAMERICA PROPERTY TRUST, Telephone Number: UNKNOWN.

Facility ID: 009611, TCEQ Unit ID: 00025445, Tank ID: 1, Date Installed: 08/31/1987, Total Tank Capacity: UNKNOWN Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - EMPTY - 0 gal. Tank Construction: . Tank Design: Unknown Wall. Facility Owner: CENTERAMERICA PROPERTY TRUST, Telephone Number: UNKNOWN.

Facility ID: 009611, TCEQ Unit ID: 00025446, Tank ID: 4, Date Installed: 08/31/1987, Total Tank Capacity: 500 gal. Tank Status: PERM FILLED IN PLACE, Compartment(s): Comp. A - USED OIL - 0 gal. Tank Construction: . Tank Design: Unknown Wall. Facility Owner: CENTERAMERICA PROPERTY TRUST, Telephone Number: UNKNOWN.

Facility ID: 009611, TCEQ Unit ID: 00025447, Tank ID: 3, Date Installed: 08/31/1987, Total Tank Capacity: UNKNOWN Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - EMPTY - 0 gal. Tank Construction: . Tank Design: Unknown Wall. Facility Owner: CENTERAMERICA PROPERTY TRUST, Telephone Number: UNKNOWN.

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Date 8/11/2017

1915 Briarcliff Blvd, Austin, TX

1 **Database:** TXUST
Site: SS 6 4662
Distance: 0.186 SW
Address: 1701 BRIARCLIFF BLVD
Zip Code: 78723
City: AUSTIN

Facility ID: 026100, TCEQ Unit ID: 00067252, Tank ID: 2, Date Installed: 01/01/1960, Total Tank Capacity: 8000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 8000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: EXXON MOBIL CORPORATION, Telephone Number: 11354090059.

Facility ID: 026100, TCEQ Unit ID: 00067250, Tank ID: 1, Date Installed: 01/01/1960, Total Tank Capacity: 8000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 8000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: EXXON MOBIL CORPORATION, Telephone Number: 11354090059.

Facility ID: 026100, TCEQ Unit ID: 00067253, Tank ID: 5, Date Installed: 01/01/1960, Total Tank Capacity: 550 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - USED OIL - 550 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: EXXON MOBIL CORPORATION, Telephone Number: 11354090059.

Facility ID: 026100, TCEQ Unit ID: 00067251, Tank ID: 3, Date Installed: 01/01/1960, Total Tank Capacity: 3000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 3000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: EXXON MOBIL CORPORATION, Telephone Number: 11354090059.

Facility ID: 026100, TCEQ Unit ID: 00067254, Tank ID: 4, Date Installed: 01/01/1960, Total Tank Capacity: 3000 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - GASOLINE - 3000 gal. Tank Construction: Steel. Tank Design: Unknown Wall. Facility Owner: EXXON MOBIL CORPORATION, Telephone Number: 11354090059.

11 **Database:** TXUST
Site: FIRE STATION 18
Distance: 0.228 NW
Address: 6311 BERKMAN DR
Zip Code: 78723
City: AUSTIN

Facility ID: 057734, TCEQ Unit ID: 00138251, Tank ID: 1, Date Installed: 01/01/1964, Total Tank Capacity: 110 gal. Tank Status: REMOVED FROM GROUND, Compartment(s): Comp. A - DIESEL - 110 gal. Tank Construction: Steel. Tank Design: Single Wall. Facility Owner: CITY OF AUSTIN, Telephone Number: 17460000858.

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TXAST

Texas Above Ground Storage Tanks

Aboveground Storage Tanks - Permitted aboveground storage tanks tracked and maintained by the Texas Commission on Environmental Quality (TCEQ).

Source: Texas Commission on Environmental Quality (TCEQ)

Database: TXAST

Site: No findings within 1/4 mile.

Distance: 0

Address:

Zip Code:

City:

TXSPILL

Texas Spills List

Texas Commission on Environmental Quality (TCEQ) tracks cases where emergency response is needed for cleanup of toxic substances.

Source: Texas Commission on Environmental Quality (TCEQ)

Database: TXSPILL

Site: No findings within 1/4 mile.

Distance: 0

Address:

Zip Code:

City:

BRNFD

Brownfield

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Institutional/Engineering Controls searched.

Source: Texas Commission on Environmental Quality (TCEQ)

Database: BRNFD

Site: No findings within 1/2 mile.

Distance: 0

Address:

Zip Code:

City:

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DRYC

Dry Cleaner

House Bill 1366 requires all dry cleaning drop stations and facilities in Texas to register with Texas Commission on Environmental Quality (TCEQ) and implement new performance standards at their facilities as appropriate. It also requires distributors of dry cleaning solvents to collect fees on the sale of dry cleaning solvents at certain facilities.

Source: Texas Commission on Environmental Quality (TCEQ)

7

Database: DRYC

Site: YULIS CLEANERS

Distance: 0.057 NW

Address: 1909 WHELESS LN

Zip Code: 78723

City: AUSTIN

Regulated Entity ID: RN103962767. Customer ID: CN602926461. Owner: SEGURA, ANSELMA. Dry Cleaner Type: FACILITY REGISTRATION. Solvent Type: Unknown.

IRUST

Indian Reservation Underground Storage Tanks

All Appropriate Inquiries (AAI) rule has requested that Underground Storage Tanks on Indian Land be included in any ESA that is affected. Permitted Underground Storage Tanks on Indian Land are tracked and maintained by the EPA.

Source: United States Environmental Protection Agency (EPA)

Database: IRUST

Site: No findings within 1/4 mile.

Distance: 0

Address:

Zip Code:

City:

APPENDIX E

HISTORICAL RESEARCH DOCUMENTATION

Historical Chain of Title
Local Street Directory Search Results
Fire Insurance Rate Map Search Results

REAL PROPERTY SERVICES

10200 Grogan's Mill Road, Suite 410
The Woodlands, Texas 77380
Phone (281) 419-5954 or 1-866-406-5954
Fax (281) 419-5942

Date: June 8, 2011

Client: Horizon Environmental Services, Inc.
Attn: Greg Sherrod
RPS #: 201103675
Client Search #: N/A

Through Date: 06/01/2011

SUBJECT PROPERTY:

Tract 2, Lot 2-B-2B, the 4th resubdivision of Lot 2, Block E, DELWOOD TERRACE COMMERCIAL AREA, a subdivision in Travis County, Texas, according to the map or plat of record as shown in Book 72, Page 98, Plat Records of Travis County, Texas.

Warranty Deed

Grantee(s): Housing Authority of the City of Austin
Grantor(s): Lee-Jackson-Turner, Inc.
Volume/Page: 6097-1844
File Date: 03/10/1978

Warranty Deed

Grantee(s): Lee-Jackson-Turner, Inc.
Grantor(s): Nash Phillips and Clyde Copus, Jr.
Volume/Page: 5681-2048
File Date: 12/30/1976

Phillips/Copus Source Deeds

Warranty Deed

Grantee(s): Nash Phillips and Clyde Copus, Jr.
Grantor(s): Jesse H. Wheless, Jr., et ux
Volume/Page: 2148-3
File Date: 03/09/1960

Warranty Deed

Grantee(s): Nash Phillips and Clyde Copus, Jr.
Grantor(s): Jesse H. Wheless, a single man
Volume/Page: 1560-342
File Date: 03/29/1955

Warranty Deed

Grantee(s): Nash Phillips and Clyde Copus, Jr.

Grantor(s): Jesse H. Wheless, a single man

Volume/Page: 1550-206

File Date: 03/18/1955

Wheless Source deed

Warranty Deed

Grantee(s): Jesse H. Wheless

Grantor(s): J. J. Wheless

Volume/Page: 168-125

File Date: 12/29/1900

EASEMENTS:

Typical Public Utility Easements. No easements of environmental concern noted during research.

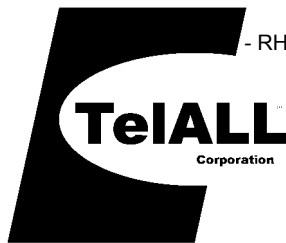
LEASES:

None noted during research.

ENVIRONMENTAL LIENS:

None noted during research.

This search is provided to the above client for use in the historical background analysis of the subject property. Its use by third parties for any purpose is strictly prohibited. The information contained herein was obtained from the Deed Records of Travis County, Texas and Real Property Services does not warrant or guaranty the accuracy or content of these records.



City Directory Search

P.O. Box 5239 Austin, TX 78763
Tel:800.583.0004, Fax:888.756.7647

8/17/2017

HESS8176

Horizon Environmental Services 1915 Briarcliff Blvd, Austin, TX

170147

TelALL Corporation has conducted a reverse listing City Directory search to determine prior occupants of the subject site and adjacent properties. We have provided the nearest address(s) when adjacent addresses are not listed. If we have searched a range of addresses, all addresses in that range found in the Directory are included.

Reverse Listing Directories generally are focused on more highly developed areas. Newly developed areas may be covered in the more recent years, but the older directories will tend to cover only the "central" parts of the city. To complete the search, we have either utilized the Texas State Archives or the Briscoe Center collection. These do not claim to be a complete collection of all city directories produced for the state of Texas. To complete this search we used the general range(s) below to search for relevant findings.

1800-2000 Briarcliff Blvd.

If you have any questions concerning this project, or need additional information please call us at 800-583-0004.

Regards,

TelALL Corp.

We have made every effort to provide complete and accurate information, but we assume no responsibility for inaccurate or incomplete information.



City Directory List

Date	Street	Address	Listing	Source
2017				DIGITAL BUSINESS DIRECTORY
	Briarcliff Blvd	1801	MBC SERVICE CTR	
	Briarcliff Blvd	1801	ATM FINANCIAL SVC	
	Briarcliff Blvd	1801	MBC STATION	
	Briarcliff Blvd	1804	CUBAN SANDWICH'S	
	Briarcliff Blvd	1814	U-HAUL NEIGHBORHOOD DEALER	
	Briarcliff Blvd	1814	FAST EDDIE'S AUTOMOTIVE REPAIR	
2013				DIGITAL BUSINESS DIRECTORY
	Briarcliff Blvd	1801	MBC SERVICE CTR	
	Briarcliff Blvd	1801	ATM FINANCIAL SVC	
	Briarcliff Blvd	1804	CUBAN SANDWICH'S	
2009				DIGITAL BUSINESS DIRECTORY
	Briarcliff Blvd	1801	ATM FINANCIAL SVC	
2005				DIGITAL BUSINESS DIRECTORY
	Briarcliff Blvd	1801	ATM FINANCIAL SVC	
1992				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	M B C TEXACO STATION	
	Briarcliff Blvd	1804	B & H AUTOMOTIVE INC	
	Briarcliff Blvd	1806	VACANT	
	Briarcliff Blvd	1810	NEIGHBORHOOD STORE THRIFT	
	Briarcliff Blvd	1814	BRIARCLIFF AUTO REPAIR	
1988				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	M B C TEXACO STATION	
	Briarcliff Blvd	1804	FIESTA TORTILLA FACTORY	
	Briarcliff Blvd	1806	REDS T V & APPLICATION	
	Briarcliff Blvd	1810	NEIGHBORHOOD FOOD MARKET	
	Briarcliff Blvd	1814	BRIARCLIFF AUTO REPAIR CENTER	



City Directory List

Date	Street	Address	Listing	Source
1984				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	WINDSOR PARK TEXACO AUTO BODY & PAINT	
	Briarcliff Blvd	1804	FIESTA TORTILLA FACTORY	
	Briarcliff Blvd	1806	WINDSOR PARK HARDWARE	
	Briarcliff Blvd	1810	AUSTIN FOOD MKT	
	Briarcliff Blvd	1814	BUCK-IN-A-FLASH	
1980				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	WINDSOR PARK TEXACO AUTO BODY & PAINT	
	Briarcliff Blvd	1804	COIFFURES BY MARIE	
	Briarcliff Blvd	1806	WINDSOR PARK HARDWARE	
	Briarcliff Blvd	1810	VACANT	
	Briarcliff Blvd	1814	BRIARCLIFF PHILLIPS SIXTY SIX SERVICE	
1976				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	WINDSOR PARK SHELL STATION	
	Briarcliff Blvd	1804	DRIVER'S TROPICAL PLANTS	
	Briarcliff Blvd	1806	WINDSOR PARK HARDWARE	
	Briarcliff Blvd	1810	SEVEN-ELEVEN FOOD STORE NO 19	
	Briarcliff Blvd	1814	BRIARCLIFF PHILLIPS SIXTY SIX SERVICE	
1972				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	WINDSOR PARK SHELL STATION	
	Briarcliff Blvd	1804	WINDSOR PARK KWIK WASH	
	Briarcliff Blvd	1806	WINDSOR PARK HARDWARE	
	Briarcliff Blvd	1810	SEVEN-ELEVEN FOOD STORE NO 19	
	Briarcliff Blvd	1814	BRIARCLIFF PHILLIPS SIXTY SIX SERVICE	



City Directory List

Date	Street	Address	Listing	Source
1964				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	JACKSON'S WINDSOR VILLAGE	
	Briarcliff Blvd	1802	VACANT	
	Briarcliff Blvd	1804	WINDSOR PARK KWIK WASH	
	Briarcliff Blvd	1806	VACANT	
	Briarcliff Blvd	1810	SEVEN-ELEVEN FOOD STORE NO 19	
	Briarcliff Blvd	1814	VACANT	
1960				POLK'S CITY DIRECTORY
	Briarcliff Blvd	1801	SHAINES TEXACO SERV STA	
	Briarcliff Blvd	1804	WINDSOR PARK KWIK WASH	
	Briarcliff Blvd	1806	DISMUKES WINDSOR PARK PHARM	
	Briarcliff Blvd	1810	SEVEN-ELEVEN FOOD STORE NO 19	
	Briarcliff Blvd	1815	CONOCO SERV STA	
				END OF LISTINGS

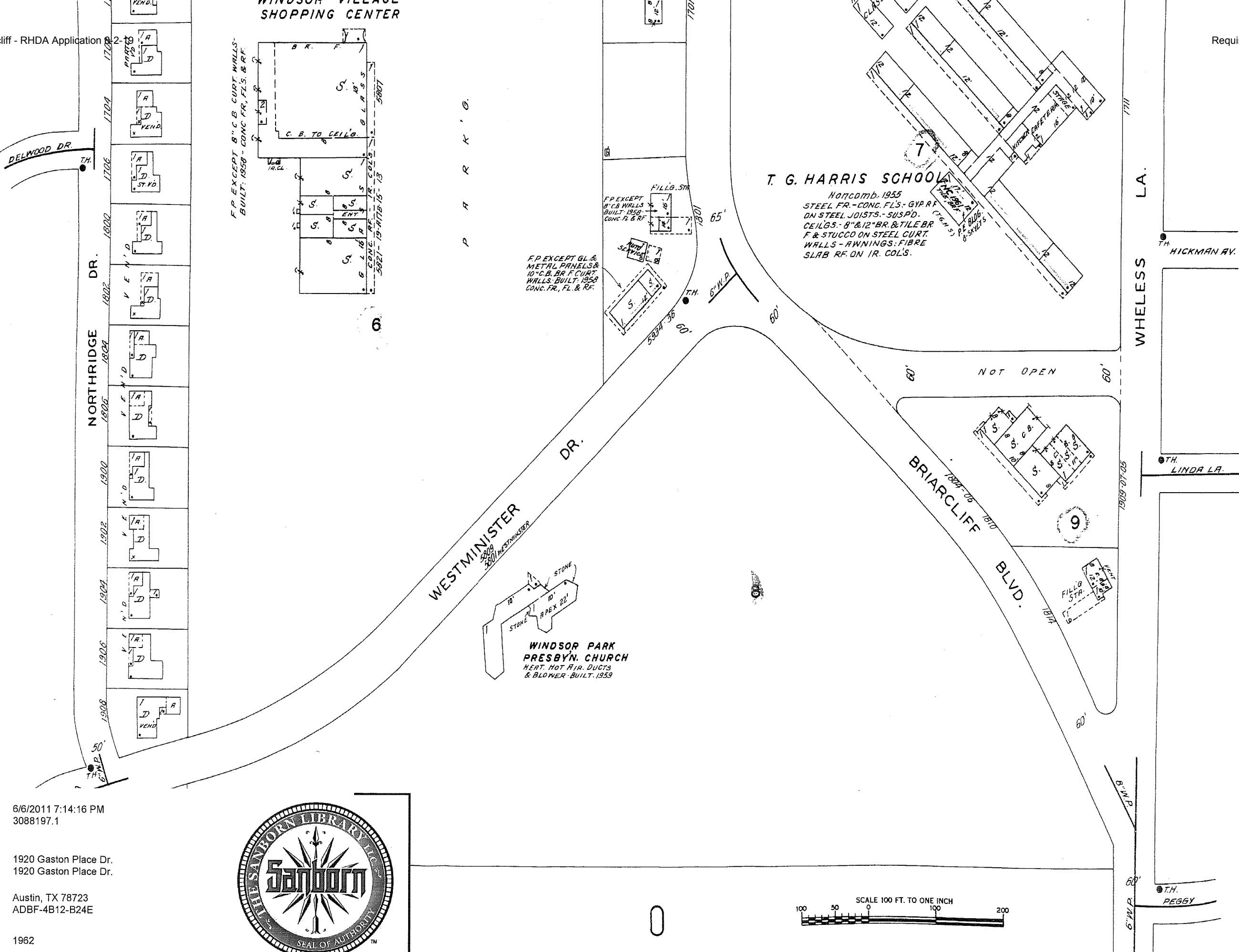
Certification #

ADBF-4B12-B24E

AHA! at Briarcliff - RHDA Application 2-18

WINDSOR VILLAGE
SHOPPING CENTER

Required Attachments



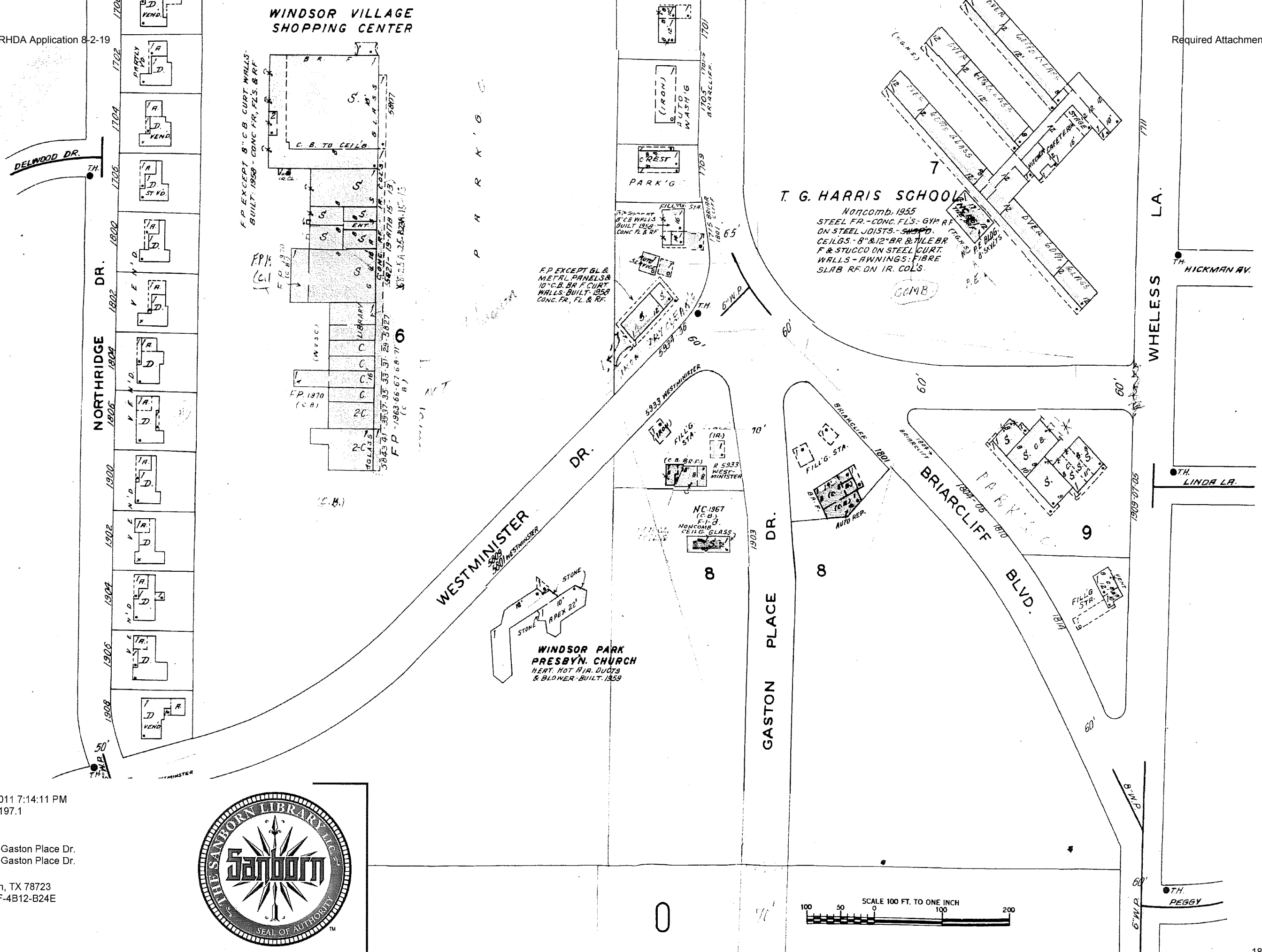
Order Date: 6/6/2011 7:14:16 PM
EDR Inquiry: 3088197.1
Client:
Site Name: 1920 Gaston Place Dr.
Address: 1920 Gaston Place Dr.
City, ST, ZIP: Austin, TX 78723
Certification #: ADBF-4B12-B24E
Copyright: 1962



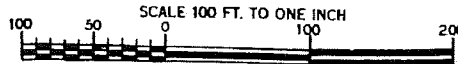
Certification #

ADBF-4B12-B24E

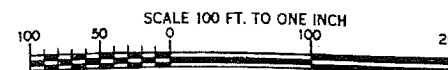
AHA! at Briarcliff - RHDA Application 8-2-19



Order Date: 6/6/2011 7:14:11 PM
EDR Inquiry: 3088197.1
Client:
Site Name: 1920 Gaston Place Dr.
Address: 1920 Gaston Place Dr.
City, ST, ZIP: Austin, TX 78723
Certification #: ADBF-4B12-B24E
Copyright: 1971



Order Date:	6/6/2011 7:14:16 PM
EDR Inquiry:	3088197.1
Client:	
Site Name:	1920 Gaston Place Dr.
Address:	1920 Gaston Place Dr.
City, ST, ZIP:	Austin, TX 78723
Certification #	ADBF-4B12-B24E
Copyright:	1962



APPENDIX F
INTERVIEW DOCUMENTATION

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
LANDOWNER/OCCUPANT INTERVIEW QUESTIONNAIRE**

Instructions:

- Complete the "Interviewee" section below
- Respond to all questions (1 through 25)
- Print form; sign on Page 4
- Return via fax to: **Horizon Environmental Services, Inc., (512) 328-1804**

Interviewee

Name: Mitch Weynand
Representing: Accessible Housing Austin!
(Name of firm, if any)
Title: Consultant
☐ Current Owner ☐ Site Manager ☒ Occupant
☐ Past Owner ☒ Other: Developer
Address: 1640 A East 2nd St.
City, State, ZIP: Austin, Texas 78702
Phone: 512-496-7135
Fax: _____

Interviewer (to be completed by Horizon staff)

Name: _____
Title: _____
Interview conducted via:
☐ Phone
☐ Fax
☐ In Person
☒ E-mail
Date Completed: _____

1. How long have you owned, occupied, or been associated with the Property?

8 months

2. Please describe in general what you know about the current use of the Property:

The approximately 2.4 acre site has been developed into a 23 unit town-home project with related parking. There is an approximately .82 acre piece that we plan to develop in an 27 unit apartment development.

3. Please describe in general what you know about any past uses of the Property:

I have no knowledge of past usage, my belief is that it was vacant until the 1980 town-home development.

4. Please describe in general what you know about the current use of adjoining properties:

Residential and commercial.

5. Please describe in general what you know about any past uses of adjoining properties:

Vacant, residential and commercial

6. Have you observed evidence of or do you have knowledge of any current or previous use of the Property or any adjoining property for industrial uses? ☐ Yes (Explain below) ☒ No

7. Have you observed evidence of or do you have knowledge of any current or previous use of the Property or any adjoining property as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility? ☒ Yes (Explain below) ☐ No

There may have been past gasoline stations nearby.

8. Have you observed evidence of or do you have knowledge of any current or previous storage or use of damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers greater than 5 gallons in volume or 50 gallons in the aggregate on the Property?

☐ Yes (Explain below) ☒ No

9. Have you observed evidence of or do you have knowledge of any current or previous storage or use of industrial drums (typically 55-gallon) or sacks of chemicals on the Property?

☐ Yes (Explain below) ☒ No

10. Have you observed evidence of or do you have knowledge that fill dirt has been brought onto the Property that originated from a contaminated site or that is of an unknown origin?

☐ Yes (Explain below) ☒ No

11. Have you observed evidence of or do you have knowledge of any current or previous pits, ponds, or lagoons located on the Property in connection with waste treatment or waste disposal?

☐ Yes (Explain below) ☒ No

12. Have you observed evidence of or do you have knowledge of any current or previous stained soil on the Property? ☐ Yes (Explain below) ☒ No

13. Have you observed evidence of or do you have knowledge of any current or previous registered or unregistered storage tanks (above or under ground) located on the Property?

☐ Yes (Explain below) ☒ No

14. Have you observed evidence of or do you have knowledge of any current or previous vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the Property? ☐ Yes (Explain below) ☒ No

15. Have you observed evidence of or do you have knowledge of any current or previous leaks, spills, or staining by substances other than water, or foul odors, associated with any flooring, drains, walls, ceilings, or exposed grounds on the Property? ☐ Yes (Explain below) ☒ No

16. a. To your knowledge, is the Property served by a private well or non-public water system?
☐ Yes (answer parts b. and c.) ☒ No (proceed to item no. 17) ☐ Unknown (proceed to item no. 17)
- b. Have you observed evidence of or do you have knowledge of contaminants being identified in the well or system that exceed guidelines applicable to the water system?
☐ Yes (Explain below) ☐ No
-
- c. Have you observed evidence of or do you have knowledge of the well or system being designated as contaminated by any government environmental/health agency?
☐ Yes (Explain below) ☐ No
-
17. Do you have knowledge of any environmental liens or governmental notifications regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products on the Property?
☐ Yes (Explain below) ☒ No
-
18. Do you know of any Activity/Use Limitations (AULs) such as land use restrictions, engineering controls, or institutional controls that are in place for the Property, or filed/recorded in a registry under federal, tribal, state, or local law?
☐ Yes (Explain below) ☒ No
-
19. Have you ever been informed of the past or current existence of hazardous substances or petroleum products or environmental violations with respect to the Property or any facility located on the Property?
☐ Yes (Explain below) ☒ No
-
20. Are you aware of commonly known or reasonably ascertainable information about the Property that would help the Environmental Professional to identify conditions indicative of releases or threatened releases of hazardous substances or materials? For example,
- a. Do you know the past uses of the Property? ☐ Yes (Explain below) ☒ No
-
- b. Do you know of specific chemicals that are present or once were present at the Property?
☐ Yes (Explain below) ☒ No
-
- c. Do you know of spills or other chemical releases that have taken place at the Property?
☐ Yes (Explain below) ☒ No
-

d. Do you know of any environmental cleanups that have taken place at the Property?

☐ Yes (Explain below) ☒ No

21. Do you have any knowledge of an environmental assessment of the Property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the Property, or recommended further assessment of the Property? ☐ Yes (Explain below) ☒ No

22. Do you know of any pending, threatened, or past litigation or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the Property?

☐ Yes (Explain below) ☒ No

23. Have you observed evidence of or do you have knowledge of the discharge of wastewater (not including sanitary waste or stormwater) from the Property onto or adjacent to the Property and/or into a sanitary waste or stormwater system? ☐ Yes (Explain below) ☒ No

24. Have you observed evidence of or do you have knowledge that any hazardous substances or petroleum products, cattle dipping troughs, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials have been dumped above grade, buried, and/or burned on the Property?

☐ Yes (Explain below) ☒ No

25. Have you observed evidence of or do you have knowledge of any transformers, capacitors, or hydraulic equipment currently or previously located on the Property for which there are any records indicating the presence of PCBs? ☐ Yes (Explain below) ☒ No

Interviewee Signature: Mitch Weynand

Interviewee Name (Print): Mitch Weynand

Date: 8/24/17

Please SIGN and Return Via FAX to:

Horizon Environmental Services, Inc.

(512) 328-1804

This form has been developed using the standards established in ASTM Practice E1527-13 for the purpose of supporting a Phase I Environmental Site Assessment to satisfy the federal "All Appropriate Inquiries" rule.

References:

(ASTM) American Society for Testing and Materials. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. Designation E1527-13. West Conshohocken, Pennsylvania: ASTM, 2013.

US Environmental Protection Agency. "Standards and Practices for All Appropriate Inquiries; Final Rule." 40 CFR Part 312. 1 November 2005.

From: Information, Public <Public.Information@austintexas.gov>
Sent: Monday, August 28, 2017 1:57 PM
To: Jeremy Mantooth
Subject: PIR 36411
Attachments: J Mantooth request for Environmental Site Assessment Records 8.18.2017.pdf

Thank you for contacting the City of Austin.

The City does not have any information that is responsive to your request.

Attached above is your request, PIR #36411.

Please let us know if we can be of any further assistance.

If you have any questions, please contact Amanda Brown at amanda.brown@austintexas.gov or (512)974-2189.

Thank you,



Allison Garcia | Administrative Assistant | 512-974-2115
City of Austin Law Department | 301 W. 2nd St, Austin TX 78701

APPENDIX G
PHASE I ESA
SITE RECONNAISSANCE CHECKLIST

**Horizon Environmental Services, Inc.
Phase I ESA Site Reconnaissance Checklist**

Project Name: 1915 Briarcliff Blvd
Location: 1915 Briarcliff
Site Contact: _____

Job No.: 170147 Date of Site Visit: 08/21/2017
Acreage: 2.5
Inspector(s): Jeremy Mantooth

		Adjacent					
1) Land Use	Site	N	S	E	W	2) Topography	3) Site Access
Vacant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Flat	<input type="checkbox"/> Locked fence
Single-family residential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rolling	<input type="checkbox"/> Security
Multi-family residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Steep	<input checked="" type="checkbox"/> Open
Commercial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> _____	<input type="checkbox"/> Denied
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____	<input type="checkbox"/> _____
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____	<input type="checkbox"/> _____

4) Vegetation	5) Sewage Treatment	6) Water Supply
<input type="checkbox"/> Sparse	<input type="checkbox"/> None	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Private	<input type="checkbox"/> Well
<input type="checkbox"/> Dense	<input checked="" type="checkbox"/> Municipal	<input checked="" type="checkbox"/> Municipal
<input type="checkbox"/> Void/dead areas	<input type="checkbox"/> Unknown	<input type="checkbox"/> Unknown
<input type="checkbox"/> None	<input type="checkbox"/> _____	<input type="checkbox"/> _____

7) Buildings Present	8) Local Drainage Features	9) Estimated Percent of Total Acreage
<input checked="" type="checkbox"/> Occupied	<input type="checkbox"/> Ditches	<u>30</u> % Buildings
<input type="checkbox"/> Accessed	<input type="checkbox"/> Creek	<u>30</u> % Parking
<input type="checkbox"/> None	<input type="checkbox"/> Bayou	____ % Streets
<input type="checkbox"/> Evidence of previous structures	<input checked="" type="checkbox"/> Storm drainage	____ % Pavement
	<input type="checkbox"/> Lakes	____ % Concrete
	<input type="checkbox"/> Ponds	____ % Asphalt
	<input type="checkbox"/> Seeps	____ % Cleared used
	<input type="checkbox"/> Springs	<u>40</u> % Cleared not used
	<input type="checkbox"/> _____	____ % Uncleared not used
	<input type="checkbox"/> _____	____ % _____

10) Easements
<input type="checkbox"/> Pipeline
<input checked="" type="checkbox"/> Electric
<input checked="" type="checkbox"/> Water supply
<input checked="" type="checkbox"/> Sewer service
<input type="checkbox"/> _____

Other Features Observed:

	None	On-Site	Adjacent		None	On-Site	Adjacent
11) Pits, ponds, or lagoons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22) Wells	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12) Stained soil or pavement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23) Strong, pungent, or noxious odors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13) Stressed vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24) Pools of liquid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14) Evidence of solid waste disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25) Waste/debris piles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15) Storage drums (5+ gallon capacity)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26) Septic systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16) Unidentified substance containers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27) Interior: Heating/cooling facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17) Storage tanks (above or underground)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28) Interior: stains or corrosion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18) Vent pipes or fill pipes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29) Interior: drains/sumps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19) Electric/hydraulic equipment (potential PCBs)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30) Potential ACMs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20) Evidence of wastewater discharges	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31) Potential lead-based paint	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21) Hazardous substance/petroleum products or containers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32) Other:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Name: 1915 Briarcliff Blvd

Job No.: 170147

Date of Site Visit: 08/21/2017

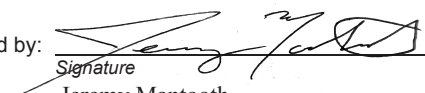
Pg. 1
Item
No.

Comment:

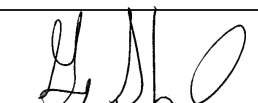
- | | |
|----|--|
| 19 | 2 pad-mounted transformers; no evidence of leakage |
| 27 | Multiple HVAC units observed surrounding the exterior of the MFR |
| 28 | Interior not accessed |
| 29 | Interior not accessed |

Other:

Documented by:


 Signature
 Jeremy Mantooth
 Printed name
 Environmental Specialist
 Title
 08/21/2017
 Date

Reviewed by:


 Signature
 Greg Sherrod
 Printed name
 Environmental Specialist
 Title
 08/25/2017
 Date



APPENDIX H

QUALIFICATIONS OF THE ENVIRONMENTAL PROFESSIONAL

Gregory L. Sherrod
Environmental Specialist

Education and Credentials

B.S., Wildlife Biology, Texas State University San Marcos, 2011

Certifications – Qualifications – Training

Qualified Environmental Professional under ASTM Practice E 1527-13

MSHA Certification

Wetland Determination/Delineation Training

Environmental Site Assessments for Commercial Real Estate Training

Areas of Relevant Expertise

Threatened/Endangered Species

Wetland Determination/Delineation

Phase I ESA (ASTM Practice E 1527-13)

Geographic Information Systems (GIS)

ArcView 3 through 10.4

Years of Experience

With This Firm: 16

Relevant Experience Summary

- Environmental Assessments for City Land Development Code
- Section 404 Jurisdictional Determinations/ Delineations
- Threatened/ Endangered Species Surveys
- Karst Surveys
- Phase I ESAs (ASTM Practice E 1527-13) and Phase II Sampling
- ArcView 3.1 through 10.4
- AutoDesk Map 2012
- Corel Draw Graphics Suite 13
- Adobe Dreamweaver CS5.5

Experience Summary

Mr. Sherrod is a graduate of Texas State University in San Marcos, where he studied Wildlife Biology with a minor in Geographic Information Systems (GIS). As an Environmental Specialist with Horizon, Mr. Sherrod has participated in karst surveys as well as presence/absence surveys for various threatened or endangered (T/E) species including the golden-cheeked warbler, black-capped vireo, red-cockaded woodpecker, timber rattlesnake, Texas horned lizard, indigo snake, reticulated collared lizard, and the Texas tortoise. Mr. Sherrod also participates in Phase I Environmental Site Assessments, Section 404 jurisdictional determinations and delineations, and provides support for various other types of projects with Horizon. He contributes to Horizon's GIS mapping services in ArcView and AutoDesk.



APPENDIX I

HORIZON ENVIRONMENTAL SERVICES, INC. CORPORATE DESCRIPTION



CORPORATE DESCRIPTION

Horizon Environmental Services, Inc. (Horizon) is particularly well qualified to provide both the technical and administrative support required for project planning and permitting efforts related to various federal, state, and local permits and/or approvals. Horizon's capabilities and experience are very broad in the area of National Environmental Policy Act (NEPA) compliance support, particularly as related to multidisciplinary Environmental Assessments/Environmental Impact Statements (EAs/EISs), jurisdictional wetlands, endangered species, cultural resources issues, and expert testimony.

Services that Horizon provides for various clients include multidisciplinary EAs/EISs in support of federal and state environmental reviews; jurisdictional wetland determinations; endangered species habitat assessments and surveys; archeological surveys and mitigation (prehistoric and historic); ecological risk and damage assessments; wildlife habitat and wetlands restoration/creation; baseline aquatic and terrestrial investigations (inland and coastal); geologic resource assessments; real estate environmental site assessments; environmental constraints analyses for alternative project sites, routes, and land development scenarios ("fatal flaw" analyses); post-project land use planning and mitigation; and permit management, including preparation, agency coordination, and expert testimony.

Horizon was founded in 1987, is currently based in Austin, Texas, and provides services nationally. Composed of senior professional personnel with many years of applied experience and specific training in environmental assessments, permitting, and management, members of Horizon's staff have worked on the majority of energy development and reservoir projects, either proposed or developed, in Texas and Louisiana from 1976 to the present. Our staff's experience and background have allowed Horizon to gain an applied knowledge of the environmental requirements of various federal and state regulations and permits affecting natural resource development and an excellent identity with agency personnel.

Horizon's key personnel assigned to various work efforts are committed to being available from work initiation through expert testimony, if required. Depending on the scope of environmental investigations required for a given project, Horizon may network with other qualified firms, not only to provide both environmental and engineering services in a cost- and time-efficient manner, but to assure that only the most technically qualified and experienced persons are providing personal attention to the work effort.