

DEVELOPMENT PLAN
~~REAVIS REHABILITATION – EAST ROCK COVE~~
DAVID HERNANDEZ MINISTRIES - EAST ROCK COVE
PLANNED UNIT DEVELOPMENT NO. 81

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

THIS DEVELOPMENT PLAN (this "Plan") is adopted and approved by the CITY OF ROUND ROCK, TEXAS (hereinafter referred to as the "City"). For purposes of this Plan, the term Owner shall mean Larry and Nancy Reavis, their respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

WHEREAS, the Owner is the owner of certain real property consisting of 3.03 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

WHEREAS, the Owner has submitted a request to the City to rezone the Property as a Planned Unit Development (the "PUD"); and

WHEREAS, pursuant to ~~Chapter 11, Section 11.314, Code of Ordinances (1995 Edition), City of Round Rock, Texas, Section 10-22 of the City's Zoning and Development Code~~, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

WHEREAS, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

WHEREAS, on June 18, 2008, the City's Planning and Zoning Commission recommended approval of the Owner's application for a PUD; and

WHEREAS, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

NOW THEREFORE:

I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

That all uses and development within the Property shall conform to the Development Standards included in Section II herein.

2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section ~~II.13~~ II.11 below are followed.

3. ZONING VIOLATION

Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in **Part III, Chapter 1, Article II, Section 1-32, Section 1-601**, Code of Ordinances, ~~(1995 Edition)~~, City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1. Severability

In case one or more provisions contained of this Plan are deemed invalid, illegal or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions of this Plan and in such event, this Plan shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Plan.

4.2. Venue

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County.

4.3. Effective Date

This Plan shall be effective from and after the date of approval by the City Council.

II.

DEVELOPMENT STANDARDS

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the **City of Round Rock** Code of Ordinances (~~1995 Edition~~), as amended, City of Round Rock, Texas, hereinafter referred to as “the Code.”

2. PROPERTY

This Plan covers approximately 3.03 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit “A”**.

3. PURPOSE

The purpose of this Plan is to ensure a PUD that 1) is equal to, superior than and/or more consistent than that which would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, as amended, 3) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

4. APPLICABILITY OF CITY ORDINANCES

4.1. Zoning and Subdivision Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the ~~Office (OF)~~ **Public Facilities (PF-3) zoning district** and other sections of the Code, as applicable, and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2. Other Ordinances

All other Ordinances within the Code, as amended, shall apply to the Property, except as clearly modified by this Plan. In the event of a conflict, the terms of this Plan shall control.

5. **6. PERMITTED USES**

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning and Development Code of the City of Round Rock, as amended.

5.1. ~~6.1~~ Office

5.2. ~~6.2~~ Office, Medical

5.3. Places of Worship

5.4. Dormitories

5.5. Recording and Broadcasting Studios

~~5.6. Physical, speech and occupational therapy rehabilitation facilities, including, but not limited to, the following uses designed to serve rehabilitation clients:~~

- ~~• Speech and occupational therapy treatment rooms~~
- ~~• Gymnasium~~
- ~~• Fitness center~~
- ~~• Swimming pool~~
- ~~• Dance, Pilates or yoga studio~~

~~5.7. Retail Sales and Services, as accessory uses to the rehabilitation facility described in 6.3 above:~~

- ~~• Medical equipment~~
- ~~• Medical clothing~~
- ~~• Specialty pharmacy~~
- ~~• Orthotics and prosthetics~~
- ~~▪ The following uses shall have no dedicated entrances from the outside of the building they are located in:~~
- ~~• Medical supplements and herbs~~
- ~~• Juice/snack bar~~

- ~~Dance, Pilates and yoga supplies~~

5.6. ~~6.5~~ Utilities and Wireless Transmission Facilities

- Utilities, Minor, according to the conditions of ~~11.423(27)(a)~~ 2-91(mm)
- Utilities, Intermediate, according to the conditions of ~~11.423(27)(b)~~ 2-91(mm)
- Wireless Transmission Facilities, Attached, according to the conditions of ~~11.423(31)~~ 2-97.
- Wireless Transmission Facilities, Stealth, according to the conditions of ~~11.423(31)~~ 2-97.

6. ~~7.~~ PROHIBITED USES

6.1. ~~7.1.~~ The following uses are prohibited. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning ~~and Development~~ Code of the City of Round Rock, as amended.

- Emergency medical services

7. ~~8.~~ DEVELOPMENT STANDARDS

7.1. ~~8.1.~~ Signs

- ~~All free-standing business use signs on the Property shall be Monument Signs, with a maximum sign area of 50 square feet and a maximum height of five (5) feet, with no minimum setback, in accordance with Section 3.1400 of the Code.~~ Freestanding and wall signs shall be constructed in compliance with the specifications contained in Chapter 8, Article IX, Section 8-70 of the City's Zoning and Development Code.

7.2. ~~8.2.~~ Setbacks

- Rear or Side Setbacks abutting the northern Property line shall be 10 feet.
- Setbacks abutting the southern Property line shall be measured from the northern boundary of the roadway easement described in 8.2 below and from the southern Property line, whichever is closer. If the roadway easement is not converted to right-of-way and the easement abandoned, the setbacks shall instead be measured solely from the southern Property line.

8. ~~9.~~ TRANSPORTATION

8.1. ~~9.1~~ The ~~Transportation Services~~ **Public Works** Director has waived the requirement for a Traffic Impact Assessment.

8.2. ~~9.2~~ The Owner, along with owners of adjacent tracts of land, entered into an easement agreement for the potential extension of East Rock Cove from its current terminus east to A. W. Grimes Boulevard. The right-of-way for the potential extension of East Rock Cove includes a portion of the Property, as generally described on **Exhibit "B"**. The easement agreement is attached as **Exhibit "C"**.

9. ~~10.~~ GENERAL PLAN 2000 COMPREHENSIVE PLAN 2020

~~The Development Plan amends the Round Rock General Plan 2000, which was adopted on June 10, 1999. This Development Plan shall amend the Future Land Use Map of the Round Rock 2030 Comprehensive Plan land use designation from Employment Center to Public Facilities.~~

11. ~~DEVELOPMENT PROCESS~~

~~As required by City Code, the Owner shall be required to complete the remaining steps in the City's development process. This may include subdivision platting and site plan review. The subdivision platting process includes a Preliminary Plat and a Final Plat. A site development plan must be approved. No site development plan approval on the Property shall be granted until a Final Plat is recorded. No building permit on the Property shall be issued until the site development plan is approved by the Development Review Committee.~~

10. ~~12.~~ UNDERGROUND UTILITY SERVICE

Except where approved in writing by the ~~Chief of Public Works Operations~~ **Public Works Director**, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

11. ~~13.~~ CHANGES TO DEVELOPMENT PLAN

11.1. ~~13.1~~ Minor Changes

1. The PDS director shall have the authority to administratively approve a minor change to a development plan of up to ten percent (10%) of any numerical standard contained within the plan. Minor changes may include, but not be limited to, adjustments to lot lines, parking and loading areas, driveways, parking counts, building configurations and orientations, architectural design, building and landscaping materials, tree retention, street alignments, sidewalks, drainage facilities, project phasing, lighting, and site layout. The PDS director shall also have

the authority to administratively approve a change in the development plan to the maximum height of a freestanding sign or a change to the maximum allowable display area of any signage. ~~Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing, by the City Engineer, the Director of Planning and Community Development, and the City Attorney.~~

2. Minor amendments shall not include:

- a.) Changes in land use;
- b.) Increases in density, building height, or coverage of the site;
- c.) Decreases in setbacks abutting residential land uses and zoning districts;
- d.) Decreases in parkland or open space;
- e.) Any proposed modification that reduces the quality of the PUD, as determined by the PDS director; or
- f.) Any proposed modification that seeks to alter a condition, standard, or requirement that was incorporated into the development plan as a result of public testimony during a planning and zoning commission nor a city council hearing.

11.2. ~~13.2~~ Major Changes

All changes not permitted under section 11.1 above shall be resubmitted following the same procedure required by the original PUD application and will require city council approval. ~~All changes not permitted under section 13.1 above shall be resubmitted following the same procedure required by the original PUD application.~~

LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit "A"	Legal Description of Property
Exhibit "B"	Potential Roadway Extension
Exhibit "C"	Easement Agreement

Exhibit "A"
Legal Description

Field notes attached.

Tract acreage	Save and Except acreage
4.449 original lot	
	1.32 dedicated for R.O.W
	0.10 dedicated for R.O.W.
3.029 existing lot	

EXHIBIT "A"

CRICHTON AND ASSOCIATES
LAND SURVEYORS
107 NORTH LAMPASAS
ROUND ROCK, TEXAS 78664
512-244-3395

FIELD NOTES

FIELD NOTES FOR 4.449 ACRES OUT OF THE P.A. HOLDER SURVEY ABSTRACT NO. 297 IN WILLIAMSON COUNTY, TEXAS BEING THE SAME TRACT RECORDED IN VOL. 763 PG. 643 OF THE WILLIAMSON COUNTY, TEXAS OFFICIAL RECORDS. SAID TRACT BEING LOT 7 OF ROUND ROCK EAST, AN UNRECORDED SUBDIVISION. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pin found at the Northwest corner of a 1.5 acre tract conveyed to Hugh Noel in Vol. 877 Pg. 105 of the Williamson County, Texas Official Records, also being on the South line of a 152.25 acre tract conveyed to Carl Forsman in Vol. 128 pg. 456 of the Williamson County, Texas Official Records for the Northeast corner of said Lot 7 and the POINT OF BEGINNING.

THENCE S 05° 35' 41" E with the West line of said 1.5 acre tract, 435.26 feet to an iron pin found being the East common corner of said Lots 7 and 6 for the Southeast corner of this tract.

THENCE S 75° 45' 00" W with the common line of Lots 7 and 6, 586.33 feet to an iron pin found on the East R.O.W. of East Rock Cove as recorded in Vol. 743 Pg. 349 of the Williamson County, Texas Official Records for the Southwest corner of this tract.

THENCE with the East line of East Rock Cove the following three (3) courses:

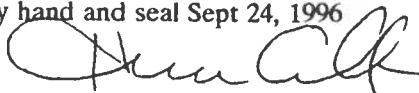
- 1) N 01° 31' 01" E, 23.28 feet to an iron pin found at a point of curve to the right.
- 2) Along said curve to the right whose elements are Delta= 45° 29' 32" , R= 35.37, L= 28.08 whose chord bears N 23° 17' 23" E, 27.35 feet to an iron pin found at a point of reverse curve.
- 3) Along said curve to the left whose elements are Delta= 106° 28' 01", R= 50.00, L= 92.91 whose chord bears N 07° 00' 06" W, 80.11 feet to an iron pin found at the South common corner of said Lot 7 and Lot 8.

THENCE N 38° 24' 42" E with the common line of said Lots 7 and 8, 550.30 feet to an iron pin found at the North common corner of said Lots 7 and 8, also being on the South line of said 152.25 acre tract.

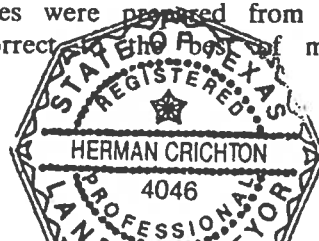
THENCE N 84° 13' 48" E with the South line of said 152.25 acre tract, 183.22 feet to the POINT OF BEGINNING and containing 4.449 acres more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

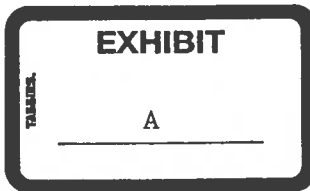
Witness my hand and seal Sept 24, 1996



Herman Crichton R.P.L.S. 4046



1.32 Acre Right-of-Way
P.A. Holder Survey, Abstract No. 267
Williamson County, Texas



FN1895R1
December 4, 2000
SAM, Inc. Job No. 99105-20

DESCRIPTION OF A 1.32 ACRE TRACT OF LAND LOCATED IN THE P.A. HOLDER SURVEY, ABSTRACT NO. 267, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF TRACT 7, ROUND ROCK EAST, AN UNRECORDED SUBDIVISION, SAME BEING A CALLED 4.45 ACRE TRACT OF LAND AS CONVEYED IN THE DEED TO NANCY L. REAVIS AND LARRY E. REAVIS, AS RECORDED IN DOCUMENT No. 9654037, OF THE OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS, SAID 1.32 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/4-inch iron rod found in the north line of Tract 6 of said subdivision, as conveyed to Larry Wigginton and wife, V. Ann Wigginton, as recorded in Volume 845, Page 264 of the Deed Records Williamson County, Texas, same being the south line of said Tract 7, for the south common corner of a called 1.50 acre tract of land as described in the deed to Hugh Noel, as recorded in Document No. 9652164 of the Official Records Williamson County, Texas, and said Tract 7, for the southeast corner of the tract described herein;

THENCE with said common line of said Tract 6 and said Tract 7, S 73° 05' 51" W, a distance of 137.26 feet to a 1/2-inch iron rod with cap set for the southwest corner of the tract described herein, from which a 1/2-inch iron rod found in the east line of East Rock Cove (a 50-foot wide street) as shown in said unrecorded subdivision, same being the west common corner of said Tract 6 and said Tract 7, bears S 73° 05' 51" W, a distance of 449.18 feet;

THENCE crossing said Tract 7 with the arc of a curve to the left a distance of 456.11 feet through a central angle of 02° 17' 33", having a radius of 11399.16 feet, and whose chord bears N 06° 53' 42" W, a distance of 456.08 feet to a 1/2-inch iron rod with cap set in the south line of a called 150 acre tract of land described in the deed to Forsman Family Limited Partnership as recorded in Document 2000006981 of the Official Public Records Williamson County, Texas, same being the north line of said Tract 7, for the northwest corner of the tract described herein from which a 1/2-inch iron rod found in said south line and being the north common corner of Tracts 8 and 9 of said unrecorded subdivision bears S 81° 36' 23" W, a distance of 986.13 feet;

THENCE with the common line of said 150 acre tract and said Tract 7, N 81° 36' 23" E, a distance of 124.75 feet to a calculated point for the northeast corner of the tract described herein from which a 1/2-inch iron rod found in said south line, and being the northeast corner of said 1.50 acre tract bears N 81° 36' 23" E, a distance of 154.40 feet;

THENCE with the common line of said 1.50 acre tract and said tract 7, S 08° 16' 15" E, pass at a distance of 0.39 feet a 1/2-inch iron rod found, in all a total distance of 435.61 feet to the **POINT OF BEGINNING** and containing 1.32 acres of land, more or less.

Bearing Basis: Bearings are based on the Texas State Plane Coordinate System, NAD 83, Texas Central Zone and adjusted to surface using a surface adjustment factor of 1.00012. As provided by Doug Anderson, RPLS, Survcon, Inc.

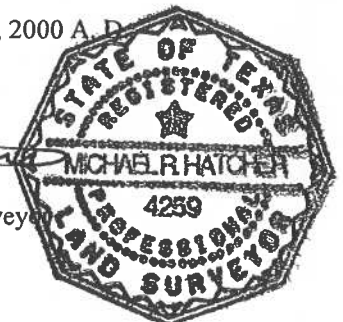
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during March 2000 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 7th day of December, 2000 A. D.

SURVEYING AND MAPPING, Inc.
4029 Capital of Texas Hwy. So., Suite 125
Austin, Texas 78704

Michael R. Hatcher
Michael R. Hatcher
Registered Professional Land Surveyor
No. 4259 - State of Texas



EXHIBIT

tabbles

"A"

FORSMAN FAMILY LIMITED PARTNERSHIP
CALLED 150 ACRES
DOC. No. 200006981
O.P.R.W.C.TX.

N81° 36'23"E
124.75'

N81° 36'23"E
154.40'

SEE
DETAIL A



DECEMBER, 2000
P.A. HOLDER SURVEY A-267
WILLIAMSON COUNTY, TEXAS
SCALE 1"=100'



TRACT 8
TRACT 7
TRACT 9

NANCY L. REAVIS AND
LARRY E. REAVIS
CALLED 4.45 ACRES
DOC. No. 9654037
O.R.W.C.TX.

1.32 ACRES

S08° 16'15"E

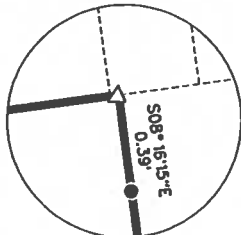
435.61'

HUGH NOEL
CALLED 1.50 ACRES
DOC. No. 9652164
O.R.W.C.TX.

ROUND ROCK EAST
AN UNRECORDED SUBDIVISION

P.A. HOLDER SURVEY A-267

DETAIL A



DETAIL NOT TO SCALE

EAST ROCK COVE
(50-FOOT WIDE STREET)
ROUND ROCK EAST
AN UNRECORDED SUBDIVISION

S73° 05'51"W

TRACT 6

LARRY WIGGINTON AND WIFE,
V. ANN WIGGINTON
CALLED 6.69 ACRES
VOL. 845 PAGE 264
D.R.W.C.TX.

S73° 05'51"W
137.26'

1/4" REF.
P.O.B.

C1
Δ-02° 17'33"
R-11399.16'
T-228.08'
L-456.11'
CB-N06° 53'42"W
C-456.08'

NOTES:

BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.00012. AS PROVIDED BY DOUG ANDERSON, RPLS, SURVCON, INC.

DETAILS ARE NOT DRAWN TO SCALE.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



LEGEND

- CONCRETE MONUMENT SET
- △ CALCULATED POINT
- 1/2" IRON ROD SET W/CAP UNLESS NOTED
- 1/2" IRON ROD FOUND UNLESS NOTED
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- RF IRON ROD FOUND
- RP IRON PIPE FOUND
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.TX. PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.TX. DEED RECORDS WILLIAMSON COUNTY, TEXAS

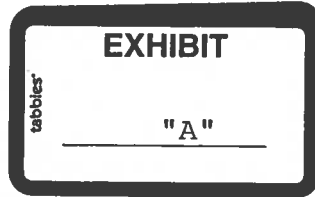
Michael R. Hatcher 12/07/00
MICHAEL R. HATCHER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4259, STATE OF TEXAS



4029 Capital of Texas Highway, So.
Brodie Oaks Professional Plaza, Suite 125
Austin, Texas 78704
(512) 447-0575
Fax: (512) 326-3029

RIGHT-OF-WAY PLAT
SHOWING PROPERTY OF
NANCY L. REAVIS AND,
LARRY E. REAVIS

PAGE 2 OF 2
REF. FIELD
NOTE NO. 1895R1



DESCRIPTION OF A 0.10 ACRE TRACT OF LAND LOCATED IN THE P.A. HOLDER SURVEY, ABSTRACT NO. 267, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF TRACT 7, ROUND ROCK EAST, AN UNRECORDED SUBDIVISION, SAME BEING A CALLED 4.45 ACRE TRACT OF LAND AS CONVEYED IN THE DEED TO NANCY L. REAVIS AND LARRY E. REAVIS, AS RECORDED IN DOCUMENT No. 9654037, OF THE OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS, SAID 0.10 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

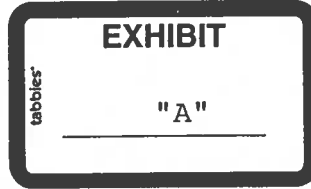
BEGINNING at a 1/2-inch iron rod with cap set in the north line of Tract 6 of said subdivision, as conveyed to Larry Wigginton and wife, V. Ann Wigginton, as recorded in Volume 845, Page 264 of the Deed Records Williamson County, Texas, same being the south line of said Tract 7, for the southwest corner of the tract described herein, from which a 1/2-inch iron rod found in the east line of East Rock Cove (a 50-foot wide street) as shown in said unrecorded subdivision for the west common corner of said Tract 6 and said Tract 7, bears S 73° 05' 51" W, a distance of 438.99 feet;

THENCE crossing said Tract 7 with the arc of a curve to the left a distance of 457.62 feet through a central angle of 02° 18' 08", having a radius of 11389.16 feet, and whose chord bears N 06° 53' 23" W, a distance of 457.59 feet to a 1/2-inch iron rod with cap set in the south line of a called 150 acre tract of land described in the deed to Forsman Family Limited Partnership as recorded in Document No. 2000006981 of the Official Public Records Williamson County, Texas, same being the north line of said Tract 7, for the northwest corner of the tract described herein, from which a 1/2-inch iron rod found in said south line and being the north common corner of Tracts 8 and 9 of said unrecorded subdivision bears S 81° 36' 23" W, a distance of 976.13 feet;

THENCE with said common line of said 150 acre tract and said Tract 7 N 81° 36' 23" E, a distance of 10.00 feet to a 1/2-inch iron rod with cap set for the northeast corner of the tract described herein from which a 1/2-inch iron rod found in said south line and being the northeast corner of a called 1.50 acre tract of land as described in the deed to Hugh Noel, as recorded in Document No. 9652164 of the Official Records Williamson County, Texas bears N 81° 36' 23" E, a distance of 274.40 feet;

THENCE crossing said Tract 7 with the arc of a curve to the right a distance of 456.11 feet through a central angle of 02° 17' 33", having a radius of 11399.16 feet, and whose chord bears S 06° 53' 42" E, a distance of 456.08 feet to a 1/2-inch iron rod with cap set in the common line of said Tract 6 and said Tract 7 for the southeast corner of the tract described herein, from which a 1/4-inch iron rod found for the south common corner of said 1.50 acre tract of land, and said Tract 7 bears N 73° 05' 51" E, a distance of 137.27 feet;

0.10 Acre Slope and Public Utility Easement
P.A. Holder Survey, Abstract No. 267
Williamson County, Texas



FN1894R
December 4, 2000
SAM, Inc. Job No. 99105-20

THENCE with said common line of said Tract 6 and said Tract 7 S 73° 05' 51" W, a distance of 10.19 feet to the **POINT OF BEGINNING** and containing 0.10 acre of land, more or less.


Bearing Basis: Bearings are based on the Texas State Plane Coordinate System, NAD 83, Texas Central Zone and adjusted to surface using a surface adjustment factor of 1.00012. As provided by Doug Anderson, RPLS, Survcon, Inc.

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during March 2000 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 7th day of December, 2000 A. D.

SURVEYING AND MAPPING, Inc.
4029 Capital of Texas Hwy. So., Suite 125
Austin, Texas 78704


Michael R. Hatcher
Registered Professional Land Surveyor
No. 4259 - State of Texas

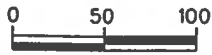


EXHIBIT

"A"

FORSMAN FAMILY LIMITED PARTNERSHIP
CALLED 150 ACRES
DOC. No. 2000006981
O.P.R.W.C.TX.

DECEMBER, 2000
P.A. HOLDER SURVEY A-267
WILLIAMSON COUNTY, TEXAS
SCALE 1"=100'



S81° 36'23"W 976.13'

N81° 36'23"E 10.00'

N81° 36'23"E 274.40'

TRACT 8

TRACT 7

0.10 ACRE

ARTERIAL B
RIGHT-OF-WAY

HUGH NOEL
CALLED 1.50 ACRES
DOC. No. 9652164
O.R.W.C.TX.

NANCY L. REAVIS AND
LARRY E. REAVIS
CALLED 4.45 ACRES
DOC. No. 9654037
O.R.W.C.TX.

ROUND ROCK EAST
AN UNRECORDED SUBDIVISION

P.A. HOLDER SURVEY A-267

C1
Δ=02° 18'08"
R=11389.16'
T=228.84'
L=457.62'
CB=N06° 53'23"W
C=457.59'

C2
Δ=02° 17'33"
R=11399.16'
T=228.08
L=456.11'
CB=S06° 53'42"E
C=456.08'

EAST ROCK COVE
(50-FOOT WIDE STREET)
ROUND ROCK EAST
AN UNRECORDED SUBDIVISION

S73° 05'51"W 438.99'

N73° 05'51"E 137.27'

S73° 05'51"W 10.19'

P.O.B.

TRACT 6

LARRY WIGGINTON AND WIFE,
V. ANN WIGGINTON
CALLED 6.69 ACRES
VOL. 845 PAGE 264
D.R.W.C.TX.

NOTES:

BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.00012. AS PROVIDED BY DOUG ANDERSON, RPLS, SURVCON, INC.

DETAILS ARE NOT DRAWN TO SCALE.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Michael R. Hatcher 12/07/00
MICHAEL R. HATCHER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4259, STATE OF TEXAS



LEGEND

- CONCRETE MONUMENT SET
- 1/2" PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD SET W/CAP UNLESS NOTED
- 1/2" IRON ROD FOUND UNLESS NOTED
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.TX. PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.TX. DEED RECORDS WILLIAMSON COUNTY, TEXAS

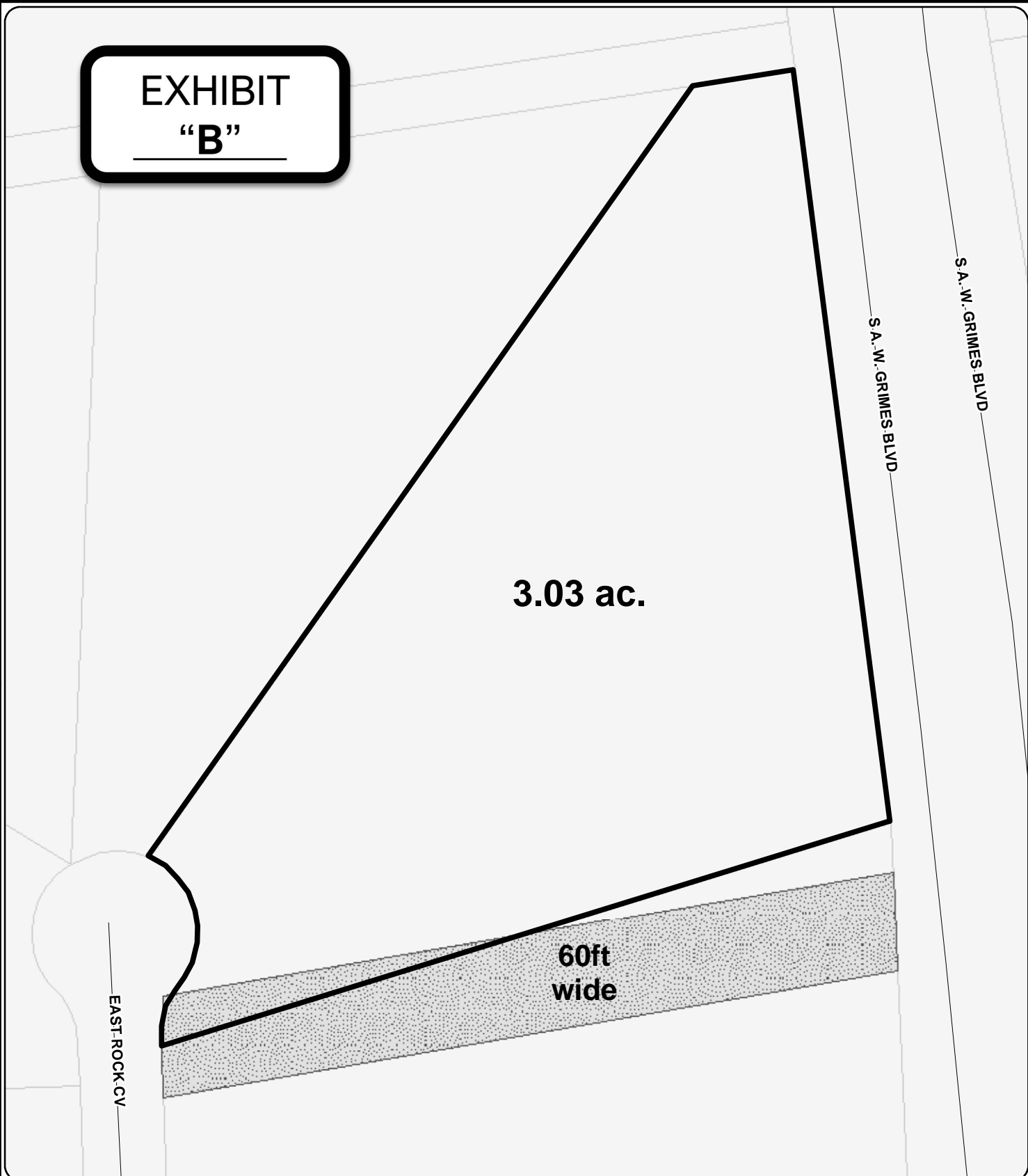


4029 Capital of Texas Highway, So.
Brodie Oaks Professional Plaza, Suite 125
Austin, Texas 78704
(512) 447-0575
Fax: (512) 326-3029

RIGHT-OF-WAY PLAT
SHOWING PROPERTY OF
NANCY L. REAVIS AND
LARRY E. REAVIS

PAGE 3 OF 3
REF. FIELD
NOTE NO. 1894R

EXHIBIT
“B”



Reavis
East Rock Cove PUD
Roadway Easement

Location of Easement is Approximate

1 " equals 80 feet



© 2010 Round Rock GIS. All rights reserved. This map is a computer-generated graphic and does not constitute a survey or other professional engineering or architectural drawing. It is intended for informational purposes only. Round Rock GIS is not responsible for any errors or omissions on this map. For more information, please contact Round Rock GIS at (512) 251-1234.

copy



EASEMENT AGREEMENT

Date: August, 2007

Party Granting Easement ("Grantor"): Larry E. Reavis and Nancy L. Reavis, as to Lot 7 of the Servient Estate and Larry Wigginton, as to Lot 6 of the Servient Estate

Grantor's Address:

Party Receiving Easement ("Grantee"): Nick E. Inman, Elenor Stark, Michael L. Pavlik and Anna L. Pavlik Family Trust, Dan Trong, Wilburn F. Hackebiel and Annie H. Hackebiel, and Billy J. Killion and Rosa Lee Killion

Grantee's Address:

Property Owned by Grantor ("Servient Estate"):

TRACT ONE

6.69 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO LARRY J. WIGGINTON AND WIFE V. ANN WIGGINTON IN THAT DEED DATED JULY 23, 1981, RECORDED IN VOLUME 845, PAGE 264, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 6, EAST ROCK COVE.

SAVE AND EXCEPT THOSE PORTIONS AS CONVEYED TO THE CITY OF ROUND ROCK IN DOCUMENT NO. 2001088103, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

TRACT TWO

4.45 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO NANCY L. REAVIS AND LARRY E. REAVIS IN THAT DEED DATED OCTOBER 7, 1996, RECORDED IN DOCUMENT NO. 9854037, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 7, EAST ROCK COVE.

SAVE AND EXCEPT THOSE PORTIONS AS CONVEYED TO THE CITY OF ROUND ROCK IN DOCUMENT NO. 2002000800, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

Property Owned by Grantee ("Dominant Estate"):

TRACT ONE

4.42 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO THE MICHAEL L. AND ANNA L. PAVLIK FAMILY TRUST, MICHAEL L. PAVLIK, TRUSTEE, ANNA L. PAVLIK, TRUSTEE IN THAT DEED DATED

MARCH 28, 2001, PUBLIC RECORDED IN DOCUMENT NO. 2001021234, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 8, EAST ROCK COVE.

TRACT TWO

4.18 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO DAN VI TRUONG IN THAT DEED DATED APRIL 15, 1990, RECORDED IN VOLUME 1895, PAGE 335, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 9, EAST ROCK COVE.

TRACT THREE

4.83 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO WILBURN F. HACKEBEIL IN THAT DEED DATED APRIL 30, 1987, RECORDED IN VOLUME 1549, PAGE 714, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 10, EAST ROCK COVE.

TRACT FOUR

4.97 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO BILLY J. KILLION AND WIFE, ROSA LEE KILLION IN THAT DEED DATED DECEMBER 1, 1983, RECORDED IN VOLUME 955, PAGE 544, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 11, EAST ROCK COVE.

TRACT FIVE

2.44 ACRES OF LAND, MORE OR LESS OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO NICK E. INMAN IN THAT DEED DATED FEBRUARY 20, 1997 RECORDED DOCUMENT NO. 9707751 OFFICIAL RECORDS, WILLIAMSON COUNTY TEXAS ALSO REFERRED TO AS LOT 1 EAST ROCK COVE EXCEPT THAT PORTION AS CONVEYED TO THE PUBLIC IN VOLUME 1422, PAGE 446

2.55 ACRES OF LAND, MORE OR LESS, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME PROPERTY AS CONVEYED TO FLOYD E. STARK AND WIFE, ELENORA E. STARK IN THAT DEED DATED JUNE 7, 1978, RECORDED IN VOLUME 715, PAGE 304, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, ALSO REFERRED TO AS LOT 2, EAST ROCK COVE.

Description Of Easement ("the Easement"): The Easement, over and across the Servient Estate, is more particularly described as follows: A tract of real property sixty feet in width with a centerline running from the point 30 feet to the north of the point

EXHIBIT

"C"

at which the lot line between Lot 6 and Lot 7 of the Servient Estate intersects East Rock Cove and running to the point 30 feet south of the intersection of the lot line between Lot 6 and Lot 7 with S. A. W. Grimes Blvd.

RECITAL OF FACTS

1. Grantors and Grantees all desire to facilitate the future construction of a dedicated public street which runs over and across the Easement.

2. They have reached agreement upon the terms and conditions for the construction of the street and its dedication to the public and desire to memorialize their agreement.

AGREEMENT

Creation Of Easement

1. Each Grantor, for a good and valuable consideration receipt of which is acknowledged, grants, sells and conveys the portion of the Easement which is located on their portion of the Servient Estate to Grantee. Grantor also grants a temporary construction easement which extends fifteen feet on either side of the Easement which shall be used only during actual construction of the Public Street along the Easement and shall terminate upon completion of such construction.

Purpose of Easement

2. The Easement shall be used exclusively for the construction and dedication of a public street ("Public Street") with the Public Street intersecting East Rock Cove and S. A. W. Grimes Blvd. The Easement may be used by contractors, surveyors, engineers, and other professionals retained by Grantee and Grantor to assist in construction of the Public Street. Until construction of the Public Street is complete, the Easement may not be used by Grantee for access to or from East Rock Cove and S. A. W. Grimes Blvd. The purpose of the Easement is to facilitate construction of the Public Street and not to provide egress or ingress to any party, other than as specifically provided herein.

Duration of Easement

3. The Easement is perpetual and shall be appurtenant to the Dominant Estate; however the Easement shall terminate upon dedication of the Public Street. No additional action or documentation shall be required to terminate the Easement other than dedication of the Public Street.

Setback Along The Easement

4. All construction on the Servient Estate prior to dedication of the Public Street shall be set back from the Easement as though the Public Street were constructed and in compliance with all ordinances of the City of Round Rock, Texas.

Modification Of Easement

5. If the City of Round Rock does not require a sixty foot wide right-of-way for the Public Street, the parties to this Agreement agree to modify the Easement to reduce its width to the minimum required by the City of Round Rock for the Public Street. If the City of Round Rock requires an adjustment to the location of the Easement, the parties agree that the Easement may be moved up to five feet to the north or the south as required by the City of Round Rock. All parties to this Agreement agree to execute any documents required to modify the Easement.

Exclusiveness of Easement

6. Except as provided below, the easement, rights, and privileges granted herein are nonexclusive and are in common with the right of Grantor to continue to use the Easement as long as such use does not unreasonably interfere with Grantee's use of the Easement.

Maintenance of Easement

7. Grantor shall continue to mow and otherwise maintain the Easement prior to construction of the Public Street.

Construction of Public Street

8. When the City of Round Rock consents to the construction of the Public Street, the parties shall select a certified appraiser mutually acceptable to Grantor and Grantee to appraise the value of the property within the Easement. Grantor shall be paid an amount calculated by multiplying the appraised value of the land within the Easement by a fraction whose numerator is the total number of square feet contained in all of the land owned by the Grantee within the East Rock Cove Subdivision (the "Subdivision") in Round Rock, Williamson County, Texas, and whose denominator is the total number of square feet owned by both Grantor and Grantee in the Subdivision. Each Grantee, Successor, or Assigns shall be responsible for his pro rata portion of the amount payable to Grantor based upon the ratio of the land area of each Grantee to the total amount of land area owned by all Grantees.

A. If a party is required to retain legal counsel and incur other expenses to enforce this agreement and is successful in any litigation initiated under this agreement, such party shall be entitled to collect reasonable attorneys fees and other expenses.



No Merger of Estates

9. If the Easement is created by Grantor prior to conveyance of the Dominant Estate to Grantee, the Easement shall not merge with the estate owned by Grantor in the Dominant Estate.

Entire Agreement

10. This instrument contains the entire agreement between the parties relating to the Easement and the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect.

Binding Effect

11. This Agreement shall bind and inure to the benefit of the respective parties, their heirs, personal representatives, successors, and assigns.

Executed on August 29th, 2007.

Grantor:

Larry E. Reavis
Larry E. Reavis

Nancy L. Reavis
Nancy L. Reavis

GRANTOR
Michael L. Pavlik, Trustee
Michael L. Pavlik

Anna Pavlik Family Trust

By: Anna Pavlik, Trustee
Anna Pavlik, Trustee

Grantee:

Nick E. Inman
Nick E. Inman



Elenor Stark
Elenor Stark

Larry Wigginton
Larry Wigginton

Dan Trong
Dan Trong

Wilburn F. Hackebiel
Wilburn F. Hackebiel

Annie H. Hackebiel
Annie H. Hackebiel

Billy J. Killion
Billy J. Killion

Rosa Lee Killion
Rosa Lee Killion

STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 11th, 18th day of September, 2007, by Larry E. Reavis and Nancy L. Reavis.

Jo Cockburn
Notary Public, State of Texas

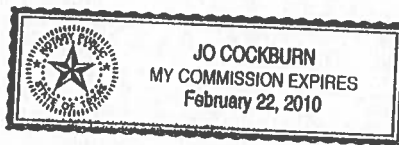
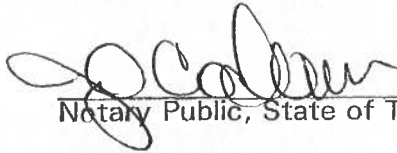


EXHIBIT
"C"

STATE OF TEXAS
COUNTY OF WILLIAMSON

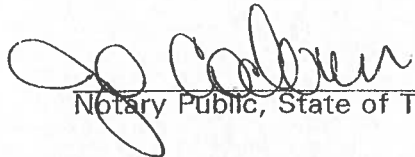
This instrument was acknowledged before me this 17 day of September, 2007, by Larry Wigginton.

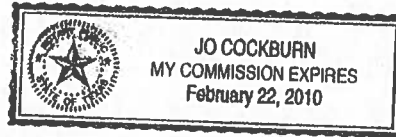

Notary Public, State of Texas



STATE OF TEXAS
COUNTY OF WILLIAMSON


This instrument was acknowledged before me this 11th day of September, 2007, by Nick E. Inman.

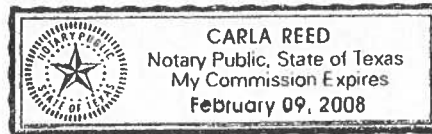

Notary Public, State of Texas



STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 3rd day of October, 2007, by Efenor Stark.


Notary Public, State of Texas



STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 11 day of September, 2007, by Michael L. Pavlik and Anna L. Pavlik as Trustee of the Anna L. Pavlik Family Trust.

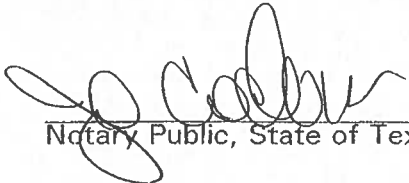


Notary Public, State of Texas



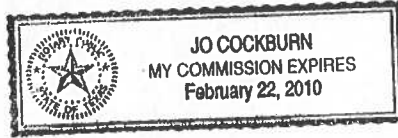
EXHIBIT
"C"

STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 31st day of August
2007, by Dan Trong. Trong




Notary Public, State of Texas

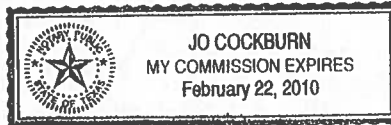


STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 29th day of August
2007, by Wilburn F. Hackebiel and Annie H. Hackebiel.
Hackebiel Hackebiel



Notary Public, State of Texas



STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me this 29th day of August
2007, by Billy J. Killion and Rosa Lee Killion.



Notary Public, State of Texas



EXHIBIT
“C”

EXHIBIT
"C"

