

**EXHIBIT  
"B"**

**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. 14.

**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 Section 1-9, Code of Ordinances, 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.

**4.2. Effective Date**

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

## II.

### NUTTY BROWN PLANNED UNIT DEVELOPMENT 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, as amended, hereinafter referred to as “the Code.”

#### 2. PROPERTY

This Plan covers approximately 18.41 acres of land located within the City of Round Rock, Texas, and more particularly as 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 **C-1a (General Commercial – limited)** 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.

### **4.3 Concept Plan**

This Plan, as depicted in **Exhibit “B”**, shall serve as the Concept Plan required by Section 36-39 of the Code, as amended.

### **4.4 Traffic Impact Analysis**

A traffic impact analysis (TIA) shall not be required for the Plan.

## **5. PERMITTED USES**

### **5.1 Outdoor music and entertainment venue, including:**

- (1) Restaurant/bar
- (2) Stage with loading docks
- (3) Grandstands
- (4) Green Room building
- (5) Arena area for spectators
- (6) Bar and suites
- (7) Festival parking area
- (8) Food truck area
- (9) Paved Parking areas
- (10) Drive aisles
- (11) Existing restrooms building
- (12) Sidewalks
- (13) Retail sales, as an accessory use
- (14) Temporary special events such as: farmer markets, Christmas tree sales, charity events, worship services

## **6. DEVELOPMENT STANDARDS**

### **6.1 Festival Parking Area**

The parking area provided to serve the venue may be provided on an unimproved surface, not subject to the provisions of the off-street parking and loading requirements of the Code. This unimproved parking area shall not exempt any part of the development from City requirements related to emergency access and fire safety.

### **6.2 Building Design**

- (1) The restaurant/bar structure shall meet the design standards of the C-1a (General Commercial – Limited) zoning district.
- (2) All structures which are part of the outdoor music and entertainment venue shall be exempt from design standards of the C-1a (General Commercial – Limited) zoning district.

**7. TREE REMOVAL**

If the development of the site causes it to become necessary to remove one or more of the protected trees on the site, a limited number of said protected trees may be removed without being subject to the tree replacement requirements of the Code, Section 43-25. In order for the site to qualify under this section, the zoning administrator shall first calculate the total number of diameter inches of protected trees on the site. Then the developer may remove protected trees whose total diameters are not more than 60 percent of the diameter inches of all protected trees on the site. Provided however, this section shall first be applied to the smallest protected tree on the site and then to the remainder of the protected trees in ascending order according to their diameters. If the developer wishes to remove more than 60 percent of the diameter inches of all protected trees on the site, the developer shall comply with the requirements of the Code, Section 43-25 for trees in excess of said 60 percent.

**8. SIGNS**

**8.1** Signs shall be regulated by the Code, with the following exceptions:

- (1) Two freestanding pylon signs shall be allowed on the property, along the frontage with IH 35:
  - 8.1.1.1.1 One (1) freestanding pylon sign shall be allowed at a maximum height of sixty-feet (60'), with a maximum sign display area, per side, of 1,068 square feet. The maximum sign display area, per side, may include a maximum of 740 square feet of electronic messaging center display.
  - 8.1.1.1.2 One (1) freestanding pylon sign shall be allowed, subject to the height and display area standards of the Code.
- (2) Advertising and informational signs on any structure, listed in Section 5.1 above, except for the restaurant/bar, which are internal to the site and not visible from a public right-of-way, shall be exempt from regulation by the Code.

**9. COMPATIBILITY**

Amplified music shall be directed in a west-northwest direction from the site, as indicated on **Exhibit "C"**.

**10. FINISHED FLOOR ELEVATIONS**

All building structures shall be constructed with a finished floor elevation at or above FEMA (Federal Emergency Management Agency) Zone AE BFE (Base Flood Elevation), representing the 1% annual probability.

**11. EXISTING BALL FIELD LIGHTING**

The existing ball field lighting, as indicated on **Exhibit “D”**, shall be exempt from the site lighting design and excessive illumination requirements of the Code.

**12. PARKLAND FEES**

The Plan shall be exempt from Chapter 36, Article III – Parkland Requirement, of the Code.

**13. ACCESS**

When an access drive is provided by the City, making a connection from the Property to North Mays Street, the Owner shall incorporate this additional access into the Plan.

**14. CHANGES TO DEVELOPMENT PLAN**

**14.1 Minor Changes**

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively if approved in writing by the Director of Planning and Development Services and the City Attorney.

**14.2 Major Changes**

All changes not permitted above shall be resubmitted following the same procedure required by the original PUD application.

## **LIST OF EXHIBITS**

Exhibit "A"	Survey Field Notes
Exhibit "B"	Concept Plan
Exhibit "C"	Compatibility
Exhibit "D"	Existing Ball Field Lights

**EXHIBIT**  
**"A"**

METES AND BOUNDS DESCRIPTION

FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 18.389 ACRE TRACT OF LAND SURVEYED ON THE GROUND BY DIAMOND SURVEYING, INC. DURING THE MONTH OF AUGUST, 2017 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10175359.56, E=3127918.13) monumenting the northwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the southwest corner of Lot 1, University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas a subdivision recorded in Cabinet FF, Slides 380-381 of the Plat Records of Williamson County, Texas, same being on the east boundary line of a called 10.881 acre tract of land (PART 1) conveyed to the State of Texas as recorded in Volume 479, Page 85 of the Deed Records of Williamson County, Texas, same being on the east right-of-way line of Interstate Highway No. 35, for the northwest corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "CS LTD" monumenting the northwest corner of said Lot 1, bears N 02°02'52" W passing at a distance of 112.57 feet an iron rod found with cap marked "CS LTD" monumenting the northeast corner of said 10.881 acre State of Texas tract, in all a total distance of 187.02 feet;

THENCE, departing the east boundary line of said 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, with the north boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the south boundary line of Lot 1 and Lot 2 of said University Oak Shopping Center Section 1, a Replat of Lots 2B & 2C, Block A, East Chandler Retail Center Replat of Lot 2, Recorded in Cabinet CC, Slides 230-233, Plat Records of Williamson County, Texas, the following three courses and distances:

1. **S 81°50'22" E** for a distance of **173.32 feet** to a PK Nail set on top of a wall, for an angle point hereof;
2. **S 52°10'22" E** for a distance of **172.57 feet** to a 1/2" iron rod found, for an angle point hereof;
3. **N 75°40'22" E** passing at a distance of 99.56 feet a 1/2" iron rod found monumenting the southeast corner of said Lot 1 and the southwest corner of said

Lot 2, in all a total distance of **171.06 feet** to a 1/2" iron rod found monumenting the northeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the most southerly southeast corner of said Lot 2, same being on an angle point in the west boundary line of Lot 2D, Block A, Replat of Lot 2 of East Chandler Retail Center a subdivision recorded in Cabinet CC, Slides 230-233 of the Plat Records of Williamson County, Texas, for the most northerly northeast corner hereof;

THENCE, **S 34°51'57" E** with the east boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and the west boundary line of said Lot 2D, Block A for a distance of **529.34 feet** to a 1/2" iron rod found monumenting the northwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southwest corner of said Lot 2D, Block A, for an angle point hereof;

THENCE, with the north boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said Lot 2D, Block A, the following two (2) courses and distances:

1. **N 71°07'46" E** for a distance of **229.82 feet** to a 1/2" iron rod found for an angle point hereof;
2. **N 64°25'25" E** for a distance of **164.65 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the northwest corner of said 2.35 acre (TRACT 3) City of Round Rock tract;

THENCE, **N 63°52'39" E** with the north boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the south boundary line of Lot 2D, Block A and Lot 2I, Block A of said Replat of Lot 2 of East Chandler Retail Center, passing at a distance of 12.74 feet a 1/2" iron rod found 0.13' south of this line, in all a total distance of **238.32 feet** to a 1/2" iron rod found monumenting the northeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract and the northwest corner of Lot 3, Block B, Oakmont Centre Section Five a subdivision recorded in Cabinet F, Slides 139-142 of the Plat Records of Williamson County, Texas for the most easterly northeast corner hereof;

THENCE, with the east boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract and the west boundary line of said Lot 3, Block B, the following three (3) courses and distances:

1. **S 25°55'00' E** for a distance of **348.40 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears **N 76°09'32" W** for a distance of 7.24 feet;



2. **S 46°48'00" W** for a distance of **60.46 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof, from which a 1/2" iron rod found bears N 00°11'34" W for a distance of 4.53 feet;
3. **S 02°45'00" W** for a distance of **120.87 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner of said 2.35 acre (TRACT 3) City of Round Rock tract, same being on the north boundary line of Lot 1, Final Plat of Cypress Addition, a subdivision recorded in Cabinet N, Slides 266-268 of the Plat Records of Williamson County, Texas, for the southeast corner hereof, from which a 1/2" iron rod found monumenting an angle point in the north boundary line of Lot 2 of said Final Plat of Cypress Addition, bears N 69°27'35" E for a distance of 20.21 feet;

THENCE, with the north boundary line of said Lot 1, Final Plat of Cypress Addition, the south boundary line of said 2.35 acre (TRACT 3) City of Round Rock tract, the south boundary line of said 2.00 acre (TRACT 2) City of Round Rock tract and the south boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, the following four (4) courses and distances:

1. **S 69°27'35" W** passing at a distance of 266.18 feet a 1/2" iron rod found (spinner) monumenting the southwest corner of said 2.00 acre (TRACT 2) City of Round Rock tract and the southeast corner of said 14.064 acre (TRACT 1) City of Round Rock tract, in all a total distance of **370.88 feet** to a 1/2" iron rod found monumenting an angle point hereof;
2. **S 67°44'06" W** for a distance of **171.32 feet** to a 1/2" iron rod found monumenting an angle point hereof;
3. **S 63°52'09" W** for a distance of **101.47 feet** to a 1/2" iron rod found monumenting an angle point hereof;
4. **S 56°52'26" W** for a distance of **130.20 feet** to a 1/2" iron rod found monumenting the most southerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and an angle point in said north boundary line of Lot 1, Final Plat of Cypress Addition, same being on an angle point in the east boundary line of a called 26.208 acre tract of land (TRACT 3) conveyed to CRPHYH, L.P. as recorded in Document No. 2005003003 of the Official Public Records of Williamson County, Texas, for the most southerly southwest corner hereof, from which a 1/2" iron rod found monumenting the northwest corner of said Lot 1, Final Plat of Cypress Addition and an angle point in said east boundary line of the 26.208 acre CRPHYH, L.P. tract bears S 56°04'36" W for a distance of 29.17 feet;

THENCE, with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract and said east boundary line of the 26.208 acre CRPHYH, L.P. tract, the following three (3) courses and distances:


1. **N 38°12'07" W** for a distance of **204.53 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for an angle point hereof;
2. **N 60°26'12" W** for a distance of **633.89 feet** to the center of a wastewater manhole, for an angle point hereof;
3. **N 55°54'08" W** for a distance of **66.59 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for the most westerly southwest corner of said 14.064 acre (TRACT 1) City of Round Rock tract and the north corner of said 26.208 acre CRPHYH, L.P. tract, same being on the east boundary line of said 10.881 acre State of Texas tract and the east right-of-way line of said Interstate Highway No. 35, from which a TXDOT Type 1 concrete monument found monumenting the beginning of a curve to the left in said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35, bears S 02°02'52" E for a distance of 47.16 feet;

THENCE, **N 02°02'52" W** with the west boundary line of said 14.064 acre (TRACT 1) City of Round Rock tract, said east boundary line of the 10.881 acre State of Texas tract and said east right-of-way line of Interstate Highway No. 35 for a distance of **547.98 feet** to the **POINT OF BEGINNING** hereof and containing 18.389 acres of land more or less.

Bearing Basis: State Plane Coordinate System, NAD83, Texas Central Zone (4203).

Distances shown hereon are surface based on a combined surface adjustment factor of 1.00011.

A survey drawing has been prepared to accompany this metes and bounds description.

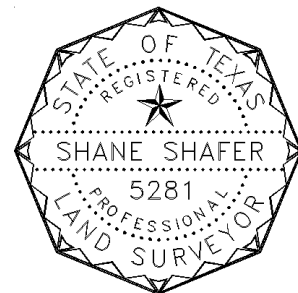
 **DIAMOND SURVEYING, INC.**  
116 SKYLINE ROAD, GEORGETOWN, TX 78628  
(512) 931-3100  
FIRM REGISTRATION NO. 10006900



January 4, 2018

SHANE SHAFER, R.P.L.S. NO. 5281

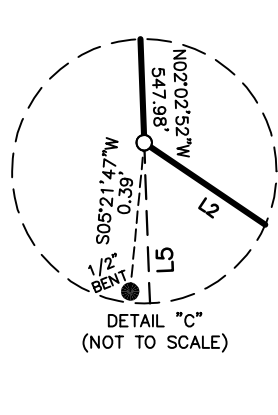
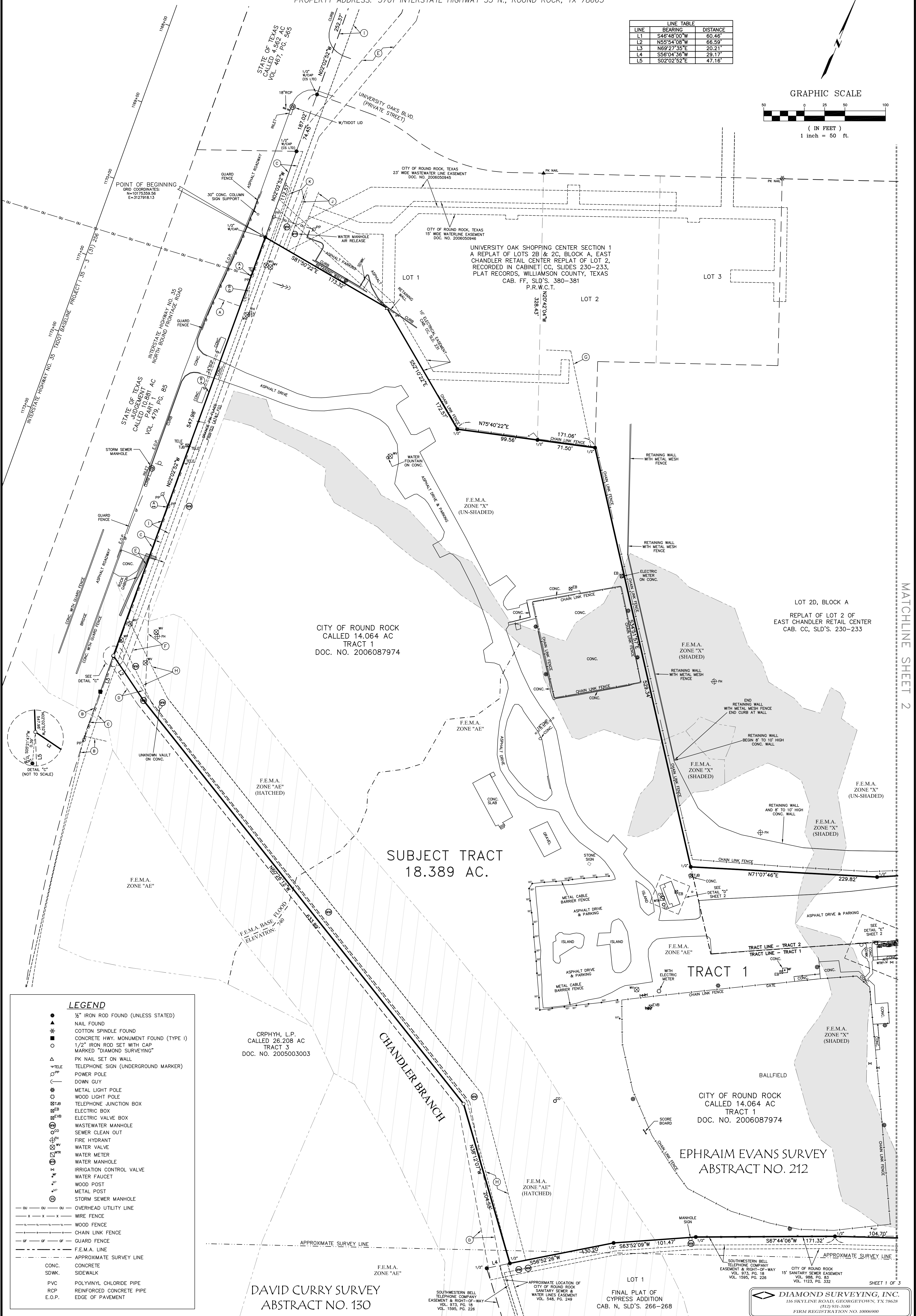
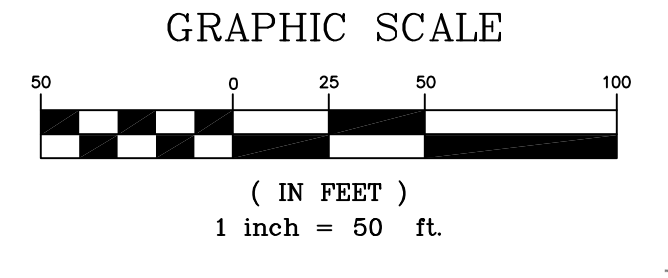
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DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION

LAND TITLE SURVEY FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
 PROPERTY ADDRESS: 3701 INTERSTATE HIGHWAY 35 N., ROUND ROCK, TX 78665

LINE	BEARING	DISTANCE
L1	S46°48'00"W	60.46'
L2	N55°54'08"W	66.59'
L3	N69°27'35"E	20.21'
L4	S56°04'36"W	29.17'
L5	S02°02'52"E	47.16'



MATCHLINE SHEET 2

**LEGEND**

- 1/8" IRON ROD FOUND (UNLESS STATED)
- NAIL FOUND
- COTTON SPINDLE FOUND
- CONCRETE HWY. MONUMENT FOUND (TYPE 1)
- 1/2" IRON ROD SET WITH CAP MARKED "DIAMOND SURVEYING"
- △ PK NAIL SET ON WALL
- ▽ TELE TELEPHONE SIGN (UNDERGROUND MARKER)
- POWER POLE
- DOWN GUY
- METAL LIGHT POLE
- WOOD LIGHT POLE
- TELEPHONE JUNCTION BOX
- ELECTRIC BOX
- ELECTRIC VALVE BOX
- WASTEWATER MANHOLE
- SEWER CLEAN OUT
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- WATER MANHOLE
- IRRIGATION CONTROL VALVE
- WATER FAUCET
- WOOD POST
- METAL POST
- STORM SEWER MANHOLE
- OVERHEAD UTILITY LINE
- WIRE FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- GUARD FENCE
- F.E.M.A. LINE
- APPROXIMATE SURVEY LINE
- CONC. CONCRETE
- SDWK. SIDEWALK
- PVC POLYVINYL CHLORIDE PIPE
- RCP REINFORCED CONCRETE PIPE
- E.O.P. EDGE OF PAVEMENT

CRPHYH, L.P.  
 CALLED 26.208 AC  
 TRACT 3  
 DOC. NO. 2005003003

DAVID CURRY SURVEY  
 ABSTRACT NO. 130

CITY OF ROUND ROCK  
 CALLED 14.064 AC  
 TRACT 1  
 DOC. NO. 2006087974

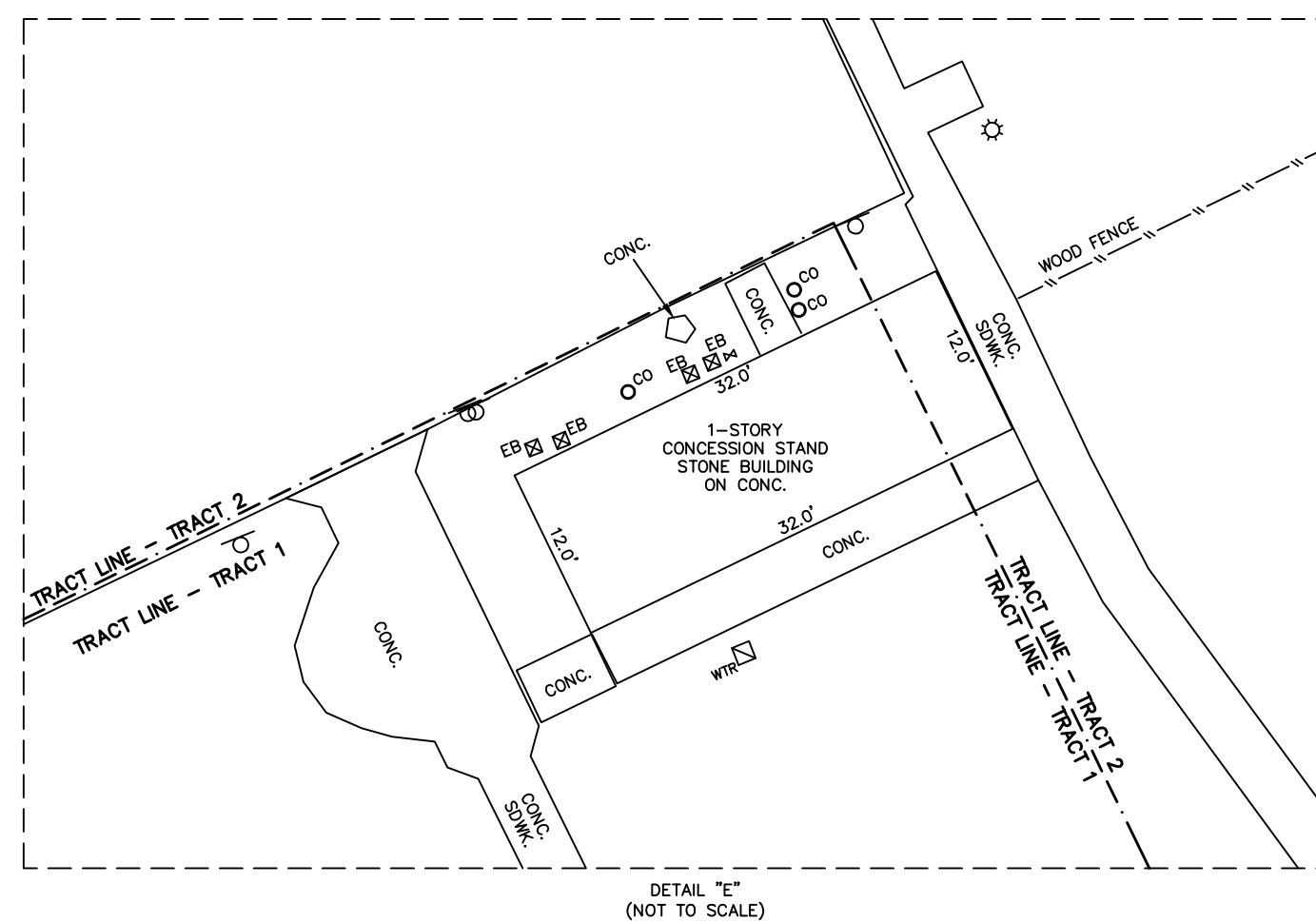
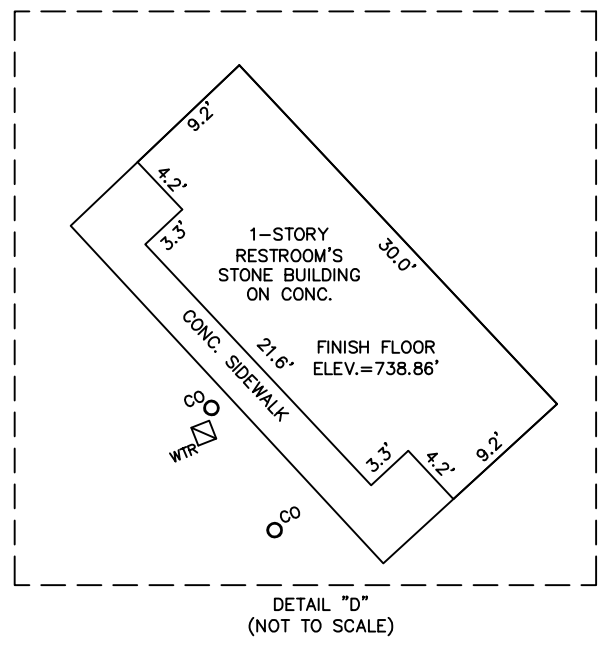
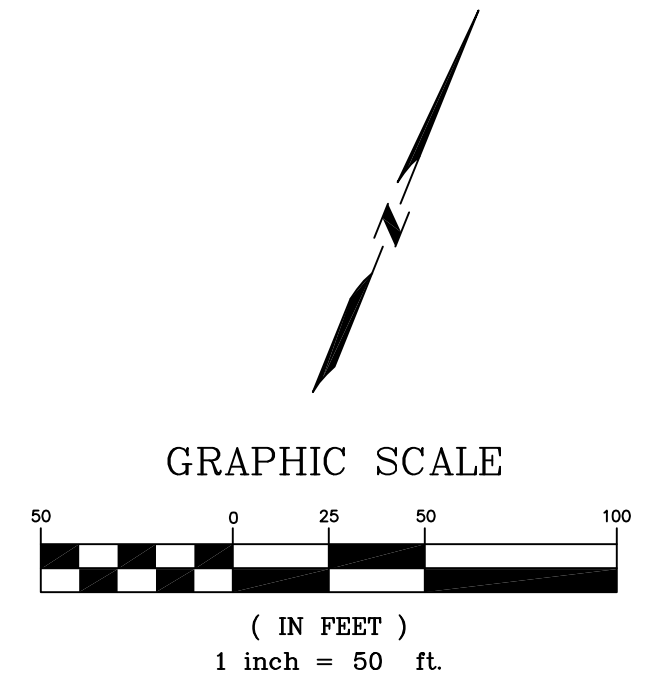
EPHRAIM EVANS SURVEY  
 ABSTRACT NO. 212

FINAL PLAT OF  
 CYPRESS ADDITION  
 CAB. N, SLD'S. 266-268

**DIAMOND SURVEYING, INC.**  
 116 SKYLINE ROAD, GEORGETOWN, TX 78628  
 (512) 931-3160  
 VOL. 988, PG. 83  
 VOL. 1123, PG. 332  
 FIRM REGISTRATION NO. 10006900

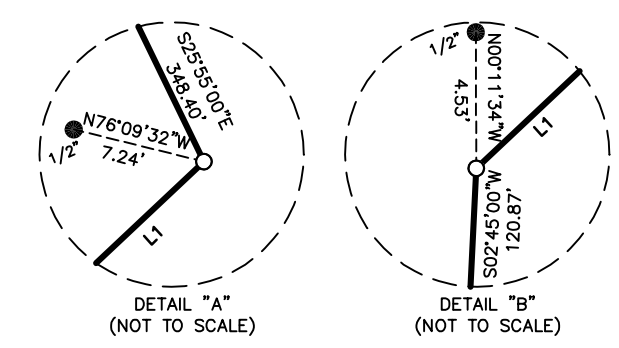
**DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION**

LAND TITLE SURVEY FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRAIM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
 PROPERTY ADDRESS: 3701 INTERSTATE HIGHWAY 35 N., ROUND ROCK, TX 78665

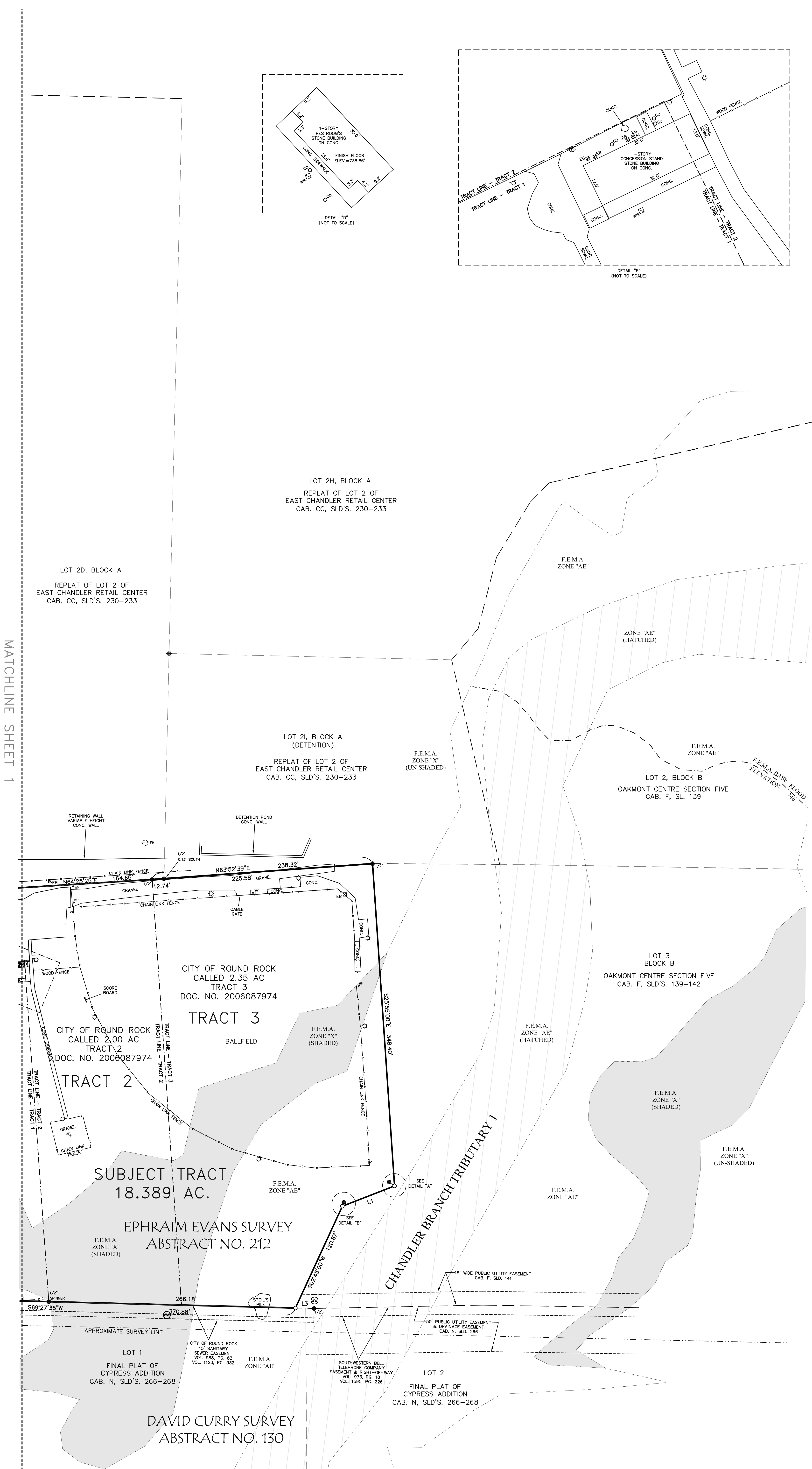


LINE TABLE		
LINE	BEARING	DISTANCE
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LEGEND	
●	1/2" IRON ROD FOUND (UNLESS STATED)
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○	COTTON SPINDLE FOUND
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⊕	METAL POST
⊕	STORM SEWER MANHOLE
—○—	OVERHEAD UTILITY LINE
—x—x—x—	WIRE FENCE
— — — — —	WOOD FENCE
— — — — —	CHAIN LINK FENCE
— — — — —	GUARD FENCE
—○—○—○—	F.E.M.A. LINE
---	APPROXIMATE SURVEY LINE
CONC.	CONCRETE
SDWK.	SIDEWALK
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
E.O.P.	EDGE OF PAVEMENT



MATCHLINE SHEET 1



DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION  
 LAND TITLE SURVEY FOR A 18.389 ACRE TRACT OF LAND SITUATED IN THE EPHRIAM EVANS SURVEY, ABSTRACT NO. 212 AND THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 14.064 ACRE TRACT OF LAND (TRACT 1), ALL OF THE CALLED 2.00 ACRE TRACT OF LAND (TRACT 2) AND ALL OF THE CALLED 2.35 ACRE TRACT OF LAND (TRACT 3), SAID TRACTS CONVEYED TO THE CITY OF ROUND ROCK, RECORDED IN DOCUMENT NO. 2006087974, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
 PROPERTY ADDRESS: 3701 INTERSTATE HIGHWAY 35 N., ROUND ROCK, TX 78665

Legal description of land:

TRACT 1: Being all of that certain tract or parcel of land containing 14.064 acres, more or less, situated in the E. Evans Survey, Abstract No. 212, Williamson County, Texas.

TRACT 2: Being all of that certain tract or parcel of land containing 2.00 acres, more or less, situated in the E. Evans Survey, Abstract No. 212, Williamson County, Texas.

TRACT 3: Being all of that certain tract or parcel of land containing 2.35 acres, more or less, situated in the E. Evans Survey, Abstract No. 212, Williamson County, Texas.

TITLE COMMITMENT NOTES:

Only those easements and restrictions listed in Alliant National Title Insurance Company, Title Commitment GF No. 201701994, issued by Heritage Title Company of Austin, Inc., which has an effective date of July 26, 2017 and an issued date of August 07, 2017, were reviewed by the surveyor. No other easement record research was performed by Diamond Surveying, Inc.

The following restrictive covenants of record itemized below:

- Volume 778, Page 330 of the Deed Records of Williamson County, Texas. Affects Tract 1  
 Volume 871, Page 369 of the Deed Records of Williamson County, Texas. Affects Tract 3  
 Volume 871, Page 374 of the Deed Records of Williamson County, Texas. Affects Tract 2  
 Document No. 2006087974 of the Official Public Records of Williamson County, Texas. Affects Tracts 1, 2 and 3.
- 10a) An electric transmission and/or distribution line and appurtenances easement granted to Texas Power & Light Company, by instrument dated August 12, 1936, recorded in Volume 282, Page 399 of the Deed Records of Williamson County, Texas. Unable to determine exact location of said easement due to a vague description, easement not plottable.
- 10b) An electric transmission and/or distribution line and appurtenances easement granted to Texas Power & Light Company, by instrument dated February 11, 1946, recorded in Volume 337, Page 11 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10c) The terms, conditions and stipulations of that certain Oil, Gas and/or Mineral Lease dated August 16, 1947, recorded in Volume 346, Page 247 of the Deed Records of Williamson County, Texas, executed by and between Leonard Dedear, Shirley Marie Dedear, Dora Jean Essery and Wendell Essery, as Lessor, and G. R. Lundelius, as Lessee. Not a survey matter.
- 10d) An electric transmission and/or distribution line and appurtenances easement granted to Texas Power & Light Company, by instrument dated September 15, 1948, recorded in Volume 353, Page 321 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10e) An undivided 1/4th royalty interest in all oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded in Volume 418, Page 392 of the Deed Records of Williamson County, Texas. Not a survey matter.
- 10f) An undivided 1/4th royalty interest in all oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded in Volume 418, Page 396 of the Deed Records of Williamson County, Texas. Not a survey matter.
- 10g) An electric power line and communication line and appurtenances easement granted to Texas Power & Light Company, by instrument dated December 12, 1962, recorded in Volume 457, Page 206 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10h) An easement for the flowage, permanent storage and temporary detention of waters granted to Brushy Creek Water Control and Improvement District No. 1, by instrument dated February 21, 1963, recorded in Volume 459, Page 661 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10i) An electric power line and communication line and appurtenances easement granted to Texas Power & Light Company, by instrument dated September 30, 1964, recorded in Volume 474, Page 119 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10j) An electric power line and communication line and appurtenances easement granted to Texas Power & Light Company, by instrument dated January 8, 1965, recorded in Volume 477, Page 388 of the Deed Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10k) An easement for the flowage, permanent storage and temporary detention of waters granted to Brushy Creek Water Control and Improvement District No. 1, by instrument dated February 21, 1963, recorded in Volume 463, Page 39 of the Deed Records of Williamson County, Texas. May be a part of the subject tracts. Unable to determine exact location of said easement due to a vague description, easement not plottable.
- 10l) An electric power line and communication line and appurtenances easement granted to Texas Power & Light Company, by instrument dated December 10, 1965, recorded in Volume 485, Page 400 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10m) An electric power line and communication line and appurtenances easement granted to Texas Power & Light Company, by instrument dated July 6, 1966, recorded in Volume 490, Page 613 of the Deed Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10n) A communication easement granted to Southwestern Bell Telephone Company, by instrument dated October 28, 1971, recorded in Volume 543, Page 301 of the Deed Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10o) A sanitary sewer or water lines easement granted to the City of Round Rock, by instrument dated April 10, 1972, recorded in Volume 548, Page 625 of the Deed Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10p) A sanitary sewer or water lines easement granted to the City of Round Rock, by instrument dated April 20, 1978, recorded in Volume 708, Page 459 and Volume 716, Page 672 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10q) A sanitary sewer or water lines easement granted to the City of Round Rock, by instrument dated May 19, 1978, recorded in Volume 716, Page 740 of the Deed Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10r) A pipelines and appurtenances, cathodic protection equipment and aerial markers easement granted to Enserch Corporation, by instrument dated August 23, 1978, recorded in Volume 741, Page 371 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10s) An electric power line and telephone line and appurtenances easement granted to Southwestern Bell Telephone Company, by instrument dated February 23, 1979, recorded in Volume 761, Page 624 of the Deed Records of Williamson County, Texas. Not a part of subject tracts.
- 10t) The terms, conditions and stipulations of that certain Deed for Community Park dated October 8, 1979, recorded in Volume 778, Page 330 of the Deed Records of Williamson County, Texas. Affects Tract 1.
- 10u) An electric distribution line and telephone line and appurtenances easement granted to Texas Power & Light Company, by instrument dated September 13, 1979, recorded in Volume 782, Page 35 of the Deed Records of Williamson County, Texas. Not a part of subject tracts, however is shown hereon.
- 10v) The terms, conditions and stipulations of that certain Deed for Community Park dated December 17, 1981, recorded in Volume 871, Page 369 of the Deed Records of Williamson County, Texas. Affects Tract 3.
- 10w) The terms, conditions and stipulations of that certain Warranty Deed dated December 16, 1981, recorded in Volume 871, Page 374 of the Deed Records of Williamson County, Texas. Affects Tract 2.
- 10x) A wastewater line easement granted to the City of Round Rock, by instrument dated December 18, 2003, recorded under Document No. 2003121819 of the Official Public Records of Williamson County, Texas. Is a part of Tract 1 as shown hereon.
- 10y) The terms, conditions and stipulations of that certain Deed of Gift dated September 28, 2006, recorded under Document No. 2006087974 of the Official Public Records of Williamson County, Texas. Affects tracts 1, 2 and 3.

EASEMENT LEGEND	
(A)	TEXAS POWER & LIGHT COMPANY EASEMENT VOL. 477, PG. 388 (NO WIDTH SPECIFIED)
(1)	= BEGIN EASEMENT
(2)	= END EASEMENT
<hr/>	
(B)	TEXAS POWER & LIGHT COMPANY EASEMENT VOL. 490, PG. 613 (NO WIDTH SPECIFIED)
(3)	= BEGIN EASEMENT GOING SOUTH
(4)	= GUY ANCHOR EASEMENT
<hr/>	
(C)	SOUTHWESTERN BELL TELEPHONE COMPANY COMMUNICATION EASEMENT VOL. 543, PG. 301 (7.5' WIDTH)
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(D)	CITY OF ROUND ROCK SANITARY SEWER EASEMENT EASEMENT NO. 18 - PART TWO VOL. 548, PG. 625 (15' WIDTH)
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(E)	CITY OF ROUND ROCK SANITARY SEWER AND WATER LINES EASEMENT PARCEL 1 VOL. 716, PG. 740 (20' WIDTH)
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(F)	CITY OF ROUND ROCK SANITARY SEWER AND WATER LINES EASEMENT PARCEL 2 VOL. 716, PG. 740
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(G)	TEXAS POWER & LIGHT COMPANY APPROXIMATE CENTERLINE OF EASEMENT AND RIGHT-OF-WAY VOL. 782, PG. 35
<hr/>	
(H)	CITY OF ROUND ROCK WASTEWATER LINE EASEMENT DOC. NO. 2003121819
<hr/>	
(I)	TEXAS POWER & LIGHT COMPANY EASEMENT & RIGHT-OF-WAY VOL. 1515-971 (15' WIDTH)
<hr/>	
ADJOINER EASEMENT LEGEND	
(J)	WATERLINE EASEMENT DOC. NO. 2005095744 (15' WIDE)
<hr/>	
(K)	WASTEWATER EASEMENT DOC. NO. 2005095744 (20' WIDE)

GENERAL NOTES:

1) BEARING BASIS: STATE PLANE COORDINATE SYSTEM, NAD-83, TEXAS CENTRAL(4203). PER WDS VRS GPS NETWORK, ESTABLISHED ON SITE 7-13-2017. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00011.

2) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

3) THE TRACT SHOWN HEREON LIES WITH ZONE "X" UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2" ANNUAL CHANCE FLOODPLAIN, ZONE "X" SHADED, AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, ZONE "AE" BASE FLOOD ELEVATIONS DETERMINED AND ZONE "AE" HATCHED THE FLOOD WAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48491C0490E, DATED SEPTEMBER 26, 2008 AND FLOOD INSURANCE RATE MAP NO. 48491C0495E, DATED SEPTEMBER 26, 2008 FOR WILLIAMSON COUNTY, TEXAS.

THE FEMA FLOOD LINES SHOWN HEREON ARE APPROXIMATE BY GRAPHIC PLOTTING ONLY AND WERE SCALED FROM THE ABOVE REFERENCED FLOOD INSURANCE RATE MAPS. THE SURVEYOR MAKES NO ASSURANCE AS TO THE ACCURACY OF THE DELINEATIONS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS.

To: JM Farr Management Co, LLC, Alliant National Title Insurance Company and Heritage Title Company of Austin, Inc., EXCLUSIVELY,

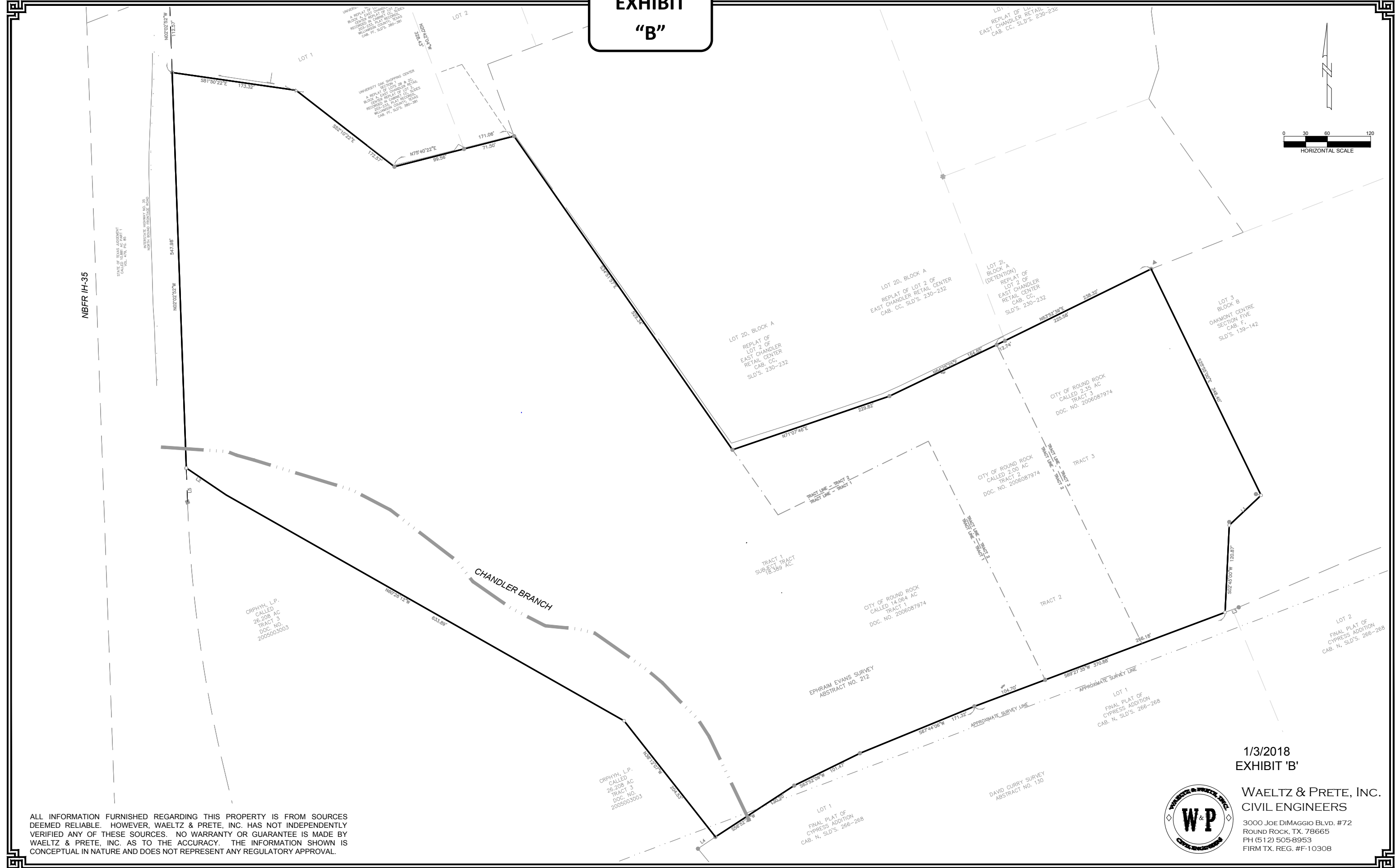
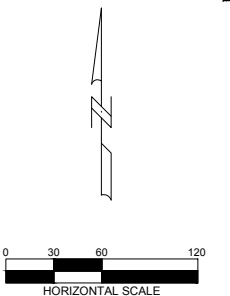
I, Shane Shafer, Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat represents a survey made on the ground under my direct supervision completed on August 17, 2017. At the time of this survey there were no encroachments, conflicts or protrusions apparent on the ground, EXCEPT AS SHOWN. This survey substantially complies with the standards for a CATEGORY 1A, CONDITION II LAND TITLE SURVEY per the current Manual of Practice for Land Surveying in the State of Texas, issued by the Texas Society of Professional Surveyors. USE OF THIS SURVEY BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.

*Shane Shafer* JANUARY 4, 2018  
 SHANE SHAFER, R.P.L.S. NO. 5281 DATE



Z:\WHEELZ & PHELIC\MONELL PARK ROUND ROCK\11-2-18 L12- RUTIT BROWNY ROUND ROCK MONELL PARK SURFACE.DWG

**EXHIBIT  
"B"**

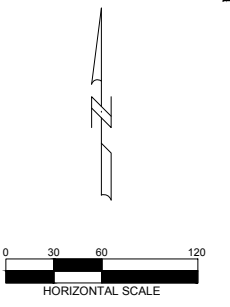


ALL INFORMATION FURNISHED REGARDING THIS PROPERTY IS FROM SOURCES DEEMED RELIABLE. HOWEVER, WAELTZ & PRETE, INC. HAS NOT INDEPENDENTLY VERIFIED ANY OF THESE SOURCES. NO WARRANTY OR GUARANTEE IS MADE BY WAELTZ & PRETE, INC. AS TO THE ACCURACY. THE INFORMATION SHOWN IS CONCEPTUAL IN NATURE AND DOES NOT REPRESENT ANY REGULATORY APPROVAL.

1/3/2018  
EXHIBIT 'B'



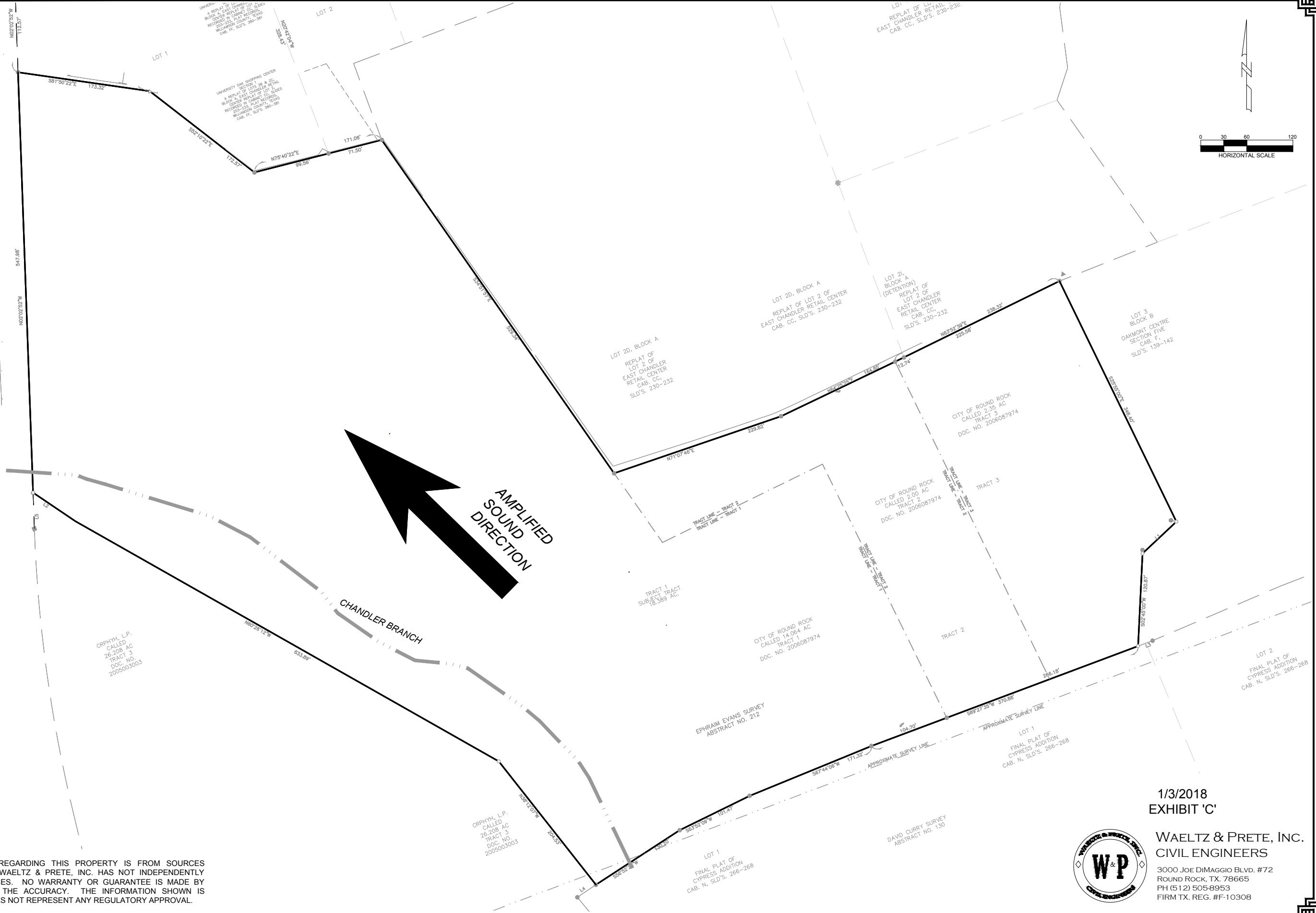
**WAELTZ & PRETE, INC.**  
CIVIL ENGINEERS  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
PH (512) 505-8953  
FIRM TX. REG. #F-10308



NBFR IH-35

STATE HIGHWAY ADJUTANT  
VOL. 478, P. 85

INTERSTATE HIGHWAY NO. 35  
NORTH BOUND THROUGH ROADS



CRPHYH, L.P.  
CALLED  
26-208 AC  
TRACT 3  
DOC. NO.  
20050035003

CRPHYH, L.P.  
CALLED  
26-208 AC  
TRACT 3  
DOC. NO.  
20050035003

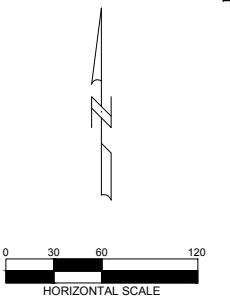
CHANDLER BRANCH

ALL INFORMATION FURNISHED REGARDING THIS PROPERTY IS FROM SOURCES DEEMED RELIABLE. HOWEVER, WAELTZ & PRETE, INC. HAS NOT INDEPENDENTLY VERIFIED ANY OF THESE SOURCES. NO WARRANTY OR GUARANTEE IS MADE BY WAELTZ & PRETE, INC. AS TO THE ACCURACY. THE INFORMATION SHOWN IS CONCEPTUAL IN NATURE AND DOES NOT REPRESENT ANY REGULATORY APPROVAL.

1/3/2018  
EXHIBIT 'C'



**WAELTZ & PRETE, INC.**  
CIVIL ENGINEERS  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
PH (512) 505-8953  
FIRM TX. REG. #F-10308



EXISTING BALL FIELD LIGHTS (TYP)

NBFR IH-35

STATE HIGHWAY ADJUTANT  
VOL. 478, P. 85

INTERSTATE HIGHWAY NO. 35  
NORTH BOUND THROUGH ROADS

N02°02'52"W  
113.37'

547.88'

N02°02'52"W

N02°02'52"W

N02°02'52"W

N02°02'52"W

N02°02'52"W

N02°02'52"W

N02°02'52"W

S81°50'22"E 173.32'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

89.55'

71.50'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

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S02°10'22"E 172.57'

N75°40'22"E 171.08'

S02°10'22"E 172.57'

N75°40'22"E 171.08'

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CRPHYH, L.P.  
CALLED  
26-208 AC  
TRACT 3  
DOC. NO.  
2005003003

CRPHYH, L.P.  
CALLED  
26-208 AC  
TRACT 3  
DOC. NO.  
2005003003

LOT 1  
FINAL PLAT OF  
CYPRESS ADDITION  
CAB. N, SLD'S. 266-268

DAVID CURRY SURVEY  
ABSTRACT NO. 150

EPHRAIM EVANS SURVEY  
ABSTRACT NO. 212

CITY OF ROUND ROCK  
CALLED 14.064 AC  
TRACT 1  
DOC. NO. 2006087974

CITY OF ROUND ROCK  
CALLED 2.00 AC  
TRACT 2  
DOC. NO. 2006087974

CITY OF ROUND ROCK  
CALLED 2.35 AC  
TRACT 3  
DOC. NO. 2006087974

LOT 20, BLOCK A  
REPLAT OF  
LOT 2 OF  
EAST CHANDLER  
RETAIL CENTER  
CAB. CC,  
SLD'S. 230-232

LOT 20, BLOCK A  
REPLAT OF LOT 2 OF  
EAST CHANDLER RETAIL CENTER  
CAB. CC, SLD'S. 230-232

LOT 21,  
BLOCK A  
(DETENTION)  
REPLAT OF  
LOT 2 OF  
EAST CHANDLER  
RETAIL CENTER  
CAB. CC,  
SLD'S. 230-232

LOT 3  
BLOCK B  
OAKMONT CENTRE  
SECTION FIVE  
CAB. F,  
SLD'S. 139-142

LOT 2  
FINAL PLAT OF  
CYPRESS ADDITION  
CAB. N, SLD'S. 266-268

LOT 1  
FINAL PLAT OF  
CYPRESS ADDITION  
CAB. N, SLD'S. 266-268

1/3/2018  
EXHIBIT 'D'



WAELTZ & PRETE, INC.  
CIVIL ENGINEERS

3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
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FIRM TX. REG. #F-10308