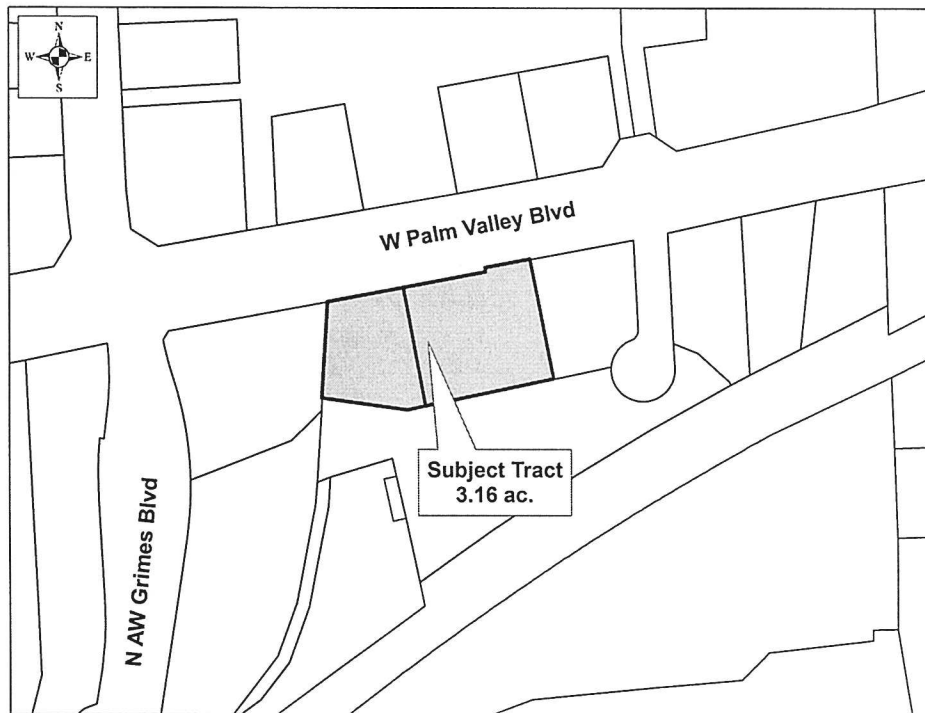


Highland Hwy 79 Commercial Amended Plat FINAL PLAT FP1501-005



CASE PLANNER: Ashley Lumpkin

REQUEST: Request approval of the Highland Hwy 79 Commercial Amended Plat

ZONING AT TIME OF APPLICATION: C-1, General Commercial

CURRENT USE OF PROPERTY: Undeveloped

GENERAL PLAN LAND USE DESIGNATION: Commercial

ADJACENT LAND USE:

North: East Palm Valley Blvd. ROW and Existing Commercial (zoned C-1 and PUD)

South: Undeveloped (zoned C-1, General Commercial), Existing Residential (zoned C-1, General Commercial), and the Union Pacific railroad

East: Existing bank and gas station (zoned C-1, General Commercial)

West: Undeveloped and Existing Commercial (zoned C-1, General Commercial)

PROPOSED LAND USE: Commercial

<u>PROPOSED LOTS BY TYPE:</u>	<u>NUMBER OF LOTS</u>	<u>ACREAGE</u>
Residential - Single Unit:	0	0.00
Residential - Multi Unit:	0	0.00
Office:	0	0.00
Commercial:	2	3.16
Industrial:	0	0.00
Open/Common Space:	0	0.00
ROW:	0	0.00
Parkland:		
Other:	0	0.00
TOTALS:	2	3.16

Owner:
BDC Family Limited Partnership
Bobby Cox
5000 Overton Blvd., Ste. 300
Fort Worth, TX 76109

Agent
John Thomas Engineering
John Measels
800 N. Watters Road, Ste. 170
Allen, TX 75013

**Highland Hwy 79 Commercial Amended Plat
FINAL PLAT FP1501-005**

HISTORY: The Planning and Zoning Commission approved the Final Plats of Phases 1 and 2 in 2007.

DATE OF REVIEW: March 4, 2015

DESCRIPTION: 3.16 acres out of the P.A. Holder Survey, Abstract No. 297

LOCATION: Generally located southeast of the intersection of N. A.W. Grimes Blvd. and W. Palm Valley Blvd.

STAFF REVIEW AND ANALYSIS:

General Plan and Zoning:

The General Plan identifies commercial uses for this area. The purpose of this plat is to relocate an interior lot line between two existing lots. The amending plat will result in a 1.22 acre westernmost lot and a second 1.93 acre lot.

The C-1 zoning district allows for a variety of retail sales and service uses, along with offices and restaurants. The design standards include masonry exterior finish, articulation, architectural offsets, and screening. The proposal complies with the Zoning and Subdivision Ordinances.

Traffic, Access and Roads:

The lots will utilize existing driveways to East Palm Valley Blvd. and Palm Valley Cove. There are several existing access easements shown on the plat. If others are required they will be approved during the site planning process.

Water and Wastewater Service:

The site is served by a 6-inch and 12-inch waterline as well as an 8-inch wastewater line across the southern portion of the lots.

Drainage:

A floodplain study was recently updated and the plat will be updated to delineate the limits of the floodplain prior to recordation. There are no floodplain or drainage concerns for the lots.

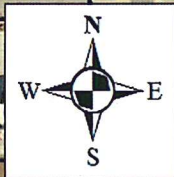
Additional Considerations:

There are no additional considerations at this time.

RECOMMENDED MOTION:

Staff recommends approval with the following conditions:

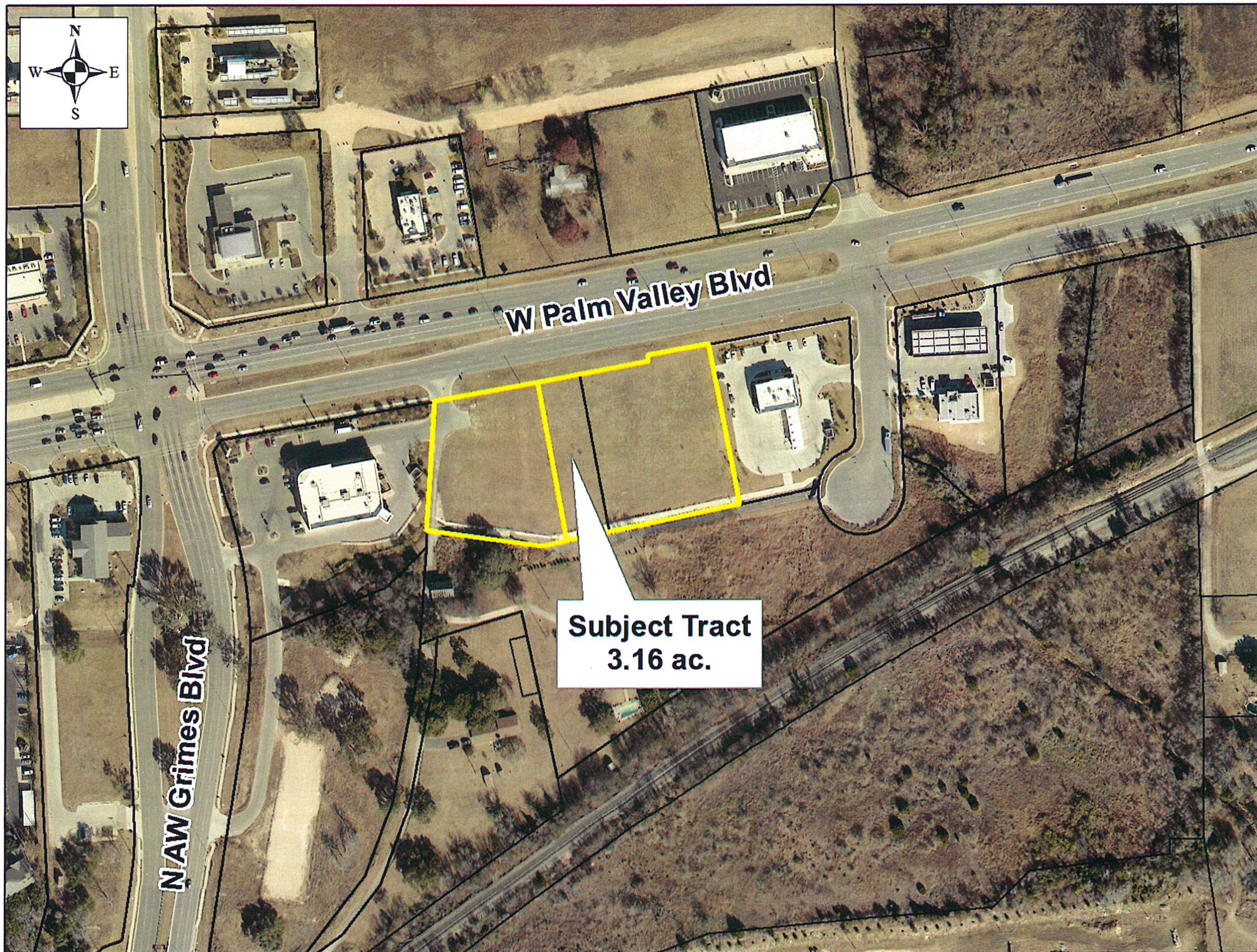
1. The title shall be updated to state "Amended Plat of Highland Hwy 79 Phase 1, Lot 1 and Phase 2, Lot 2" and remove the word 'replat' from the title block.
2. The 'by plat' easement label for the electric easement shall be updated to state "hereby dedicated to Oncor".
3. Notes 5 and 6 shall be removed.
4. Note 4 shall be updated to reference Chapter 43.
5. The floodplain shall be depicted with unique line types and the following note shall be added to the plat:
 - a. "No fences, structures, storage, or fill shall be placed within the limits of the ultimate 1% annual chance floodplain; unless approved by the City Engineer. Fill may only be permitted by the City Engineer after approval of the proper analysis."

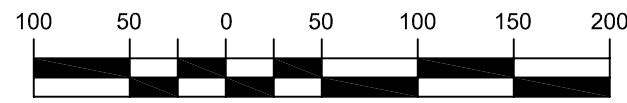


W Palm Valley Blvd

N W Grimes Blvd

**Subject Tract
3.16 ac.**



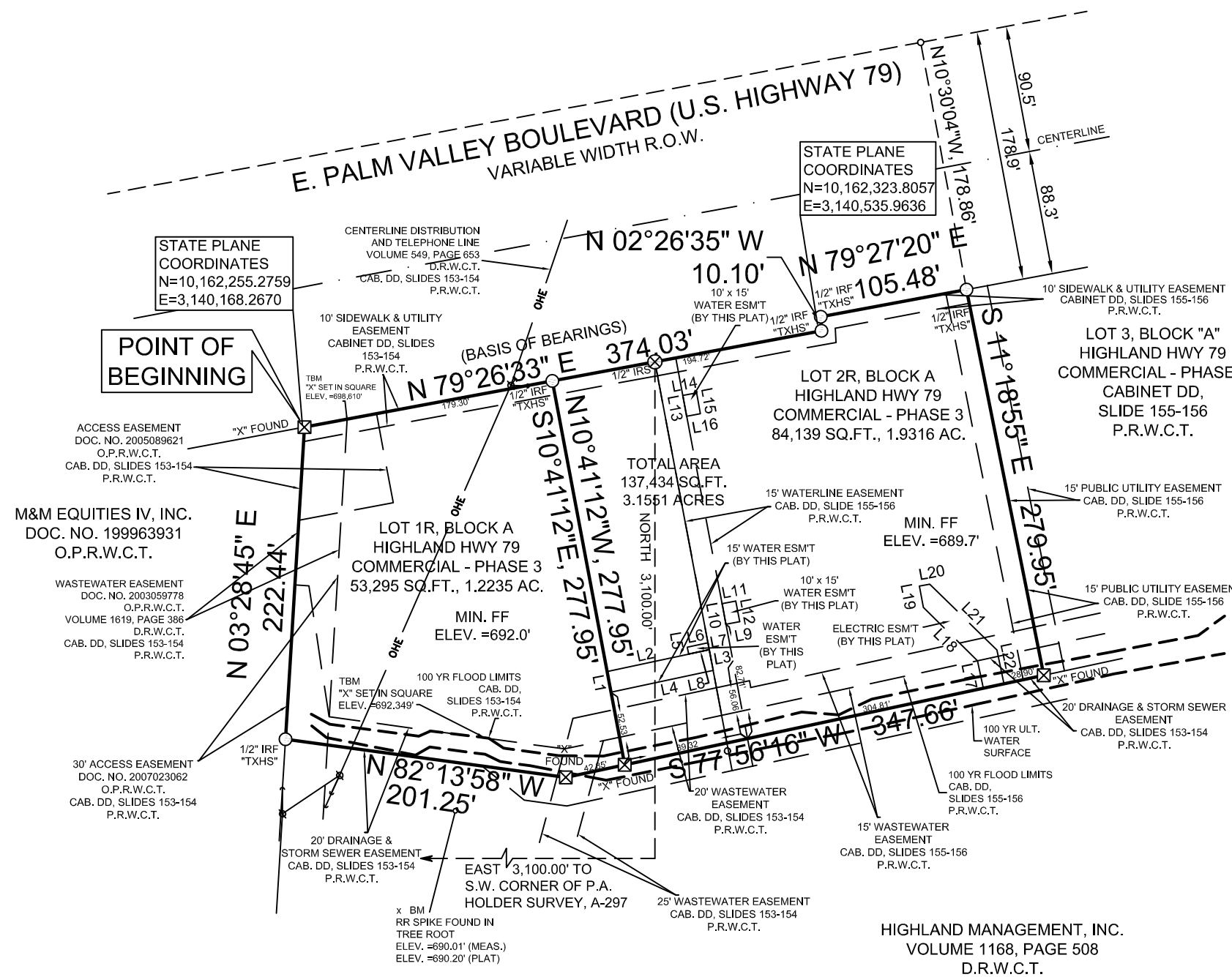


SCALE - 1" = 100

LEGEND

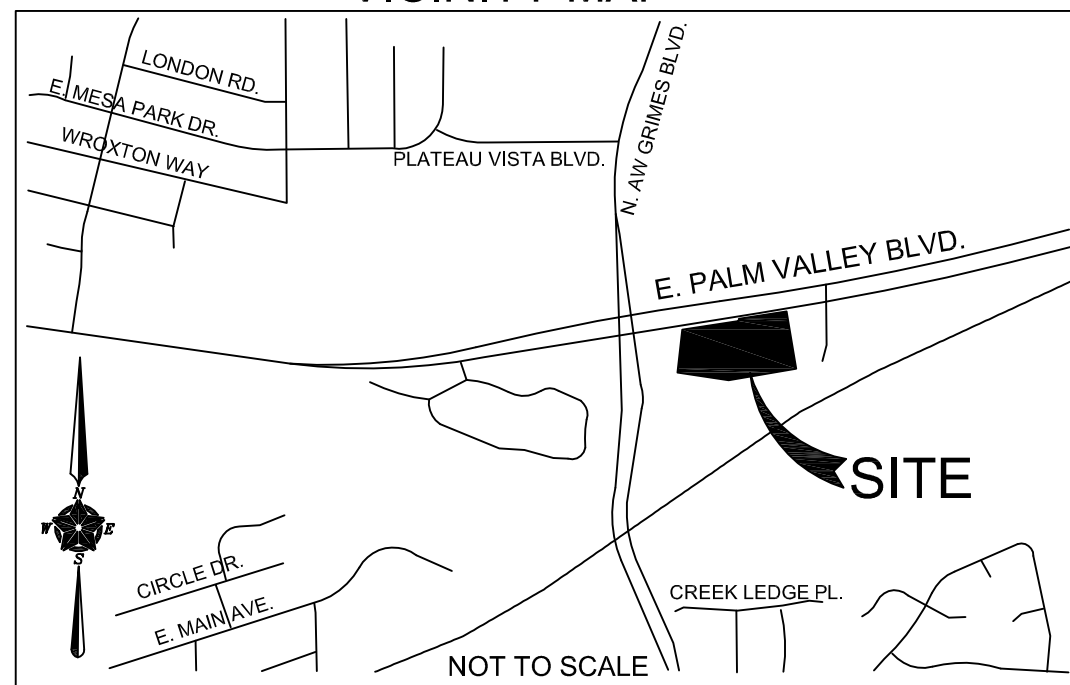
- ⊗ IRON ROD SET
- ⊗ "X" FOUND
- ← GUY WIRE & ANCHOR
- ⊙ POWER POLE
- TBM TEMPORARY BENCHMARK
- 1/2" IRF 1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "TXHS"
- OHE — OVERHEAD ELECTRIC SERVICE
- P.R.W.C.T. PLAT RECORDS, WILLIAMSON COUNTY, TEXAS
- CENTERLINE —
- EASEMENT LINE —
- 100 YEAR ULT. WATER SERVICE —

WATER EASEMENT LINE TABLE			WATER EASEMENT LINE TABLE			ELECTRIC EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	14.99'	N10°41'12"W	L9	10.00'	S79°18'48"W	L17	20.00'	N12°03'43"W
L2	74.32'	N77°55'45"E	L10	15.00'	N10°41'12"W	L18	54.08'	N45°27'26"W
L3	15.00'	S10°41'12"E	L11	10.00'	N79°18'48"E	L19	15.39'	N10°41'12"W
L4	74.32'	S77°56'30"W	L12	15.00'	S10°41'12"E	L20	7.53'	N79°18'48"E
L5	5.00'	S10°27'12"E	L13	15.00'	N10°41'12"W	L21	66.97'	S45°27'26"E
L6	15.01'	N77°56'30"E	L14	10.00'	N79°18'48"E	L22	24.50'	S12°03'43"E
L7	5.00'	S10°27'12"E	L15	15.00'	S10°41'12"E			
L8	15.01'	S77°56'30"W	L16	10.00'	S79°18'48"W			



OWNER:	BDC FAMILY LIMITED PARTNERSHIP 4055 INTERNATIONAL PARKWAY, SUITE 450 FORT WORTH, TEXAS 76109
ACREAGE:	LOT 1R: 53,295 SQ.FT./1.2235 AC. LOT 2R: 84,139 SQ.FT./1.9316 AC. TOTAL: 137,434 SQ.FT./3.1551 AC.
SURVEYOR:	GARY E. JOHNSON, R.P.L.S. NO. 5299 TEXAS HERITAGE SURVEYING, LLC 10610 METRIC DRIVE, SUITE 124 DALLAS, TEXAS 75243 214-340-9700
NUMBER OF BLOCKS:	ONE (1)
LINEAR FEET OF NEW STREETS:	ZERO (0)
SUBMITTAL DATE:	FEBRUARY 18, 2015
DATE OF PLANNING & ZONING COMMISSION REVIEW:	MARCH 4, 2015
BENCHMARK DESCRIPTION & ELEVATION:	BENCHMARK NO. 1, RAILROAD SPIKE SET IN BASE OF 48" LIVE OAK AS SHOWN HEREON. ELEVATION=690.20
PATENT SURVEY:	P.A. HOLDER SURVEY, ABSTRACT NO. 297
ENGINEER:	JOHN MEASELS JOHN THOMAS ENGINEERING 800 N. WATERS ROAD, SUITE 170 ALLEN, TEXAS 75013
NUMBER OF LOTS:	TWO (2) DEVELOPMENT

VICINITY MAP



SURVEYOR
TEXAS HERITAGE
SURVEYING, LLC

10610 Metric Drive, Suite 124 Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

AMENDED REPLAT OF
HIGHLAND HWY 79 COMMERCIAL -PHASE 3
LOTS 1R AND 2R, BLOCK A
137,434 SQUARE FEET / 3.1551 ACRES
BEING A REPLAT OF LOT 1, BLOCK A OF HIGHLAND HWY 79
COMMERCIAL - PHASE 1 (CABINET DD, SLIDES 153-154, P.R.W.C.T.)
AND LOT 2, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 2
(CABINET DD, SLIDES 155-156, P.R.W.C.T.)
P.A. HOLDER SURVEY, ABSTRACT NO. 297
WILLIAMSON COUNTY, TEXAS
DATE: 02/18/2015 / JOB # 1002416-2 / SCALE= 1" = 100' / DRAWN BY: CHRIS

GENERAL NOTES

- 1) According to the F.I.R.M. No. 48491C0495 E, the subject property lies in Zone X and does not lie within a Flood Prone Hazard Area. Except as shown.
- 2) Bearings are based on recorded plats thereof.
- 3) Property is subject to terms, conditions and provisions of that certain Reciprocal Access Easement Agreement recorded in Document No. 2008036157, of the Official Public Records of Williamson County, Texas. (Both Tracts)
- 4) Building setbacks shall be in accordance with Chapter 11, Zoning, City of Round Rock Code of Ordinances (1995 Edition)
- 5) There is no observable evidence of earth moving work, building construction or building additions within recent months and there was no observable evidence of any changes in street right of way lines, the site being used as a solid waste dump, sump or sanitary landfill or of recent street or sidewalk construction or repairs.
- 6) There is no observable evidence of the site being used as a cemetery.
- 7) Elevations are based on the WDS RTK Cooperative Network. NAD83 (2011) System, StationCode = SBAK Station ID = 17 StationName = SBAK_g1012.
- 8) Benchmark No. 1, Railroad Spike set in base of 48" Live Oak as shown on plat known as Highland Hwy 79 Commercial - Phase 2, an Addition to Williamson County, Texas, according to the plat recorded in Cabinet DD, Slide 155, Plat Records, Williamson County, Texas.
- 9) City of Round Rock GPS Station No. 01-014
Northing: 10,165,265.4192
Easting: 3,132,230.9048
Elevation: 743.7263
City of Round Rock GPS Station No. 01-015
Northing: 10,162,042.9828
Easting: 3,134,768.3223
Elevation: 718.9330
- 10) Sidewalks shall be constructed in accordance with Chapter 8, subdivisions, City of Round Rock Code of Ordinances (1995 Edition) and with the design and construction standards.
- 11) No obstructions, including but not limited to fencing or storage, shall be permitted in any drainage easements shown hereon.
- 12) A permanent benchmark will be placed during the construction of subdivision improvements.
- 13) A ten foot (10') PUE and sidewalk easement abutting and along the street side property line is hereby dedicated for all street side property lots shown hereon.
- 14) This plat conforms to the concept plan approved by the Planning and Zoning Commission on July 12, 2006.
- 15) The ultimate 100-year floodplain is contained by the drainage easements shown hereon.
- 16) The 30' width roadway easement, Vol. 1168, Pg. 508, D.R.W.C.T. and its associated driveway to E. Palm Valley Blvd. (U.S. 79) is to be vacated in tandem with the recordation of this plat.
- 17) This plat can not be recorded prior to the accepted relocation of the ultimate 100 year floodplain by City of Round Rock City Floodplain Administrator.
- 18) Access easements granted to the City of Round Rock, as owner of the Rabb House property, and the two abutting private properties in between, shall be executed and recorded prior to or in tandem with the recordation of this plat.

STATE OF TEXAS COUNTY OF TARRANT COMBINED TRACTS

Description of a 3.1551 acre tract of land situated in the P.A. Holder Survey, Abstract No. 297 in Williamson County, Texas, and being all of Lot 1, Block A of Highland Hwy 79 Commercial - Phase 1, a subdivision in Williamson County, Texas according to the map or plat recorded in Cabinet DD, Slide 153-154, Plat Records, Williamson County, Texas, and all of Lot 2, Block A of Highland Hwy 79 Commercial - Phase 2, a subdivision in Williamson County, Texas, according to the map or plat recorded in Cabinet DD, Slide 155-156, Plat Records of Williamson County, Texas, same being conveyed to BDC Family Limited Partnership, a Texas limited partnership by special warranty deed recorded in Instrument No. 2011025180, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a "X" found in concrete for the Northwest corner of said Lot 1 in the South right-of-way line of E. Palm Valley Boulevard (Variable Width R.O.W.), same being the Northeast corner of a tract of land conveyed to M&M Equities IV, Inc. by deed recorded under Instrument File No. 199963931, Official Public Records, Williamson County, Texas;

THENCE North 79 degrees 26 minutes 33 seconds East, along the South line of said E. Palm Valley Boulevard, passing a 1/2 inch iron rod found for the Northeast corner of said Lot 1 and the Northwest corner of said Lot 2 at a distance of 253.60 feet, continuing in all a distance of 374.03 feet, to a 1/2 inch iron rod found for corner;

THENCE North 02 degrees 26 minutes 35 seconds West, continuing along the South right-of-way line of said E. Palm Valley Boulevard, a distance of 10.10 feet, to a 1/2 inch iron rod found for corner;

THENCE North 79 degrees 27 minutes 20 seconds East, continuing along the South right-of-way line of said E. Palm Valley Boulevard, a distance of 105.48 feet, to a 1/2 inch iron rod found for corner, same being the Northwest corner of Lot 3, Block A of said HIGHLAND HWY 79 COMMERCIAL - PHASE 2, an Addition to the City of Round Rock, Williamson County, Texas, according to the map or plat thereof recorded in Cabinet DD, Slide 155, Map Records, Williamson County, Texas;

THENCE South 11 degrees 18 minutes 55 seconds East, along the West line of said Lot 3, a distance of 279.95 feet, to a "X" found in concrete for corner in the North line of a tract of land conveyed to Highland Management, Inc. by deed recorded in Volume 1168, Page 508, Deed Records, Williamson County, Texas;

THENCE South 77 degrees 56 minutes 16 seconds West, along the North line of said Highland Management, Inc. tract, passing a "X" found in concrete at a distance of 230.49 feet for the Southwest corner of said Lot 2 and the Southeast corner of said Lot 1, and continuing in all a total distance of 347.66 feet, to a "X" found in concrete;

THENCE North 82 degrees 13 minutes 58 seconds West, continuing along the North line of said Highland Management, Inc. tract, a distance of 201.25 feet, to a 1/2 inch iron rod found for corner in the East line of said M&M Equities IV, Inc. tract;

THENCE North 03 degrees 28 minutes 45 seconds East, along the East line of said M&M Equities IV, Inc. tract, a distance of 222.44 feet, to the POINT OF BEGINNING, and containing an area of 137,433 square feet or 3.1551 acres of land.

AVIGATION RELEASE

STATE OF TEXAS COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS:

THAT, BDC Family Limited Partnership, a Texas limited partnership, hereinafter called "OWNER" (whether one or more), is the owner of a certain parcel of land situated in the City of Round Rock, Williamson County, Texas being more particularly described as **LOT 1R AND LOT 2R, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 3**, an addition to the City of Round Rock, Williamson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless, the City of Round Rock, Texas, a municipal corporation, hereinafter called CITY, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purpose of this instrument as any contrivance no know or hereinafter invented, used or designated for navigation of or flight in the air) by whomsoever owned and operated in the airspace above OWNER'S property. Such release shall include, but not limited to, any damages to OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing or taking off from or operating at or on the Dallas/Fort Worth International Airport, whether such claim be for injury or death to person or persons or damages to or cause of action which it may now have or which it may in the future have against the CITY, whether such claims be for injury or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused or may have been caused by the operator and/or maintenance of aircraft or aircraft engine at or on said Dallas/Fort Worth International Airport.

It is agreed that this Release shall be binding upon the OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located in **LOT 1R AND LOT 2R, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 3**, an addition to the City of Round Rock, Williamson County, Texas and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Plat Records of Williamson County, Texas.

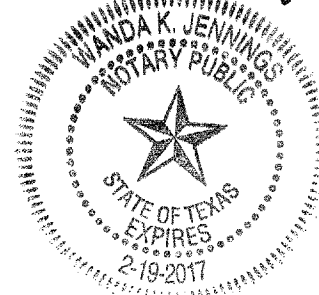
Executed this 20th day of February, 2015.

Bobby D. Cox Member
BDC Family Limited Partnership, a Texas limited partnership

BEFORE ME, the undersigned authority, on this day personally appeared Bobby D. Cox, Member, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 20th day of February, 2015.

Wanda K. Jennings
Notary Signature

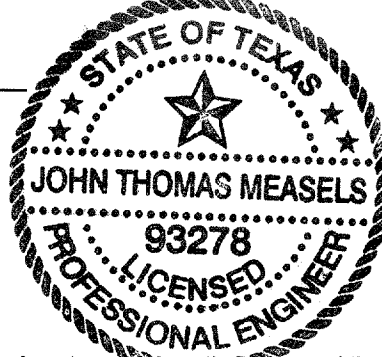


ENGINEER'S CERTIFICATION

STATE OF TEXAS COUNTY OF COLLIN

That I, John T. Measels, do hereby certify that the information contained on this plat complies with Chapter 36, Subdivisions, Code of Ordinances, City of Round Rock, 2010 Edition as amended, and the Design and Construction Standards adopted by the City of Round Rock, Texas.

John T. Measels
Signature and Seal of Licensed Engineer



2-20-15
Date

OWNER'S CERTIFICATION STATE OF TEXAS COUNTY OF WILLIAMSON

That BDC Family Limited Partnership, a Texas limited partnership, as the owner of that certain 3.1551 acre tract of land recorded in Instrument No. 2011025180, of the Official Records of Williamson County, Texas do hereby certify that there are no lien holders and dedicate to the public forever use of the streets, alleys, easements and all other lands intended for public dedication as shown hereon to be known as **LOT 1R AND LOT 2R, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 3** subdivision.

BDC Family Limited Partnership, a Texas limited partnership

Bobby D. Cox Member
(Name of authorized officer)
(Title of officer)

STATE OF TEXAS COUNTY OF WILLIAMSON

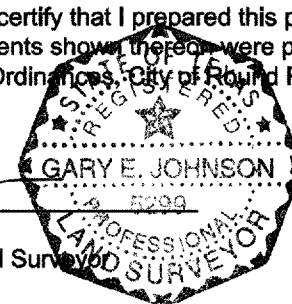
This instrument was acknowledged before me on the 20th day of February, 2015, by Bobby D. Cox as Member of Texas, on behalf of said BDC Family Limited Partnership, a Texas limited partnership.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS COUNTY OF DALLAS

That I, Gary E. Johnson, do hereby certify that I prepared this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my supervision, in accordance with Chapter 36, Subdivisions, Code of Ordinances, City of Round Rock, 2010 Edition as amended.

Gary E. Johnson
Gary E. Johnson, RPLS No. 5299
Texas Registered Professional Land Surveyor



NOTARY CERTIFICATE

STATE OF TEXAS COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 19th day of February, 2015.

DAVEY EARL DAVIS
My Commission Expires
December 23, 2017

STATE OF TEXAS COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS:

Approved this _____ day of _____, 2015, by the City Planning and Zoning Commission of the City of Round Rock, Texas, and authorized to be filed for record by the County Clerk of Williamson County, Texas.

David Pavliksa, Chairman
Planning and Zoning Commission
City of Round Rock, Texas

_____ Date

STATE OF TEXAS COUNTY OF WILLIAMSON

That I, Nancy Rister, Clerk of the County Court of said county, do hereby certify that the foregoing instrument in writing, with its certification of authentication, was filed for record in my office on the _____ day of _____, A.D., 2015, at _____ o'clock ____ M. in the Plat Records of said county, in Document No. _____.

Witness my hand and seal of the county court of said county, at office in Georgetown, Texas, the date last above written.

Nancy Rister, Clerk, County Court
Williamson County, Texas

by: _____ Deputy

AMENDED REPLAT OF HIGHLAND HWY 79 COMMERCIAL -PHASE 3

LOTS 1R AND 2R, BLOCK A

137,434 SQUARE FEET / 3.1551 ACRES

BEING A REPLAT OF LOT 1, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 1 (CABINET DD, SLIDES 153-154, P.R.W.C.T.) AND LOT 2, BLOCK A OF HIGHLAND HWY 79 COMMERCIAL - PHASE 2 (CABINET DD, SLIDES 155-156, P.R.W.C.T.)
P.A. HOLDER SURVEY, ABSTRACT NO. 297
WILLIAMSON COUNTY, TEXAS

DATE: 02/18/2015 / JOB # 1002416-2 / SCALE= 1" = 100' / DRAWN BY: CHRIS