

“B”

**DEVELOPMENT PLAN
WESTVIEW
PLANNED UNIT DEVELOPMENT NO. 111**

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 Howard and Janis Parham, Stuart and Diana McCurdy, Ramswaroop and Ramsi Boddu and Douglas Martin; as their respective interests may appear in the respective portions of the hereinafter described property; and their respective successors and designated assigns. Upon sale, transfer or conveyance of portions of the hereinafter described property by a respective Owner to a designated third party owner/developer, the duties and obligations of the respective Owner, as it relates to the respective property being sold, shall be assigned to and assumed by the new owner/developer, and upon such sale and assignments of the duties and obligations hereunder, the respective Owner shall have no further liability relating to the respective property so sold and conveyed.

WHEREAS, the Owner are the owners of certain real property consisting of 21.18 acres, as more particularly described in **Exhibit “A” (Legal Description)**, (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 zone the Property as a Planned Unit Development (the "PUD"); and

WHEREAS, pursuant to Section 46-106 of the Code of Ordinances of the City of Round Rock, Texas, 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 August 16, 2017, the City's Planning and Zoning Commission recommended approval of the Owner's application for PUD zoning; 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. 8.

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.

4.3. 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, as amended, hereinafter referred to as “the Code.”

2. PROPERTY

This Plan covers approximately 21.18 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 **MF-1 (Multifamily – low density)**, **SR (Senior)**, **SF-3 (Single Family -Mixed Lot)**, **OF (Office)** or **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.

5. PERMITTED USES AND DEVELOPMENT STANDARDS

5.1 MF-1 (Multifamily – low density)

In accordance with Section 46-140, as amended, with the following additions:

- (1) Townhouse has a maximum of 16 units per acre.

5.2 SR (Senior)

- (1) In accordance with Section 46-152, as amended, for one-story and two-story buildings.
- (2) Maximum height of principal building is three (3) stories.
- (3) Three-story buildings shall be in accordance with Section 46-152, as amended, with the following addition:
 - a) Minimum side and rear setbacks for a three-story building when abutting SF (Single-family) zoned property is 75 feet.
- (4) Attached independent living shall provide one parking space per dwelling unit;
- (5) Attached independent living units shall provide covered or garage parking for a minimum of 25% of the required parking spaces.
- (6) All uses which abut SF (Single-family) zoned property shall be required to install and maintain a compatibility buffer, which meets the requirements of Section 46-200 of the Code, along every property line which abuts said uses.

5.3 SF-3 (Single Family – Mixed Lot)

In accordance with Section 46-136.2, as amended.

5.4 Single Family – Common Lot

In accordance with the development standards contained in the attached **Exhibit “B”**, hereby incorporated.

5.5 OF (Office)

In accordance with Section 46-144, as amended, with the following additions:

- (1) Maximum height of principal building is three (3) stories;

- (2) Minimum side and rear setbacks when abutting SF (Single-family) zoned property is 50 feet when a pre-cast concrete panel fence option is used and 40 feet when a masonry fence option is used.
- (3) Structures in excess of 20 ft. in height, and which also abut SF (Single-family) zoned property, shall be required to meet the additional setback requirements set forth herein. For each one foot of height in excess of 20 ft., the structure shall be set back from said abutting property line one extra foot in addition to the minimums set forth above.
- (4) Colleges and universities are permitted by right;
- (5) Community service is permitted by right;
- (6) Schools: business or trade is permitted by right;
- (7) Eating establishment is permitted only when incorporated into the ground floor of an office building which is greater than two (2) stories in height; the eating establishment shall not be in a building which contains no other uses;
- (8) Retail sales and services are permitted only when incorporated into the ground floor of an office building greater than two (2) stories in height; retail sales and services may not be located in a building with no other uses.
- (9) The following uses are prohibited: animal boarding, art and craft studios with welding or heavy machinery, auto parts sales, auto sales, rental, and leasing facilities, boat sales, camper sales, donation centers, flea markets, fortune tellers/psychic readers, heavy equipment sales, machinery repair and services, manufactured home sales, mortuaries, pawn shops, portable building sales, sexually oriented businesses, shooting/archery ranges, tattoo/piercing shops, taxidermists, and title loan or payday loan services.

5.6 Schools (elementary, middle, high; public, private or charter)

In accordance with Section 46-142 (C-1a – General Commercial – limited) and as amended, with the following additions:

- (1) Maximum height of principal building is three (3) stories;
- (2) Minimum side and rear setbacks when abutting SF (Single-family) zoned property is 50 feet when a pre-cast concrete panel fence option is used and 40 feet when a masonry fence option is used.
- (3) Structures in excess of 20 ft. in height, and which also abut SF (Single-family) zoned property, shall be required to meet the additional setback requirements set forth herein. For each one foot of height in excess of 20 ft., the structure

shall be set back from said abutting property line one extra foot in addition to the minimums set forth above.

5.7 Place of Worship

In accordance with Section 46-142 (C-1a – General Commercial – limited), and as amended, with the following additions:

- (1) Maximum height of principal building is three (3) stories;
- (2) Minimum side and rear setbacks when abutting SF (Single-family) zoned property is 50 feet when a pre-cast concrete panel fence option is used and 40 feet when a masonry fence option is used.
- (3) Structures in excess of 20 ft. in height, and which also abut SF (Single-family) zoned property, shall be required to meet the additional setback requirements set forth herein. For each one foot of height in excess of 20 ft., the structure shall be set back from said abutting property line one extra foot in addition to the minimums set forth above.

6. ACCESS EASEMENT AND DRIVEWAYS

6.1 A Reciprocal Access Easement, in which the Owners grant to each other a permanent, non-exclusive easement for vehicular and pedestrian access on their respective properties is attached as **Exhibit “C”**. This easement shall be recorded with the County Clerk upon approval of the PUD.

6.2 The site shall be allowed a maximum of three (3) driveways to Gattis School Road, as generally indicated on **Exhibit “D”**. All driveway locations must meet the approval of the City, based upon established standards for separation and safety.

7. CHANGES TO DEVELOPMENT PLAN

7.1 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.

7.2 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”	Single Family Detached, Common Lot Development Standards
Exhibit “C”	Reciprocal Access Easement
Exhibit “D”	Driveway Access Locations

EXHIBIT

A

Page 1 of 5

Gattis School Road (County Road No. 168)

N.E. Corner
109.11-acre
Luedtke Tract

Scale 1"=100'

LEGEND

○ DENOTES IRON PIN FOUND
 ▲ DENOTES POWER POLE

FIELD NOTES FOR JOHN F. WARREN:

BEING a 5.32-acre tract of land situated in the Asa Thomas Survey, Abstract No. 609, Williamson County, Texas, and being a part of that certain 109.11-acre tract of land conveyed by deed to Leo and Dorothy Luedtke, as recorded in Volume 626, Page 350, Deed Records of Williamson County, Texas; also being that certain tract of land conveyed by deed to Raymond E. and Myra E. Klepzig, as recorded in Volume 668, Page 847, Deed Records of Williamson County, Texas. Surveyed on the ground in the month of June, 1982, under the supervision of R. T. Magness, Jr., Registered Public Surveyor, and being more particularly described as follows:

BEGINNING at an iron pin found in the South line of Gattis School Road (County Road No. 168), marking the N.E. corner of said 5.32-acre Klepzig tract, for the N.E. corner hereof; said corner also being N 89° 42' W, 225.00 feet from an iron pin found marking the N.E. corner of said 109.11-acre Luedtke tract;

THENCE S 0° 03' 30" W, 1029.54 feet to an iron pin found in the South line of said 109.11-acre Luedtke tract, marking the S.E. corner of said 5.32-acre Klepzig tract, for the S.E. corner hereof;

THENCE N 89° 51' 30" W, 224.97 feet, with said South line to an iron pin found marking the S.W. corner of said 5.32-acre Klepzig tract, for the S.W. corner hereof;

THENCE N 0° 03' E, 1028.34 feet to an iron pin found in said South line of County Road No. 168, marking the N.W. corner of said 5.32-acre Klepzig tract, for the N.W. corner hereof;



Steger & Blaylock, Inc.

CONSULTING ENGINEERS - SURVEYORS
 P. O. BOX 228 • GEORGETOWN, TX 75858

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 Job No. 87247

Leo Luedtke
 109.11 Acres
 626/350

Asa Thomas Survey

EXHIBIT

A

Page 2 of 5

FIELD NOTES FOR JOHN F. WARREN, Cont.

THENCE N 89° 30' E, 225.07 feet with said South line of County Road No. 168 to the place of BEGINNING and containing 5.32 acres of land.

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON

I, R. T. Magness, Jr., Registered Public Surveyor, do hereby certify that the above-described tract of land was surveyed on the ground under my personal supervision during the month of June, 1982, and that said description is true and correct to the best of my knowledge and belief. The improvements on this tract are as shown on the attached plat. The residence thereon is situated such that water drains away from all sides of same and is not located within any established floodplain. I do not detect any encroachments except as shown hereon.

TO CERTIFY WHICH, WITNESS my hand and seal at Georgetown, Williamson County, Texas; this the 7th day of June, 1982, A.D.

R. T. Magness, Jr.
Registered Public Surveyor, No. 1433
State of Texas



Steger & Higgott, Inc.

CONSULTING ENGINEERS - SURVEYORS
P. O. BOX 100 - GEORGETOWN, TEXAS

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Job No. 87247
Revised 6-8-82

EXHIBIT "A"

FIELD NOTES FOR DOUGLAS E. AND MARTHA J. MARTIN:

BEING a 5.30-acre tract of land situated in the Asa Thomas Survey, Abstract No. 609, Williamson County, Texas, and being that certain tract conveyed by deed to Douglas E. Martin and wife, Martha J. Martin, as recorded in Volume 821, Page 258, Deed Records, Williamson County, Texas. Surveyed on the ground in the month of April, 1986, under the supervision of R. T. Magness, Jr., Registered Public Surveyor, and being more particularly described as follows:

BEGINNING at an iron pin found in the South line of the Gattis School Road (County Road No. 168) on or near the East line of said Asa Thomas Survey, marking the Northeast corner of said Martin tract for the Northeast corner hereof;

THENCE N 89° 50' W, 224.77 feet with the said South line of Gattis School Road to an iron pin found, marking the Northwest corner hereof;

THENCE S 0° 01' 30" E, 1029.15 feet to an iron pin found in the South line of said Martin tract for the Southwest corner hereof;

THENCE S 89° 57' E, 224.41 feet with the said South line to an iron pin found, marking the Southeast corner of said Martin tract for the Southeast corner hereof, said corner being on or near the said East line of Asa Thomas Survey;

THENCE with the East line of said Martin tract, on or near the said East line of Asa Thomas Survey, N 00° 01' W, 1002.37 feet to an iron pin found; and N 00° 15' E, 26.33 feet to the place of BEGINNING and containing 5.30 acres of land.

STATE OF TEXAS, COUNTY OF WILLIAMSON
I hereby certify that this Instrument was FILED
on the date and at the time stamped hereon
by me, and was duly RECORDED, in the Volume
and Page of the named RECORDS of Williamson
County, Texas, as stamped hereon by me, on

JUL 15 1987



James E. Bogert
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

FILED FOR RECORD
JUL 16 AM 8:34
CLERK

EXHIBIT

A

Page 4 of 5

Loan No.: 0002391426

EXHIBIT "A"

BEING 5.20 ACRES OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY, TEXAS, AND BEING THE ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND DESCRIBED IN A DEED TO ART MEAKIN AND WIFE, VERNA MEAKIN, RECORDED IN VOLUME 1950 AT PAGE 189, OFFICIAL RECORDS OF WILLIAMSON COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 5.20 ACRE TRACT IN THE SOUTH LINE OF GATTIS SCHOOL ROAD, SAID IRON ROD BEING THE NORTHWEST CORNER HEREOF, AND FROM WHICH THE INTERSECTION OF THE SOUTH LINE OF SAID GATTIS SCHOOL ROAD AND THE EAST LINE OF WESTVIEW DRIVE BEARS S 80 DEGREES 60' 05" W A DISTANCE OF 873.70 FEET;

THENCE N 80 DEGREES 60' 05" E A DISTANCE OF 204.04 FEET WITH THE NORTH LINE OF SAID 5.20 ACRE TRACT AND THE SOUTH LINE OF GATTIS SCHOOL ROAD TO AN IRON ROD FOUND AT THE NORTHEAST CORNER HEREOF;

THENCE S 0 DEGREES 00' 00" W A DISTANCE OF 1028.18 FEET TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER HEREOF;

THENCE N 89 DEGREES 57' 48" W A DISTANCE OF 64.21 FEET TO AN IRON ROD FOUND AT AN ANGLE POINT IN THE SOUTH LINE HEREOF;

THENCE S 32 DEGREES 13' 30" W A DISTANCE OF 204.78 FEET TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER HEREOF;

THENCE N 88 DEGREES 01' 33" E A DISTANCE OF 1252.04 FEET TO THE PLACE OF BEGINNING, CONTAINING 5.20 ACRES OF LAND, SUBJECT TO EASEMENTS, CONDITIONS OR RESTRICTIONS OF RECORD, IF ANY.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Nancy E. Rister

02-05-2001 01:38 PM 2001008012
JACKIE \$17.00
NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

EXHIBIT A
METES AND BOUNDS DESCRIPTION

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EXHIBIT

A

Page 5 of 5

BEING PART OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO ROBERT J. LEDBETTER, AND NORMA JAN LEDBETTER, RECORDED IN VOLUME 1505, PAGE 69 OF THE WILLIAMSON COUNTY OFFICIAL RECORDS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" rebar found in the south line of Gattis School Road at the northeast corner of the above described Ledbetter tract of land, also the northwest corner of the De Keratry Inc. tract as described in Volume 1392, Page 613 of the Williamson County Official Records, for the northeast corner and PLACE OF BEGINNING hereof, from which point another 1/2" rebar found in the south line of Gattis School Road, bears S 89° 44' 35" E, 185.34 feet;

THENCE, with the common line between Ledbetter and De Keratry, S 00° 10' 20" W, 677.47 feet to a 1/2" rebar found at Ledbetter's southeast corner, also the northeast corner of the Curtis and Patricia Young tract of land, as described in Volume 999, Page 623 of the Williamson County Official Records, for the southeast corner hereof;

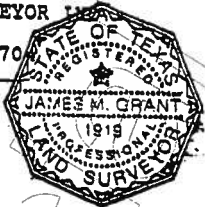
THENCE, with the common line between Ledbetter and Young, N 89° 50' 50" W, 343.90 feet to a 1/2" rebar found at Ledbetter's southwest corner, also the southeast corner of the Richard W. Berkley tract of land, as described in Volume 675, Page 774, of the Williamson County Official Records, for the southwest corner hereof;

THENCE, with the common line between Ledbetter and Berkley, N 00° 09' 03" E, 674.60 feet to a 1/2" rebar found in the south line of Gattis School Road at the common northerly corner between Ledbetter and Berkley for the northwest corner hereof;

THENCE, with the south line of Gattis School, N 89° 40' 30" E, 344.16 feet to the PLACE OF BEGINNING and containing 5.339 acres of land, more or less.

AS SURVEYED BY:
RALPH HARRIS SURVEYOR
1406 HETHER
AUSTIN, TEXAS 7870

James M. Grant
JAMES M. GRANT
R.F.L.S. NO. 1919
APRIL 21, 1994
PB:B:5:22231MB



NOTE: See Survey map prepared April 21, 1994 to accompany this metes and bounds.

EXHIBIT “B”

DEVELOPMENT STANDARDS Single Family Detached, Common Lot

1. The Property shall be regulated for purposes of zoning and subdivision by the standards contained in this Exhibit. All aspects not specifically covered by this Exhibit shall be regulated by the **TH (Townhouse)** zoning district.
2. **Density** - Maximum of 12 units per acre.
3. **Setbacks** – The minimum building setback from the private drive aisle shall be 15 feet. Setbacks between structures shall be measured from eave to eave.
4. **Exterior Finish** - The exterior finish of all homes shall be a minimum of 75% masonry, excluding elements such as doors, windows, trim and accent features.
 - a. Masonry shall be defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco.
 - b. The use of materials such as wood shingles or wood siding shall be limited to accent features.
 - c. The front of all homes and the drive aisle-facing side of all corner units shall be 100% masonry, with no more than 75% consisting of a minimum of 2-step hard coat stucco.
 - d. Horizontally installed cement based siding may be used on rear and side elevations. On two story homes with a rear side facing Gattis School Road, however, the following shall be required on the second-floor elevation:
 - i. One window enhancement from the following list:
 1. Shutters
 2. Awnings or shed roofs
 3. Window trim
 4. Arch windows
 - ii. One design feature from the following list:
 1. Board and batten siding
 2. Stucco
 3. Balcony
 4. Building offset
 5. Box window
5. **Garage Door Treatment** - Garage doors that extend more than ten (10) feet in front of the street facing elevation of the home shall incorporate an upgraded garage door. An upgraded garage door shall be defined as a metal door with the addition of window panels, a faux wood garage door with decorative hardware, or a wood clad garage door. Upgraded garage doors shall not be required for swing in, side entry garages.

EXHIBIT “B”

6. Fencing Design Standards

- a. Single family unit fencing shall be constructed of the following materials: brick, stone, reinforced concrete, decorative masonry, wrought iron, tubular steel, redwood, cedar, preservative treated wood or other equivalent materials approved by the Zoning Administrator. Railroad ties are not permitted.
- b. Perimeter fencing shall be constructed of brick, stone, split-faced or decorative concrete masonry unit (CMU), except when they are abutting open space or amenity areas, in which case they shall be constructed of wrought iron or tubular steel with masonry columns.

7. Landscaping

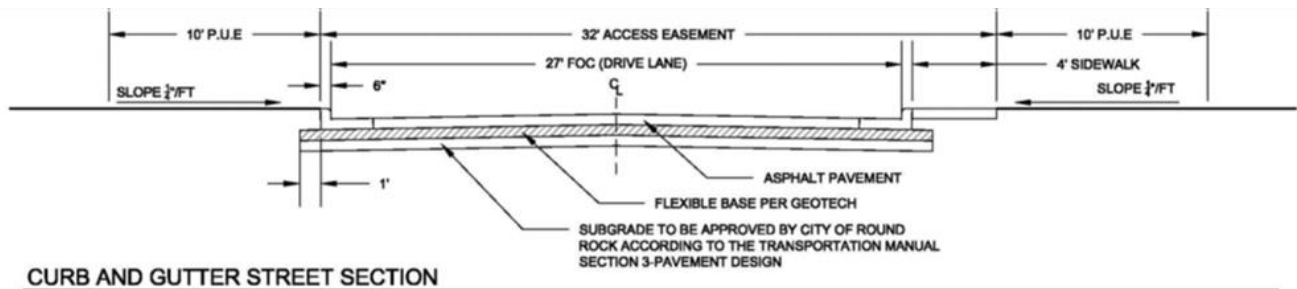
- a. The landscape development standards outlined in Section 46-195, Landscaping, shall apply, with the following modifications:
 - i. All development areas, including residential, which include turf shall utilize Drought Tolerant Turf Grasses, as defined by the Code.
 - ii. Plant material shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.
 - iii. Each single family dwelling unit shall be provided with six inch (6”) caliper of large species trees whether through the preservation of existing trees or planting of three inch (3”) caliper container-grown trees.
 - iv. A private home owners association will be established for the maintenance of landscape and irrigation areas located between the private drive lanes and town houses as well as for all community signage, walls, medians, common open spaces and detention areas.

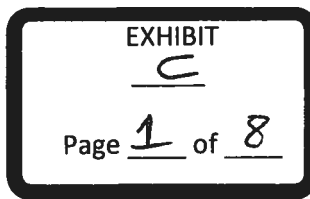
8. Parking

- a. A total of 4 parking spaces per unit are required:
 - i. Two (2) garage enclosed parking spaces.
 - ii. Two (2) parking spaces located in front of the garage and outside of the private access drive.
- b. Guest parking shall be provided by one of the following:
 - i. Providing for parallel parking on one side of the drive aisle. This requires a drive aisle width equivalent to 30-feet measured ‘face of curb to face of curb’; or

EXHIBIT “B”

- ii. A minimum of one (1) guest parking space must be provided for every three (3) residential units. These spaces shall be located outside of the private drive aisle and the maximum distance from any residential unit to a guest parking space shall be three hundred feet (300'), measured along the drive lanes.
9. **Private Drive Aisles** - Private drive aisles to serve the units shall be built, at a minimum, in the 'curb and gutter street section' configuration indicated below.
- a. Each private drive aisle configuration includes a four foot (4') wide sidewalk on one side of the drive.
 - b. Private drive aisles are not built to public street standards and may therefore be gated, subject to the access requirements established by the Fire Marshal.
 - c. In order for private drive aisles to accommodate parallel parking on one side, the width must measure 30-feet from 'face of curb to face of curb'.





RECIPROCAL ACCESS EASEMENT

STATE OF TEXAS

COUNTY OF WILLIAMSON

HOWARD LEE PARHAM III & JANIS NEWBY PARHAM ("**Parham**"), whose mailing address is 112 Diamond Trail, Georgetown, Texas 78633, STUART B. MCCURDY & DIANA M. MCCURDY ("**McCurdy**"), whose mailing address is 3509 Gattis School Road, Round Rock, Texas 78664, RAMSWAROOP BODDU & RAMSI SURENDRAN BODDU ("**Boddu**"), whose mailing address is 3517 Gattis School Road, Round Rock, Texas 78664, and DOUGLAS E. MARTIN ("**Martin**"), whose mailing address is 3525 Gattis School Road, Round Rock, Texas 78664, convey reciprocal easements to each other, on the basis of the following facts and understandings.

RECITALS

1. Parham owns certain property ("Property A") located in Round Rock, Texas, and described as:

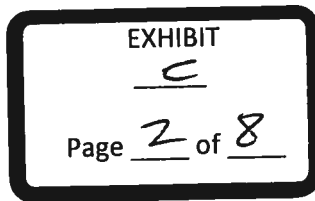
Being approximately 5.339 acres out of the Asa Thomas Survey, Abstract No. 609, in Williamson County, Texas, and being that same tract of land described in a deed to Howard Lee Parham III and Janis Newby Parham, recorded in Document Number 1994022691 of the Williamson County Official Public Records.

2. McCurdy owns certain other property ("Property B") located in Round Rock, Texas. Property B is described as:

Being approximately 5.20 acres out of the Asa Thomas Survey, Abstract No. 609, in Williamson County, Texas, and being that same tract of land described in a deed to Stuart B. McCurdy and wife, Diana M. McCurdy, recorded in Document Number 1992024746 of the Williamson County Official Public Records.

3. Boddu owns certain other property ("Property C") located in Round Rock, Texas. Property C is described as:

Being approximately 5.32 acres out of the Asa Thomas Survey, Abstract No. 609, in Williamson County, Texas, and being that same tract of land described in a deed to Ramswaroop R. Boddu and Resmi Surdendran, husband and wife, recorded in Document Number 2013003409 of the Williamson County Official Public Records.



4. Martin owns certain other property ("Property D"). Property D is described as:

Being approximately 5.32 acres out of the Asa Thomas Survey, Abstract No. 609, in Williamson County, Texas, and being that same tract of land described in a deed to Douglas E. Martin and wife, Martha J. Martin, of record in Volume 821, Page 258, Deed Records, Williamson County, Texas.
5. Parham, McCurdy, Boddu, and Martin are hereinafter collectively referred to as the "Parties".
6. Property A, Property B, Property C, and Property D are hereinafter collectively referred to as the "Properties".
7. The Properties are all located adjacent to and have access to Gattis School Road
8. The City of Round Rock has plans to further develop and widen Gattis School Road, which may impact the Properties' access to Gattis School Road.
9. The Parties wish to grant sixteen-foot (16') wide reciprocal access easements parallel and adjacent to the Gattis School Road right-of-way, over, under, and across those portions of the Properties directly to the south of the Gattis School Road right-of-way (the "Easement Area").
10. The Parties desire to have the mutual and reciprocal right to use the entire surface of the Road for purposes of ingress and egress.

THE PARTIES THEREFORE AGREE, in consideration of the mutual and reciprocal grants and agreements made here, as follows:

CONVEYANCE

Grant of Reciprocal Access Easements

1. The Parties hereby grant to each other a permanent, non-exclusive easement for vehicular and pedestrian access within the Easement Area located from time to time on their respective property (the "Reciprocal Easements"). Except to abate an emergency, no trees, permanent buildings, structures, fences or other barriers shall be placed in the Easement Area or shall be allowed to prevent, hinder or interfere in any way with the free flow and passage of vehicular and pedestrian traffic over, to, and from the Easement Area, and no change of grade elevation or excavation shall be made upon the Easement Area, without the prior approval of

each Property Owner, which approval shall not be unreasonably withheld or delayed.

Purpose of Easement

2. This access easement, with its rights and privileges, shall be used only for the purpose of providing pedestrian and vehicular ingress and egress over and across said properties.

Duration of Easement

3. This easement shall be perpetual.

Warranty of Title

4. Each Party's heirs, personal representatives, successors, and assigns are and shall be bound to warrant and forever defend the easement and rights conveyed in this instrument to the other Party's heirs, personal representatives, successors, and assigns against every person lawfully claiming or to claim all or any part of the interest in the Property.

Nonexclusivity of Easement

5. The easement, rights, and privileges granted by this conveyance are nonexclusive, and each Party reserves and retains the right to convey similar rights and easements to such other persons as each Party may deem proper.

Indemnity

6. Each Party shall hold harmless, defend, and indemnify the other Party against any suits, liabilities, claims, demands or damages, including but not limited to personal injuries and attorneys' fees, arising from any Party's exercise of easement rights granted by this instrument.

Maintenance

7. Each Property Owner shall pay the expense of maintaining and repairing the Easement Area on their respective property, including the payment of all real estate taxes and assessments.

Rights Reserved

8. Each Party retains, reserves, and shall continue to enjoy the use of the surface of the easement area described in Paragraph 4 of this Agreement for any and all purposes that do not interfere with and prevent other Party's use of the easement. This includes, without limitation, the right to build and use the surface of the

easement area for drainage ditches and private streets, roads, driveways, alleys, walks, gardens, lawns, planting or parking areas, and other like uses and to dedicate all or any part of the easement area to any city for use as a public street, road, or alley.

Covenants Running with Land

9. The rights contained within this Reciprocal Access Easement shall run with the land and inure to and be for the benefit of each Property Owner, their successors and assigns, and the tenants, agents, employees, sub-tenants, licensees, concessionaires, mortgagees in possession, customers and business invitees of such persons. The rights conferred hereby shall be enforceable by injunction in the appropriate court in the event of their breach.

Entire Agreement

10. This Reciprocal Access Easement contains the entire agreement between the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by the Parties.

Executed this _____ day of _____, 2017.

(signature pages follow)

By: Howard Lee Parham, III
HOWARD LEE PARHAM, III

Date: 06-21-2017

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF Williamson

This instrument was acknowledged before me on this the 21st day of June, 2017 by HOWARD LEE PARHAM, III, in the capacity and for the purposes and consideration recited therein.



Kay Bucy Benson
Notary Public, State of Texas

By: Janis Newby Parham
JANIS NEWBY PARHAM

Date: 6-21-2017

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF Williamson

This instrument was acknowledged before me on this the 21st day of June, 2017 by JANIS NEWBY PARHAM, in the capacity and for the purposes and consideration recited therein.



Kay Bucy Benson
Notary Public, State of Texas

By: Stuart B. McCurdy
STUART B. MCCURDY

Date: 16 Jun 2017

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Williamson

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This instrument was acknowledged before me on this the 16th day of June, 2017 by STUART B. MCCURDY, in the capacity and for the purposes and consideration recited therein.



Kay Bacy Benson
Notary Public, State of Texas

By: Diana M. McCurdy
DIANA M. MCCURDY

Date: June 16, 2017

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Williamson

www.wwn.co.uk

This instrument was acknowledged before me on this the 16th day of June, 2017 by DIANA M. MCCURDY, in the capacity and for the purposes and consideration recited therein.



Kay Bucky Benson
Notary Public, State of Texas

By: B. Ramswaroop Boddu
RAMSWAROOP BODDU

Date: 06/26/2017

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF Williamson

This instrument was acknowledged before me on this the 26th day of June, 2017 by RAMSWAROOP BODDU, in the capacity and for the purposes and consideration recited therein.



Kay Bucy Benson
Notary Public, State of Texas

By: Ramsi Surendran Boddu
RAMSI SURENDRAN BODDU

Date: 6-26-17

ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF Williamson

This instrument was acknowledged before me on this the 26th day of June, 2017 by RAMSI SURENDRAN BODDU, in the capacity and for the purposes and consideration recited therein.



Kay Bucy Benson
Notary Public, State of Texas

By: Douglas E Martin
DOUGLAS E. MARTIN

Date: 6/27/2017

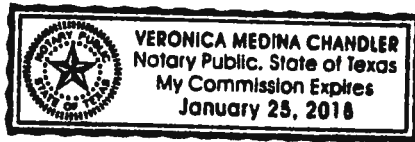
ACKNOWLEDGMENT

STATE OF TEXAS

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COUNTY OF Williamson

This instrument was acknowledged before me on this the 27th day of June, 2017 by Martin, Douglas Ele, in the capacity and for the purposes and consideration recited therein.



Veronica M. Chandler
Notary Public, State of Texas

