



Travis County Commissioners Court Agenda Request

Meeting Date: September 18, 2012

Prepared By: Paul Scoggins **Phone #:** 854-7619

Division Director/Manager: Anna, M. Bowlin ACCP, Division Director of Development Services

AB

A handwritten signature in black ink, appearing to read "Anna M. Bowlin".

Department Head: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Davis, Precinct One

AGENDA LANGUAGE: Consider and take appropriate action on:

A) the use of an Alternative Fiscal Agreement for Avalon, Phase 7B; and

B) the use of a Cash security Agreement for the fiscal posting for Avalon, Phase 7B - all within Precinct One.

BACKGROUND/SUMMARY OF REQUEST:

The developer of the subject subdivision requests to enter into an alternative fiscal agreement with Travis County. Under the alternative fiscal agreement the plat will be held in abeyance while the street and drainage facilities are constructed.

The developer also requests to post cash for the fiscal posting. To post cash the developer must enter into a cash security agreement with Travis County.

STAFF RECOMMENDATIONS:

The request has been reviewed by TNR staff and staff finds the use of the subject agreements meets all Travis County standards. As such, TNR staff recommends the approval of the proposed motions.

ISSUES AND OPPORTUNITIES:

Under Alternative Fiscal the County Executive of TNR holds the plat in abeyance and, upon completion of the items listed below, the Division Director of Development Services authorizes the issuance of a Basic Development Permit for construction of streets and drainage facilities.

Plat Status

Staff has reviewed the plat and all comments have been addressed. It meets current standards and has everything in place such that it could be recommended for approval and recordation at this time.

Restoration/Erosion Control Fiscal

The fiscal for the subdivision restoration and improvements has been posted with Travis County using as cash using a cash security agreement in the amount of \$72,900.00.

Access to Publicly Maintained Road

Avalon, Phase 7B takes access from Crispin Hall Lane as dedicated through Avalon, Phase 7A. This subdivision is maintained by Travis County.

Waste Water Service

Wastewater service for this subdivision will be provided by the City of Pflugerville.

Construction Plans and Engineer’s Estimate of Construction Cost Approved

All comments by Travis County staff have been addressed and the reviewer is prepared to sign the cover sheets of the plans and issue permit #12-1132. The estimated cost of the improvements is \$610,340.00. This amount includes all costs related to the construction of all streets and drainage facilities (including temporary erosion controls and all structures contributing to the total detention.

The developer has signed the attached statement acknowledging that this action does not imply or guarantee plat approval by the Commissioners Court and that he/she understands the constraints related to the use of alternate fiscal. An Extension of Sixty-Day Period for Completed Plat Application Final Action is also included.

FISCAL IMPACT AND SOURCE OF FUNDING:

None

ATTACHMENTS/EXHIBITS:

- Alternative Fiscal Acknowledgment
- Exhibit “A” – Description
- Cash Security Agreement
- Extension of Sixty-Day Period
- Proposed Plat
- Maps

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	Development Services	854-7561

CC:

AB:SM:dv
1101 - Development Services - Avalon, Phase 7B

§ EXHIBIT 82.401 (D)

(d) Alternative Fiscal Policy Request and Acknowledgement

STATE OF TEXAS §

COUNTY OF TRAVIS §

TO THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS:

The undersigned Owner proposes to subdivide that certain tract of land more particularly described in Exhibit "A", which is attached hereto and made a part hereof. The owner requests that the Travis County's Transportation and Natural Resources Department ("TNR") hold the proposed plat of the land in abeyance until all of the proposed subdivision Improvements have been constructed to Travis County Standards for the Construction of Streets and Drainage in Subdivision (the "Standards") to the satisfaction of the Executive Manager of TNR. In order to qualify for this Alternative Fiscal Policy, the proposed subdivision must meet the access criteria set forth in the Standards.

Under this Policy, the Owner is not required to post fiscal Security to secure the construction of the Improvements, but is required to obtain a Travis County Development Permit. The owner will be required to post fiscal for boundary street improvements if they are not to be completed during the construction of the Improvements. Additionally, the Owner shall file Security with the submitted Final Plat to secure restoration of disturbed areas should construction not be completed.

Upon satisfactory completion of the Improvements, the submitted plat shall be forwarded by TNR to the Commissioners Court for approval and recording.

If the Owner elects to proceed under this option, the Owner acknowledges and agrees that, until the plat is filed the Owner may not use the proposed subdivision's description in a contract to convey real property, unless the conveyance is expressly contingent on the recording and approval of the final plat and the purchaser is not given the use or the occupancy of the real property before the recording of the final plat, under penalty of prosecution under Section 12.002 of the Texas Property Code. In addition, the approval of Alternative Fiscal in no way constitutes approval of the proposed plat.

If the plat is to be approved and filed, the Owner must post Security in the amount of 10% of the cost of the Improvements to secure the performance of the construction of the Improvements for one year from the date of the approval of the plat and the acceptance of the construction by the County.

Executed this _____ day of _____, _____.

OWNER:

By: *John Moline*

Name: JOHN MOLINE

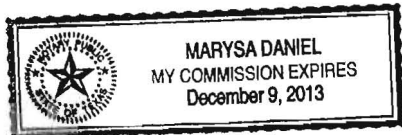
Title: CONTROLLER
Authorized Representative

TRAVIS COUNTY, TEXAS By: _____
County Judge

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me by John Moline on the 20th day of August, 2012, in the capacity stated herein.



Marysa Daniel
Notary Public in and for
the State of Texas

Marysa Daniel
Printed or typed name of notary

My commission
expires: 12/9/13

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me by _____ on the ____ day of _____, _____, in the capacity stated herein.

Notary Public in and for
the State of Texas

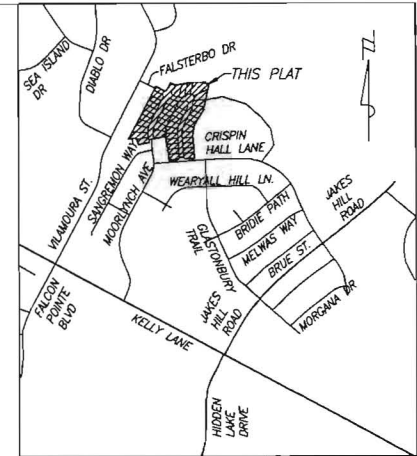
Printed or typed name
of notary
My commission
expires: _____

Mailing Address of Owner:

Exhibit "A"

PLAT OF
AVALON PHASE 7B
TRAVIS COUNTY, TEXAS

TRAVIS COUNTY CONSUMER PROTECTION NOTICE FOR HOME BUYERS



LOCATION MAP
NOT TO SCALE

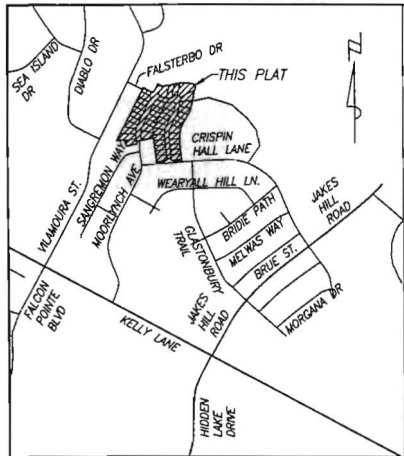
IF YOU ARE BUYING A LOT OR HOME, YOU SHOULD DETERMINE WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS. DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS. BECAUSE OF THIS, LOCAL GOVERNMENT MAY NOT BE ABLE TO RESTRICT THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE LOT OR HOME NOR PROHIBIT NEARBY LAND USES THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD. THIS CAN AFFECT THE VALUE OF YOUR PROPERTY. TRAVIS COUNTY REQUIRES THIS NOTICE TO BE PLACED ON SUBDIVISION PLATS. IT IS NOT A STATEMENT OR REPRESENTATION OF THE OWNER OF THE PROPERTY, THE SUBDIVIDER, OR THEIR REPRESENTATIVES

DATE: JUNE 14, 2012

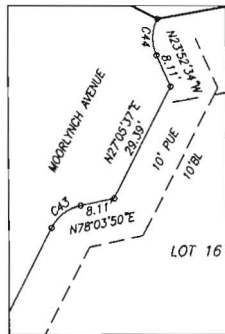
RANDALL JONES & ASSOCIATES ENGINEERING, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817

SHEET 1 OF 3 SHEETS

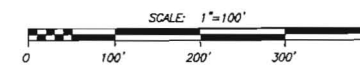


LOCATION MAP
NOT TO SCALE



DETAIL A
SCALE: 1" = 20'

FINAL PLAT OF
AVALON PHASE 7B
TRAVIS COUNTY, TEXAS



KM AVALON, LTD.
199.73 ACRES
DOCUMENT No. 2005118416

LINE	BEARING	LENGTH
L1	S01°34'49"W	55.27'
L2	S08°46'22"W	63.90'
L3	S22°34'46"W	60.19'
L4	S01°34'49"W	35.40'
L5	S01°34'49"W	19.87'
L6	S11°44'10"E	28.31'
L7	S11°44'10"E	28.31'
L8	N63°13'14"W	10.93'
L9	N63°13'14"W	11.48'
L10	S79°13'28"W	8.92'
L11	S79°13'28"W	4.00'
L12	S79°13'28"W	4.93'
L13	S79°13'28"W	11.58'

CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG.	CHORD
C1	39.13	25.00	89°41'09"	N71°56'12"E	35.26
C2	39.27	25.00	90°00'00"	N49°32'52"W	35.36
C3	39.27	25.00	90°00'00"	S40°27'08"W	35.36
C4	39.41	25.00	90°18'51"	N18°03'48"W	35.45
C5	39.13	25.00	89°41'09"	N71°56'12"E	35.26
C6	39.41	25.00	90°18'51"	N18°03'48"W	35.45
C7	127.82	195.00	37°33'19"	S81°58'53"E	125.54
C8	69.17	195.00	20°19'26"	S73°22'57"E	68.81
C9	58.64	195.00	17°13'53"	S87°50'24"W	58.42
C10	180.59	245.00	37°33'19"	S81°59'53"E	157.73
C11	90.82	245.00	21°14'17"	S73°50'22"E	90.30
C12	69.77	245.00	16°19'02"	S87°22'59"W	69.54
C13	44.47	25.00	101°55'42"	S49°48'41"E	38.84
C14	21.03	25.00	48°11'23"	S55°07'46"W	20.41
C15	163.40	50.00	189°32'01"	S54°11'55"E	99.65
C16	57.19	50.00	65°32'01"	S63°48'05"W	54.72
C17	49.69	50.00	56°56'29"	S54°57'40"E	47.67
C18	55.24	50.00	63°17'56"	S05°09'33"W	52.47
C19	3.28	50.00	3°45'35"	S38°41'18"W	3.28
C20	18.43	25.00	42°14'11"	S19°27'00"W	18.01
C21	112.95	225.00	28°45'43"	S12°42'46"W	111.77
C22	34.54	225.00	8°47'43"	S02°43'46"W	34.51
C23	53.78	225.00	13°41'23"	S13°58'19"W	53.63
C24	24.65	225.00	6°16'36"	S23°57'19"W	24.64
C25	79.23	175.00	25°56'27"	S14°07'23"W	78.56
C26	148.35	265.00	31°38'29"	N11°16'23"E	144.49
C27	17.99	265.00	3°53'20"	N02°36'12"W	17.98
C28	54.67	265.00	11°49'14"	N05°15'06"E	54.57
C29	54.98	265.00	11°53'17"	N17°06'21"E	54.88
C30	18.70	265.00	4°02'38"	N25°04'18"E	18.70
C31	118.73	215.00	31°38'29"	N11°16'23"E	117.23
C32	40.31	215.00	10°44'28"	N00°49'22"E	40.25
C33	78.43	215.00	20°54'01"	N16°38'37"E	77.99
C34	182.98	270.00	38°49'47"	N07°40'43"E	179.50
C35	3.33	270.00	0°42'25"	N11°22'58"W	3.33
C36	54.92	270.00	11°39'12"	N05°12'09"W	54.82
C37	54.92	270.00	11°39'12"	N06°27'03"E	54.82
C38	54.92	270.00	11°39'12"	N18°06'15"E	54.82
C39	14.90	270.00	3°09'46"	N25°30'44"E	14.90
C40	142.32	210.00	38°49'47"	N07°40'43"E	139.61
C41	53.71	210.00	14°39'17"	N19°45'58"E	53.57
C42	88.61	210.00	24°10'30"	N00°21'05"E	87.95
C43	8.90	10.00	50°58'13"	N52°34'44"E	8.61
C44	8.90	10.00	50°58'14"	N01°36'33"E	8.61

- LEGEND:
- DE DRAINAGE EASEMENT
 - PUE PUBLIC UTILITY EASEMENT
 - FOUND 1/2" IRON ROD
 - SET 1/2" IRON ROD WITH SURVEYING CAP
 - MONUMENT
 - SIDEWALK REQUIRED

SITE DATA:
11.744 ACRES
PHILLIP GOLDEN SURVEY No. 17, ABSTRACT No. 338
44 SINGLE FAMILY LOTS
3 BLOCKS
1875 LINEAR FEET OF NEW STREETS:

BUILDING SETBACKS:
25' - FRONT
20' - REAR
5' - SIDE
10' - CORNER LOT, STREET SIDE

PROPERTY OWNER / SUBDIVIDER:
KM AVALON, LTD.
BLAKE J. WAGRE, PRESIDENT
1011 N. LAMAR BLVD.
AUSTIN, TEXAS 78703

DATE: JUNE 14, 2012 SCALE: 1" = 100'

RANDALL JONES & ASSOCIATES ENGINEERING, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817

S:\LAND\851-1900\1983\dwg\1993-plat.dwg 6/14/2012 8:02:38 AM CDT

AVALON PHASE 7B

DESCRIPTION:

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE PHILLIP GOLDEN SURVEY No. 17, ABSTRACT No. 328 AND BEING A PART OF THAT 199.93 ACRE TRACT OF LAND CONVEYED TO KM AVALON, LTD., BY DEED RECORDED IN DOCUMENT No. 2005118416 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod set in the North Line of Crispin Hall Lane, (a right of way 60 feet wide as shown on the plot of Avalon Phase 7A, according to the plot thereof recorded in Document No. 200900157 of the Official Public Records of Travis County, Texas) at the Southwest Corner of that 13.451 Acre Tract conveyed to the Board of Trustees of the Pflugerville Independent School District by deed recorded in Document No. 200600344 of the Official Public Records of

- THENCE along the North Line of Crispin Hall Lane the following five courses:
1. S.8527'08"W, a distance of 100.00 feet to a 1/2" iron rod set a point of curvature of a curve to the right;
2. Northwesterly along the arc of said curve to the right a distance of 39.27 feet, said curve having a radius of 25.00 feet, a central angle of 90°00'00", and a chord bearing N.43°32'52"W, 33.36 feet to a 1/2" iron rod set;
3. S.8527'08"W, a distance of 50.00 feet to a 1/2" iron rod set of a point on a non-tangent curve to the right;
4. Southwesterly along the arc of said curve, a distance of 39.27 feet, said curve having a radius of 25.00 feet, a central angle of 90°00'00" and a chord bearing S.40°27'08"W, 33.36 feet to a 1/2" iron rod set;
5. S.8527'08"W, a distance of 100.10 feet to a 1/2" iron rod set of the Southwest corner of Lot 11, Block O, Avalon Phase 3A, according to the plot thereof recorded in Document No. 200600366 of the Official Public Records of Travis County, Texas;

THENCE N.04°32'52"W, along the East Line of said Lot 11, a distance of 73.00 feet to a 1/2" iron rod set; THENCE N.08°52'56"W, along the East Line of Lots 11, 12, 13 and 14, Block O, a distance of 208.05 feet to a 1/2" iron rod set found at the Northeast Corner of Lot 14;

THENCE S.78°15'50"W, along the North Line of Lot 14 and continuing along the North End of Moorlynch Avenue, a distance of 200.53 feet to a 1/2" iron rod found;

THENCE S.11°44'10"E, along the West Line of Moorlynch Lane, a distance of 31.54 feet to a 1/2" iron rod found at the Northeast Corner of Lot 34, Block J, Avalon Phase 3;

THENCE S.78°15'50"W, along the North Line of said Lot 34, a distance of 130.83 feet to a 1/2" iron rod found at the Northwest Corner of Lot 34 and to a point in the East Line of Lot 33, Block J;

THENCE N.20°39'10"W, along the East Line of said Lot 33, a distance of 80.90 feet to a 1/2" iron rod found at the Northeast Corner thereof;

THENCE S.84°08'19"W, along the North Line of Lot 33, a distance of 86.09 feet to a 1/2" iron rod set in the West Line of the said 199.93 Acre Tract and the East Line of plot of Fairways of Blackhawk Phase IV, according to the plot thereof recorded in Document No. 200200058 of the Official Public Records of Travis County, Texas;

THENCE along the West Line of the 199.93 Acre Tract and the East Line of the said plot of Fairways of Blackhawk Phase IV the following two courses:

- 1. N.27°16'09"E, a distance of 606.89 feet to a nail found;
2. N.27°05'37"E, a distance of 87.15 feet to a 1/2" iron rod found;

THENCE across the said 199.93 Acre Tract the following seven courses:

- 1. S.63°31'47"E, a distance of 110.14 feet to a 1/2" iron rod set of a point of curvature of a curve to the left;
2. Easterly along the arc of said curve to the left a distance of 39.13 feet, said curve having a radius of 25.00 feet, a central angle of 89°41'09", and a chord bearing N.71°56'12"E, 35.26 feet to 1/2" iron rod set;
3. N.27°05'37"E, a distance of 91.68 feet to a 1/2" iron rod set;
4. S.62°54'23"E, a distance of 60.00 feet to a 1/2" iron rod set;
5. N.79°41'54"E, a distance of 220.22 feet to a 1/2" iron rod found;
6. S.89°30'07"E, a distance of 93.15 feet to a 1/2" iron rod found;
7. S.77°18'18"E, a distance of 83.02 feet to a 1/2" iron rod found in the West Line of the said 13.451 Acre Tract;

THENCE along said West Line the following five courses:

- 1. S.12°45'13"W, a distance of 311.40 feet to 1/2" iron rod set;
2. S.28°51'58"W, a distance of 91.53 feet to a 1/2" iron rod set;
3. S.30°14'57"W, a distance of 130.19 feet to a 1/2" iron rod found;
4. S.08°57'07"W, a distance of 112.52 feet 1/2" iron rod found;
5. S.04°32'52"E, a distance of 270.00 feet to the said Point of Beginning;

Containing 11,744 acres, more or less.

GENERAL NOTES:

- 1. THIS PLAT IS WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE.
2. NO OBJECTS, INCLUDING BUT NOT LIMITED TO BUILDINGS, FENCES OR LANDSCAPING SHALL BE ALLOWED IN A DRAINAGE EASEMENT, EXCEPT AS APPROVED BY TRAVIS COUNTY AND THE CITY OF PFLUGERVILLE.
3. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE OWNER OR HIS / HER ASSIGNS.
4. THE PROPERTY OWNER OR HIS / HER ASSIGNS SHALL PROVIDE FOR ACCESS TO THE DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS TO THE CITY OF PFLUGERVILLE AND TRAVIS COUNTY FOR INSPECTION OR MAINTENANCE OF SAID EASEMENT.
5. FOUR FOOT (4') SIDEWALKS SHALL BE CONSTRUCTED ALONG EACH SIDE OF MOORLYNCH AVENUE, CERRIDWEN DRIVE, AND FALSTERBO DRIVE AND SIDEWALK RAMP FOR HANDICAP ACCESS SHALL BE PROVIDED AT ALL STREET INTERSECTIONS.
6. SINGLE FAMILY SIDE YARD SETBACK SHALL BE 5 FEET AS STATED IN THE COMPREHENSIVE DEVELOPMENT AGREEMENT BETWEEN KM KELLY LANE AND THE CITY OF PFLUGERVILLE. NO SINGLE FAMILY LOT SHALL BE LESS THAN 6,000 SQUARE FEET IN AREA AS STATED IN THE COMPREHENSIVE DEVELOPMENT AGREEMENT BETWEEN KM KELLY LANE AND THE CITY OF PFLUGERVILLE.
7. WATER SERVICE TO THE SUBDMISION WILL BE PROVIDED BY MANVILLE WATER SUPPLY CORPORATION. (WHOLESALE) AND THE CITY OF PFLUGERVILLE.
8. WASTEWATER SERVICE TO THE SUBDMISION WILL BE PROVIDED BY THE CITY OF PFLUGERVILLE.
9. PARKLAND WILL BE DEDICATED PER THE REQUIREMENTS THE COMPREHENSIVE AGREEMENT BETWEEN KM KELLY LANE AND THE CITY OF PFLUGERVILLE.
10. NO STRUCTURE IN THIS SUBDMISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED SEWER SYSTEM.
11. NO STRUCTURE IN THIS SUBDMISION SHALL BE OCCUPIED UNTIL CONNECTED TO A WATER SYSTEM APPROVED BY THE TEXAS STATE DEPARTMENT OF HEALTH.
12. DRIVEWAY ACCESS FROM LOT 1, BLOCK O, AND LOT 1, BLOCK N IS RESTRICTED TO CERRIDWEN DRIVE.
13. DRIVEWAY ACCESS FROM LOT 44, BLOCK J, IS RESTRICTED TO MOORLYNCH DRIVE.

OWNER'S CERTIFICATION

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

THAT KM AVALON, LTD, BLAKE J. MAGEE, PRESIDENT, BEING THE OWNER OF A TRACT OF LAND OUT OF THE PHILLIP GOLDEN SURVEY, ABSTRACT-328, AND OUT OF THE EDWARD FLUNT SURVEY; ABSTRACT-277 DESCRIBED AS 199.93 ACRES IN A SPECIAL WARRANTY DEED GRANTED TO KM AVALON, LTD., DATED JUNE 30, 2005 AND RECORDED UNDER DOCUMENT NO. 2005118416, BY THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE, IN ACCORDANCE WITH CHAPTERS 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, 11.75 ACRES TO BE KNOWN AS AVALON PHASE 7B IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ___ DAY OF ___, 20__

BLAKE J. MAGEE KM AVALON LTD, 1011 N. LAMAR BLVD, AUSTIN, TEXAS 78703

ACKNOWLEDGMENT:

STATE OF TEXAS COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BLAKE J. MAGEE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF ___, 20__

SEAL

NOTARY PUBLIC, STATE OF TEXAS

THE FULLY DEVELOPED 100 YEAR FLOOD PLAN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON.

NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 4845302804, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR TRAVIS COUNTY, TEXAS.

I, R. BRENT JONES, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

R. BRENT JONES REGISTERED PROFESSIONAL ENGINEER No. 92671 STATE OF TEXAS



STATE OF TEXAS COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

THAT I, J. KENNETH WEIGAND, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT ALL CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDMISION CODE OF THE CITY OF PFLUGERVILLE, TEXAS AND THAT ALL KNOWN EASEMENTS WITHIN THE BOUNDARY OF THE PLAT ARE SHOWN HEREON.

J. Kenneth Weigand 6/14/2012 REGISTERED PROFESSIONAL LAND SURVEYOR No. 5741 STATE OF TEXAS



APPROVED THIS ___ DAY OF ___, 20__ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF PFLUGERVILLE, TEXAS, ON BEHALF OF THE CITY.

BY: MAJ NORDER, CHAIR

THIS PLAT REFLECTS THE APPROVAL GRANTED BY THE PLANNING AND ZONING COMMISSION ON THE DATE INDICATED ABOVE.

BY: TREV FLETCHER, PLANNING DIRECTOR

ATTEST: KAREN THOMPSON, CITY SECRETARY

APPROVED THIS ___ DAY OF ___, 20__ BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, ON BEHALF OF THE CITY.

BY: JEFF COLEMAN, MAYOR

ATTEST: KAREN THOMPSON, CITY SECRETARY

THIS SUBDMISION PLAT IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE, THIS ___ DAY OF ___, 20__

BY: TREV FLETCHER, PLANNING DIRECTOR

COMMISSIONERS COURT

IN APPROVING THIS PLAT, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH IS THE RESPONSIBILITY OF THE OWNER AND / OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER OF THE SUBDMISION SHALL CONSTRUCT THE SUBDMISION'S STREET AND DRAINAGE IMPROVEMENTS (THE "IMPROVEMENTS") TO COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE OR TO RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS. TO SECURE THIS OBLIGATION, THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE OWNER(S) OBLIGATION TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND TO POST THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING UPON THE OWNERS AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDMISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR ERECT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS, AND YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION.

THE STATE OF TEXAS COUNTY OF TRAVIS

I, DANA DEBEAUVOIR, CLERK OF THE COUNTY COURT, OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE ___ DAY OF ___, 20__ A. D., THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND THAT SAID ORDER WAS DULY ENTERED IN THE MINUTES OF THE SAID COURT.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK, OF SAID COUNTY, THE ___ DAY OF ___, 20__ A. O.

DANA DEBEAUVOIR, COUNTY CLERK TRAVIS COUNTY, TEXAS

DEPUTY

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, AND ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE ___ DAY OF ___, 20__ A. D. AT ___ O'CLOCK ___ M AND DULY RECORDED ON THE ___ DAY OF ___, 20__ A.D. AT ___ O'CLOCK ___ M., OF SAID COUNTY AND STATE IN DOCUMENT NUMBER ___ OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE ___ DAY OF ___, 20__ A. D.

DANA DEBEAUVOIR, COUNTY CLERK TRAVIS COUNTY, TEXAS

DEPUTY

DATE: JUNE 14, 2012 SCALE: 1" = 100'

RANDALL JONES & ASSOCIATES ENGINEERING, INC. 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753 (512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC. 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753 (512) 836-4793 FAX: (512) 836-4817

S:\LA01051-1900\1803\464\1993-plat.dwg 6/14/2012 8:07:38 AM (3)

§ EXHIBIT 82.401 (C)

CASH SECURITY AGREEMENT

TO: Travis County, Texas
DEVELOPER: Km Avalon, LTO
ESCROW AGENT: Travis County Treasurer
AMOUNT OF SECURITY: \$72,900.00
SUBDIVISION: Avalon Phase 7B
DATE OF POSTING: Sept. 18, 2012
EXPIRATION DATE: Three Years, or more, from Date of Posting


The ESCROW AGENT shall duly honor all drafts drawn and presented in accordance with this CASH SECURITY AGREEMENT (this "Agreement"). Travis County (the "County") may draw on the account of the DEVELOPER up to the aggregate AMOUNT OF SECURITY upon presentation of a draft signed by the County Judge that the following condition exists:

The County considers such a drawing on this Security necessary to complete all or part of the SUBDIVISION Improvements to current Travis County Standards for the Construction of Roads and Drainage in Subdivisions (the "Standards"). No further substantiation of the necessity of the draw is required by this Agreement.

This Agreement is conditioned on the performance of the duties of the DEVELOPER prior to the EXPIRATION DATE to provide for the construction and completion of the street and drainage Improvements in the SUBDIVISION to current Travis County Standards for the construction of Roads and Drainage in Subdivisions ("the "Standards"), so that the Improvements are performing to the Standards upon the approval of the construction of the Improvements and the acceptance of the public Improvements by the Commissioners Court and at the end of the public Improvement construction Performance Period, which commences upon the acceptance.

Partial drafts and reductions in the amount of Security are permitted. Upon the acceptance of the Improvements, the Security will be reduced to ten percent of the cost of the public Improvements. Drafts will be honored within five calendar days of presentment. In lieu of drawing on the Security, the County, in its discretion, may accept a substitute Security in the then current amount of the estimated cost of constructing the Improvements. This Agreement may be revoked only by the written consent of the DEVELOPER and the COUNTY.

DEVELOPER

By: 
Name: Blake Magee
Title: President
Date: 8/29/12

ADDRESS OF DEVELOPER

Km Avalon, Ltd.
c/o Blake Magee Company
1011 North Lamar
Austin Tx 78703
Phone: 512 481-0303

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS COURT: _____
Date

COUNTY JUDGE, TRAVIS COUNTY, TEXAS

EXHIBIT 82.201(C)

EXTENSION OF SIXTY DAY PERIOD FOR COMPLETED PLAT APPLICATION FINAL ACTION

Date: 4/23/12

Owner's Name and Address: KM Avalon, Ltd.
1011 North Lamar Boulevard
Austin, Texas 78703

Proposed Subdivision Name and Legal Description (the "Property"):

The undersigned Owner and the County Executive of Travis County Transportation and Natural Resources Department hereby agree that the sixty (60) day period for final action to be taken on a Completed Plat Application for the Property is hereby extended by mutual agreement and without compulsion until the date that all subdivision requirements have been met to Travis County standards to the satisfaction of the County Executive of TNR.

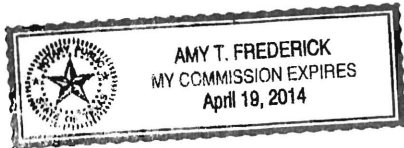
Executed and affective as of the date set forth below.

Owner: KM Avalon, Ltd.
By: [Signature]
Name: Blake J. Magee
Title: President
Authorized Representative

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF TRAVIS

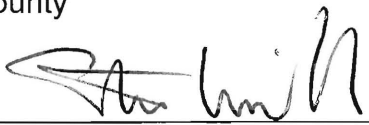
This instrument was acknowledged before me on the 23rd day of April, 2012,
by Blake Magee of Travis County, Texas known to me personally or on the basis of an
approved form of identification, in the capacity stated.



[Signature]
Notary Public, State of Texas
My Commission Expires: 4/19/14
Amy Frederick
(Printed Name of Notary)

Travis County

By:



County Executive

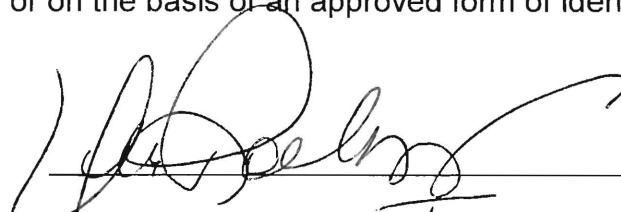
Travis County Transportation and Natural Resources Department

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 7th day of September, 2012, by Steve Manilla of Travis County, Texas known to me personally or on the basis of an approved form of identification, in the capacity stated.



Notary Public, State of Texas

My Commission Expires: 12-10-2012

Vera Rodriguez

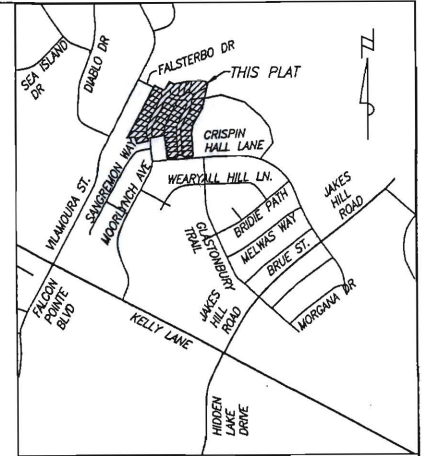
(Printed Name of Notary)

After Completing Return To:

Travis County, Texas
Transportation and Natural Resources Department
P.O. Box 1748
Austin, Texas 78767-1748

PLAT OF
AVALON PHASE 7B
TRAVIS COUNTY, TEXAS

TRAVIS COUNTY
CONSUMER PROTECTION NOTICE FOR HOME BUYERS



LOCATION MAP
NOT TO SCALE

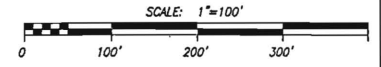
IF YOU ARE BUYING A LOT OR HOME, YOU SHOULD DETERMINE WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS. DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS. BECAUSE OF THIS, LOCAL GOVERNMENT MAY NOT BE ABLE TO RESTRICT THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE LOT OR HOME NOR PROHIBIT NEARBY LAND USES THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD. THIS CAN AFFECT THE VALUE OF YOUR PROPERTY. TRAVIS COUNTY REQUIRES THIS NOTICE TO BE PLACED ON SUBDIVISION PLATS. IT IS NOT A STATEMENT OR REPRESENTATION OF THE OWNER OF THE PROPERTY, THE SUBDIVIDER, OR THEIR REPRESENTATIVES

DATE: JUNE 14, 2012

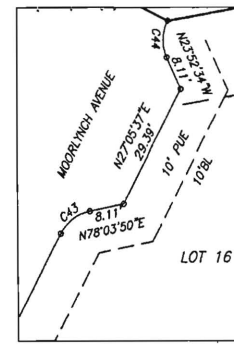
RANDALL JONES & ASSOCIATES ENGINEERING, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817

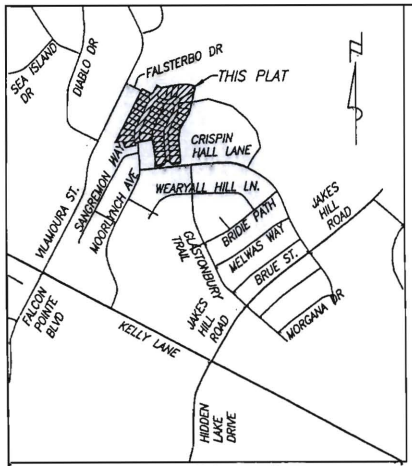
FINAL PLAT OF
AVALON PHASE 7B
 TRAVIS COUNTY, TEXAS



KM AVALON, LTD.
 199.73 ACRES
 DOCUMENT No. 2005118416



DETAIL A
 SCALE: 1"=20'



LOCATION MAP
 NOT TO SCALE

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG.	CHORD
C1	39.13	25.00	89°41'09"	N71°56'12"E	35.26
C2	39.27	25.00	90°00'00"	N49°32'52"W	35.36
C3	39.27	25.00	90°00'00"	S40°27'08"W	35.36
C4	39.41	25.00	90°18'51"	N18°03'48"W	35.45
C5	39.13	25.00	89°41'09"	N71°56'12"E	35.26
C6	39.41	25.00	90°18'51"	N18°03'48"W	35.45
C7	127.82	195.00	37°33'19"	S81°59'53"E	125.54
C8	69.17	195.00	20°19'26"	S73°22'57"E	66.81
C9	58.64	195.00	17°13'53"	S87°50'24"W	58.42
C10	160.59	245.00	37°33'19"	S81°59'53"E	157.73
C11	90.82	245.00	21°14'17"	S73°50'22"E	90.30
C12	69.77	245.00	16°19'02"	S87°22'59"W	69.54
C13	44.47	25.00	101°55'42"	S49°48'41"E	38.84
C14	21.03	25.00	48°11'23"	S55°07'46"W	20.41
C15	165.40	50.00	189°32'01"	S54°11'55"E	99.65
C16	57.19	50.00	65°32'01"	S63°48'05"W	54.12
C17	49.69	50.00	56°56'29"	S54°07'40"E	47.67
C18	55.24	50.00	63°17'56"	S05°09'33"W	52.47
C19	3.28	50.00	3°45'35"	S38°41'18"W	3.28
C20	18.43	25.00	42°14'11"	S19°27'00"W	18.01
C21	112.95	225.00	28°45'43"	S12°42'46"W	111.77
C22	34.54	225.00	8°47'43"	S02°43'46"W	34.51
C23	53.76	225.00	13°41'23"	S13°58'19"W	53.63
C24	24.65	225.00	6°16'36"	S23°57'19"W	24.64
C25	79.23	175.00	25°56'27"	S14°07'23"W	78.56
C26	146.35	265.00	31°38'29"	N11°16'23"E	144.49
C27	17.99	265.00	3°53'20"	N02°36'12"W	17.98
C28	54.67	265.00	11°49'14"	N05°15'06"E	54.57
C29	54.98	265.00	11°53'17"	N17°06'21"E	54.88
C30	18.70	265.00	4°02'38"	N25°04'18"E	18.70
C31	118.73	215.00	31°38'29"	N11°16'23"E	117.23
C32	40.31	215.00	10°44'28"	N00°49'22"E	40.25
C33	78.43	215.00	20°54'01"	N16°36'37"E	77.99
C34	182.98	270.00	38°49'47"	N07°40'43"E	179.50
C35	3.33	270.00	0°42'25"	N11°22'58"W	3.33
C36	54.92	270.00	11°39'12"	N05°12'09"W	54.82
C37	54.92	270.00	11°39'12"	N05°27'03"E	54.82
C38	54.92	270.00	11°39'12"	N18°06'15"E	54.82
C39	14.90	270.00	3°09'46"	N25°30'44"E	14.90
C40	142.32	210.00	38°49'47"	N07°40'43"E	139.61
C41	53.71	210.00	14°39'17"	N19°45'59"E	53.57
C42	88.61	210.00	24°10'30"	N00°21'05"E	87.95
C43	8.90	10.00	50°58'13"	N52°34'44"E	8.61
C44	8.90	10.00	50°58'14"	N01°36'33"E	8.61

LINE TABLE		
LINE	BEARING	LENGTH
L1	S01°34'49"W	55.27'
L2	S08°46'22"W	63.90'
L3	S22°34'46"W	60.19'
L4	S01°34'49"W	35.40'
L5	S01°34'49"W	19.87'
L6	S11°44'10"E	28.31'
L7	S11°44'10"E	28.31'
L8	N63°13'14"W	10.93'
L9	N63°13'14"W	11.48'
L10	S79°13'28"W	8.92'
L11	S79°13'28"W	4.00'
L12	S79°13'28"W	4.93'
L13	S79°13'28"W	11.58'

- LEGEND:
- DE DRAINAGE EASEMENT
 - PUE PUBLIC UTILITY EASEMENT
 - FOUND 1/2" IRON ROD
 - SET 1/2" IRON ROD WITH RJ SURVEYING CAP
 - MONUMENT
 - SIDEWALK REQUIRED

SITE DATA:
 11.744 ACRES
 PHILIP GOLDEN SURVEY No. 17, ABSTRACT No. 328
 44 SINGLE FAMILY LOTS
 3 BLOCKS
 1875 LINEAR FEET OF NEW STREETS:

BUILDING SETBACKS
 25' - FRONT
 20' - REAR
 5' - SIDE
 10' - CORNER LOT, STREET SIDE

PROPERTY OWNER / SUBDIVIDER:
 KM AVALON, LTD.
 BLAKE J. MAGEE, PRESIDENT
 1011 N. LAMAR BLVD.
 AUSTIN, TEXAS 78703

DATE: JUNE 14, 2012
 SCALE: 1"=100'

RANDALL JONES & ASSOCIATES ENGINEERING, INC.
 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
 (512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
 (512) 836-4793 FAX: (512) 836-4817

S:\LAND\851-1900\1893\map\1893-plat.dwg 6/14/2012 8:02:38 AM CDT

LOCATION MAP OF
AVALON PHASE 7B
TRAVIS COUNTY, TEXAS

