



## Item 9

# Travis County Commissioners Court Agenda Request

**Meeting Date:** May 14, 2013

**Prepared By:** Don Grigsby **Phone #:** 854-7560

**Division Director/Manager:** Anna Bowlin

**Department Head/Title:** Steven M. Manila, P.E., County Executive-TNR

**Sponsoring Court Member:** Commissioner Eckhardt, Precinct Two

### **AGENDA LANGUAGE:**

Consider and take appropriate action on the following requests:

- A) Consider and take appropriate action on an exemption from platting requirements for The Steiner Ranch MU-11 Condominium project – fifty five (55) single-family detached units; and
- B) Approve a construction agreement.

### **BACKGROUND/SUMMARY OF REQUEST:**

The proposed condominium project includes the construction of 55 new residential units with parking, driveways, drainage and utility infrastructure to support the project. The development will take access from Steiner Ranch Boulevard, a public street located in Steiner Ranch Subdivision. The project has met all requirements of the Travis County Emergency Services District 6 and has been approved.

Water will be provided by an existing approved public water system, and sewage services will be provided by sewerage facilities permitted by TCEQ. Detention and water quality facilities are proposed for the development.

### **STAFF RECOMMENDATIONS:**

As this condominium site plan application meets Travis County standards, TNR staff supports granting an exemption to platting for the proposed condominium project.

### **ISSUES AND OPPORTUNITIES:**

The project is being built on one of the last remaining developable tracts of land within the Steiner area. Neighborhood groups don't want to see additional development because of the existing congestion within Steiner Ranch due to the limited access to the subdivision. The project is located on Steiner Ranch Boulevard and not on Quinlan Park road which helps mitigate some of the impact on traffic. The project is also directly abutting the existing school site at the corner of Steiner Ranch and Quinlan Park Road allowing pedestrian access to from the site. The project has

two access driveways connecting to Steiner Ranch Boulevard, providing dual access to the site.

**FISCAL IMPACT AND SOURCE OF FUNDING:**

None

**EXHIBITS/ATTACHMENTS:**

Condominium Construction Agreement  
Site location map  
Site plan

**REQUIRED AUTHORIZATIONS:**

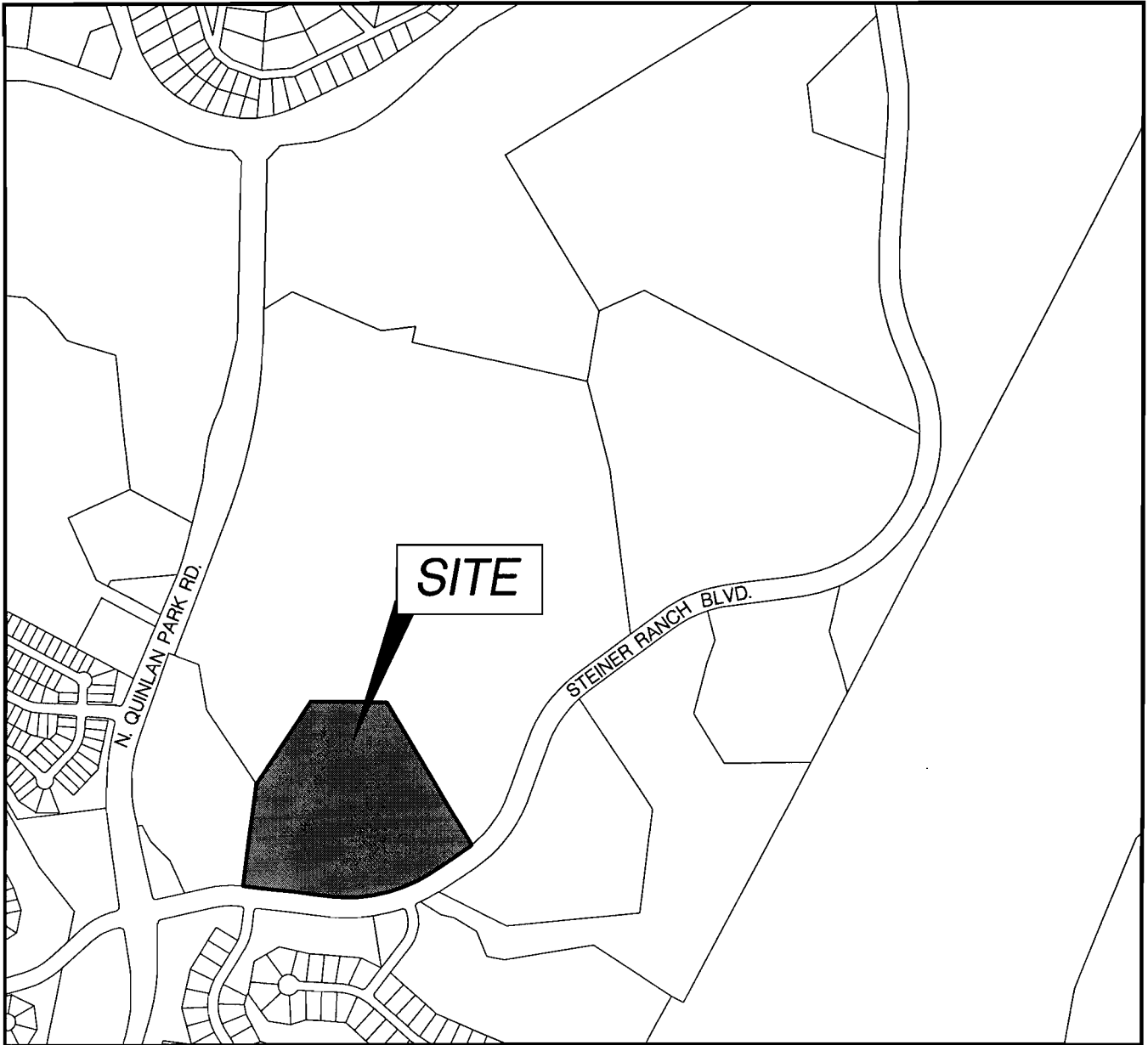
Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

**CC:**


**AB:DG:dg**

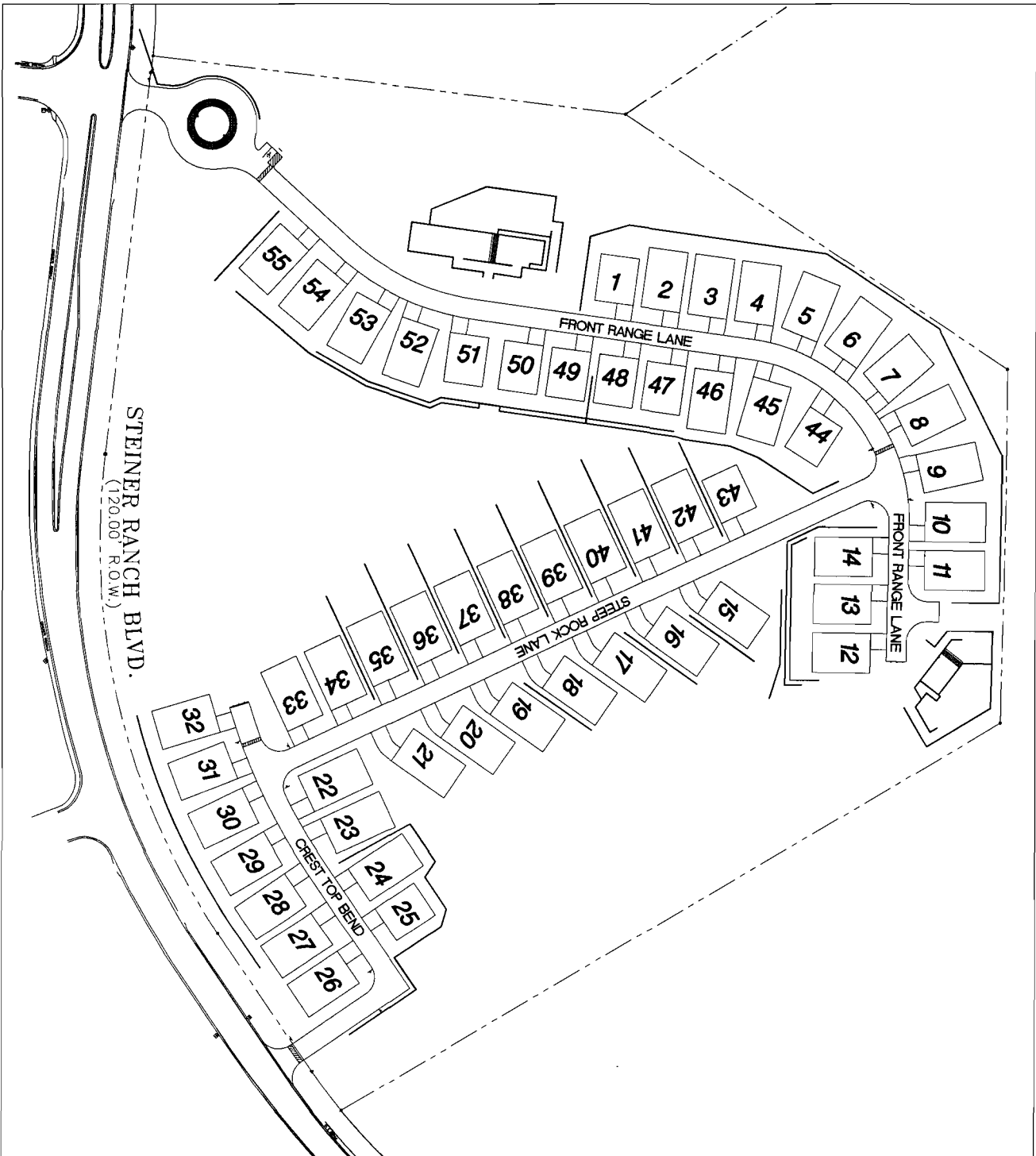
**1101 - Development Services Long Range Planning- 0870**

**STEINER RANCH MU-11**  
**4200 STEINER RANCH BLVD.**  
**AUSTIN, TEXAS 78732**



MAPSCO PAGE 491  
GRID B31

VICINITY MAP  
(NOT TO SCALE)



STEINER RANCH MU-11  
SITE PLAN EXHIBIT  
4200 STEINER RANCH BLVD.  
AUSTIN, TEXAS

HANRAHAN • PRITCHARD ENGINEERING, INC.  
CONSULTING ENGINEERS  
(TX. PE FIRM REG. #416)  
8333 Cross Park Drive  
AUSTIN, TEXAS 78754  
OFFICE: 512.459.4734 FAX: 512.459.4752  
info@hp-eng.com

**HPE**

File: Projects/	Snapshot:
Job No.	Scale (Vert.): N.T.S.
Scale (Hor.): N.T.S.	Drawn By:
Date: 04/19/13	Checked By:

SHEET  
01 of 01

**STEINER RANCH MU-11**  
**CONDOMINIUM CONSTRUCTION AGREEMENT**  
Travis County, Texas

THIS CONDOMINIUM CONSTRUCTION AGREEMENT is made and entered into by and between **Taylor Woodrow Communities/Steiner Ranch LTD**, a Texas Limited Partnership acting herein by and through **Adib Khoury, Vice President**, (the “**Developer**”), and Travis County, Texas, P.O. Box 1748, Austin, Texas 78767 (the “**County**”), hereinafter collectively referred to as the “**Parties**”, for the purposes and consideration stated.

A. The Developer is in the process of developing a condominium regime (the “**Regime**”) on approximately 24.38 acres of real property located in Travis County, Texas, known as Lot 1, Block B, Steiner Ranch Phase Two, Section 11, a subdivision of recorded in Document No. 200600385 of the Official Public Records of Travis County and more particularly described on Exhibit “A” (the “**property**”) and desires to develop the Regime in one phase.

B. The Developer and the County desire to provide for the orderly development of the Regime, including the completion of the private roadway (the “**Private Roadway**”) and drainage improvements (the “**Drainage Improvements**”) described in the **Construction Plans for Steiner Ranch MU-11**, (“**Construction Plans**”).

C. The Private Roadway will be constructed in one phase, as described in the Construction Plan and as depicted on Exhibit “B”.

D. The Developer and the County desire to establish a process to coordinate the improvement of the Private Roadway and Drainage Improvements with the phased development of the Property;

NOW, THEREFORE, in consideration of these premises and the promises contained herein, the Developer and the County agrees as follows:

1. Subject to the terms in this Agreement, Travis County hereby grants the Developer an exemption from the requirement that the Developer prepares, obtain County approval for, and file in the official public records of the County a subdivision plat for the Regime.

2. Subject to the conditions contained in this paragraph, the County will issue a development permit to the Developer for construction of the Private Roadway and the Drainage Improvements serving the development. Prior to the occupancy of any residential unit in the development, Developer will be required to complete the Private Roadway and Drainage Improvements serving the development. Completion will be evidenced by a letter of concurrence from a licensed professional engineer that the Private Roadway and Drainage Improvements have been completed in accordance with the Construction Plans. Upon delivery to and approval by the County of a letter of concurrence from a licensed professional engineer that the Private Roadway and Drainage Improvements have been completed in accordance with the Construction Plans, the County shall execute, acknowledge and deliver to then current owner for the phase, an instrument in the form of Exhibit “C” for recordation in the Official Public Records of Travis County, Texas, releasing the development from all of the terms, provisions and requirements of this Condominium Construction Agreement.

3. If the Developer makes any revision to the Construction Plans modifying the Private Roadway or Drainage Improvements or the phasing plan reflected on such Construction Plans, and such revision is revised and approved, the County and the Developer will, to the extent required, either amend this Agreement or enter into an additional or supplemental agreement(s) to coordinate the phasing process and the future improvements of the Private Roadway.

4. Prior to the County's issuance of the development permit, the Developer shall pay fees in lieu of park land dedication for all phases in the amount of **\$16,770.50**. In addition, the Developer shall pay inspection fees in the amount of \$1.25 per linear foot of street, in the total amount of **\$3,510.00**, to be paid prior to the issuance of the construction permit for each phase.

5. Miscellaneous Provisions. All rights, privileges, and remedies afforded the Parties and cumulative and not exclusive and the exercise of any remedy will not be deemed a waiver of any other right, remedy, or privilege. The Parties agree that the granting of equitable remedies may, and probably will, be necessary in the event of a violation of the restriction. If any provision of this agreement is unenforceable, to the extent the unenforceability does not destroy the basis of the bargain between the Parties, this agreement will construed as if the unenforceable provision had never been a part of this agreement.

EXECUTED to be effective on the date fully executed by the parties.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Taylor Woodrow Communities/Steiner Ranch LTD, a Texas limited partnership

By: TWC/Steiner Ranch, LLC, a Texas limited liability company, its general partner

By: 

Printed Name: Adib Khoury

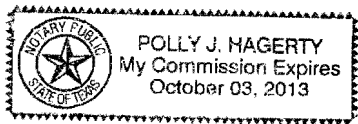
Title: Vice President

Date: 4.18.13

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 18<sup>th</sup> day of April, 2013, by Adib Khoury, Vice President of TWC/Steiner Ranch, LLC, a Texas limited liability company, as General Partner of Taylor Woodrow Communities/Steiner Ranch LTD., a Texas limited liability partnership, on behalf of said partnership.



  
Notary Public Signature

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_  
Samuel T. Biscoe, County Judge

Date: \_\_\_\_\_

THE STATE OF TEXAS       §

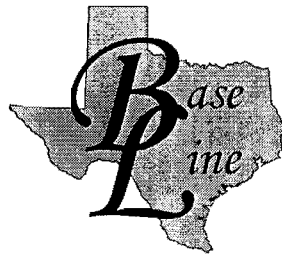
COUNTY OF TRAVIS       §

The instrument was acknowledged before me on the day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_ of Travis County, Texas in the capacity stated.

\_\_\_\_\_  
Notary Public, State of Texas

After Recording Return to:  
Travis County, Texas  
Attn: Transportation and Natural Resources Department  
P.O. Box 1748  
Austin, Texas 78767





*Land Surveyors, Inc.*

8333 Cross Park Drive  
Austin, Texas 78754  
Office: 512.374.9722  
Fax: 512.873.9743

“EXHIBIT A”

### METES AND BOUNDS DESCRIPTION

BEING 24.38 ACRES OF LAND, OUT OF THE HATTIE E. HANCOCK SURVEY NUMBER 72 IN TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND PREVIOUSLY KNOWN AS LOT 1, BLOCK B, STEINER RANCH PHASE TWO, SECTION 11; A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 200600385 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2” rebar found for the southwest corner of said Lot 1, Block B, Steiner Ranch Phase Two, Section 11, same being the southeast corner of a 14.23 acre tract of land conveyed to Leander Independent School District by instrument of record in Volume 12398, Page 1136 of the Real Property Records of Travis County, Texas and also being in the north right-of-way line of Steiner Ranch Boulevard (120.00’ R.O.W.) [Point of Beginning coordinates: Northing= 10109769.2607; Easting= 3069250.5075; combined scale factor= 0.99990368; convergence to grid= 01°15’44”];

THENCE North 07°02’24” East (record: North 07°03’59” East), along the west line of Lot 1, Block B, Steiner Ranch Phase Two, Section 11 and the east line of said 14.23 acre tract a distance of 595.19 feet (record: 594.98 feet) to a rebar found with plastic cap, which reads “C+B” for an angle point in the west line of Lot 1, Block B, Steiner Ranch Phase Two, Section 11 and being the northeast corner of the 14.23 acre tract and also being an angle point in the south line of Lot 1, Replat of Steiner Ranch Commercial Tract 12; a subdivision of record in Document number 200100150 of the Official Public Records of Travis County, Texas;

THENCE continuing along the west, north and east lines of Lot 1, Block B, Steiner Ranch Phase Two, Section 11 and the southerly line of said Lot 1, Replat of Steiner Ranch Commercial Tract 12 the following three (3) courses:

1. North 33°30’31” East a distance of 572.00 feet (record: North 33°31’02” East a distance of 572.09 feet) to a 1/2” rebar found with plastic cap, which reads “Carter & Burgess” for the northwest corner of Lot 1, Block B, Steiner Ranch Phase Two, Section 11;
2. South 88°58’33” East a distance of 439.00 feet (record: South 88°59’01” East a distance of 438.84 feet) to a 1/2” rebar found with plastic cap, which reads “Carter & Burgess” for the northeast corner of Lot 1, Block B, Steiner Ranch Phase Two, Section 11;
3. South 30°35’01” East a distance of 956.94 feet (record: South 30°35’28” East a distance of 957.02 feet) to a 1/2” rebar found with plastic cap, which reads “Carter & Burgess” for the southeast corner of Lot 1, Block B, Steiner Ranch Phase Two, Section 11 and being a point

in the south line of Lot 1, Replat of Steiner Ranch Commercial Tract 12 and also being in said north right-of-way line of Steiner Ranch Boulevard;

THENCE along the south line of Lot 1, Block B, Steiner Ranch Phase Two, Section 11 and the north right-of-way line of Steiner Ranch Boulevard the following five (5) courses:

1. along a non-tangential curve to the right, having a radius of 669.32 feet (record: 669.32 feet), a length of 61.17 feet (record: 61.17 feet), delta angle of 05°14'11" (record: 05°14'11") and a chord which bears South 53°23'08" West a distance of 61.15 feet (record: South 53°22'41" West a distance of 61.15 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline, Inc." for a point of tangency;
2. South 56°01'09" West a distance of 210.43 feet (record: South 55°59'46" West a distance of 210.48 feet) to a 1/2" rebar found with plastic cap, which reads "CFE" for a point of curvature;
3. along a tangential curve to the right, having a radius of 874.38 feet (record: 874.38 feet), a length of 626.72 feet (record: 626.76 feet), a delta angle of 41°04'02" (record: 41°04'12") and a chord which bears South 76°32'18" West a distance of 613.39 feet (record: South 76°31'52" West a distance of 613.43 feet) to a cotton spindle found for a point of tangency;
4. North 82°55'36" West a distance of 488.55 feet (record: North 82°56'02" West a distance of 488.55 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline, Inc." for a point of curvature;
5. along a tangential curve to the left, having a radius of 632.60 feet (record: 632.60 feet), a length of 9.63 feet (record: 10.00 feet), a delta angle of 00°52'18" (record: 00°54'21") and a chord which bears North 85°28'59" West a distance of 9.62 feet (record: North 83°23'12" West a distance of 10.00 feet) to the POINT OF BEGINNING.

This parcel contains 24.38 acres of land, more or less, out of the Hattie E. Hancock Survey Number 72 in Travis County, Texas.

Bearing Basis: Texas State Plane coordinates, Central Zone, NAD 83 (CORS 96).  
Combined Scale Factor: 0.99990522.

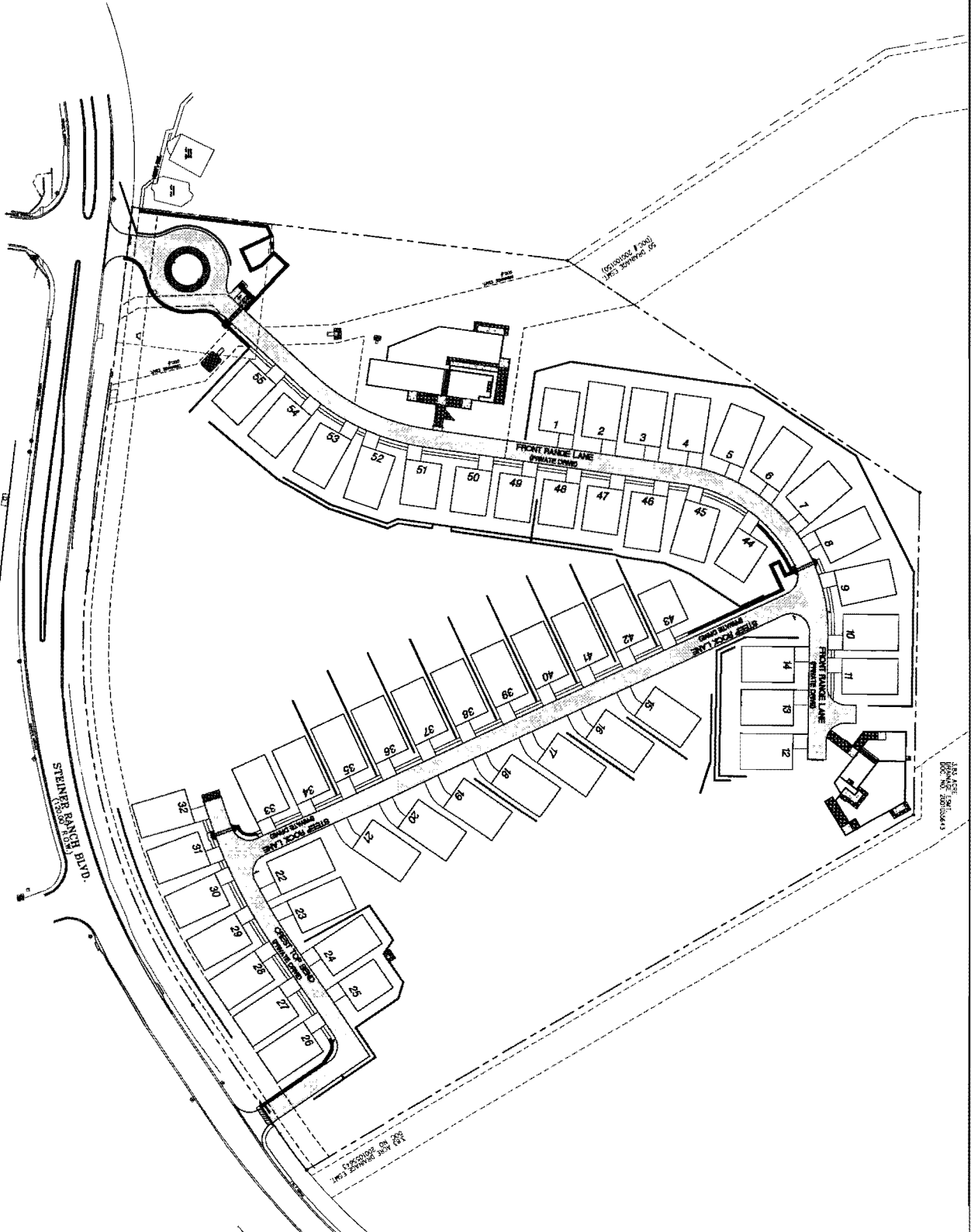
*Ronnie Wallace* 12 June 2012  
Ronnie Wallace                      Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



File: S:\Projects\Steiner Ranch\Documents\Fieldnotes\Steiner Ranch MU 11 Final Plat\_fn.doc  
Dwg: S:\Projects\Steiner Ranch\Dwg\Steiner Ranch MU 11 Final Plat.dwg

REFERENCES:  
TCAD MAP:  
AUSTIN GRID:

# EXHIBIT B



01 of 01 SHEET	File: Projects/ STEINER MU-11/DWG/SITEPLAN	Snapshot OVERALL
	Job No. 230-01	Scale (Var): N/A
	Scale (hor): N.T.S.	Checked By: BRJ
	Date: 04/18/13	Drawn By: MM
	Revision 1	
Revision 2		
Revision 3		
Revision 4		

STEINER RANCH MU-11  
EXHIBIT B  
4200 STEINER RANCH BLVD.  
AUSTIN, TEXAS

HANRAHAN • FRITCHARD ENGINEERING, INC.  
CONSULTING ENGINEERS  
(TX PE FIRM REG. 6480)  
8555 Cross Park Drive  
AUSTIN, TEXAS 78754  
OFFICE: 512.458.4724 FAX: 512.458.4722  
hfe@hfr-eng.com

**HPE**

**EXHIBIT "C"**

Release of Condominium Construction Agreement

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

THAT Travis County, Texas, the beneficiary of that certain "Condominium Construction Agreement" which is filed of record as Document No. \_\_\_\_\_ in the Official Public Records of Travis County, Texas (the "**Construction Agreement**") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby release that certain real property in Travis County, Texas, which is described on Exhibit "\_\_\_" attached hereto and incorporated herein by reference (the "**Released Property**") from all of the terms, provisions and requirements of the Construction Agreement. From and after the date of this instrument, the Construction Agreement shall no longer affect or encumber the Released Property in any way.

Executed by the undersigned on the date set forth hereinbelow.

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS       §  
                                      §  
COUNTY OF TRAVIS       §

This instrument was acknowledge before me on the \_\_\_\_ day of \_\_\_\_\_, 2013 by \_\_\_\_\_, \_\_\_\_\_ of Travis County, Texas, a political subdivision of t he State of Texas, on behalf of said County.

\_\_\_\_\_  
Notary Public Signature

**STEINER RANCH MU-11**  
**CONDOMINIUM CONSTRUCTION AGREEMENT**  
Travis County, Texas

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EXECUTED to be effective on the date fully executed by the parties.

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Taylor Woodrow Communities/Steiner Ranch LTD, a Texas limited partnership

By: TWC/Steiner Ranch, LLC, a Texas limited liability company, its general partner

By: ARA

Printed Name: Adib Khoury

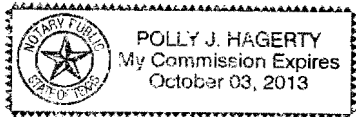
Title: Vice President

Date: 4.18.13

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me this 18<sup>th</sup> day of April, 2013, by Adib Khoury, Vice President of TWC/Steiner Ranch, LLC, a Texas limited liability company, as General Partner of Taylor Woodrow Communities/Steiner Ranch LTD., a Texas limited liability partnership, on behalf of said partnership.



Polly J. Hagerty  
Notary Public Signature

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_  
Samuel T. Biscoe, County Judge

Date: \_\_\_\_\_

THE STATE OF TEXAS       §

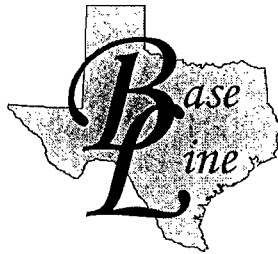
COUNTY OF TRAVIS       §

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\_\_\_\_\_  
Notary Public, State of Texas

After Recording Return to:  
Travis County, Texas  
Attn: Transportation and Natural Resources Department  
P.O. Box 1748  
Austin, Texas 78767





*Land Surveyors, Inc.*

*8333 Cross Park Drive  
Austin, Texas 78754  
Office: 512.374.9722  
Fax: 512.873.9743*

“EXHIBIT A”

METES AND BOUNDS DESCRIPTION

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4. North  $82^{\circ}55'36''$  West a distance of 488.55 feet (record: North  $82^{\circ}56'02''$  West a distance of 488.55 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline, Inc." for a point of curvature;
5. along a tangential curve to the left, having a radius of 632.60 feet (record: 632.60 feet), a length of 9.63 feet (record: 10.00 feet), a delta angle of  $00^{\circ}52'18''$  (record:  $00^{\circ}54'21''$ ) and a chord which bears North  $85^{\circ}28'59''$  West a distance of 9.62 feet (record: North  $83^{\circ}23'12''$  West a distance of 10.00 feet) to the POINT OF BEGINNING.

This parcel contains 24.38 acres of land, more or less, out of the Hattie E. Hancock Survey Number 72 in Travis County, Texas.

Bearing Basis: Texas State Plane coordinates, Central Zone, NAD 83 (CORS 96).

Combined Scale Factor: 0.99990522.

*Ronnie Wallace* 12 June 2012  
Ronnie Wallace Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



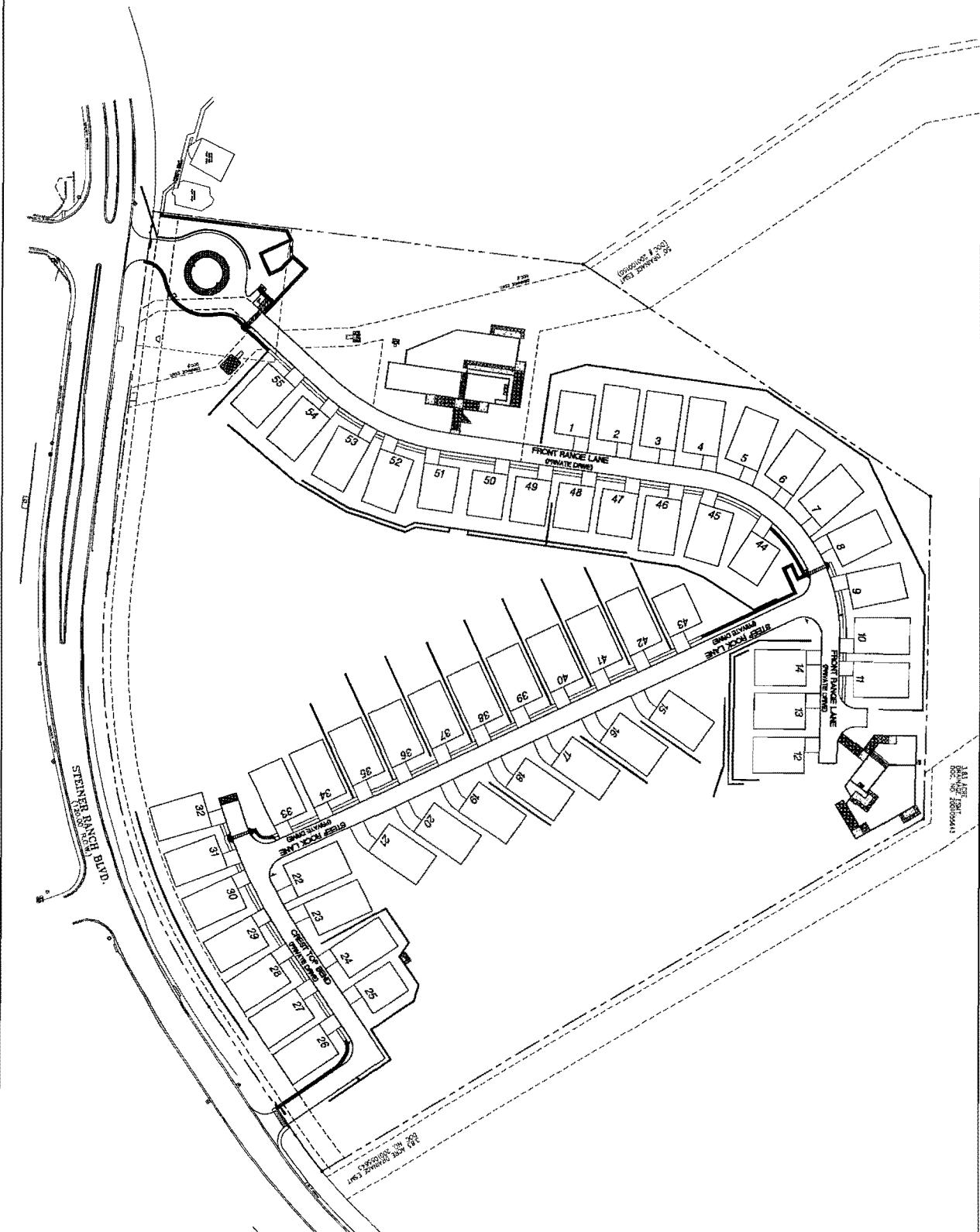
File: S:\Projects\Steiner Ranch\Documents\Fieldnotes\Steiner Ranch MU 11 Final Plat\_fn.doc  
Dwg: S:\Projects\Steiner Ranch\Dwg\Steiner Ranch MU 11 Final Plat.dwg

REFERENCES:

TCAD MAP:

AUSTIN GRID:

# EXHIBIT B



File: Projects/ STEINER MU-11/DWG/SITEPLAN	Snapshot: OVERALL
Job No. 230-01	Scale (Hor): N.T.S.
Date: 04/18/18	Checked By: BRJ
Revision 1	Drawn By: MM
Revision 2	
Revision 3	
Revision 4	

STEINER RANCH MU-11  
EXHIBIT B  
4200 STEINER RANCH BLVD.  
AUSTIN, TEXAS

HANRAHAN • PRITCHARD ENGINEERING, INC.  
CONSULTING ENGINEERS  
CIVIL, PE, PPM, REG. 4490  
8333 Cross Park Drive  
AUSTIN, TEXAS 78754  
OFFICE: 512.458.4784 FAX: 512.458.4732  
Info@hpe-erg.com

**HPE**

01 of 01  
SHEET

**EXHIBIT "C"**

Release of Condominium Construction Agreement

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

THAT Travis County, Texas, the beneficiary of that certain "Condominium Construction Agreement" which is filed of record as Document No. \_\_\_\_\_ in the Official Public Records of Travis County, Texas (the "**Construction Agreement**") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby release that certain real property in Travis County, Texas, which is described on Exhibit " " attached hereto and incorporated herein by reference (the "**Released Property**") from all of the terms, provisions and requirements of the Construction Agreement. From and after the date of this instrument, the Construction Agreement shall no longer affect or encumber the Released Property in any way.

Executed by the undersigned on the date set forth hereinbelow.

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS       §  
                                      §  
COUNTY OF TRAVIS       §

This instrument was acknowledge before me on the \_\_\_\_ day of \_\_\_\_\_, 2013 by \_\_\_\_\_, \_\_\_\_\_ of Travis County, Texas, a political subdivision of t he State of Texas, on behalf of said County.

\_\_\_\_\_  
Notary Public Signature