



# Travis County Commissioners Court Agenda Request

**Meeting Date:** September 24, 2013

**Prepared By:** Paul Scoggins, Engineer Specialist **Phone #:** (512) 854-7619

**Division Director/Manager:** Anna Bowlin, Division Director of Development Services and Long Range Planning

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

**Sponsoring Court Member:** Commissioner Davis, Precinct One

## **AGENDA LANGUAGE:**

Consider and take appropriate action on the following requests in Precinct One:

- A) The use of an Alternative Fiscal Agreement for Avalon, Phase 15A; and
- B) The use of a Cash Security Agreement for the fiscal posting for Avalon, Phase 15A.

## **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 \$192,150.00.

#### Access to Publicly Maintained Road

Avalon, Phase 15A takes access from the proposed subdivision of Avalon Phase 9B. Avalon Phase 9B is currently in also in Alternative Fiscal, which was approved by Commissioners Court on July 16, 2013. Phase 9B will need to be recorded before Phase 15A.

#### 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 #13-1311. The estimated cost of the improvements is \$1,156,002.36. 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.

#### **EXHIBITS/ATTACHMENTS:**

Alternative Fiscal Acknowledgment

Exhibit "A" – Description

Cash Security Agreement

Extension of Sixty-Day Period

Maps

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429
Anna Bowlin	Division Director of Development Services and Long Range Planning	TNR	(512)-854-7561

**CC:**


**AB:SM:ps**

**1101 - Development Services Long Range Planning- Avalon, Phase 15A**

§ 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: [Signature]

Name: Blake Magee

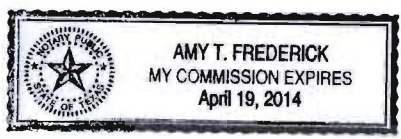
Title: President  
Authorized Representative

TRAVIS COUNTY, TEXAS By: \_\_\_\_\_  
County Judge

ACKNOWLEDGEMENT

STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me by Blake Magee on the 5<sup>th</sup> day of September, 2013 in the capacity stated herein.



[Signature]  
Notary Public in and for  
the State of Texas  
Amy Frederick

Printed or typed name of notary

My commission  
expires: 4/19/14

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

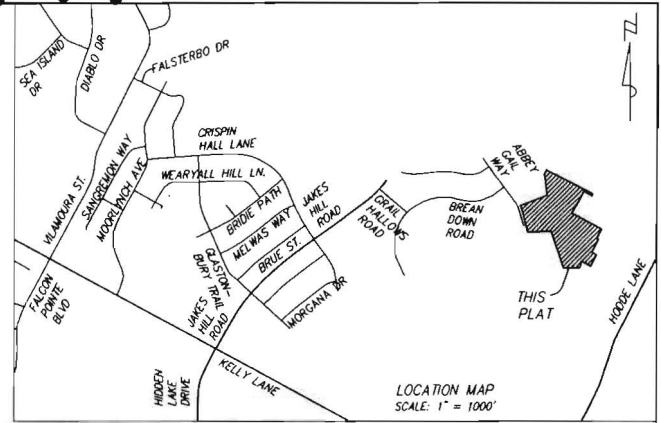
\_\_\_\_\_  
Printed or typed name  
of notary  
My commission  
expires: \_\_\_\_\_

Mailing Address of Owner:

*Km Avalon, Ltd  
1011 North Lamar  
Austin, TX 78703*

# Exhibit "A"

PLAT OF  
AVALON PHASE 15A  
TRAVIS COUNTY, TEXAS



## TRAVIS COUNTY CONSUMER PROTECTION NOTICE FOR HOME BUYERS

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

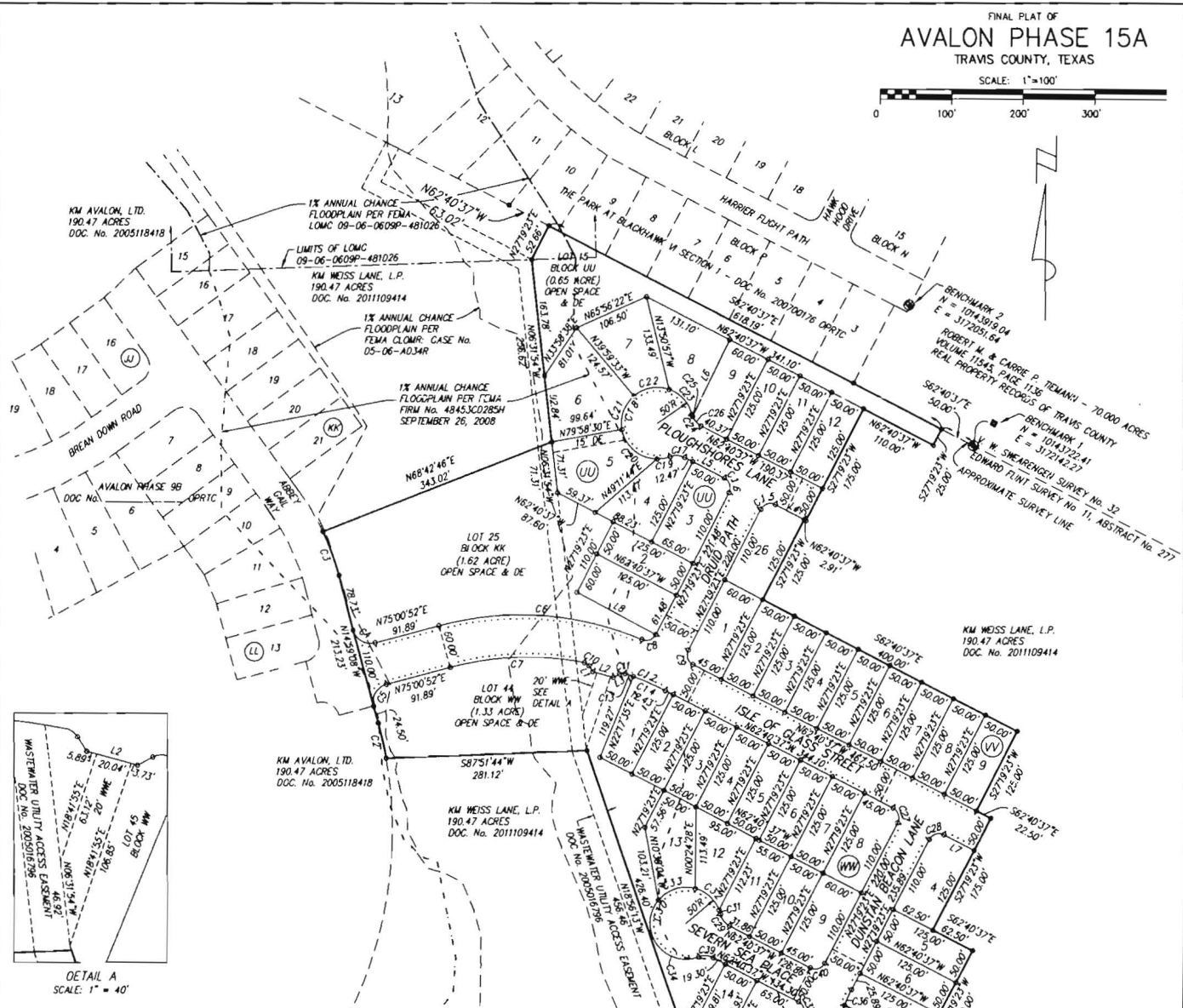
DATE: AUGUST 23, 2013

**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 15A**  
 TRAVIS COUNTY, TEXAS

SCALE: 1"=100'



DETAIL A  
 SCALE: 1" = 40'

CURVE	LENGTH	RADIUS	DELTA	CHORD BEING	CHORD
C1	78.69	215.00	20°58'08"	S102°3'56"W	78.25
C2	50.51	580.00	4°58'22"	N122°29'27"W	50.49
C3	64.88	350.00	10°37'18"	N201°7'47"W	64.79
C4	39.27	25.00	90°00'00"	N59°58'08"W	35.36
C5	39.27	25.00	90°00'00"	N30°00'52"E	35.36
C6	289.95	440.80	37°41'15"	N86°08'31"W	284.75
C7	190.07	419.20	25°58'41"	N88°00'12"E	188.44
C8	22.35	15.00	85°22'43"	N70°00'45"E	20.34
C9	23.56	15.00	90°00'00"	N17°40'37"W	21.21
C10	8.19	10.00	46°56'51"	N55°32'01"W	7.97
C11	8.19	10.00	46°56'51"	N85°34'01"E	7.97
C12	60.60	419.20	8°16'57"	N66°49'05"W	60.54
C13	12.17	419.20	1°39'46"	N70°10'40"W	12.17
C14	48.43	419.20	6°37'10"	N65°58'12"W	48.40
C15	23.56	15.00	90°00'00"	N72°19'23"E	21.21
C16	23.56	15.00	90°00'00"	N17°40'37"W	21.21
C17	21.03	25.00	48°11'23"	N86°46'18"W	20.41
C18	241.19	50.00	2°78'27'46"	N27°19'23"E	66.67
C19	18.92	50.00	21°33'40"	N79°54'50"E	18.70
C20	68.19	50.00	29°16'50"	N49°39'55"W	63.80
C21	51.81	50.00	59°22'05"	N19°39'33"E	49.52
C22	52.36	50.00	60°00'00"	N79°20'35"E	50.00
C23	49.02	50.00	56°10'11"	N42°34'19"W	47.08
C24	21.03	25.00	48°11'23"	N38°34'55"W	20.41
C25	3.00	25.00	6°52'59"	N17°55'43"W	3.00
C26	18.02	25.00	41°8'24"	N42°01'28"W	17.64
C27	23.56	15.00	41°8'24"	N17°40'37"W	21.21
C28	23.56	15.00	90°00'00"	N72°19'23"E	21.21
C29	21.03	25.00	48°11'23"	N38°34'55"W	20.41
C30	241.19	50.00	2°78'27'46"	N27°19'23"E	66.67
C31	6.33	50.00	7°51'16"	N18°06'52"W	6.33
C32	46.68	50.00	53°29'15"	N48°29'07"W	45.00
C33	56.42	50.00	64°39'22"	N22°28'37"E	53.48
C34	131.76	50.00	19°58'48"	N35°22'35"W	96.81
C35	102.85	215.00	27°24'32"	N133°37'02"E	101.87
C36	24.17	215.00	6°26'23"	N24°06'12"E	24.15
C37	20.10	15.00	26°45'42"	N24°17'43"W	18.63
C38	65.55	265.00	14°10'19"	N07°00'01"E	65.38
C39	21.03	25.00	48°11'23"	N86°46'18"W	20.41
C40	23.56	15.00	90°00'00"	N72°19'23"E	21.21

LINE	LENGTH	BEARING
L1	9.67	N32°03'36"W
L2	28.65	N74°59'00"W
L3	9.67	N62°05'36"E
L4	45.00	N62°40'37"W
L5	62.47	N62°40'37"W
L6	118.82	N25°48'58"E
L7	47.50	N62°40'37"W
L8	125.01	N61°59'52"W

BENCH MARKS  
 BENCH MARK 1:  
 BRASS ROD SET IN CONCRETE WITH RJ SURVEYING CAP  
 ELEVATION = 630.08 NAVD  
 BENCH MARK 2:  
 SQUARE CUT ON TOP OF CURB  
 ELEVATION = 631.87 NAVD

LEGEND:

- DE DRAINAGE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- WME WASTEWATER EASEMENT
- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH RJ SURVEYING CAP
- CONCRETE MONUMENT
- SIDEWALK REQUIRED
- BLOCK NAME
- ⊙ BENCH MARK

STREET SUMMARY:	LINEAR FEET	ROW WIDTH
ISLE OF GLASS STREET	933'	60'-50'
DRUID PATH	301'	50'
PLOUGHSHORES LANE	247'	50'
DUNSTAN BEACON LANE	391'	50'
SEVERN SEA PLACE	224'	50'
TOTAL	2096'	

TOTAL AREA OF PLAT: 12.90 ACRES  
 41 SINGLE FAMILY LOTS  
 3 OPEN SPACE & DE LOTS

PROPERTY OWNER / SUBDIVIDER:  
 KM WEISS LANE, L.P.  
 BLAKE J. WAGEE, PRESIDENT  
 1011 N. LAMAR BLVD.  
 AUSTIN, TEXAS 78703

DATE: AUGUST 23, 2013 SCALE: 1" = 100'

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FINAL PLAT OF  
**AVALON PHASE 15A**

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 BY 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 ALL STREETS AND SIDEWALK RAMPS 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.
7. 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.
8. WATER SERVICE TO THE SUBDIVISION WILL BE PROVIDED BY MANVILLE WATER SUPPLY CORPORATION (WHOLESALE) AND THE CITY OF PFLUGERVILLE (RETAIL).
9. WASTEWATER SERVICE TO THE SUBDIVISION WILL BE PROVIDED BY THE CITY OF PFLUGERVILLE.
10. PARKLAND WILL BE DEDICATED PER THE REQUIREMENTS OF THE COMPREHENSIVE DEVELOPMENT AGREEMENT BETWEEN KM KELLY LANE AND THE CITY OF PFLUGERVILLE.
11. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED SEWER SYSTEM.
12. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A WATER SYSTEM APPROVED BY THE TEXAS STATE DEPARTMENT OF HEALTH.
13. THIS PROPERTY IS SUBJECT TO THE COVENANTS AND RESTRICTIONS RECORDED IN DOCUMENT NO. 2006064285 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE DESIGN GUIDELINES RECORDED IN DOCUMENT NO. 2007012260 AND THE AMENDMENT TO THE DESIGN GUIDELINES RECORDED IN DOCUMENT NO. 2008047703 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. UPON FINAL PLAT RECORDATION, A NOTICE OF APPLICABILITY FOR THIS PLAT WILL BE RECORDED IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
14. THE ASSESSED COMMUNITY IMPACT FEE RATE FOR WASTEWATER SERVICE SHALL BE AT THE RATE ESTABLISHED IN PFLUGERVILLE ORDINANCE NO. 891-07-08-28.
15. CONSTRUCTION PLANS AND SPECIFICATIONS FOR ALL SUBDIVISION IMPROVEMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY OF PFLUGERVILLE PRIOR TO ANY CONSTRUCTION WITHIN THE SUBDIVISION.
16. ON-SITE STORM WATER DETENTION FACILITIES SHALL BE PROVIDED TO REDUCE POST-DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2 YEAR, 10 YEAR, 25 YEAR AND 100 YEAR STORM EVENTS.
17. STREETLIGHTS SHALL BE INSTALLED AND OPERATIONAL BY THE SUBDIVIDER WITH PUBLIC IMPROVEMENTS PER ALL CITY OF PFLUGERVILLE STANDARDS. A STREET LIGHTING PLAN SHALL BE APPROVED BY THE APPLICABLE ELECTRIC UTILITY PROVIDER AS WELL AS THE CITY OF PFLUGERVILLE.
18. ALL ELECTRIC UTILITY INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO TELEPHONE, CABLE TELEVISION, ELECTRIC UTILITY LATERAL AND SERVICE LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PFLUGERVILLE ENGINEERING DESIGN GUIDELINES.
19. WASTEWATER AND WATER SYSTEMS SHALL CONFORM TO TCEQ (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY) AND STATE BOARD OF INSURANCE REQUIREMENTS. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR RE-PLATING MAY BE REQUIRED AT THE OWNER'S SOLE EXPENSE IF PLANS TO DEVELOP THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
20. A 10 FOOT PUE SHALL BE DEDICATED ALONG STREET FRONTAGE.
21. THIS SUBDIVISION IS SUBJECT TO ALL CITY OF PFLUGERVILLE ORDINANCES RELATED TO TREE PRESERVATION.
22. THIS SUBDIVISION IS IN THE KELLY LANE, M. C. I. D. No. 1.
23. A TRAVIS COUNTY DEVELOPMENT PERMIT IS REQUIRED PRIOR TO SITE DEVELOPMENT.
24. DRIVEWAY ACCESS TO DRUID PATH IS PROHIBITED FROM LOT 3, BLOCK UJ AND LOTS 1 AND 26, BLOCK VV. DRIVEWAY ACCESS TO DUNSTAN BEACON LANE IS PROHIBITED FROM LOTS 8, 9 AND 15, BLOCK WW AND LOT 4, BLOCK XX.

OWNER'S CERTIFICATION

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

THAT KM NESS LANE, L.P., BLAKE J. MAGEE, PRESIDENT, BEING THE OWNER OF A TRACT OF LAND OUT OF THE EDWARD FLINT SURVEY No. 11, ABSTRACT No. 277, DESCRIBED AS 190.47 ACRES IN A SPECIAL WARRANTY DEED GRANTED TO KM AVALON, LTD., DATED JUNE 30, 2005 AND RECORDED UNDER DOCUMENT NO. 2011109414 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE, IN ACCORDANCE WITH CHAPTERS 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, 12.90 ACRES TO BE KNOWN AS AVALON PHASE 15A 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 NESS LANE, L.P.  
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

A 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. 48453C02200H, 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* 8/28/13  
R. BRENT JONES  
LICENSED PROFESSIONAL ENGINEER No. 92871  
STATE OF TEXAS



STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

THAT I, J. KENNETH WEGAND, 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 SUBDIVISION CODE OF THE CITY OF PFLUGERVILLE, TEXAS AND THAT ALL KNOWN EASEMENTS WITHIN THE BOUNDARY OF THE PLAT ARE SHOWN HEREON.

*J. Kenneth Wegand* Aug. 28, 2013  
J. KENNETH WEGAND  
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: \_\_\_\_\_  
THOMAS ANKER, CHAIR

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

BY: \_\_\_\_\_  
EMILY BARRON, PLANNING DIRECTOR

ATTEST:  
KAREN THOMPSON, CITY SECRETARY

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
EMILY BARRON, 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 SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'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 SUBDIVISION 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 DEBEAUVOUR, 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. D.

DANA DEBEAUVOUR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

DEPUTY

I, DANA DEBEAUVOUR, 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 DEBEAUVOUR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

DEPUTY

DATE: AUGUST 23, 2013

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

§ EXHIBIT 82.401 (C)

**CASH SECURITY AGREEMENT**

TO: Travis County, Texas  
DEVELOPER: Km Avalon, Ltd.  
ESCROW AGENT: Travis County Treasurer  
AMOUNT OF SECURITY: \$ 192,150.00  
SUBDIVISION: Avalon Phase 1SA  
DATE OF POSTING:  
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: Blaker Magee  
Title: President  
Date: 9/5/13

**ADDRESS OF DEVELOPER**

KM Avalon, LTD.  
1011 North Lerner  
Austin, Tx 78703  
Phone: 512-481-0303

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS COURT: \_\_\_\_\_  
Date

\_\_\_\_\_  
COUNTY JUDGE, TRAVIS COUNTY, TEXAS

**EXHIBIT 82.201(D)**

**EXTENSION OF SIXTY DAY PERIOD FOR COMPLETED PLAT APPLICATION FINAL ACTION**

Date: 5/16/13

Owner's Name and Address: KM Avalon, Ltd.  
1011 N. Lamar  
Austin, TX 78703

Proposed Subdivision Name and Legal Description (the "Property"): Avalon Phase 15A

The undersigned Owner and the Executive Manager 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 for the reasonable period of: \_\_\_\_\_.

Executed and affective as of the date set forth below.

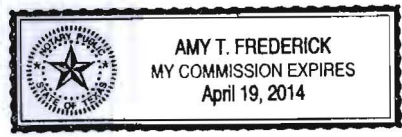
Owner: KM Avalon, Ltd.  
By: [Signature]  
Name: Blake Magee  
Title: President  
Authorized Representative

**ACKNOWLEDGEMENT**

STATE OF TEXAS  
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 16<sup>th</sup> day of May, 2013,  
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, Texas

By: Carol B. Joseph  
Executive Manager

Travis County Transportation and Natural Resources Department

ACKNOWLEDGEMENT



STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 13TH day of SEPTEMBER, 2013,  
by CAROL JOSEPH of Travis County, Texas known to me personally or on the basis of an  
approved form of identification, in the capacity stated.

Mike Martino

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

My Commission Expires:

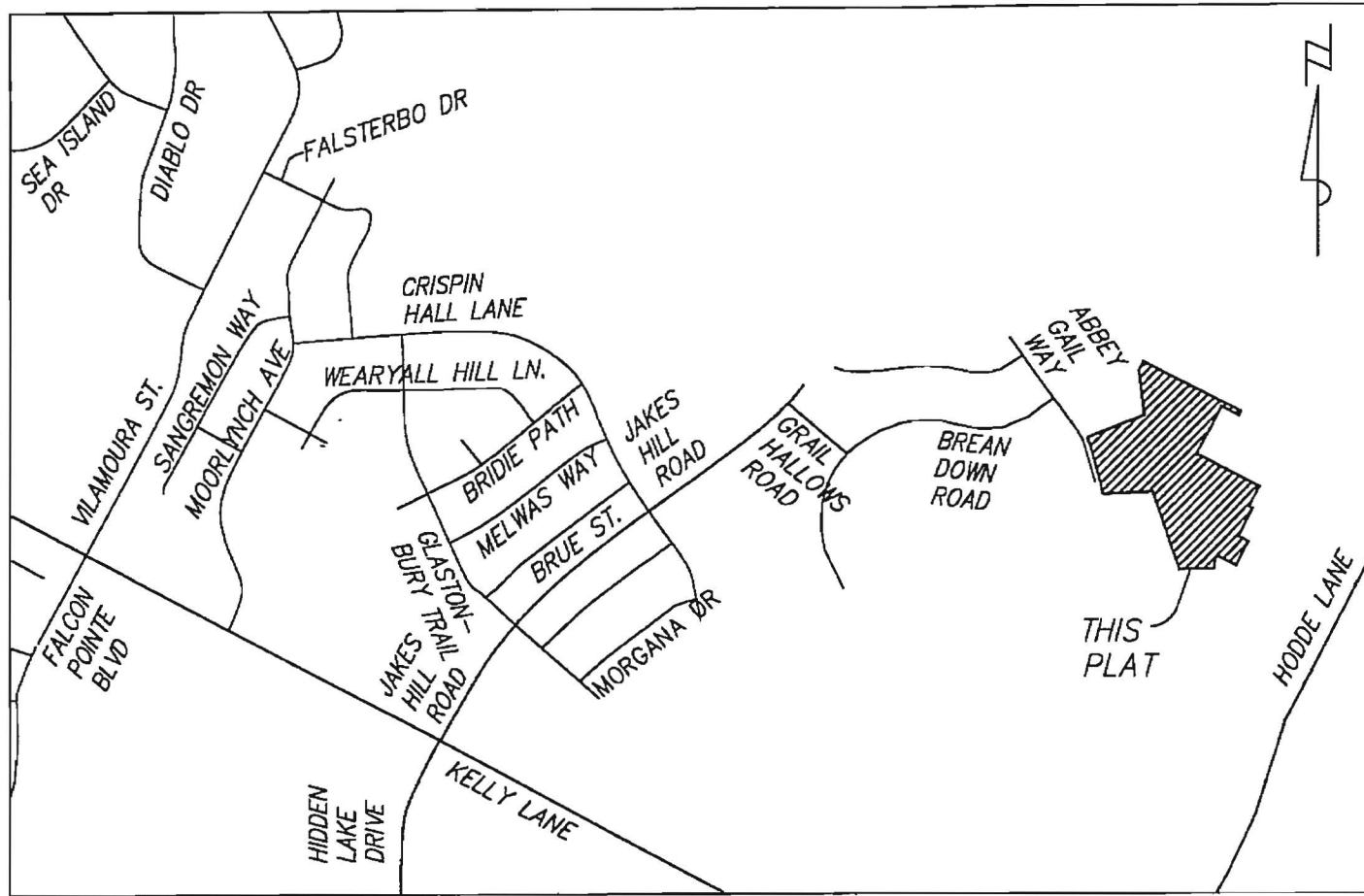
\_\_\_\_\_

(Printed Name of Notary)

After Completing Return To:

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

S:\KENW\TRACINGS\NEW-BROTHER.dwg 1/11/2007 10:00:32 AM CST



**AVALON 15A  
LOCATION MAP**

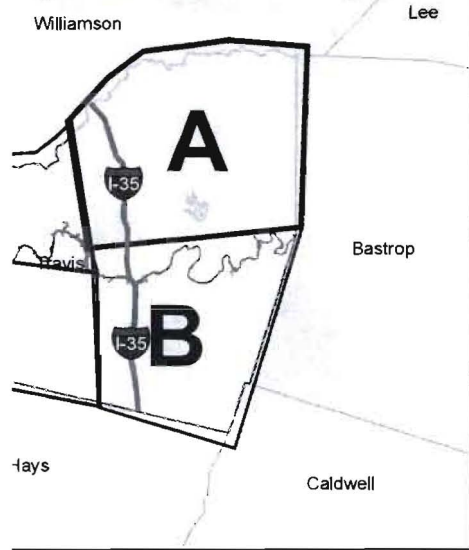
DATE: SEPT. 11, 2013 SCALE: 1"=1000'

**RJ SURVEYING & ASSOCIATES, INC.**

1212 E. BRAKER LANE, AUSTIN, TEXAS 78753

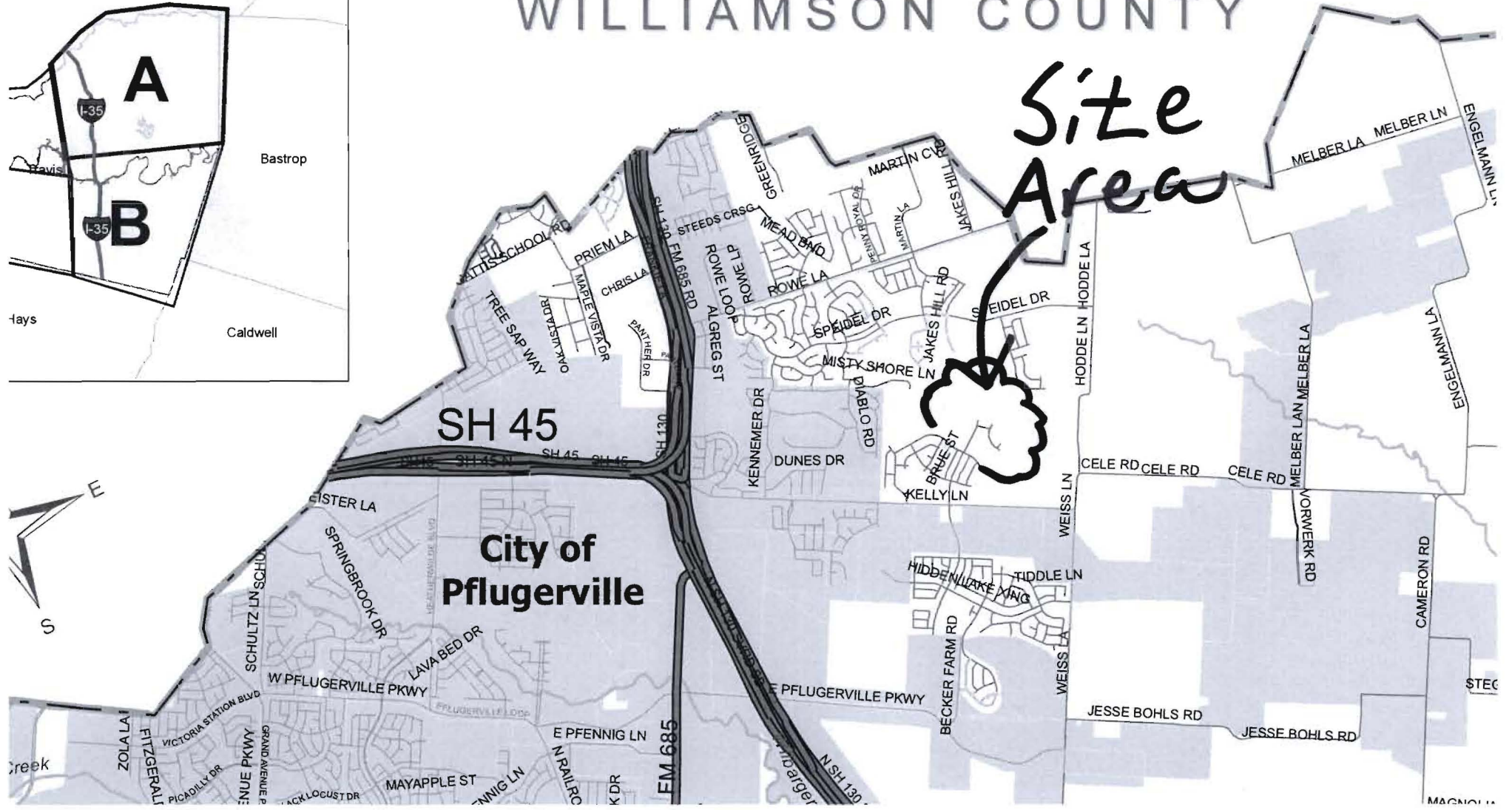
(512) 836-4793 FAX: (512) 836-4817

# County Location Map

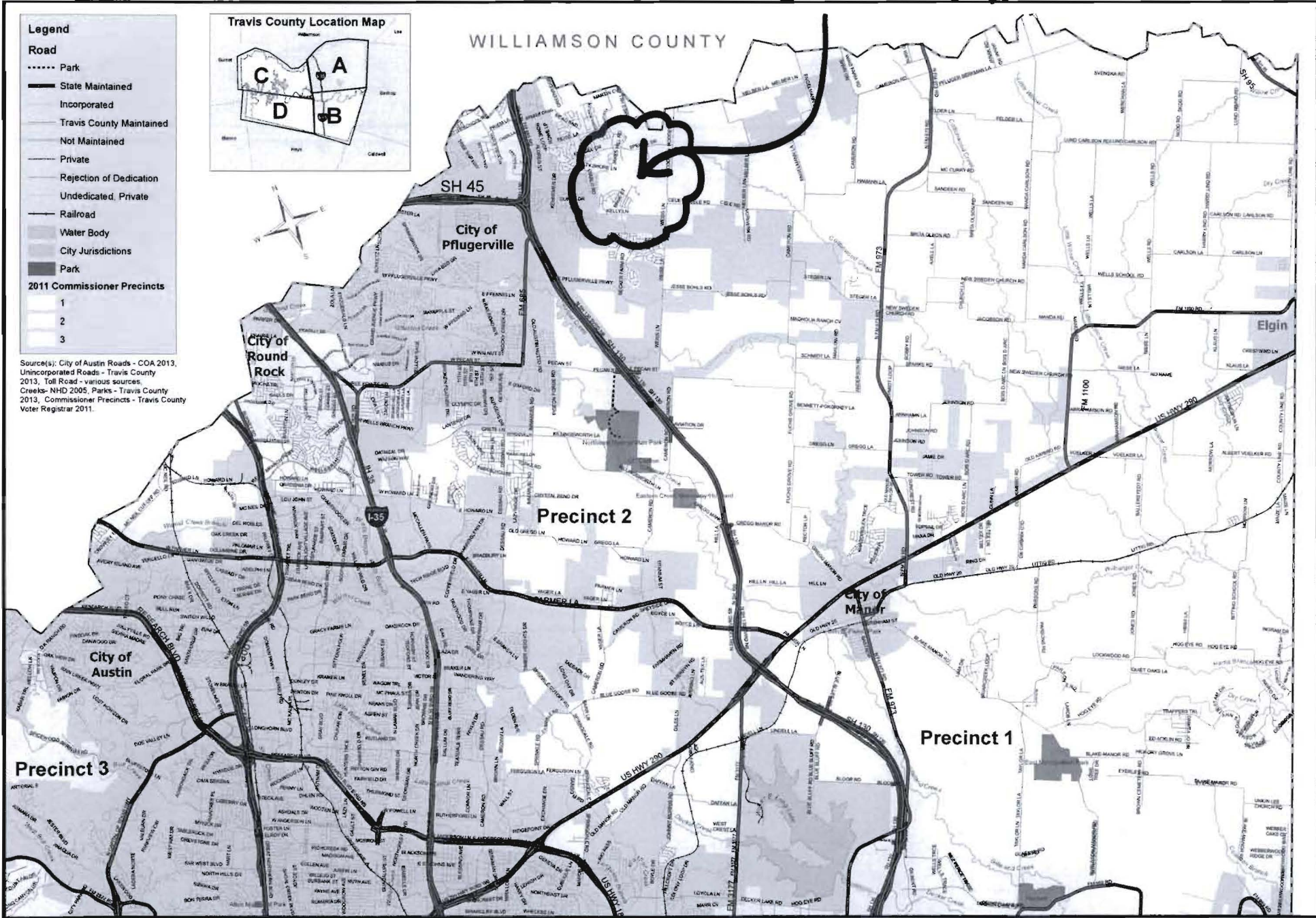


# WILLIAMSON COUNTY

Site Area



# Site Area



**Legend**

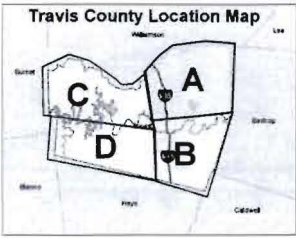
**Road**

- ..... Park
- State Maintained
- Incorporated
- Travis County Maintained
- Not Maintained
- Private
- Rejection of Dedication
- Undedicated, Private
- Railroad
- Water Body
- City Jurisdictions
- Park

**2011 Commissioner Precincts**

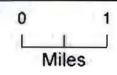
- 1
- 2
- 3

Source(s): City of Austin Roads - COA 2013, Unincorporated Roads - Travis County 2013, Toll Road - various sources, Creeks- NHD 2005, Parks- Travis County 2013, Commissioner Precincts - Travis County Voter Registrar 2011.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Travis County has produced this product for reference purposes only and offers no warranties for the product's accuracy or completeness.

## Travis County Roadways, Map A



Map Prepared by Travis County, Dept. of Transportation & Natural Resources. Date: 5/21/2013