



Travis County Commissioners Court Agenda Request

Meeting Date: December 16, 2014

Prepared By: Michael Hettenhausen, Planner **Phone #:** (512) 854-7563

Division Director/Manager: Anna Bowlin, Division Director Development Services
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) A plat for recording: Whisper Valley Village 1 Phase 1 Final Plat (257 Total Lots - east Braker Lane - City of Austin ETJ); and
- B) Approve a Subdivision Construction Agreement with Club Deal 120 Whisper Valley, Limited Partnership.

BACKGROUND/SUMMARY OF REQUEST:

A) This final plat consists of 257 total lots (237 single-family residential lots, 14 open space/drainage easement lots, 5 joint use access easement/public utility easement/drainage easement lots, and 1 amenity center lot) on 79.97 acres. There are 10,378 linear feet of public streets proposed with this final plat, which access east Braker Lane. Parkland dedication has been satisfied with the City of Austin through the Whisper Valley Master Parkland Agreement. Water and wastewater service to be provided by Austin Water Utility.

B) The applicant, Club Deal 120 Whisper Valley, Limited Partnership, wishes to enter into a standard Subdivision Construction Agreement with Travis County.

STAFF RECOMMENDATIONS:

The applicant is currently utilizing an alternative fiscal agreement through Travis County to construct infrastructure improvements and has recently posted the remaining fiscal security. Now that the county has received an amount totalling full fiscal security and the plat has been approved by the City of Austin's Zoning and Platting Commission on October 7, 2014, Single Office staff recommends approval of the final plat and Subdivision Construction Agreement.

ISSUES AND OPPORTUNITIES:

Staff has not been contacted by any adjacent property owners nor registered any interested parties for this application.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

EXHIBITS/ATTACHMENTS:

- Precinct map
- Location map
- Proposed final plat
- Subdivision Construction Agreement

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429

CC:

SM:AB:mh

1101 - Development Services Long Range Planning- Whisper Valley Village 1 Phase 1 Final Plat

Precinct Map



1: 184,211

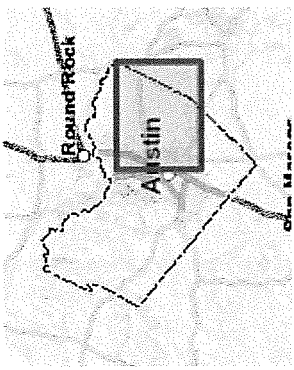


5.8 Miles



2.91

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.



Legend

- Travis County Roads**
- Travis County Maintained
 - - - Not Maintained
 - Private
 - - - Rejection of Dedication
 - - - Undedicated, Private

Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

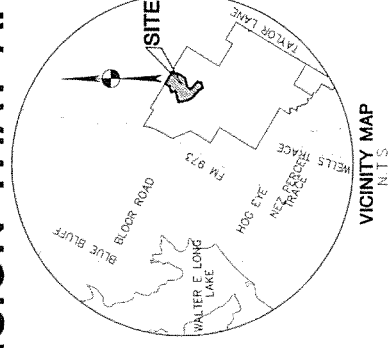


VICINITY MAP

N.T.S

WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT

CONSUMER PROTECTION NOTICE FOR HOMEBUYERS. IF YOU ARE BUYING A LOT IN THIS SUBDIVISION, YOU SHOULD DETERMINE WHETHER THE SUBDIVISION AND THE LAND AROUND IT ARE INSIDE OR OUTSIDE THE CITY LIMITS. THIS CAN AFFECT THE ENJOYMENT AND VALUE OF YOUR HOME. 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. THE SUBDIVISION'S RESTRICTIVE COVENANTS MAY CREATE PRIVATELY ENFORCEABLE RESTRICTIONS AGAINST INCOMPATIBLE LAND USES WITHIN THE SUBDIVISION, WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS. DEPENDING ON STATE LAW AND OTHER FACTORS, HOWEVER, OUTSIDE THE CITY LIMITS NEITHER PRIVATE NOR GOVERNMENTAL RESTRICTIONS MAY BE AVAILABLE TO (1) RESTRICT EITHER THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE SUBDIVISION, OR (2) PROHIBIT LAND USES NEAR THE SUBDIVISION THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD.



DATE: MARCH 7, 2014
WHISPER VALLEY
VILLAGE 1,
PHASE 1 FINAL PLAT
A 257 LOT SUBDIVISION
CONSISTING OF 79.973 ACRES
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel: (512) 328-2011 Fax: (512) 328-0325
TDP# F-1048 TDP#LS # F-107690
Copyright © 2014
H. Videsco/Arco/Toposystems #49

WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT

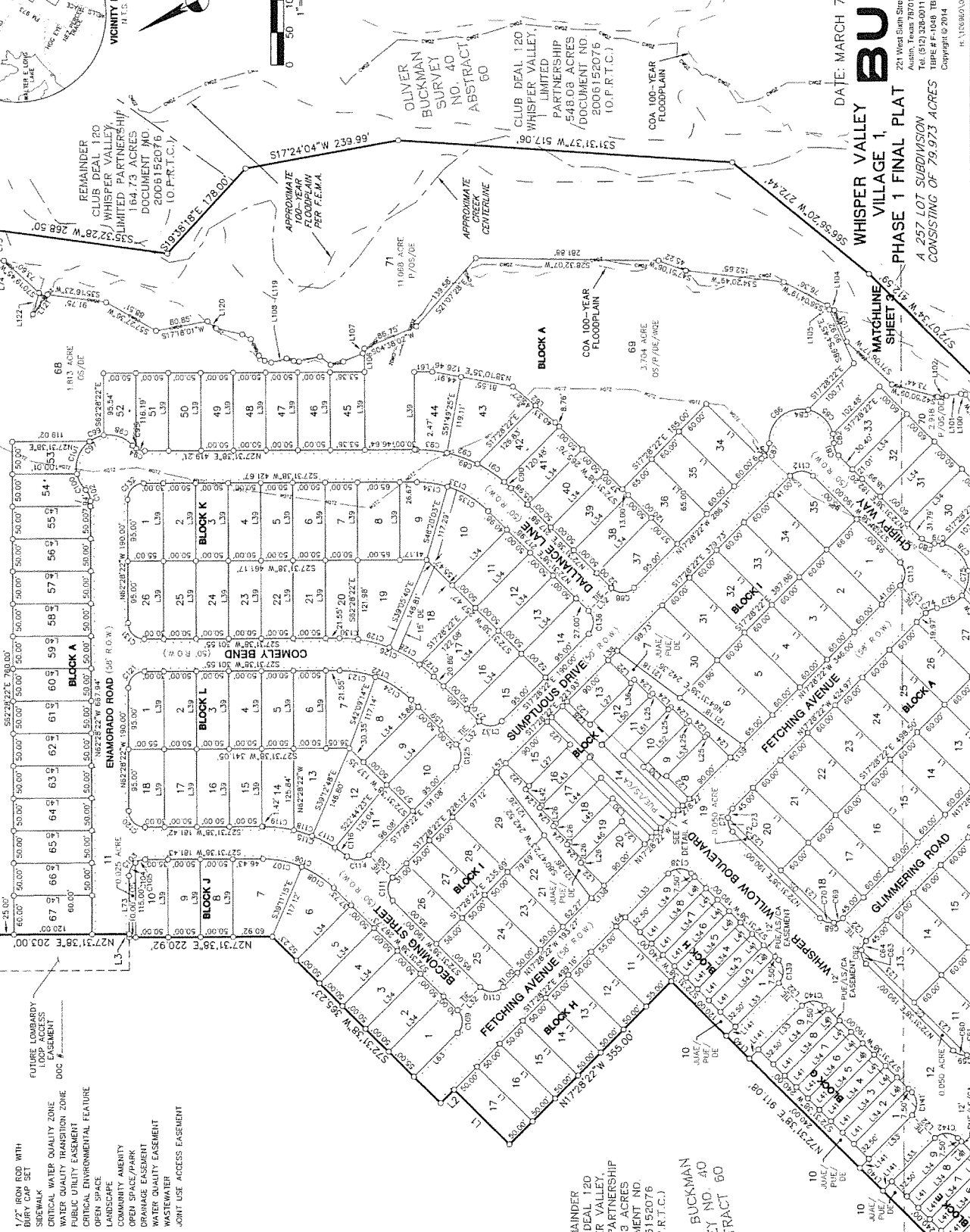
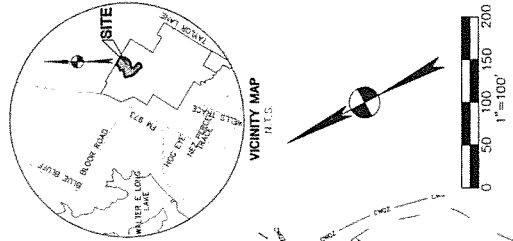
HEN-BALL INVESTMENTS, L.P.
100.050 ACRES
DOCUMENT NO. 2010011700
(O.P.R.T.C.)

LEGEND

- 1/2" IRON ROD WITH SUBMARK SET
- CONCRETE
- CRITICAL WATER QUALITY ZONE
- WATER QUALITY TRANSITION ZONE
- WATER QUALITY EASEMENT
- CRITICAL ENVIRONMENTAL FEATURE
- OPEN SPACE
- LANDSCAPE
- COMMUNITY AMENITY
- OPEN SPACE/PARK
- DRAINAGE EASEMENT
- WATER QUALITY EASEMENT
- WASTEWATER
- JOINT USE ACCESS EASEMENT

- OS
- CA
- OS/P
- DE
- WCE
- WW
- JUAE

FUTURE TOWARDLY 100' ACCESS EASEMENT DOC #

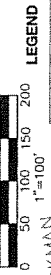
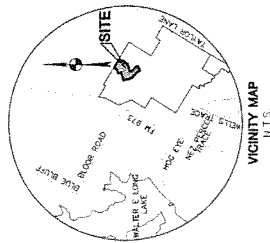


DATE: MARCH 7, 2014
BURY
 201 West Elm Street, Suite 600
 Austin, Texas 78701
 Tel: (512) 336-0111 Fax: (512) 328-0225
 TBE # F-1048 TBR # S # F-1017500
 Copyright © 2014
 H: 1103603/016/1668/08/PL1 (4.9)

WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT
 A 257 LOT SUBDIVISION
 CONSISTING OF 79.973 ACRES

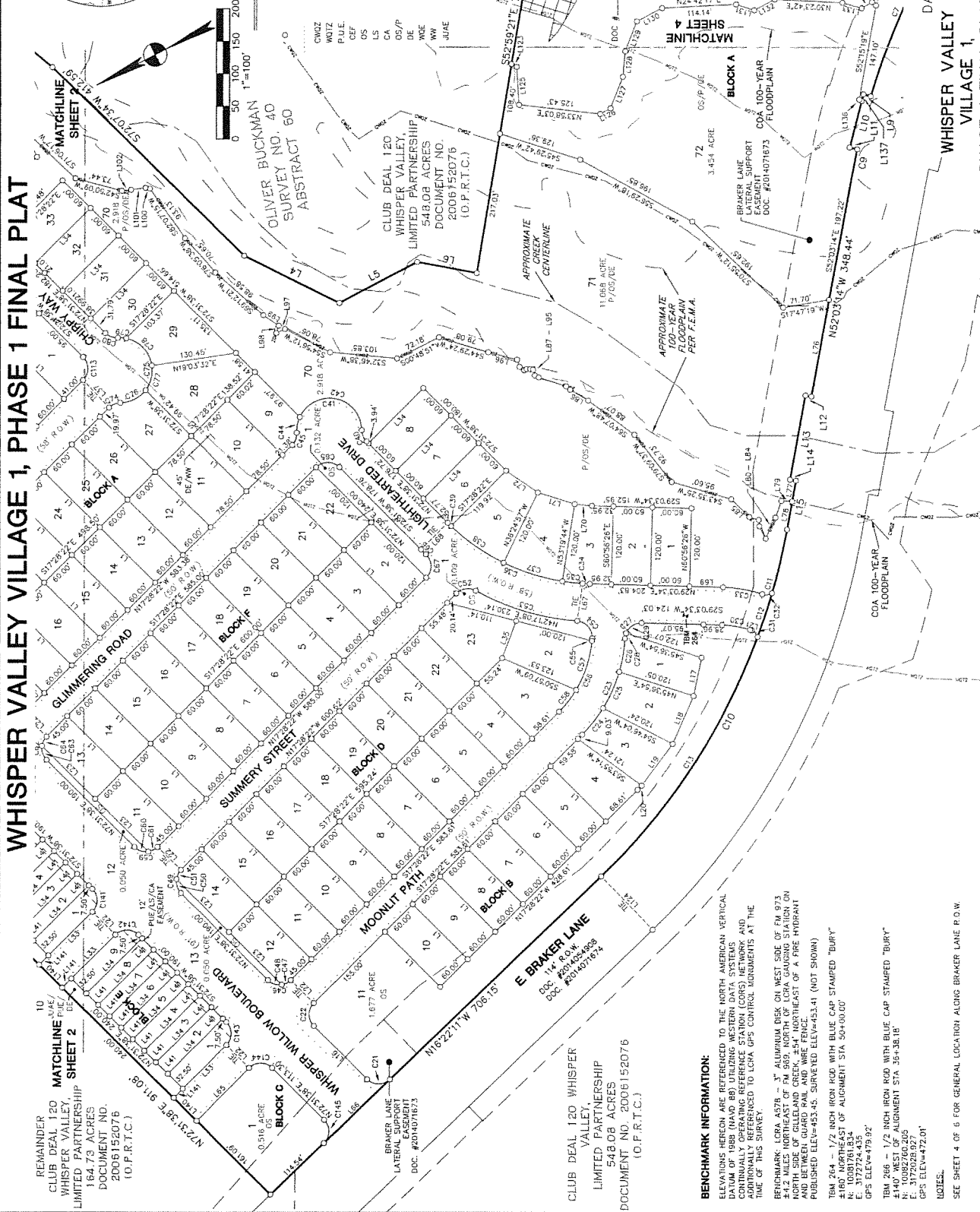
MATCHLINE SHEET 3
 SHEET 2 OF 6

WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT



LEGEND

- 1/2" IRON ROD WITH BURY CAP SET
- SIDEWALK
- CRITICAL WATER QUALITY ZONE
- WATER QUALITY TRANSITION ZONE
- PUBLIC UTILITY EASEMENT
- CRITICAL ENVIRONMENTAL FEATURE
- LANDSCAPE
- COMBUNITY AMENITY
- OPEN SPACE/PARK
- DRAINAGE EASEMENT
- WATER QUALITY EASEMENT
- WASTEWATER
- JOINT USE ACCESS EASEMENT



REMAINDER
CLUB DEAL 120
WHISPER VALLEY,
LIMITED PARTNERSHIP
164.73 ACRES
DOCUMENT NO.
2006152076
(O.P.R.T.C.)

CLUB DEAL 120
WHISPER VALLEY
LIMITED PARTNERSHIP
548.08 ACRES
DOCUMENT NO. 2006152076
(O.P.R.T.C.)

CLUB DEAL 120
WHISPER VALLEY
LIMITED PARTNERSHIP
548.08 ACRES
DOCUMENT NO. 2006152076
(O.P.R.T.C.)

CLUB DEAL 120
WHISPER VALLEY
LIMITED PARTNERSHIP
548.08 ACRES
DOCUMENT NO. 2006152076
(O.P.R.T.C.)

CLUB DEAL 120
WHISPER VALLEY
LIMITED PARTNERSHIP
548.08 ACRES
DOCUMENT NO. 2006152076
(O.P.R.T.C.)

BENCHMARK INFORMATION:

ELEVATIONS HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) UTILIZING WESTERN DATA SYSTEMS (WDS) BENCHMARKS. ALL BENCHMARKS WERE SURVEYED AND ADJUSTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1992 AND ADDITIONALLY REFERENCED TO LOCAL GPS CONTROL POINTS AT THE TIME OF THIS SURVEY.

BENCHMARK: LODA 4578 - 3" ALUMINUM DISK ON WEST SIDE OF FM 871 2.12 MILES NORTHEAST OF FM 880 NORTH OF LORA GAUGING STATION ON NORTH SIDE OF GULELAND CREEK, ±54' NORTHEAST OF A FIRE HYDRANT AND BETWEEN GUARD RAIL AND WIRE FENCE.
PUBLISHED ELEV=493.45, SURVEYED ELEV=453.41 (NOT SHOWN)

BM 264 - 1/2 INCH IRON ROD WITH BLUE CAP STAMPED "BURY"
±860' NORTHEAST OF ALIGNMENT STA 50+00.00'
E: 317224.435
GPS ELEV=479.92'

BM 265 - 1/2 INCH IRON ROD WITH BLUE CAP STAMPED "BURY"
±140' WEST OF ALIGNMENT STA 38+38.18'
N: 10082760.205
E: 317202639.7
GPS ELEV=472.01'

NOTES:
SEE SHEET 4 OF 6 FOR GENERAL LOCATION ALONG BRAKER LANE R.O.W.

DATE: MARCH 7, 2014
WHISPER VALLEY VILLAGE 1
BURY
PHASE 1 FINAL PLAT
A 257 LOT SUBDIVISION
CONSISTING OF 79.973 ACRES

SHEET
3
OF 5

WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT

GENERAL NOTES:

1. NO LOT OR SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEM.
2. THE WATER AND WASTEWATER UTILITY WATER SERVICES THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY PLAN. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
3. ALL STREETS, DRAINAGE, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
4. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER SUCH STRUCTURES ARE PERMITTED IN BRANNAGE EASEMENTS EXCEPT AS APPROVED BY CITY OF AUSTIN/TRAFFIC ENGINEER.
5. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS FOR GOVERNMENTAL AUTHORITY.
6. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNEE.
7. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING: LOPHEARTED DRIVE, WOODLUT PATH, PETROCOR BLVD, SUMMIT DRIVE, THE LOT BEING OCCUPIED, FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHDRAWAL OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS WITH THE GOVERNING BODY OR UTILITY COMPANY.
8. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS, AS MODIFIED BY CITY OF AUSTIN ORDINANCE NO. 20100826-006.
9. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS, WHICH COMPLY WITH APPLICABLE CODES AND REGULATIONS. THE CITY OF AUSTIN WILL NOT BE RESPONSIBLE FOR THE COST OF EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
10. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR, AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
11. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. BUILDINGS AND EASEMENTS TO BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
12. ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT.
13. ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT OWNERS EXPENSE.
14. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
15. THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A SUBDIVISION IMPROVEMENT AGREEMENT DATED 01/28/2014, THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF ALL IMPROVEMENTS NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THIS SUBDIVISION. SEE SEPARATE INSTRUMENT RECORDED IN DOCUMENT NO. 20140826-006 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
16. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL.
17. ALL LOTS SHALL HAVE SEPARATE SEWER TAPS, SEPARATE WATER METERS, AND OTHER RESPECTIVE PRIVATE WATER SERVICE LINES SHALL BE POSITIONED OR LOCATED IN A MANNER THAT WILL NOT CROSS LOT LINES.
18. THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURCHASE OF REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES, NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN AND TRAVIS COUNTY TEXAS.
19. ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO A PUBLIC STREET FOR EMERGENCY RESPONSE.
20. ALL NON-RESIDENTIAL LOTS ARE RESTRICTED TO NON-RESIDENTIAL USES, AND WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION. SEE TABLES ON SHEET 4 FOR A LIST OF NON-RESIDENTIAL LOTS.
21. WATER/WASTEWATER PROVIDED BY AUSTIN WATER UTILITY. ELECTRIC PROVIDED BY BLUEBONNET.
22. PARKLAND DEDICATION REQUIREMENTS HAVE BEEN SATISFIED PURSUANT TO THE PUD ORDINANCE #20100826-06 AND THE WHISPER VALLEY MASTER PARKLAND AGREEMENT.
23. ALL ALLEYS WILL BE PRIVATELY MAINTAINED BY THE OWNER OR PROPERTY OWNERS ASSOCIATION. THE SUBDIVISION ROADWAYS ARE MAINTAINED BY TRAVIS COUNTY. THE CITY OF AUSTIN WILL ASSUME MAINTENANCE RESPONSIBILITY FOR THE ALLEYS AT THE TIME OF ANNEXATION OF THE PROPERTY.
24. THE ALLEYS WILL MEET THE FOLLOWING CONDITIONS AS DEFINED IN THE PUD ORDINANCE NO. 20100826-06B:
 - a. ALLEYS SHALL BE PART OF A UNIT USE ACCESS EASEMENT
 - b. ALLEYS ADJACENT TO THE ALLEYS ARE LIMITED TO THREE (3) STORES
 - c. ALLEYS ARE NOT DESIGNED TO MEET FIRE PROTECTION CODES
 - d. LOTS WILL BE INTENDED TO MEET FIRE PROTECTION CODES
 - e. SIGNAGE FROM ESTATE AND FIRE MARSHALL IS REQUIRED AT PRELIMINARY PLAN REVIEW
 - f. ADEQUATE OFF-STREET PARKING FOR VISITORS WILL BE PROVIDED
 - g. FLAG LOTS WITH A MINIMUM WIDTH OF 10 FEET MAY ONLY BE USED WITH LOTS UTILIZING ALLEY
 - h. ON LOTS FRONTING ON COMMON OPEN SPACE, EACH FLAG FLAG WILL CONNECT TO A PUBLIC STREET THROUGH THE COMMON OPEN SPACE

STATE OF TEXAS)
COUNTY OF TRAVIS)
KNOW ALL MEN BY THESE PRESENTS X

THAT CLUB DEAL 120 WHISPER VALLEY L.P., A TEXAS GENERAL PARTNERSHIP, BY THAT CERTAIN 79.973 ACRES OF LAND OUT OF THE OLIVER BUCKMAN SURVEY NO. 40, ABSTRACT NO. 60 SITUATED IN TRAVIS COUNTY, TEXAS, SAID 79.973 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS SHOWN ON THE PLAT OF WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT, AND DO HEREBY DEDICATE TO THE PUBLIC THE USES AND PURPOSES SET FORTH IN SAID PLAT, AND HEREBY SUBJECT TO ANY EASEMENT PREVIOUSLY GRANTED BUT NOT RELEASED.

DOUGLAS GULLIAND DATE _____
C/O WHISPER VALLEY LP
9285 HUNTINGTON SQUARE
NORTH RICHLAND HILLS, TEXAS 76180

STATE OF TEXAS §
COUNTY OF TRAVIS §
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____ 2014 A.D.
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HAS ACKNOWLEDGED TO ME THAT FOREGOING INSTRUMENT WAS EXECUTED FOR THE PURPOSES THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ 2014 A.D.
MY COMMISSION EXPIRES _____

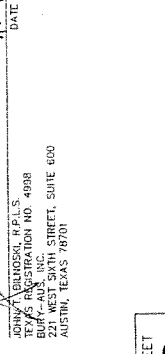
FLOOD PLAIN NOTE:
THE SUBJECT PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE RATE MAP (FIRM) NO. 4843300495 H, DATED SEPTEMBER 26, 2008 FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

ENGINEER'S CERTIFICATION:
I, JOHN T. BLIGOSKI, 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 COMPLIES WITH THE ENGINEERING RELATED TO THIS PLAT AND THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

MICHAEL A. GIANNETTA P.E.
TEXAS REGISTRATION NO. 116248
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701

SURVEYOR'S CERTIFICATION:
I, JOHN T. BLIGOSKI, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT IS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

JOHN T. BLIGOSKI, P.E.
TEXAS REGISTRATION NO. 4998
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701



SHEET 6 OF 6

GENERAL NOTES: (CONTINUED)

25. AN ADMINISTRATIVE VARIANCE WAS GRANTED WITH CBS-2013-0224 FOR CUT/FILL UP TO 12 FEET ASSOCIATED WITH THE WATER QUALITY AND/OR DETENTION FACILITIES.
 26. AN ADMINISTRATIVE VARIANCE WAS GRANTED WITH CBS-2013-0224 FOR CUT/FILL UP TO 8 FEET IN UPLAND AREAS.
 27. AN ADMINISTRATIVE VARIANCE WAS GRANTED WITH CBS-2013-0224 FOR CONSTRUCTION ON SLOPES GREATER THAN 15%.
 28. ACCESS EASEMENT DOCUMENT NO. _____ IS BEING PROVIDED WITH THIS PLAT TO RESERVE THE FUTURE CONNECTION TO LOMBARDY LOOP AS SHOWN ON THE ENDS WORDS PRELIMINARY PLAN.
- COMMISSIONERS' COURT RESOLUTION
- IN APPROVING THIS PLAT, THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, AND OTHER PUBLIC THROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS OR TO PROVIDE OR CONSTRUCT THE STREETS, ROADS, AND OTHER PUBLIC THROUGHFARES OR IN CONNECTION THEREWITH. IT IS THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE PROJECT AND THE SUBDIVISION TO CONSTRUCT THE STREETS, ROADS, AND OTHER PUBLIC THROUGHFARES AS SHOWN ON THIS PLAT, AND TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND TO POST THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION. AS A CONDITION OF THE PUBLIC IMPROVEMENTS THAT HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS, THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS' COURT FOR FILLS OR THE 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.
- CITY CERTIFICATIONS:**
THIS SUBDIVISION PLAT IS LOCATED WITHIN THE _____ OF THE CITY OF AUSTIN ON THIS THE _____ DAY OF _____ 20____ A.D.
ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING & DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE _____ DAY OF _____ 20____ A.D.

TRAVIS COUNTY CLERK
PLANNING & DEVELOPMENT REVIEW DEPARTMENT
AUSTIN, TEXAS, THIS THE _____ DAY OF _____ 20____ A.D.

BETTY BAKER, CHAIRPERSON
CYNTHIA BANKS, SECRETARY

STATE OF TEXAS §
COUNTY OF TRAVIS §
I, DANA DEBAUDOUR, CLERK 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 PUBLIC RECORD OF THIS PLAT AND THAT SAID ORDER WAS FULLY ENTERED IN THE MINUTES OF SAID COURT.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY OF _____ 20____ A.D.
DEPUTY COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF TRAVIS §
DEPUTY COUNTY 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____ O'CLOCK _____ M., FULLY RECORDED ON THE _____ DAY OF _____ 20____ A.D., AT _____ O'CLOCK _____ M., IN THE PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY OF _____ 20____ A.D.
DEPUTY COUNTY CLERK
TRAVIS COUNTY, TEXAS

DATE: MARCH 7, 2014
WHISPER VALLEY VILLAGE 1, PHASE 1 FINAL PLAT
A 257 LOT SUBDIVISION
CONSISTING OF 79.973 ACRES

BURY
223 West Sixth Street, Suite 600
Austin, Texas 78701
Tel: (512) 328-0011 Fax: (512) 328-0025
TBB# F-1048 TBBLS# F-10107590
Copyright © 2014
IN 10898260103_V010606050615.dwg

EXHIBIT A

METES AND BOUNDS DESCRIPTION OF PROPERTY

79.961 ACRES
WHISPER VALLEY VILLAGE 1
PHASE 1

FN. NO. 14-300 (MJR)
AUGUST 11, 2014
BURY NO. R0106960-10010

DESCRIPTION

OF 79.961 ACRES OF LAND OUT OF THE OLIVER BUCKMAN SURVEY NO. 40, ABSTRACT NO. 60, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 164.73 ACRE TRACT AND A PORTION OF THAT CERTAIN 548.08 ACRE TRACT CONVEYED TO CLUB DEAL 120 WHISPER VALLEY LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2006152076 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAID 79.961 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at an iron rod found in the easterly right-of-way line of FM 973 (R.O.W. varies), being the southwesterly corner of that certain 100.050 acre tract of land conveyed to Hen-Ball Investments, LP by deed of record in Document No. 2010011700 of said Official Public Records and the northwesterly of that certain remainder of 10 acre tract of land conveyed to Thomas Dukes by deed of record in Document No. 2007230892 of said Official Public Records;

THENCE, S62°28'22"E, leaving the easterly right-of-way line of FM 973, along the southerly line of said 100.050 acre tract, being the northerly lines of said remainder of 10 acre tract and said remainder of 164.73 acre tract of land, a distance of 3,788.19 feet to a 1/2 inch iron rod with "Bury" cap set for the **POINT OF BEGINNING** and northwesterly corner hereof;

THENCE, S62°28'22"E, along the southerly line of said 100.050 acre tract, being the northerly line of said 164.73 acre tract, for the northerly line hereof, a distance of 1086.60 feet to a 1/2 inch iron rod with "Bury" cap set for the northeasterly corner hereof, from which a 1/2 inch iron rod with "Bush" cap found in the southerly line of said 100.050 acre tract, being the northernmost northeasterly corner of said 548.08 acre tract bears, S66°49'03"E, a distance of 807.77 feet;

THENCE, leaving the southerly line of said 100.050 acre tract, continuing over and across a portion of said 164.73 acre tract and a portion of said 548.08 acre tract, for the irregular easterly line hereof, the following eighteen (18) courses and distances:

- 1) S35°32'28"W, a distance of 268.50 feet to a 1/2 inch iron rod with "Bury" cap set;
- 2) S19°38'18"E, a distance of 178.00 feet to a 1/2 inch iron rod with "Bury" cap set;
- 3) S17°24'04"W, a distance of 239.99 feet to a 1/2 inch iron rod with "Bury" cap set;

- 4) S31°31'37"W, a distance of 517.06 feet to a 1/2 inch iron rod with "Bury" cap set;
- 5) S66°56'20"W, a distance of 272.44 feet to a 1/2 inch iron rod with "Bury" cap set;
- 6) S72°07'34"W, a distance of 412.59 feet to a 1/2 inch iron rod with "Bury" cap set;
- 7) S54°06'45"W, a distance of 163.01 feet to a 1/2 inch iron rod with "Bury" cap set;
- 8) S00°05'08"E, a distance of 135.96 feet to a 1/2 inch iron rod with "Bury" cap set;
- 9) S38°02'28"W, a distance of 93.45 feet to a 1/2 inch iron rod with "Bury" cap set;
- 10) S52°59'21"E, a distance of 798.37 feet to a 1/2 inch iron rod with "Bury" cap set;
- 11) S33°22'12"W, a distance of 101.81 feet to a 1/2 inch iron rod with "Bury" cap set;
- 12) S05°13'32"E, a distance of 210.64 feet to a 1/2 inch iron rod with "Bury" cap set;
- 13) S82°49'04"W, a distance of 75.45 feet to a 1/2 inch iron rod with "Bury" cap set at the point of curvature of a tangent curve to the left;
- 14) Along said tangent curve to the left, having a radius of 10.00 feet, a central angle of 62°43'52", an arc length of 10.95 feet, and a chord which bears, S51°27'09"W, a distance of 10.41 feet to a 1/2 inch iron rod with "Bury" cap set at the end of said curve;
- 15) Along a non-tangent curve to the right, having a radius of 68.63 feet, a central angle of 88°29'31", an arc length of 106.00 feet, and a chord which bears, S65°25'32"W, a distance of 95.77 feet to a 1/2 inch iron rod with "Bury" cap set at the end of said curve;
- 16) Along a non-tangent curve to the left, having a radius of 10.00 feet, a central angle of 47°58'47", an arc length of 8.37 feet, and a chord which bears, S86°46'28"W, a distance of 8.13 feet to a 1/2 inch iron rod with "Bury" cap set at the end of said curve;
- 17) S62°47'04"W, a distance of 265.86 feet to a 1/2 inch iron rod with "Bury" cap set at the point of curvature of a tangent curve to the left;

- 18) Along said tangent curve to the left, having a radius of 10.00 feet, a central angle of $89^{\circ}08'18''$, an arc length of 15.56 feet, and a chord which bears, $S18^{\circ}12'55''W$, a distance of 14.04 feet to a 1/2 inch iron rod with "Bury" cap set for in the curving northerly right-of-way line of Braker Lane (R.O.W. varies), for the end of said curve and the southeasterly corner hereof;

THENCE, continuing over and across said 548.08 acre tract and said 164.73 acre tract, along the northerly right-of-way line of Braker Lane, for the southerly line hereof, the following twelve (12) courses and distances:

- 1) Along a curve to the left, having a radius of 1114.00 feet, a central angle of $19^{\circ}25'32''$, an arc length of 377.69 feet, and a chord which bears, $N36^{\circ}04'00''W$, a distance of 375.88 feet to a 1/2 inch iron rod with "Bury" cap set at the point of tangency of said curve;
- 2) $N42^{\circ}03'20''E$, a distance of 11.96 feet to a 1/2 inch iron rod with "Bury" cap set;
- 3) $N47^{\circ}56'40''W$, a distance of 84.17 feet to a 1/2 inch iron rod with "Bury" cap set;
- 4) $S42^{\circ}03'20''W$, a distance of 11.96 feet to a 1/2 inch iron rod with "Bury" cap set at the point of curvature of a non-tangent curve to the left;
- 5) Along said non-tangent curve to the left, having a radius of 1114.00 feet, a central angle of $1^{\circ}56'41''$, an arc length of 37.81 feet, and a chord which bears, $N51^{\circ}04'54''W$, a distance of 37.81 feet to a 1/2 inch iron rod with "Bury" cap set at the end of said curve;
- 6) $N52^{\circ}03'14''W$, a distance of 348.44 feet to a 1/2 inch iron rod with "Bury" cap set;
- 7) $N37^{\circ}56'46''E$, a distance of 9.33 feet to a 1/2 inch iron rod with "Bury" cap set;
- 8) $N52^{\circ}03'14''W$, a distance of 131.50 feet to a 1/2 inch iron rod with "Bury" cap set;
- 9) $S37^{\circ}56'46''W$, a distance of 9.33 feet to a 1/2 inch iron rod with "Bury" cap set;
- 10) $N52^{\circ}03'14''W$, a distance of 76.36 feet to a 1/2 inch iron rod with "Bury" cap set;

- 11) Along said tangent curve to the right, having a radius of 987.00 feet, a central angle of 35°41'03", an arc length of 614.71 feet, and a chord which bears, N34°12'43"W, a distance of 604.82 feet to a 1/2 inch iron rod with "Bury" cap set at the end of said curve;
- 12) N16°22'11"W, a distance of 706.15 feet to a 1/2 inch iron rod with "Bury" cap set;

THENCE, leaving the northerly right-of-way line of Braker Lane, and continuing over and across said 164.73 acre tract, for the irregular westerly line hereof, the following seven (7) courses and distances:

- 1) N72°31'38"E, a distance of 911.08 feet to a 1/2 inch iron rod with "Bury" cap set;
- 2) N17°28'22"W, a distance of 355.00 feet to a 1/2 inch iron rod with "Bury" cap set;
- 3) N72°31'38"E, a distance of 120.00 feet to a 1/2 inch iron rod with "Bury" cap set;
- 4) N17°28'22"W, a distance of 29.16 feet to a 1/2 inch iron rod with "Bury" cap set;
- 5) N72°31'38"E, a distance of 365.23 feet to a 1/2 inch iron rod with "Bury" cap set;
- 6) N28°49'37"E, a distance of 220.98 feet to a 1/2 inch iron rod with "Bury" cap set;
- 7) N27°31'38"E, a distance of 203.00 feet to the **POINT OF BEGINNING**, containing an area of 79.961 acres of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(96), CENTRAL ZONE, UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE NETWORK AND LCRA GPS CONTROL MONUMENTATION. DISTANCES ARE SURFACE VALUES. TO CONVERT TO GRID VALUES, MULTIPLY BY A COMBINED SCALE VALUE OF 0.999962.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY-AUS, INC.
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701

8/15/14

JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS
TBPLS # F-10107500

