

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 874-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, CHANGING THE ZONING DESIGNATION FOR A 5-ACRE TRACT OF LAND OUT OF THE J. DAVIS SURVEY NO. 13, ABSTRACT NO. 231, WITHIN THE CITY OF PFLUGERVILLE, TEXAS, LOCALLY KNOWN AS 2711 KELLY LANE, FROM AGRICULTURE / CONSERVATION (A) TO GENERAL BUSINESS 2 (GB2) DISTRICT FOR TRACT ONE AND TO GENERAL BUSINESS 1 (GB1) DISTRICT FOR TRACT 2; TO BE KNOWN AS THE BLACKHAWK COMMERCIAL REZONING, (REZ1011-03), AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority of Texas Local Government Code Chapter 211, the City of Pflugerville adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, an application was made for a rezoning in accordance with Subchapter 3 Procedures of Chapter 157 Unified Development Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing and with a vote of 5-0, recommended approval to the City Council to rezone the property depicted in Exhibit A from Agriculture/Conservation (A) to Retail (R) zoning designation.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

The City Council finds:

THAT, the zoning amendment is in accordance with the City's Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City, and is in accordance with the following purposes: 1) lessen congestion in the street; 2) secure safety from fire, panic and other dangers; 3) promote the general health and welfare; 4) provide adequate air and light; 5) prevent undue overcrowding of land; 6) avoid undue concentration of population; 7) facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements.

Section 1: That the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 874-07-04-10 as amended, is amended to change the base zoning district of the property described (Tract 1) in Exhibit A and depicted in Exhibit A-1, from Agriculture/Conservation (A) District to General Business 2 (GB2) District, and the property described (Tract 2) in Exhibit B and depicted in Exhibit B-1 from Agriculture/Conservation (A) District to General Business 1 (GB1) District.

The property described above may be developed and used in accordance with regulations established for the General Business 2 (GB2) and General Business 1 (GB1) zoning districts, as applicable to Tract 1 and Tract 2 respectfully, and other applicable ordinances of the City of Pflugerville, Texas. A Restrictive Covenant associated with this zoning case, depicted on Exhibit C, defines limitations put onto the property regarding permitted and prohibited land uses, hours of operation, and lighting of the development tract.

Section 2: That this ordinance will become effective on its adoption and passage by the City Council.

PASSED AND APPROVED this _____ day of _____, 2011.

CITY OF PFLUGERVILLE, TEXAS

By: _____
JEFF COLEMAN, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

FLOYD AKERS, City Attorney

Exhibit A

2.785 acres
John Davis Sur. No. 13
Travis County, Texas

Loomis Job No. 100905.T
FN1188(eap)
Page 1 of 2

**FIELD NOTES DESCRIPTION
ZONING TRACT NO. 1
2.785 ACRES**

DESCRIPTION OF 2.785 ACRES OF LAND IN THE JOHN DAVIS SURVEY NO. 13, TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 5.002 ACRE TRACT OF LAND, DESIGNATED AS TRACT 5, DESCRIBED IN A DEED FROM GENERAL ELECTRIC CREDIT EQUITIES, INC. TO BH PFLUGERVILLE GOLF, L.P., OF RECORD IN DOCUMENT NO. 2010166280, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.785 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2-inch iron rod found in the south right-of-way line of Kelly Lane, being the northeast corner of the said called 5.002 acre tract, same being the northwest corner of Lot 44, Block A, Falcon Pointe Section Eight-B, a subdivision according to the plat of record in Document No. 200600398, Official Public Records of Travis County, Texas, for the northeast corner and the **POINT OF BEGINNING** of the tract described herein;

THENCE S 27° 28' 13" W, leaving the south right-of-way line of said Kelly Lane, with the east line of the said called 5.002 acre tract, same being the west line of said Lot 44, Block A, at an approximate distance of 45 feet, passing the southwest corner of said Lot 44, Block A and the northwest corner of Lot 8, Block A, Falcon Pointe Section Eight-C, a subdivision according to the plat of record in Document No. 200700001, Official Public Records of Travis County, Texas, and continuing with the west line of said Falcon Pointe Section Eight-C for a total distance of 344.46 feet to a calculated point, for the southeast corner of the said called 5.002 acre tract and of the tract described herein and being the northeast corner of Lot 5, Block T, Falcon Pointe, Section Five-B, a subdivision according to the plat of record in Document No. 200500035, Official Public Records of Travis County, Texas, same being an angle point in the west line of Lot 5, Block A, said Falcon Pointe Section Eight-C, from which a 1/2-inch iron rod with plastic cap stamped "SURVCON" found bears S 04° 48' 30" E, a distance of 0.46 feet;

THENCE N 63° 36' 17" W, leaving the west line of said Falcon Pointe Section Eight-C, Block A, with the south line of the said called 5.002 acre tract, same being a northern line of said Block T, Falcon Pointe, Section Five-B at an approximate distance of 280.59 feet, passing the north corner of Lot 4, said Block T, same being a easterly northeast corner of Lot 1, Block R, Falcon Pointe Section Five Amenity Center Amended, a subdivision according to the plat of record in Document No. 200400254, Official Public Records of Travis County, Texas, and continuing for a total distance of 420.74 feet to a calculated point for the southwest corner of the tract described herein, from which a 1/2-inch iron rod found at the southwest corner of the said called 5.002 acre tract and a re-entrant corner of said Lot 1, Block R bears S 63° 36' 17" W a distance of 211.97 feet

THENCE N 49° 01' 01" E, crossing the said called 5.002 acre tract a distance of 373.10 feet to a calculated point in the south right-of-way line of Kelly Lane, same being the north line of the said called 5.002 acre tract, for the northwest corner of the tract described herein;

THENCE S 63° 36' 17" E, with the south right-of-way line of said Kelly Lane, same being the north line of the said called 5.002 acre tract, a distance of 283.69 feet to the **POINT OF BEGINNING** and containing 2.785 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

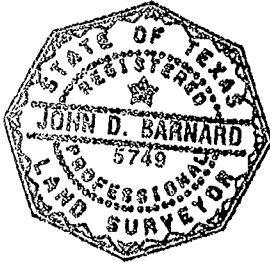
LOOMIS WORD FILE: FN1188(eap)

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

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of September and October 2010 under my direction and supervision.

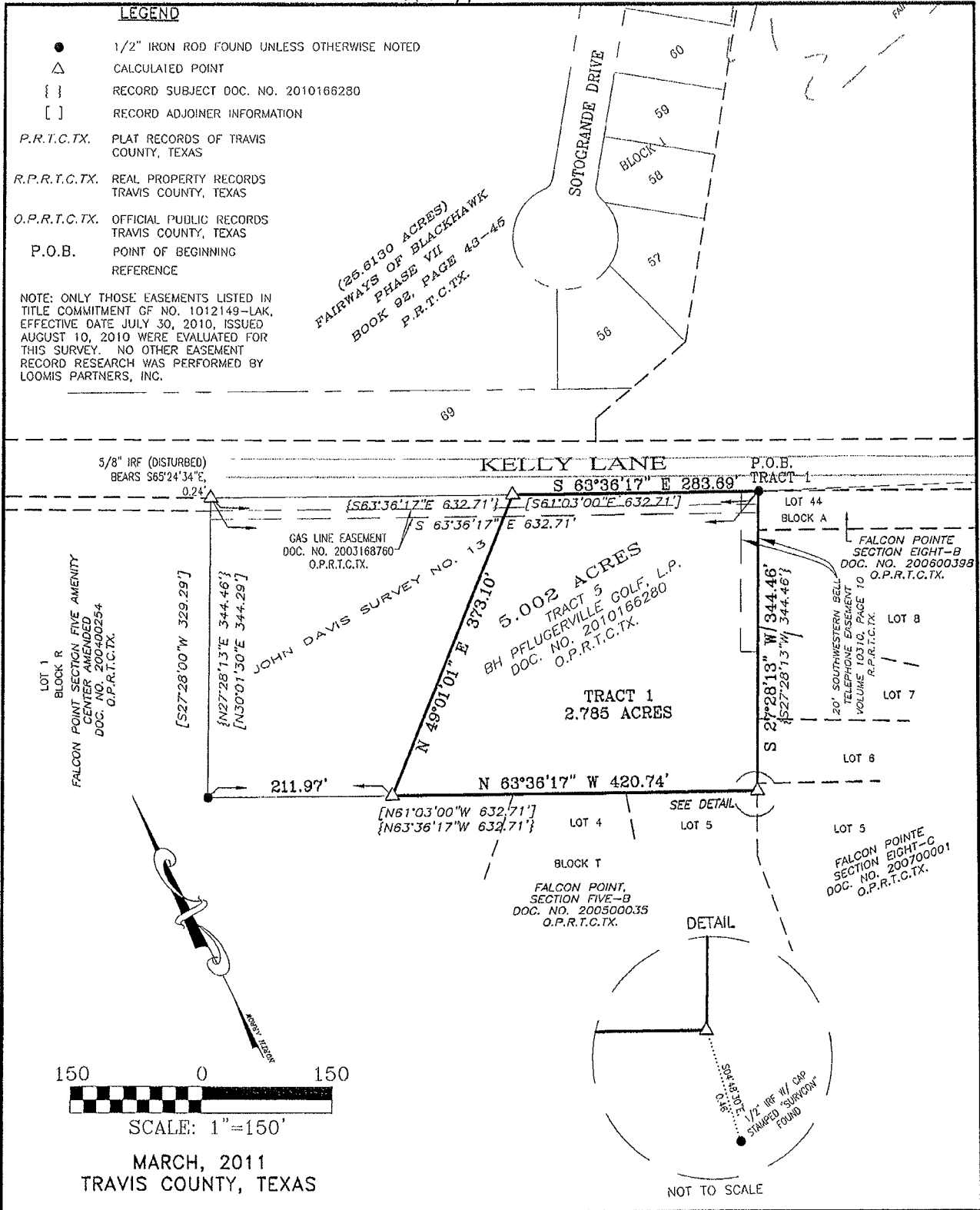
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 25th day of March 2011, A.D.

Loomis Partners, Inc
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

Exhibit A-1



	LOOMIS PARTNERS ■ ENGINEERING ■ LAND SURVEYING ■ ENVIRONMENTAL CONSULTING ■ 3101 Bee Cave Road, Suite 100 ■ Austin, Texas 78746 [TEL] 512.327.1180 ■ [FAX] 512.327.4062 ■ www.loomis-partners.com	ZONING EXHIBIT TRACT 1 - 2.785 ACRES TO ACCOMPANY FIELD NOTES FN1188
	FILE: H:\Survey\Blackhawk_2010\Work\Zoning Exhibits\Blackhawk_Zoning Exhibit 2011.dwg DATE: Mar 25, 2011 - 12:48pm	

Exhibit B

2.218 acres
John Davis Sur. No. 13
Travis County, Texas

Loomis Job No. 100905.T
FN1187(eap)
Page 1 of 2

FIELD NOTES DESCRIPTION ZONING TRACT NO. 2 2.218 ACRES

DESCRIPTION OF 2.218 ACRES OF LAND IN THE JOHN DAVIS SURVEY NO. 13, TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 5.002 ACRE TRACT OF LAND, DESIGNATED AS TRACT 5, DESCRIBED IN A DEED FROM GENERAL ELECTRIC CREDIT EQUITIES, INC. TO BH PFLUGERVILLE GOLF, L.P., OF RECORD IN DOCUMENT NO. 2010166280, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.218 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated angle point in the south right-of-way line of Kelly Lane, being the northwest corner of the said called 5.00 acre tract, for the northwest corner and **POINT OF BEGINNING** of the tract described herein, from which the base of a disturbed 5/8-inch iron rod found bears S 65° 24' 34" E, a distance of 0.24 feet;

THENCE S 63° 36' 17" E, with the south right-of-way line of said Kelly Lane, a distance of 349.02 feet to a calculated point for the northeast corner of the tract described herein, from which a 1/2-inch iron rod found for the northeast corner of the said called 5.002 acre tract, same being the northwest corner of Lot 44, Block A, Falcon Pointe Section Eight-B, a subdivision according to the plat of record in Document No. 200600398, Official Public Records of Travis County, Texas, bears S 63° 36' 17" E a distance of 283.69 feet;

THENCE S 49° 01' 01" W, leaving the south right-of-way line of said Kelly Lane, crossing the said called 5.002 acre tract a distance of 373.10 feet to a calculated point for the southeast corner of the tract described herein, in the south line of the said called 5.002 acre tract, same being the north line of Lot 1, Block R, Falcon Pointe Section Five Amenity Center Amended, a subdivision according to the plat of record in Document No. 200400254, Official Public Records of Travis County, Texas,

THENCE N 63° 36' 17" W, with the south line of the said called 5.002 acre tract, same being the north line of said Lot 1, Block R, a distance of 211.97 feet to a 1/2-inch iron rod found at the southwest corner of the said called 5.002 acre tract, and a re-entrant corner of said Lot 1, Block R, for the southwest corner of the tract described herein;

THENCE N 27° 28' 13" E, with the west line of the said called 5.002 acre tract, same being an east line of the said Lot 1, Block R, at an approximate distance of 329.29 feet passing a calculated point for the northerly northeast corner of said Lot 1, Block R, same being an angle point in the south right-of-way line of Kelly Lane, and continuing for a total distance of 344.46 feet to the **POINT OF BEGINNING** and containing 2.218 acres of land, more or less.

LOOMIS WORD FILE: FN1187(eap)

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

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of September and October 2010 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 25th day of March 2011, A.D.

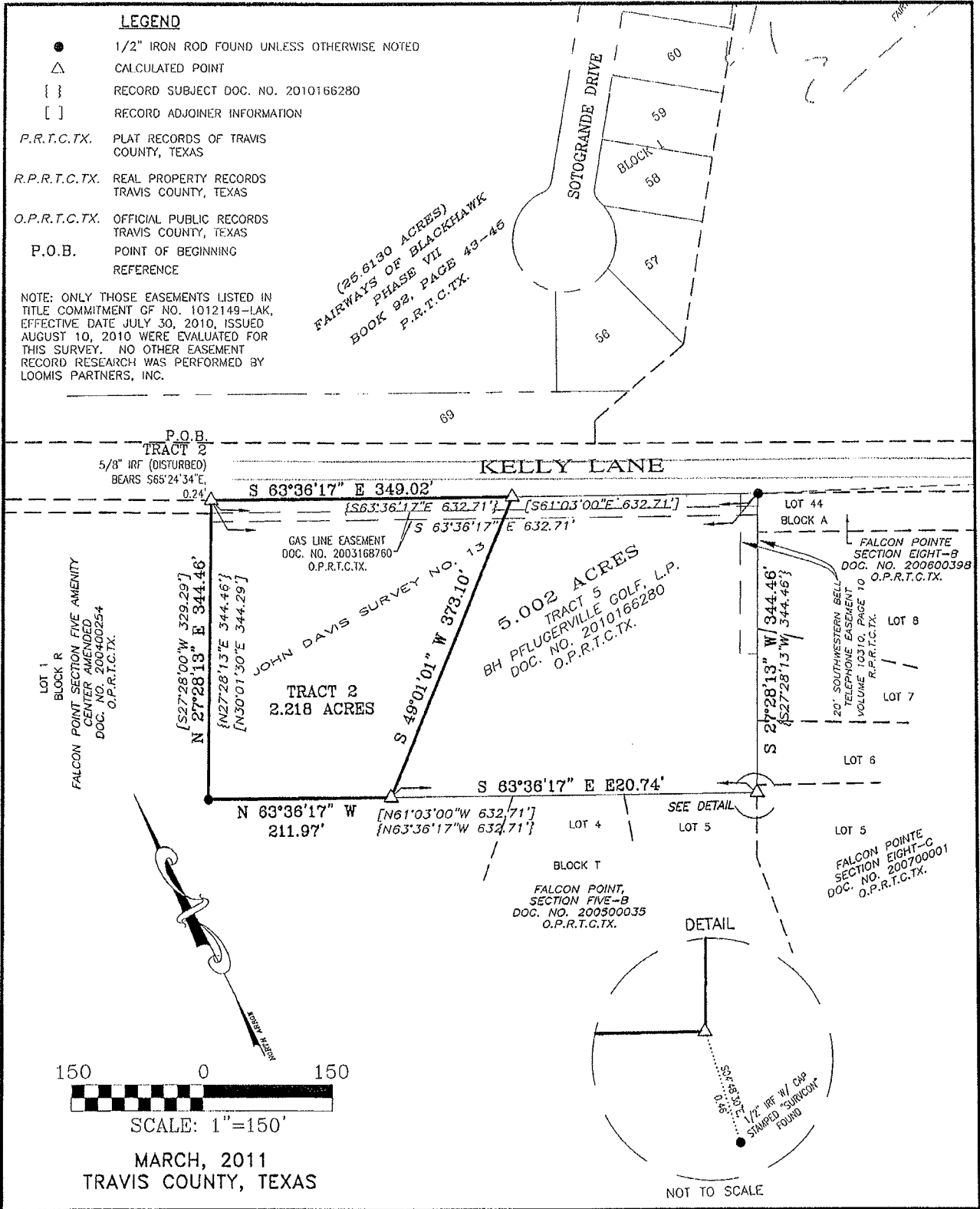
Loomis Partners, Inc
Austin, Texas 78746



A handwritten signature in black ink, appearing to read "John D. Barnard", written over a horizontal line.

John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

Exhibit B-1



LOOMIS PARTNERS

■ ENGINEERING ■ LAND SURVEYING ■ ENVIRONMENTAL CONSULTING ■
 3101 Bee Cave Road, Suite 100 ■ Austin, Texas 78746
 [TEL] 512.327.1180 ■ [FAX] 512.327.4062 ■ www.loomis-partners.com

ZONING EXHIBIT
TRACT 2 - 2.218 ACRES
TO ACCOMPANY FIELD NOTES FN1187

RESTRICTIVE COVENANT

OWNER: BH Pflugerville Golf, L.P.
MAILING ADDRESS: 1001 S. Capital of Texas Highway, Building M, Suite 200
Austin, Texas 78746

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Fairways of Blackhawk Homeowners Association ("FOBHA") and Falcon Pointe Community Association ("FPCA") (collectively referred to as "Associations") to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: 5.003 acres of land in the John Davis Survey No. 13, Travis County, Texas which consists of both Tracts 1 and 2 listed below.

Tract 1: That certain 2.785 acres of land in Travis County, Texas, more particularly described by metes and bounds on Exhibit "A", which is attached hereto and made a part hereof.

Tract 2: That certain 2.218 acres of land in Travis County, Texas, more particularly described by metes and bounds on Exhibit "B", which is attached hereto and made a part hereof.

WHEREAS, the Property is currently not subject to any restrictive covenants and although it is not a part of either of the Associations, the Owner and the Associations have agreed that the Property should be impressed with certain covenants and restrictions for the benefit and better development of the Property;

WHEREAS, the Planning and Zoning Commission held a required public hearing for zoning of the Property on January 3, 2011, and City Council held required public hearings for zoning of the Property on February 22, 2011 and March 8, 2011;

NOW, THEREFORE, it is declared that the Owner, for consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall be recorded in the Official Public Records of Travis County, Texas, shall run with the land, and shall be binding on the Owner, its heirs, successors and assigns.

1. The land uses permitted on Tract 1 are shown on Exhibit "C" attached hereto.
2. The land uses permitted on Tract 2 are shown on Exhibit "D" attached hereto.
3. No use or tenant within the Property shall operate between the hours of 10:00 p.m. and 5:00 a.m.

4. Exterior lighting on the Property must be hooded or shielded so that the light source is not directly visible from adjacent properties.
5. This Restrictive Covenant may be modified, amended or terminated only by joint action of both a) a majority vote of the Board of Directors of each of the Associations and b) the Owner at the time of such modification, amendment or termination
6. FPCA and FOBHA, through proper action of their Board of Directors, shall have the right, but not the obligation, to enforce the provisions of the Restrictive Covenants on the Property as to any person attempting to violate any agreement or covenant contained herein, even if that person is the Owner, its successors and assigns. Such right of enforcement shall extend only to the Board of Directors of FPCA and FOBHA acting through its Board and shall not include any rights to other property other than the Property referenced herein.
7. The land uses for Tract 1, as shown on Exhibit "C", and for Tract 2, as shown on Exhibit "D", are the only permitted uses for those tracts, except with regard to the existing building on Tract 1. The existing building and appurtenances on Tract 1 shall be grandfathered in to allow the existing use as of the date this Restrictive Covenant is executed and permitted uses allowed by this Restricted Covenant. Once the property is sold by Owner the existing use as a maintenance facility for a golf course shall terminate. All uses are subject to current and future zoning requirements.
8. Owner shall comply with all site plan requirements of the City of Pflugerville

Executed to be effective this ____ day of _____, 2011.

OWNER:

BH Pflugerville Golf, L.P.
By and through its General Partner,
OnCourse Strategies Golf, Inc.

By: _____
J. Michael Ussery, President

FAIRWAYS OF BLACKHAWK
HOMEOWNERS ASSOCIATION

By: _____
Name _____
Title _____

FALCON POINTE COMMUNITY
ASSOCIATION

By: _____
Name _____
Title _____

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was sworn to, subscribed and acknowledged before me on this the ____ day of _____, 2011 by J. Michael Ussery, President of OnCourse Strategies Golf, Inc., the General Partner of BH Pflugerville Golf, L.P.

Notary Public, State of Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was sworn to, subscribed and acknowledged before me on this the ____ day of _____, 2011 by _____, _____ of Fairways of Blackhawk Homeowners Association.

Notary Public, State of Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was sworn to, subscribed and acknowledged before me on this the ____ day of _____, 2011 by _____, _____ of Falcon Pointe Community Association.

Notary Public, State of Texas

After recording, please return to:

Paul W. Linehan
Land Strategies, Inc.
1010 Land Creek Cove, Suite 100
Austin, Texas 78746

FIELD NOTES DESCRIPTION
ZONING TRACT NO. 1
2.785 ACRES

DESCRIPTION OF 2.785 ACRES OF LAND IN THE JOHN DAVIS SURVEY NO. 13, TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 5.002 ACRE TRACT OF LAND, DESIGNATED AS TRACT 5, DESCRIBED IN A DEED FROM GENERAL ELECTRIC CREDIT EQUITIES, INC. TO BH PFLUGERVILLE GOLF, L.P., OF RECORD IN DOCUMENT NO. 2010166280, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.785 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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THENCE S 27° 28' 13" W, leaving the south right-of-way line of said Kelly Lane, with the east line of the said called 5.002 acre tract, same being the west line of said Lot 44, Block A, at an approximate distance of 45 feet, passing the southwest corner of said Lot 44, Block A and the northwest corner of Lot 8, Block A, Falcon Pointe Section Eight-C, a subdivision according to the plat of record in Document No. 200700001, Official Public Records of Travis County, Texas, and continuing with the west line of said Falcon Pointe Section Eight-C for a total distance of 344.46 feet to a calculated point, for the southeast corner of the said called 5.002 acre tract and of the tract described herein and being the northeast corner of Lot 5, Block T, Falcon Pointe, Section Five-B, a subdivision according to the plat of record in Document No. 200500035, Official Public Records of Travis County, Texas, same being an angle point in the west line of Lot 5, Block A, said Falcon Pointe Section Eight-C, from which a 1/2-inch iron rod with plastic cap stamped "SURVCON" found bears S 04° 48' 30" E, a distance of 0.46 feet;

THENCE N 63° 36' 17" W, leaving the west line of said Falcon Pointe Section Eight-C, Block A, with the south line of the said called 5.002 acre tract, same being a northern line of said Block T, Falcon Pointe, Section Five-B at an approximate distance of 280.59 feet, passing the north corner of Lot 4, said Block T, same being a easterly northeast corner of Lot 1, Block R, Falcon Pointe Section Five Amenity Center Amended, a subdivision according to the plat of record in Document No. 200400254, Official Public Records of Travis County, Texas, and continuing for a total distance of 420.74 feet to a calculated point for the southwest corner of the tract described herein, from which a 1/2-inch iron rod found at the southwest corner of the said called 5.002 acre tract and a re-entrant corner of said Lot 1, Block R bears S 63° 36' 17" W a distance of 211.97 feet

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THENCE S 63° 36' 17" E, with the south right-of-way line of said Kelly Lane, same being the north line of the said called 5.002 acre tract, a distance of 283.69 feet to the POINT OF BEGINNING and containing 2.785 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

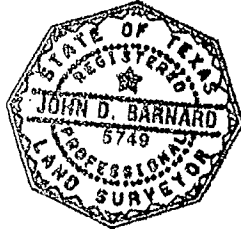
LOOMIS WORD FILE: FN1188(eap)


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

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of September and October 2010 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 25th day of March 2011, A.D.

Loomis Partners, Inc
Austin, Texas 78748



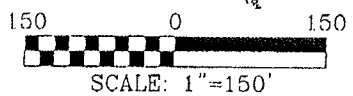
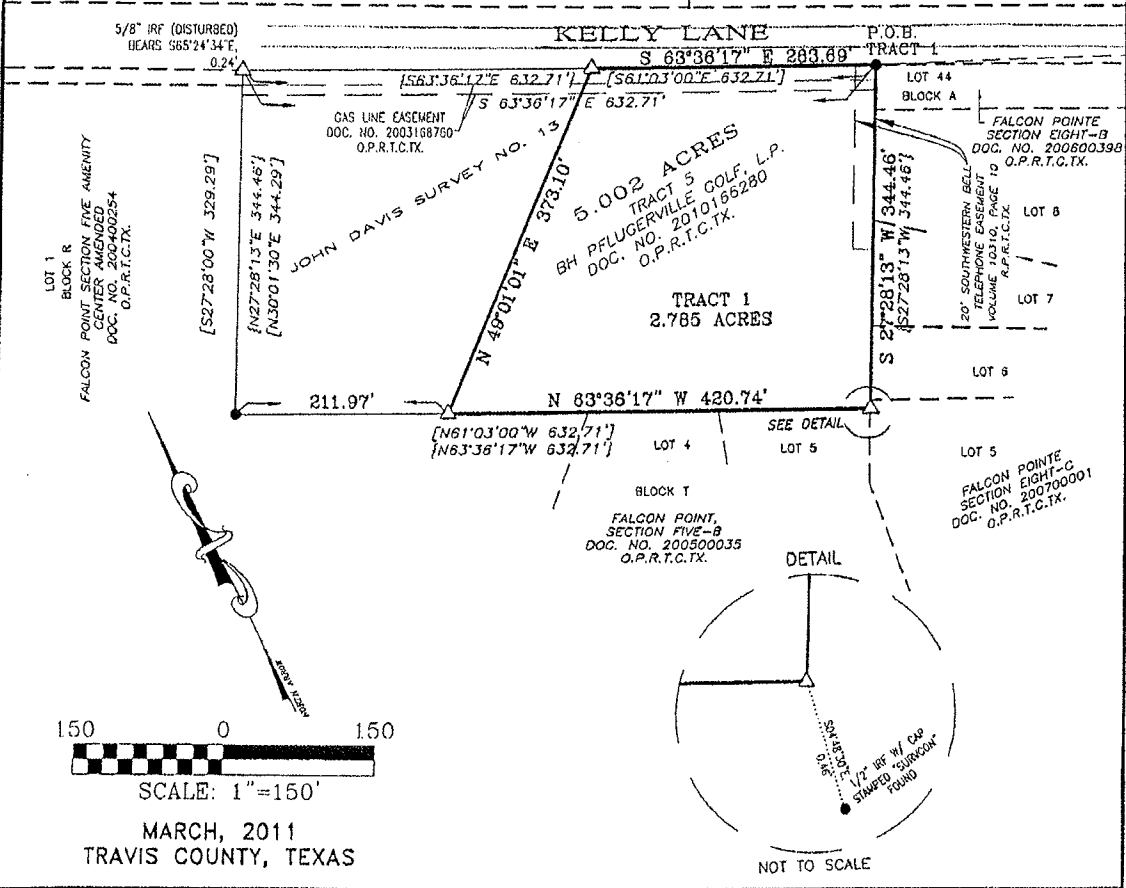
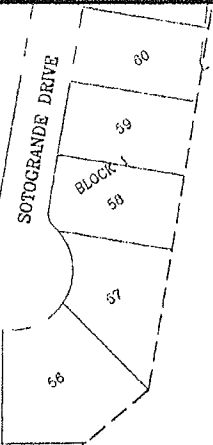

John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

LEGEND

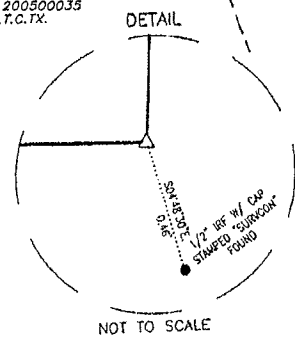
- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- △ CALCULATED POINT
- [] RECORD SUBJECT DOC. NO. 2010166280
- [] RECORD ADJOINER INFORMATION
- P.R.T.C.TX. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING REFERENCE

NOTE: ONLY THOSE EASEMENTS LISTED IN TITLE COMMITMENT OF NO. 1012149-LAX, EFFECTIVE DATE JULY 30, 2010, ISSUED AUGUST 10, 2010 WERE EVALUATED FOR THIS SURVEY. NO OTHER EASEMENT RECORD RESEARCH WAS PERFORMED BY LOOMIS PARTNERS, INC.

(26.8130 ACRES)
FAIRWAYS OF BLACKHAWK
PHASE VII
BOOK 92, PAGE 43-45
P.R.T.C.TX.



MARCH, 2011
TRAVIS COUNTY, TEXAS



LOOMIS PARTNERS • ENGINEERING • LAND SURVEYING • ENVIRONMENTAL CONSULTING • 3101 Bee Cave Road, Suite 100 • Austin, Texas 78746 [TEL] 612.327.1180 • [FAX] 612.327.4062 • www.loomis-partners.com	ZONING EXHIBIT TRACT 1 - 2.785 ACRES TO ACCOMPANY FIELD NOTES FN1188
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FIELD NOTES DESCRIPTION
ZONING TRACT NO. 2
2.218 ACRES

DESCRIPTION OF 2.218 ACRES OF LAND IN THE JOHN DAVIS SURVEY NO. 13, TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 5.002 ACRE TRACT OF LAND, DESIGNATED AS TRACT 5, DESCRIBED IN A DEED FROM GENERAL ELECTRIC CREDIT EQUITIES, INC. TO BH PFLUGERVILLE GOLF, L.P., OF RECORD IN DOCUMENT NO. 2010166280, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.218 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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THENCE S 63° 36' 17" E, with the south right-of-way line of said Kelly Lane, a distance of 349.02 feet to a calculated point for the northeast corner of the tract described herein, from which a 1/2-inch iron rod found for the northeast corner of the said called 5.002 acre tract, same being the northwest corner of Lot 44, Block A, Falcon Pointe Section Eight-B, a subdivision according to the plat of record in Document No. 200600398, Official Public Records of Travis County, Texas, bears S 63° 36' 17" E a distance of 283.69 feet;

THENCE S 49° 01' 01" W, leaving the south right-of-way line of said Kelly Lane, crossing the said called 5.002 acre tract a distance of 373.10 feet to a calculated point for the southeast corner of the tract described herein, in the south line of the said called 5.002 acre tract, same being the north line of Lot 1, Block R, Falcon Pointe Section Five Amenity Center Amended, a subdivision according to the plat of record in Document No. 200400254, Official Public Records of Travis County, Texas,

THENCE N 63° 36' 17" W, with the south line of the said called 5.002 acre tract, same being the north line of said Lot 1, Block R, a distance of 211.97 feet to a 1/2-inch iron rod found at the southwest corner of the said called 5.002 acre tract, and a re-entrant corner of said Lot 1, Block R, for the southwest corner of the tract described herein;

THENCE N 27° 28' 13" E, with the west line of the said called 5.002 acre tract, same being an east line of the said Lot 1, Block R, at an approximate distance of 329.29 feet passing a calculated point for the northerly northeast corner of said Lot 1, Block R, same being an angle point in the south right-of-way line of Kelly Lane, and continuing for a total distance of 344.46 feet to the **POINT OF BEGINNING** and containing 2.218 acres of land, more or less.

2.218 acres
John Davis Sur. No. 13
Travis County, Texas

Loomis Job No. 100905.T
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Page 2 of 2

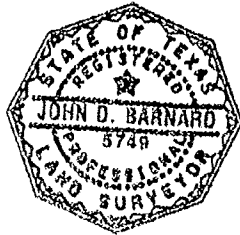
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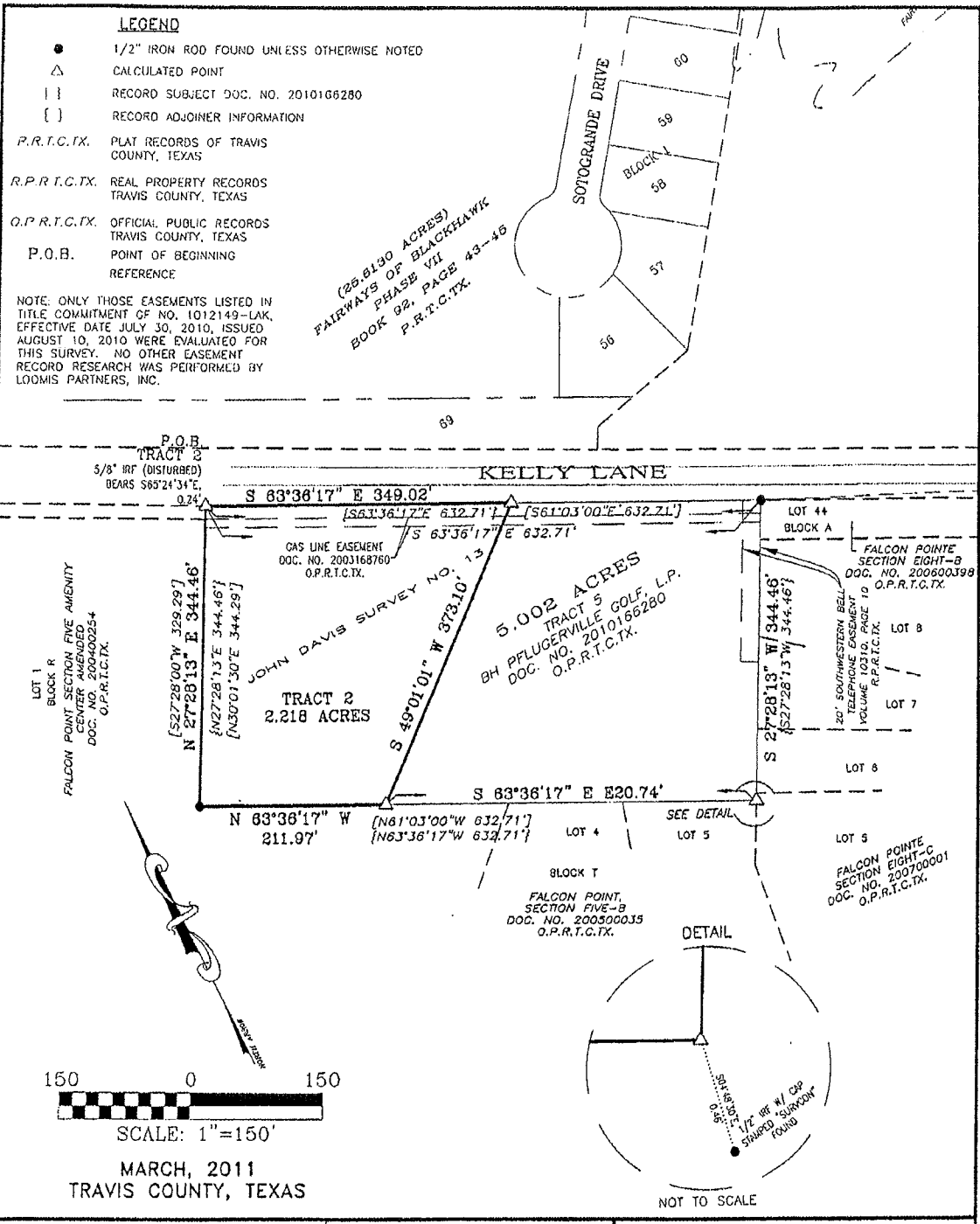
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Loomis Partners, Inc
Austin, Texas 78746





John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas



	LOOMIS PARTNERS • ENGINEERING • LAND SURVEYING • ENVIRONMENTAL CONSULTING • 3101 Bee Cave Road, Suite 100 • Austin, Texas 78746 [TEL] 512.327.1180 • [FAX] 512.327.4062 • www.loomis-partners.com	ZONING EXHIBIT TRACT 2 - 2.218 ACRES TO ACCOMPANY FIELD NOTES FN1187
	FILE: H:\Survey\Blackhawk_2010\Work\Zoning Exhibits\Blackhawk_Zoning Exhibit 2011.dwg DATE: Mar 25, 2011 - 12:51pm	

EXHIBIT "C"
TRACT ONE: 2.785 ACRES (ZONED GB2)

P Permitted Land Use
X Prohibited Land Use

Land Use	GB1	GB2	Notes (paraphrased, and if applicable only)
Multi-Family Rental Use	X	X	
Cemetery / Mausoleum	X	X	
Church	P	P	
Civic/Convention Center	X	X	
Clinic	P	P	
College, University, Trade or Private Boarding School	X	X	
Accessory Drive-in/thru	P	P	Only in rear or side of building
Gas Station (GB1: Convenience Prohibited)	X	X	
Gov't. Facilities	P	P	If not contained in a building, either at least 100' from residential use or provide 30' buffer
Hospital	P	P	
Mortuary / Funeral Home	X	X	
Municipal Uses	P	P	If not contained in a building, either at least 100' from residential use or provide 30' buffer
Museum / Art Gallery	P	P	
Overhead / Rollup Doors	X	X	
School, Public, Private, or Parochial	X	X	
Public Swimming Pool	P	P	Access from at least one collector or arterial street, and at least 100' from site boundaries.
Bus Depot	X	X	
Transit Terminal	X	X	
Admin, Medical or Professional Office	P	P	
Governmental Office	P	P	
Research & Development Center	X	X	
Bar / Tavern	X	X	
Bicycle Shop	P	P	No gasoline engines sold or repaired
Body Art Studio	X	X	
Business Services	P	P	
Catering Establishment	P	P	
Commercial Amusements, Indoor	X	X	
Commercial Amusements, Outdoor	X	X	
Contractor's Shop	P	P	No outdoor storage
Day Care Facility	P	P	
Dry Cleaning, Major	X	X	
Dry Cleaning, Minor	P	P	
Financial Institution	P	P	
Golf Course and/or Country Club	X	X	
Golf Driving Range	X	X	
Gymnastics / Dance Studio	P	P	
Health / Fitness Center	P	P	
Hotel	X	X	
Household Appliance Service and Repair	P	P	
Laundromat	X	X	
Massage Therapy, Licensed	P	P	
Mortuary / Funeral Parlor	X	X	
Motel	X	X	
Nursery Indoor / Outdoor Sales	P	P	Restrictions on outdoor display and storage do not apply
Pawn Shop	X	X	

Land Use	GB1	GB2	Notes (paraphrased, and if applicable only)
Personal Services Shop	P	P	
Pet Store / Kennel / Vet Clinic	P	P	No outside runs, kennels, or other similar features
Print Shop, Minor	P	P	
Print Shop, Major	X	P	
Residence Hotel	X	X	
Restaurant (GB1: Drive-Thru Only)	X	X	
Retail Sales - Single Tenant over 50,000 s.f.	X	X	
Retail Sales & Service	P	P	
Small Engine Repair Shop	X	X	
Theater, Neighborhood or Regional	X	X	
Trailer Rental	X	X	
Auto Parts Sales, Inside	P	P	
Automobile Parking Lot / Garage	P	P	
Car Wash	X	X	
Vehicular Sales, Rental, Repair and Service	P	P	
Auction Sales	X	X	
Machine Shop	P	P	
Mini-Warehouse / Public Storage	X	X	
Office / Showroom	P	P	
Office / Warehouse / Distribution Center	P	P	
Portable Building Sales	X	X	
Storage or Wholesale Warehouse	P	P	
Trailer / Mobile Home Display and Sales	X	X	
Free Standing Monopole Cell Tower	X	X	

EXHIBIT "D"
TRACT TWO: 2.218 ACRES (ZONED GB1)

P Permitted Land Use
X Prohibited Land Use

Land Use	GB1	Notes (paraphrased, and if applicable only)
Multi-Family Rental Use	X	
Cemetery / Mausoleum	X	
Church	P	
Civic/Convention Center	P	
Clinic	P	
College, University, Trade or Private Boarding School	P	
Accessory Drive-in/thru	P	In GB1, only allowed in rear or side of building
Gas Station (GB1: Convenience Prohibited)	X	Only within 200' of intersecting major streets
Gov't. Facilities	P	If not contained in a building, either at least 100' from residential use or provide 30' buffer
Hospital	P	
Mortuary / Funeral Home	P	
Municipal Uses	P	If not contained in a building, either at least 100' from residential use or provide 30' buffer
Museum / Art Gallery	P	
Overhead / Rollup Doors	X	At least 100' from residential use
School, Public, Private, or Parochial	P	
Public Swimming Pool	P	Access from at least one collector or arterial street, and at least 100' from site boundaries.
Bus Depot	X	
Transit Terminal	X	
Admin, Medical or Professional Office	P	
Governmental Office	P	
Research & Development Center	X	
Bar / Tavern	X	
Bicycle Shop	P	No gasoline engines sold or repaired
Body Art Studio	X	
Business Services	P	Business operations wholly enclosed within structure
Catering Establishment	P	
Commercial Amusements, Indoor	X	
Commercial Amusements, Outdoor	X	
Contractor's Shop	X	
Day Care Facility	P	
Dry Cleaning, Major	X	
Dry Cleaning, Minor	P	
Financial Institution	P	
Golf Course and/or Country Club	X	
Golf Driving Range	X	
Gymnastics / Dance Studio	P	
Health / Fitness Center	P	
Hotel	X	
Household Appliance Service and Repair	P	Wholly enclosed within structure
Laundromat	X	
Massage Therapy, Licensed	P	
Mortuary / Funeral Parlor	X	
Motel	X	
Nursery Indoor / Outdoor Sales	P	Restrictions on outdoor display and storage do not apply
Pawn Shop	X	

Land Use	GB1	Notes (paraphrased, and if applicable only)
Personal Services Shop	P	
Pet Store / Kennel / Vet Clinic	P	No outside runs, kennels, or other similar features
Print Shop, Minor	P	
Print Shop, Major	X	
Residence Hotel	X	
Restaurant (GB1: Drive-Thru only)	X	
Retail Sales - Single Tenant over 50,000 s.f.	X	
Retail Sales & Service	P	
Small Engine Repair Shop	X	
Theater, Neighborhood or Regional	X	
Trailer Rental	X	
Auto Parts Sales, Inside	P	
Automobile Parking Lot / Garage	P	
Car Wash	X	
Vehicular Sales, Rental, Repair and Service	P	
Auction Sales	X	
Machine Shop	X	
Mini-Warehouse / Public Storage	X	
Office / Showroom	X	
Office / Warehouse / Distribution Center	X	
Portable Building Sales	X	
Storage or Wholesale Warehouse	X	
Trailer / Mobile Home Display and Sales	X	
Free-standing Monopole Cell Tower	X	