



**NOTICE OF MEETING OF THE  
PLANNING AND ZONING COMMISSION  
OF  
BUDA, TX  
6:30 PM - Tuesday, July 26, 2022  
Council Chambers, Room 1098  
405 E. Loop Street, Building 100  
Buda, TX 78610**

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Regular Planning & Zoning Meeting** of the City of Buda, TX, will be held at which time the following subjects will be discussed and may be acted upon.

**A. CALL TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES AND TEXAS**

*PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

**D. ROLL CALL**

*Chair Jeffrey Cottrill  
Vice-Chair Emily Jones  
Commissioner Henry Altmiller  
Commissioner Virginia Jurika  
Commissioner Jim Ladner  
Commissioner David Nuckels  
Commissioner Matthew Wright*

**E. PUBLIC COMMENTS/PUBLIC TESTIMONY**

*Members of the public who wish to participate in Public Comment must complete a form and turn it into the City Clerk before the period provided for Public Comment is called for consideration by the presiding officer. Members of the public who wish to participate during the Public Testimony period provided for any item on the agenda must complete a form and turn it into the City Clerk before the item they wish to participate in is called for consideration by the presiding officer.*

**F. CONSENT AGENDA**

**F.1. Approval of the minutes of the regular meeting of the Planning and Zoning commission held June 28, 2022.**

[PZ 6.28.2022 Minutes.docx](#)

**F.2. Consideration and approval of the Final Plat of Buda Industrial East Group, Being lots 1 and 2, Block A, being 21.736 +/- acres of the George Herder Survey, Abstract No. 239, Buda, Hays County Texas,**

generally located on the IH-35 frontage road, between Hillside Terrace and Marlstone Trail in the Buda ETJ (FP 21-19) (Planner I Tyler Frost).

[Buda Industrial Eastgroup \(FP 21-19\) SR.doc](#)

[Buda Industrial Eastgroup Final Plat.pdf](#)

[Hays County 1445 Approval Letter.pdf](#)

- F.3.** Consideration and approval of the Final Plat of Tunze Subdivision, being 1.706 +/- acres out of the Philip J. Allen Survey No. 5, Abstract No. 1, Buda, Hays County, Texas, generally located at the southeast corner of the intersection of FM 1626 and Cole Springs Road in the Buda ETJ (FP 21-07) (Planner I Tyler Frost).

[Tunze FP 21-07 SR.doc](#)

[Tunze Subdivision Final Plat.pdf](#)

[Hays County 1445 Approval Letter.pdf](#)

## **G. REGULAR AGENDA**

- G.1.** Election of Chair and Vice-Chair.

[PZ bylaws 7.5.11 editionsigned\\_1 .pdf](#)

- G.2.** Consideration, discussion, and possible action regarding the removal of a signature tree as part of the proposed Tunze development, being 1.705 acres +/- out of the Philip J. Allen Survey No. 5, Abstract No. 1, Buda, Hays County, Texas, generally located at the southeast corner of the intersection of FM 1626 and Cole Springs Road in the Buda ETJ (Planner I Tyler Frost).

[Tunze Tree Removal SR.doc](#)

[Existing Conditions & Tree Survey.pdf](#)

[Proposed Site Plan.pdf](#)

[Tunze Driveway Permit.pdf](#)

- G.3.** Public Hearing, Consideration and possible action on the proposed Persimmon Development Agreement (DA) for a total of 775 +/- acres in the City of Buda, Buda ETJ, City of Austin ETJ and Travis and Hays counties on property located north of RM 967 known as the Bailey/Armbruster tracts and Milestone development (DA 22-01) (Planning Director Melissa McCollum).

[SR 072922 Persimmon DA Report Update.docx](#)

[DA-22-01 - Persimmon Development Agreement \(redline\) 072022.pdf](#)

[2022 07-18 Armbruster Bailey DA Exhibits.pdf](#)

[Combined Neighborhood Communicaiton.pdf](#)

[COA ETJ Release - Persimmon jsh 070622.docx.pdf](#)

[2022 07-21 Persimmon Buda PZ Presentation 2 per page.pdf](#)

## **H. WORKSHOP**

- H.1.** Workshop, consideration and discussion regarding a proposed future Municipal Utility District (MUD), Development Agreements (DA) and Planned Development (PD) zoning change to allow residential development on the Reserve at Cole Springs located within City of Buda and Buda Extra Territorial Jurisdictions (ETJ) for approximately 110 +/- acres off Cole Springs Road with some frontage on Old Black Colony Road, Buda, TX 78610 (Planning Director Melissa McCollum).



**H.2. Work Session, presentation, and feedback on the draft FY 2023-27 Capital Improvements Plan (CIP) for the City of Buda (City Manager Micah Grau).**

[CIP FY2023 - 27 - DRAFT 7.21.22 reduced.pdf](#)

**I. PLANNING DIRECTOR'S REPORTS**

*COVID-19, Developments, Engineering Department, FY 2022 Budget, Transportation Mobility and Master Plan, 2014 & 2021 Bond Program, Capital Improvement Projects, Drainage Projects, Wastewater Projects, and Water Project, General/Special Election, Grant Related Projects, Legislative Update, Library Projects, Main Street Program, Buda Economic Development Corporation (EDC), Tourism Projects, Parks & Recreation Department, Historic Preservation Commission, Sustainability Commission, MFV Ad Hoc Committee, Road Projects, Status-Future Agenda Request, Strategic Plan (Planning Director Melissa McCollum)*

**J. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS**

**K. ADJOURNMENT**

*City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to the meeting. Please contact City Hall at (512) 312-0084, or FAX (512) 312-1889 for information or assistance.*

*I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Buda, was posted on the bulletin board in front of Buda City Hall, which is readily accessible to the public at all times, by 5:00 pm on July 22, 2022.*

/s/ \_\_\_\_\_  
Melissa McCollum, AICP  
Planning Director / Board Liaison



Meetings scheduled in the Council Chambers are set up to publicly broadcast meetings. You may be audio and video recorded while in this facility. Meetings scheduled in other City Facilities are set up to publicly audio record meetings. You may be audio recorded in the other City Facilities.

In accordance with Article III, Section 3.10, of the Official Code of the City of Buda, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on meetings may be obtained from the Board Liaison, or video of the entire meeting may be downloaded from the website. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

A Public Comment period will be provided to allow for members of the public to participate and speak to the Board/Commission on any topic that is not on the meeting agenda. At this time, comments will be taken from the audience on non-agenda related topics. A Public Testimony period will be provided at each meeting of the Board/Commission to allow members of the public to participate and speak to the Board/Commission on any topic that is on the meeting agenda, prior to any vote on the matter up for consideration. During these periods, the presiding officer shall

routinely provide three (3) minutes to each person who desires to speak but may provide no less than one (1) minute and no more than five (5) minutes to each person addressing the Board/Commission. The amount of time provided to each person, if altered by the presiding officer, shall be announced by the presiding officer prior to recognizing persons to speak and shall be objectively applied to all persons speaking during Public Comment or each Public Testimony period.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

CITY OF BUDA  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
JUNE 28, 2022 - 6:30 PM.

**A. CALL TO ORDER**

Vice-Chair Jones called the meeting to order at 6:34 PM.

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES AND TEXAS**

**D. ROLL CALL**

Chair Jeffrey Cottrill	Present (Virtual)
Vice-Chair Emily Jones	Present
Commissioner Henry Altmiller	Absent
Commissioner Virginia Jurika (substitute Meghan McCarthy)	Absent/ Present
Commissioner Jim Ladner	Present
Commissioner David Nuckels	Present
Commissioner Matthew Wright	Present

**E. PUBLIC COMMENTS/PUBLIC TESTIMONY**

No public comments or testimonies were made.

**F. CONSENT AGENDA**

**F.1. Approval of the minutes of the regular meeting of the Planning and Zoning commission held on June 14, 2022.**

Vice-chair Jones moved to approve the consent agenda. The motion was approved 6-0.

**G. REGULAR AGENDA**

**G.1 Consideration, discussion, and possible action regarding the replat of Lots 1A and 2 of the Amended Plat of Sunfield Light Industrial, establishing Sunfield Light Industrial Replat, Block A, Lots 1B, 1C, 1D, 1E, 1F and 2A being +/- 57.189 acres out of the George Herder Survey, Abstract No. 537, located in the City of Buda ETJ, Hays County Texas, located east of Fire Cracker Drive between Main Street and Sundown Drive, Buda, TX 78610 (RP 22-04) (Senior Planner Will Parrish).**

Senior Planner Will Parrish introduced the item to the Commission. The plat covers roughly 57.189 acres in the Buda ETJ and is subject to the Shops at Sunfield Development Agreement (DA). Through the plat there is dedication of a new road, Deep Roots Drive, and there is a required drainage lot along the northeast corner. Water service is provided by Goforth SUD and wastewater service is provided by the Sunfield MUD. This plat is a replat of an amending plat, which was originally approved administratively by City staff.

Staff recommended conditional approval of the plat, with the following conditions: 1) execution of a maintenance agreement between the Sunfield MUD and property owners regarding perpetual maintenance of the newly established Deep Roots Drive; 2) Opinion of Probable Cost (OPC) is accepted; 3) recordation of the drainage easement; and 4) fee-in-lieu of sidewalks on Deep Roots Drive is paid prior to recordation.

Commissioners had questions regarding the need for the new road dedication, which Senior Planner Will Parrish clarified that it was necessary for the newly established lots to have access. Questions also arose as to what the allowed land use types were listed in the DA in the in the subject area. The intent of the subject property is light industrial and multifamily, which are allowable use types in the DA. It was also clarified that the sidewalk fee-in-lieu was only for Deep Roots Drive. Commissioners also had questions on how Deep Roots Drive would be constructed to handle light industrial uses.

Vice-chair Jones made a motion for conditional approval with the four stated conditions recommended by staff. Chair Cottrill seconded the motion. The motion passed 6-0.

**G.2. Consideration, discussion, and possible action on the tabled Resolution from the May 24, 2022 P&Z meeting, recommending the City Council adopt a policy for “resign-to-run” for the Planning and Zoning Commission (Planning Director Melissa McCollum).**

A motion to deny the policy was made by Vice-chair Jones, with Chair Cottrill seconding the motion. The motion to deny the policy carried by a vote of 5-1, with Commissioner Nuckels voting in opposition of the denial.

**H. PLANNING DIRECTORS REPORT**

**H.1. Presentation on the City of Buda Drainage and Water Quality Requirements for Development (Senior Engineer Angela Kennedy).**

Senior Project Engineer Angela Kennedy gave a presentation to the Commission regarding the City of Buda’s drainage and water quality standards for development throughout the city. Specific topics highlighted drainage criteria found in the UDC as well as components of the adopted Engineering Criteria Manual.

**H.2. Presentation and discussion regarding proposed future workshop and text amendments to the Unified Development Code (UDC) from City Council workshop on June 21, 2022 (Planning Director Melissa McCollum).**

Planning Director Melissa McCollum gave a presentation to the Commission regarding the proposed future UDC amendments that went before City Council on June 21, 2022. An important potential amendment identified by the Buda EDC is to eliminate the Gateway Corridor Overlay along Robert S. Light Boulevard, as there have been frustrations with overlay by developers in this specific area. Removal of this overlay would only pertain to the section on Robert S. Light. Staff also identified options to alter the overlay requirements if total elimination was not a preferred option. Some of these options include reducing glazing requirements from a minimum of 50% of the front building façade to 30%; requiring

parking to be located behind the front façade of the primary building; and increasing sidewalk width from 6 to 10 feet in width.

Another future amendment would focus on increasing the flexibility for development within the downtown form-based code districts. This could include removing the minimum side setback requirements for the F5H zoning district; removing or relaxing requirements for non-residential uses in F5H, allow for the ability of small additions to bring the property closer to code conformance rather than triggering a full scale redevelopment; and to allow development to activate frontage requirements with certain features rather than building facades (e.g. courtyards, play spaces, gardens, outdoor dining, etc.).

Other future minor revisions to the UDC include clarification of swimming pool standards, allowing work within 25% of a tree's drip line, updating the code to the most recent Dark Sky compliant regulations, and more.

### **H.3. Future Agenda Item Request: Presentation and discussion on the City of Buda's Development Process (Planning Director Melissa McCollum).**

Planning Director Melissa McCollum presented to the Commission on the City's development process to inform the Commission on what goes into staff review of all development types, ranging from full scale development of a tract to issuance of building permits.

## **I. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS**

There were no requests for future items from the Commission

## **J. ADJOURNMENT**

Commissioner Wright made a motion to adjourn, with Commissioner McCarthy seconding. The meeting was adjourned at 8:07 PM.



# Planning and Zoning Commission Agenda Item Report July 26, 2022

Contact – Tyler Frost, Planner  
512-523-0063 / [tyler.frost@ci.buda.tx.us](mailto:tyler.frost@ci.buda.tx.us)

**SUBJECT:** CONSIDERATION AND APPROVAL OF THE FINAL PLAT OF LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EAST GROUP, BEING 21.736 +/- ACRES OUT OF THE GEORGE HERDER SURVEY, ABSTRACT NO. 239, BUDA, HAYS COUNTY, TEXAS, GENERALLY LOCATED ALONG IH-35 BETWEEN HILLSIDE TERRACE AND MARLSTONE TRAIL IN THE BUDA ETJ (FP 21-19).

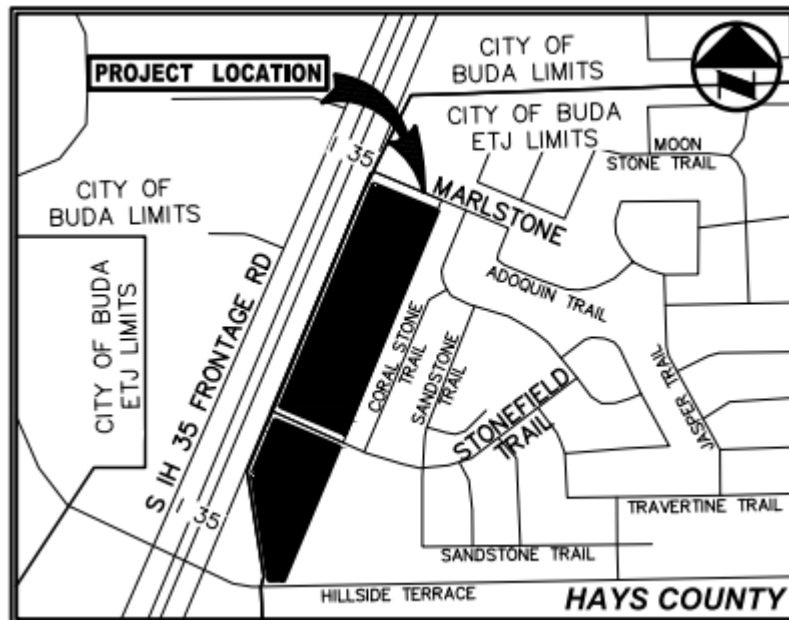
**1. BACKGROUND/HISTORY**

This is the action item for considering approval of the Final Plat for Lots 1 and 2, Block A, Buda Industrial East Group.

Water service will be provided by Goforth WSC and wastewater will be provided by South Buda WCID #1.

**2. FINDINGS/CURRENT ACTIVITY**

The plat covers 21.736 acres, northeast of the intersection of Hillside Terrace and IH-35.



The site is located in the Buda ETJ but is within our limited purpose annexation area. The plat is the proposed site of a warehouse and commercial retail business, of which a site

plan is currently under review by City staff. The proposed layout contains 2 lots. The largest lot, at 14.857 acres, will include the development of two buildings. The smaller lot, at 6.879 acres, will include the development of one building as well as a drainage area.

The site is relatively steep, with the highest elevation in the northeast corner of the lot and decreases moving south. Because of this, the smaller lot south of Stonefield Trail includes a dedicated drainage easement.

Water service will be provided by the Goforth WSC and wastewater will be provided by South Buda WCID #1.

**3. FINANCIAL IMPACT**

The subdivision will generate plat and site plan review fees. As the site is in the ETJ, it will not produce building permit, impact fees, property taxes, or sales taxes.

**4. ACTION OPTIONS/RECOMMENDATION**

Staff recommends approval of the Lots 1 and 2, Block A, Buda Industrial East Group Final Plat as submitted July 21, 2022.

*I. Criteria for Approval*

*The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied:*

*2. Without Prior Approved Preliminary Plat*

*a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;*

**No Preliminary Plat was required for this subdivision.**

*b. The Construction Plans conform to the requirements of 3.04.01. Construction Plans and have been approved by the City Engineer;*

**No Public Improvement Construction Plans are required with this subdivision.**

*c. An Improvement Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Subsection 3.04. Construction Plans and Procedures;*

**No Improvement Agreement or surety is required for this subdivision.**

*d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this UDC; and*

**This lot within the ETJ meets the platting requirements.**

*e. The Final Plat conforms to the Director of Planning's subdivision Application checklist and UDC regulations.*

**This plat meets the checklist requirements.**

**5. ATTACHMENTS**

Final Plat of Lots 1 and 2, Block A, Buda Industrial Eastgroup  
Hays County 1445 Approval Letter

GENERAL NOTES

- 1. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas South Central Zone 4204. Distances reported have been scaled by applying the surface adjustment factor of 1.0000873875.
2. This property is not located within the boundaries of the Edwards Aquifer Contributing, Recharge, or Transition Zone.
3. This property is located within the City of Buda ETJ and Limited Purpose Annexations.
4. This property is located within the Hays County Consolidated Independent School District.
5. This property is located within Hays County ESD #2 and #8.
6. This property is located in Barton Springs/Edwards Aquifer Conservation District.
7. Water service by Goforth WSC.
8. Wastewater service is provided by the South Buda WCID#1.
9. Electric service by Pedernales Electric Cooperative, Inc.
10. Telephone service by Time Warner / Spectrum and Verizon.
11. Building setback lines shall be in accordance with City of Buda zoning ordinance requirements.
12. Sidewalks shall be in accordance with City of Buda zoning ordinance requirements.
13. A 15-foot Water Easement is dedicated along Interstate Highway No. 35.
14. Easements: Any public utility, including the City, shall have the right to move and keep move all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements or Right-of-Way shown on the Plat (or filed by separate instrument that is associated with said property); and any public utility, including City, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone. Easements shall be maintained by property owners. The City can move trees or any other improvements and does not have the responsibility to replace them.
15. Post-Construction Stormwater control measures shall have a maintenance plan. The maintenance plan must be filed in the real property records of Hays County. The owner operator of any new development or redevelopment site shall develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site. Operation and maintenance performed shall be documented and retained and made available for review upon request.
16. Post-development conditions runoff rate shall be no greater than the pre-developed condition for 2, 5, 10, 25, and 100 year storm events. Pre and post development runoff calculations shall be included with the construction drawings for this subdivision.
17. Their are two lots to be used for development on this tract with Lot 1 being 6.879 acres and Lot 2 being 14.857 acres. Lot 1 falls inside the larger than 5.0 acres and smaller than 10 acres size category and Lot 2 falls inside the 10 acre or larger size category.

FLOODPLAIN NOTE:

NO PORTION OF THIS SITE IS LOCATED WITHIN 100-YEAR FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP 48209C0290F, DATED SEPTEMBER 2, 2005, THIS TRACT FALLS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

OWNER'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, EASTGROUP PROPERTIES, L.P., owner of 21.736 acres of land out of the George Herder Survey, Abstract No. 239, situated in Hays County, Texas, conveyed by Document Number 21065987, Official Public Records of Hays County, Texas, to be known as LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP, as shown hereon and do hereby dedicate to the public the use of the easements hereon.

Witness my hand this \_\_\_ day of \_\_\_\_\_, 2022

Owner: Reid Dunbar

Notary

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Reid Dunbar, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_ day of \_\_\_\_\_, 2022.

Notary Public in and for the State of Texas

Witness my hand this \_\_\_ day of \_\_\_\_\_, 2022

HAYS COUNTY SIGNATURE BLOCK

I, the undersigned, director of the Hays County Development Services Department, hereby certify that this subdivision plat conforms to all Hays County Requirements as stated in the Interlocal Cooperation Agreement between Hays County and the City of Buda for the subdivision regulation within the extraterritorial jurisdiction of the City of Buda.

Marcus Pacheco, Director, Hays County Development Services

HAYS COUNTY WATER/WASTEWATER

No structure in this subdivision shall be occupied until connected to an individual water supply or a state-approved community water system. Due to declining water supplies and diminishing water quality, prospective property owners are cautioned by Hays County to question the seller concerning groundwater availability. Rainwater collection is encouraged and in some areas may offer the best renewable water resource. No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system which has been approved and permitted by Hays County Development Services. No construction or other development within this subdivision may begin until all Hays County Development Permit requirements have been met.

Eric Van Gaasbeek, R.S., C.F.M. Hays County Floodplain Administrator

WASTEWATER UTILITY PROVIDER SIGNATURE BLOCK COMPANY: NAME & TITLE: DATE:

WATER UTILITY PROVIDER SIGNATURE BLOCK COMPANY: NAME & TITLE: DATE:

OWNER: EASTGROUP PROPERTIES, L.P. 7301 NORTH STATE HIGHWAY 161, SUITE 215 IRVING, TEXAS 75039 PH: 972-386-8700 CONTACT: REID DUNBAR

SURVEYOR: PACHECO KOCH, INC. 7557 RAMBLER ROAD, SUITE 1400 DALLAS, TEXAS 75231 PH: 972-235-3031 CONTACT: KYLE COLEMAN HARRIS

ENGINEER/APPLICANT: PACHECO KOCH, INC. 8701 N. MOPAC EXPRESSWAY, SUITE 320 AUSTIN, TX 78759 PH: 214-451-2765 CONTACT: CLAYTON J. STROLLE

CITY CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

I, Alicia Ramirez, City Secretary of the City of Buda, Texas, hereby certify that the above foregoing Final Plat of Lots 1 and 2, Block A, Buda Industrial Eastgroup, has been submitted to and approved on behalf of the City Council of the City of Buda, Texas on the \_\_\_ day of \_\_\_\_\_, 2022. Said Plat shall be subject to all requirements of the unified development code of the City of Buda.

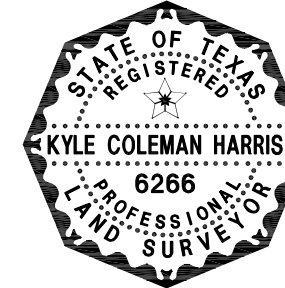
Witness my hand this the \_\_\_ day of \_\_\_\_\_, 2022.

Alicia Ramirez, City Clerk City of Buda, Texas

SURVEYOR'S CERTIFICATION

THAT I, Kyle C. Harris, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that this plat is true and correctly made from an actual survey made on the ground of the property legally described hereon, and that there are no apparent discrepancies, conflicts, overlapping of improvements, visible utility lines or road in place, except as shown on the accompanying plat, and that the corner monuments shown thereon were properly placed under my supervision in accordance with the subdivision regulations of the City of Buda, Texas.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT DALLAS, TEXAS THIS \_\_\_ day of \_\_\_\_\_, 2022.



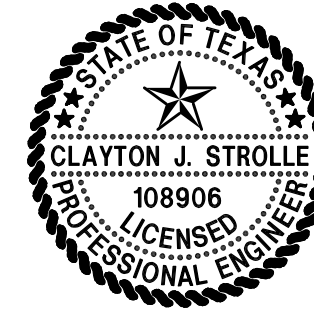
Kyle C. Harris Registered Professional Land Surveyor No. 6266 State of Texas

ENGINEER'S CERTIFICATE

STATE OF TEXAS COUNTY TRAVIS

I, Clayton J. Strolle, Registered Professional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given to this plat to the matters of streets, and lots, and it is true and correct to the best of my knowledge.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT AUSTIN, TEXAS THIS \_\_\_ TH DAY OF \_\_\_\_\_, 2022



Clayton J. Strolle Registered Professional Engineer No. 108906 State of Texas

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SUPERVISION OF CLAYTON J. STROLLE, P.E. 108906 ON 06/\_\_\_/2022. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

PLAT INFORMATION

NAME OF LEGAL PROPERTY OWNER: JOHN HORTON

ACREAGE: 21.736 ACRES

ENGINEER: PACHECO KOCH, INC.

SURVEYOR: PACHECO KOCH, INC.

NUMBER OF LOTS AND BLOCKS: 2 LOTS AND 1 BLOCK

CENTERLINE LINEAR FOOTAGE OF ALL NEW PUBLIC STREETS: NONE

ADJACENT PROPERTIES TO BE CREATED: NONE

SUBMITTAL DATE: 03/03/2022

ENCOMPASSING LAND ABSTRACT SURVEY: GEORGE HERDER SURVEY, ABSTRACT NO. 239

BENCHMARK DESCRIPTION & ELEVATION: SEE BENCHMARK LIST

ACREAGE BY LOT TYPE: DEVELOPMENT - 21.736 ACRES

NUMBER OF LOTS BY TYPE: 2 DEVELOPMENT LOTS - 21.736 ACRES

KNOW ALL MEN BY THESE PRESENTS:

I, Elaine H Cardenas, County Clerk of Hays County, Texas, do hereby certify that the foregoing instrument of writing with it's certificate of authentication was filed for record in my office on the \_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_ o'clock \_\_\_M., in the Plat Records of Hays County, Texas as Document No. \_\_\_\_\_

Witness my hand and seal of office of the County Clerk of said County the \_\_\_ day of \_\_\_\_\_, 2022.

Elaine H. Cardenas, County Clerk Hays County, Texas

Table with 2 columns: NUMBER OF LOTS, NUMBER OF BLOCKS. Values: 2, 1.

Table with 4 columns: USE, ACRES, SF, NUMBER. Row: DEVELOPMENT, 21.736, 946,815, 2.

BENCH MARK LIST

Table with 2 columns: BM# and description. Includes BM# 4, 6, and 7 with coordinates and elevations.

Table with 2 columns: Submittal Date and Date. Includes 1st through 6th submittal dates.

SHEET 1 OF 6 FINAL PLAT LOTS 1 AND 2, BLOCK A BUDA INDUSTRIAL EASTGROUP

21.736 ACRES OF LAND OUT OF THE GEORGE HERDER SURVEY, ABSTRACT NO. 239, SITUATED IN THE CITY OF BUDA (ETJ), HAYS COUNTY, TEXAS FP 21-19

Pacheco Koch logo and contact information: 7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031 TX REG. ENGINEERING FIRM F-469 TX REG. SURVEYING FIRM LS-10008000

Table with 5 columns: DRAWN BY, CHECKED BY, SCALE, DATE, JOB NUMBER. Values: JM/LAH, KCH, NONE, JUNE 2022, 4910-21.103

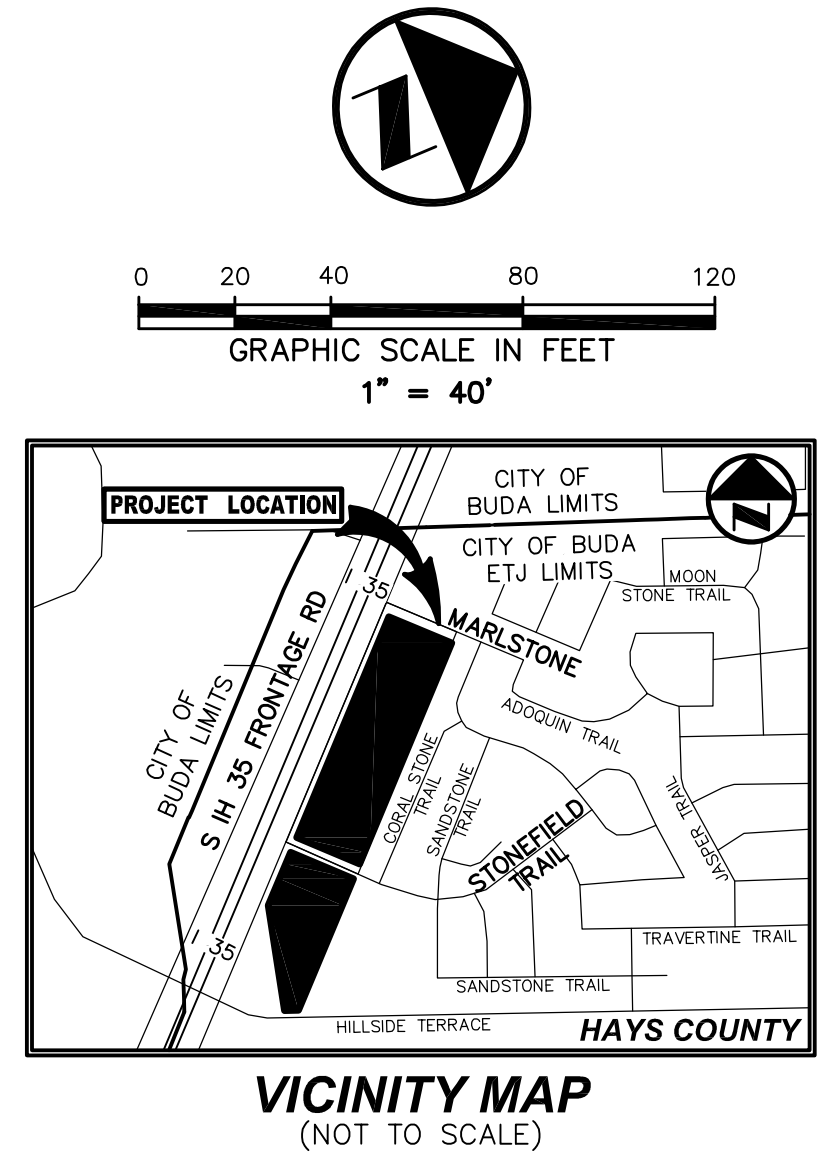
7/21/2022 8:49 AM C:\USERS\GSTROLLE\DESKTOP\COLORADO WORK PROGRESS\4910-21.103\_FP\OVERALL\_18X24\_HAYS COUNTY.DWG

FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 80°05'56" E	43.73'
L2	N 11°47'39" W	24.71'
L3	N 11°47'39" W	202.43'
L4	S 67°20'38" E	15.00'
L5	S 22°39'23" W	13.43'
L6	S 00°09'23" W	41.73'
L7	S 67°20'40" E	9.52'
L8	N 67°20'40" W	9.52'
L9	N 22°39'22" E	15.00'
L10	N 67°20'38" W	15.00'
L11	S 22°39'22" W	15.00'
L12	N 22°39'22" E	15.00'
L13	N 67°20'38" W	15.00'
L14	S 22°39'22" W	15.00'
L15	N 22°39'22" E	15.00'
L16	S 67°20'38" E	15.00'
L17	S 22°39'22" W	15.00'
L18	N 22°39'23" E	15.04'
L19	N 67°20'37" W	15.00'
L20	S 22°39'23" W	15.04'

**INTERSTATE HIGHWAY NO. 35**  
(VARIABLE WIDTH RIGHT-OF-WAY)



- LEGEND**
- PROPERTY LINE
  - - - ADJOINER PROPERTY LINE
  - - - EASEMENT LINE
  - - - PROPOSED EASEMENT LINE
  - - - SETBACK LINE
  - - - ABSTRACT LINE
  - - - CITY LIMITS
  - D.R.H.C.T. DEED RECORDS HAYS COUNTY, TEXAS
  - O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
  - 5/8-INCH IRON ROD
  - IRS W/"PACHECO KOCH" CAP SET
  - (C.M.) CONTROLLING MONUMENT
  - R.H.C.T. RECORDS HAYS COUNTY, TEXAS

1ST SUBMITTAL DATE: JUNE 10, 2021  
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 5TH SUBMITTAL DATE: MARCH 03, 2022  
 6TH SUBMITTAL DATE: JUNE 10, 2022

SHEET 2 OF 6  
**FINAL PLAT**  
**LOTS 1 AND 2, BLOCK A**  
**BUDA INDUSTRIAL**  
**EASTGROUP**  
 21.736 ACRES OF LAND OUT OF THE  
 GEORGE HERDER SURVEY, ABSTRACT NO. 239,  
 SITUATED IN THE CITY OF BUDA (ETJ),  
 HAYS COUNTY, TEXAS  
 FP 21-19

**Pacheco Koch** 7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031  
 TX REG. ENGINEERING FIRM F-469  
 TX REG. SURVEYING FIRM LS-10008000

DRAWN BY JM/LAH	CHECKED BY KCH	SCALE 1"=40'	DATE JUNE 2022	JOB NUMBER 4910-21.103
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**SURVEYOR:**  
 PACHECO KOCH, INC.  
 7557 RAMBLER ROAD, SUITE 1400  
 DALLAS, TEXAS 75231  
 PH: 972-235-3031  
 CONTACT: KYLE COLEMAN HARRIS

**ENGINEER/APPLICANT:**  
 PACHECO KOCH, INC.  
 8701 N. MOPAC EXPRESSWAY, SUITE 320  
 AUSTIN, TX 78759  
 PH: 214-451-2765  
 CONTACT: CLAYTON J. STROLLE

**OWNER:**  
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 7301 NORTH STATE HIGHWAY 161, SUITE 215  
 IRVING, TEXAS 75039  
 PH: 972-386-8700  
 CONTACT: REID DUNBAR

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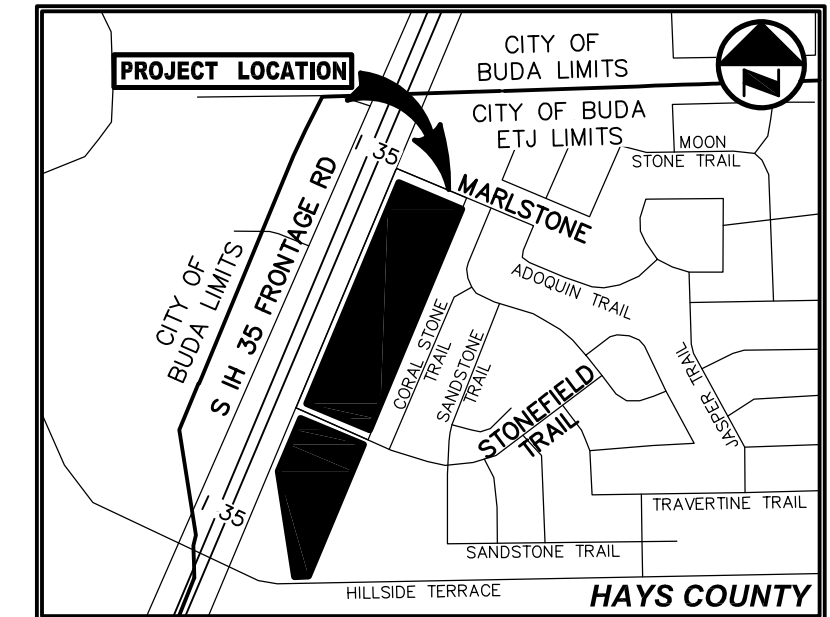
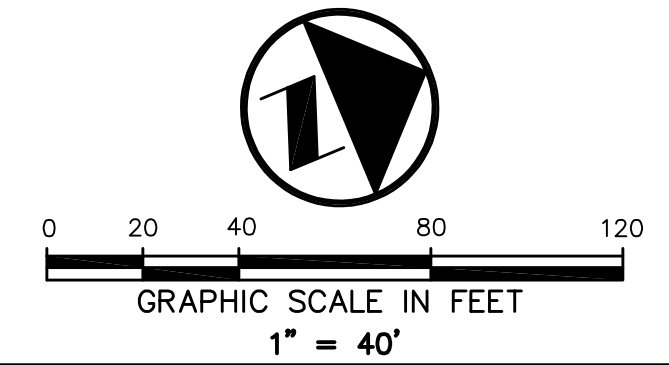
FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP

**INTERSTATE HIGHWAY NO. 35**  
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

**INTERSTATE HIGHWAY NO. 35**  
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)  
(SERVICE ROAD)

CITY OF BUDA LIMITS

CITY OF BUDA ETJ LIMITS



**VICINITY MAP**  
(NOT TO SCALE)  
**LEGEND**

- |     |                        |                                 |                         |
|-----|------------------------|---------------------------------|-------------------------|
| --- | PROPERTY LINE          | O.P.R.H.C.T.                    | OFFICIAL PUBLIC RECORDS |
| --- | ADJOINER PROPERTY LINE | HAYS COUNTY, TEXAS              |                         |
| --- | EASEMENT LINE          | 5/8-INCH IRON ROD               |                         |
| --- | PROPOSED EASEMENT LINE | IRS W/"PACHECO KOCH"            |                         |
| --- | SETBACK LINE           | CAP SET                         |                         |
| --- | ABSTRACT LINE          | (C.M.) CONTROLLING MONUMENT     |                         |
| --- | CITY LIMITS            | R.H.C.T. RECORDS HAYS COUNTY,   |                         |
| --- | D.R.H.C.T.             | DEED RECORDS HAYS COUNTY, TEXAS |                         |

MATCH LINE (SEE SHEET 2)

MATCH LINE (SEE SHEET 4)

**LOT 1, BLOCK A**  
EASTGROUP PROPERTIES, L.P.  
TRACT 2  
(DOC. NO. 21065987)  
(R.H.C.T.)  
**6.879 ACRES**  
(299,665 SF)

**LOT 2, BLOCK A**  
EASTGROUP PROPERTIES, L.P.  
TRACT 1  
(DOC. NO. 21065987)  
(R.H.C.T.)  
**14.857 ACRES**  
(647,150 SF)

**LOT 1, BLOCK A**  
STONEFIELD SECTION ONE  
(VOL. 13, PG. 374)

**LOT 2, BLOCK E**  
STONEFIELD SECTION ONE  
(VOL. 13, PG. 374)  
(O.P.R.H.C.T.)

**POINT OF BEGINNING**  
POINT FOR CORNER  
(1/2-INCH IRON ROD  
W/"CUNNINGHAM ALLEN  
INC." FOUND  
S 46° 56' E - 0.92')

SHEET 3 OF 6  
FINAL PLAT  
**LOTS 1 AND 2, BLOCK A**  
**BUDA INDUSTRIAL**  
**EASTGROUP**  
21.736 ACRES OF LAND OUT OF THE  
GEORGE HERDER SURVEY, ABSTRACT NO. 239,  
SITUATED IN THE CITY OF BUDA (ETJ),  
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FP 21-19

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**SURVEYOR:**  
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7557 RAMBLER ROAD, SUITE 1400  
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PH: 972-235-3031  
CONTACT: KYLE COLEMAN HARRIS

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CONTACT: CLAYTON J. STROLLE

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PH: 972-386-8700  
CONTACT: REID DUNBAR

		7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031 TX REG. ENGINEERING FIRM F-469 TX REG. SURVEYING FIRM LS-10008000		
<b>DRAWN BY</b> JM/LAH	<b>CHECKED BY</b> KCH	<b>SCALE</b> 1"=40'	<b>DATE</b> JUNE 2022	<b>JOB NUMBER</b> 4910-21.103

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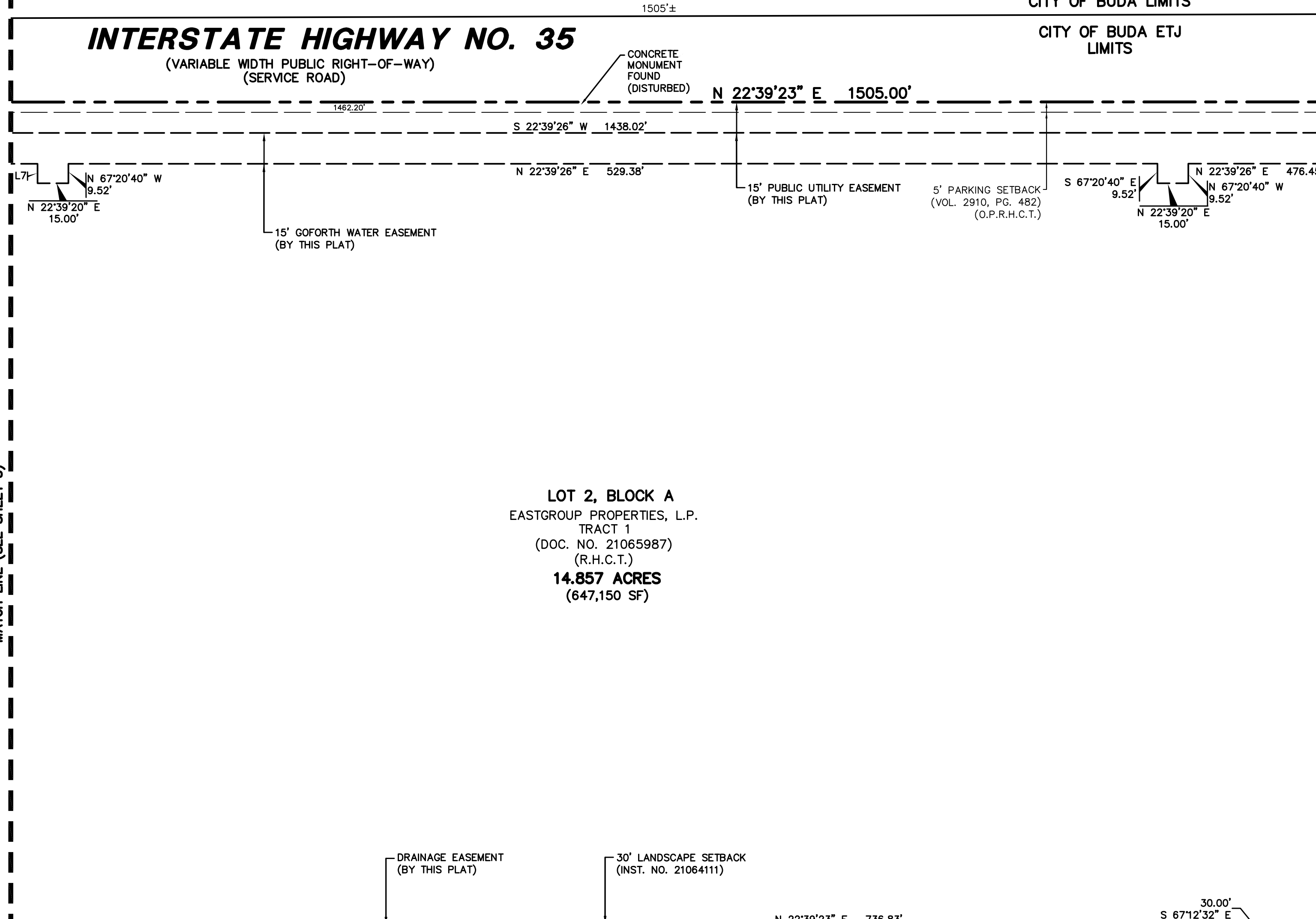
FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP

**INTERSTATE HIGHWAY NO. 35**  
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

**INTERSTATE HIGHWAY NO. 35**  
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)  
(SERVICE ROAD)

CITY OF BUDA LIMITS

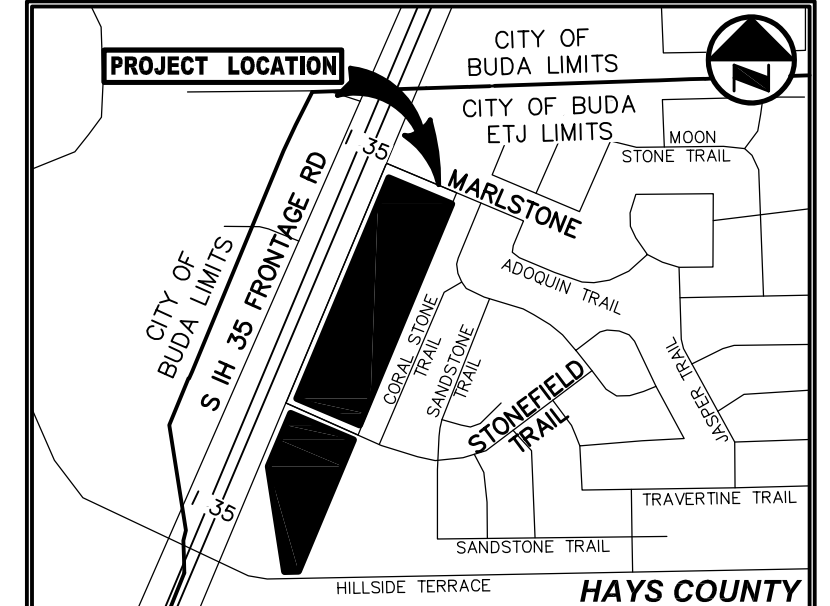
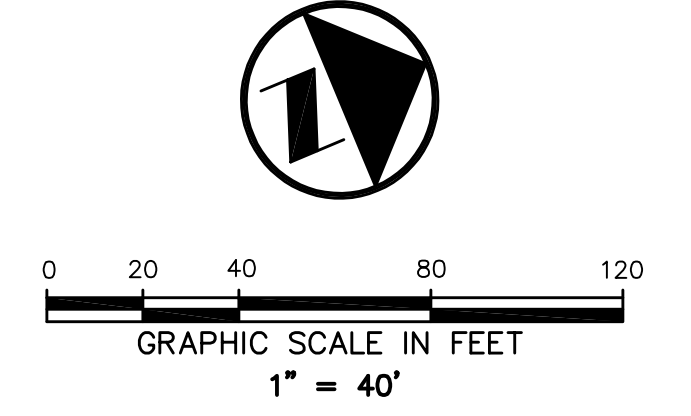
CITY OF BUDA ETJ LIMITS



**LOT 2, BLOCK A**  
EASTGROUP PROPERTIES, L.P.  
TRACT 1  
(DOC. NO. 21065987)  
(R.H.C.T.)  
**14.857 ACRES**  
(647,150 SF)

MATCH LINE (SEE SHEET 3)

MATCH LINE (SEE SHEET 5)



**VICINITY MAP**  
(NOT TO SCALE)

**LEGEND**

- PROPERTY LINE
- - - ADJOINER PROPERTY LINE
- EASEMENT LINE
- - - PROPOSED EASEMENT LINE
- SETBACK LINE
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- D.R.H.C.T. DEED RECORDS HAYS COUNTY, TEXAS
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SHEET 4 OF 6  
FINAL PLAT  
**LOTS 1 AND 2, BLOCK A**  
**BUDA INDUSTRIAL**  
**EASTGROUP**

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FP 21-19

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DRAWN BY JM/LAH	CHECKED BY KCH	SCALE 1"=40'	DATE JUNE 2022
		JOB NUMBER 4910-21.103	

**INTERSTATE HIGHWAY NO. 35**

(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

**INTERSTATE HIGHWAY NO. 35**

(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)  
(SERVICE ROAD)

N 22°39'23" E 1505.00'

S 22°39'26" W 1438.02'

N 22°39'26" E 476.45'

S 67°20'40" E 9.52'

N 22°39'20" E 15.00'

15' GOFORTH WATER EASEMENT  
(BY THIS PLAT)

5' PARKING SETBACK  
(VOL. 2910, PG. 482)  
(O.P.R.H.C.T.)

15' PUBLIC UTILITY EASEMENT  
(BY THIS PLAT)

CITY OF BUDA LIMITS

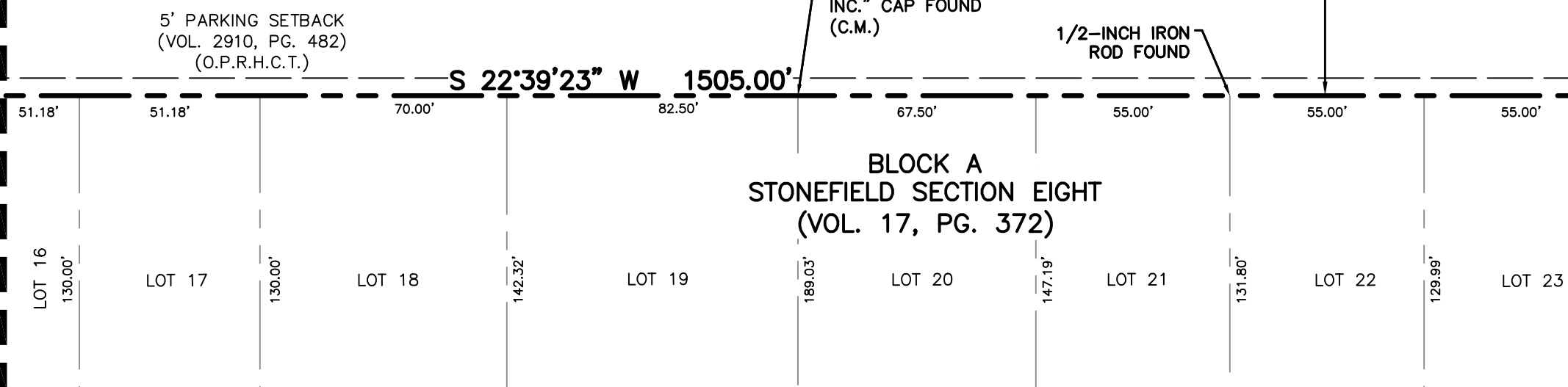
CITY OF BUDA ETJ  
LIMITS

1505'±

MATCH LINE (SEE SHEET 4)

MATCH LINE (SEE SHEET 6)

**LOT 2, BLOCK A**  
EASTGROUP PROPERTIES, L.P.  
TRACT 1  
(DOC. NO. 21065987)  
(R.H.C.T.)  
**14.857 ACRES**  
(647,150 SF)



5' PARKING SETBACK  
(VOL. 2910, PG. 482)  
(O.P.R.H.C.T.)

S 22°39'23" W 1505.00'

1/2-INCH IRON ROD  
W/ "CUNNINGHAM ALLEN  
INC." CAP FOUND  
(C.M.)

1/2-INCH IRON  
ROD FOUND

30' LANDSCAPE SETBACK  
(INST. NO. 21064111)

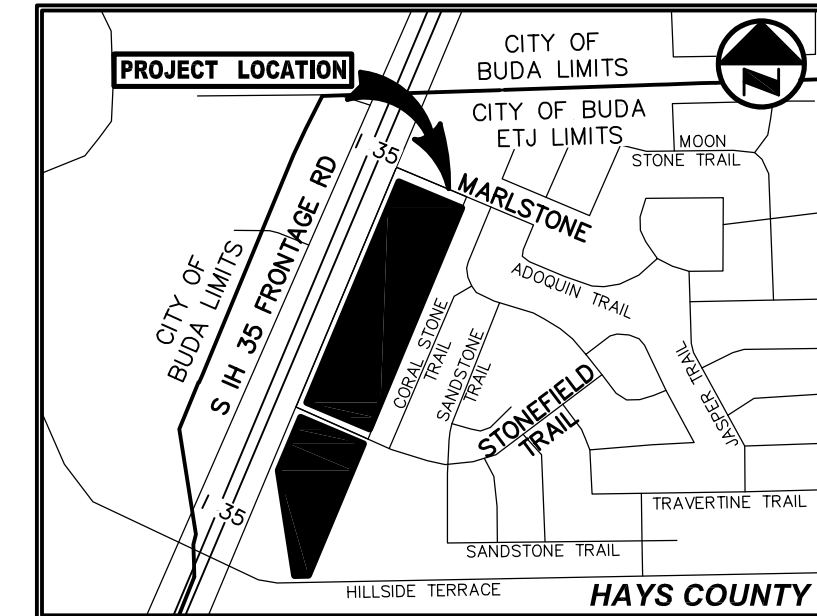
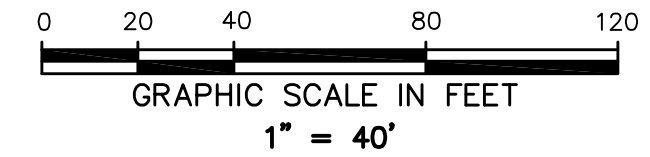
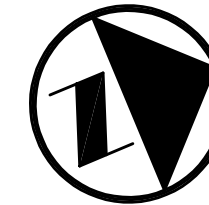
**BLOCK A**  
STONEFIELD SECTION EIGHT  
(VOL. 17, PG. 372)

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**SURVEYOR:**  
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**VICINITY MAP**  
(NOT TO SCALE)

**LEGEND**

- PROPERTY LINE
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SHEET 5 OF 6  
FINAL PLAT  
**LOTS 1 AND 2, BLOCK A**  
**BUDA INDUSTRIAL**  
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FP 21-19

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<b>DRAWN BY</b> JM/LAH	<b>CHECKED BY</b> KCH	<b>SCALE</b> 1"=40'	<b>DATE</b> JUNE 2022
		<b>JOB NUMBER</b> 4910-21.103	

FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP

# INTERSTATE HIGHWAY NO. 35

CITY OF BUDA LIMITS

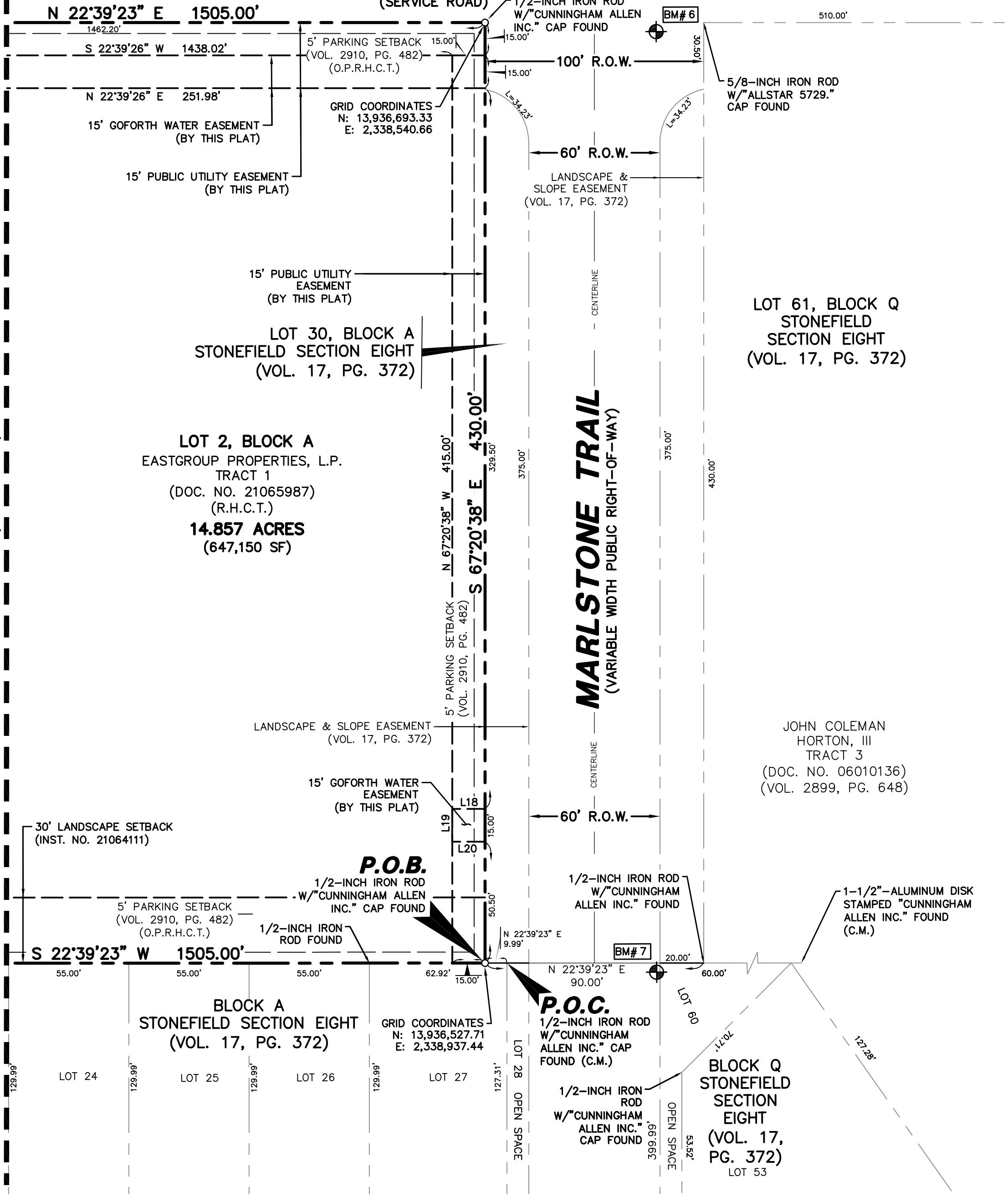
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

CITY OF BUDA ETJ LIMITS

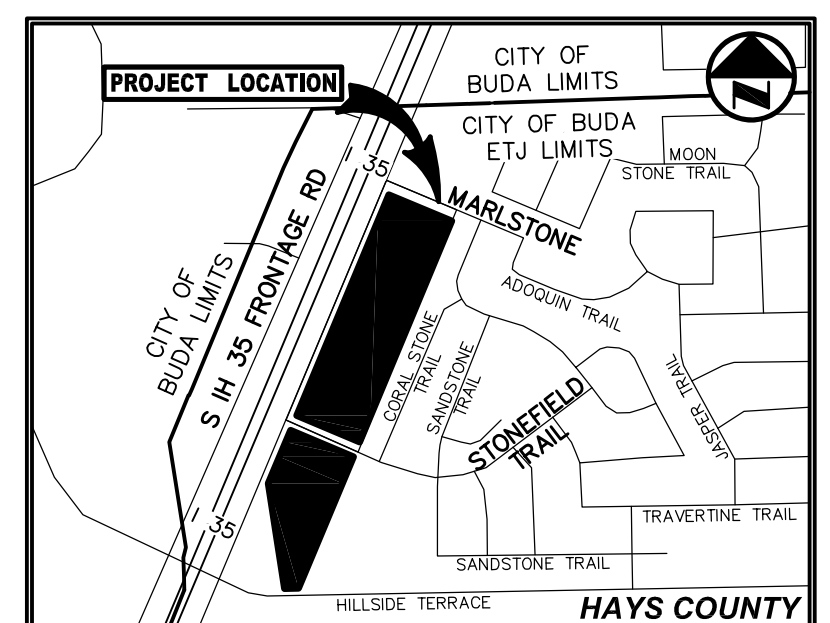
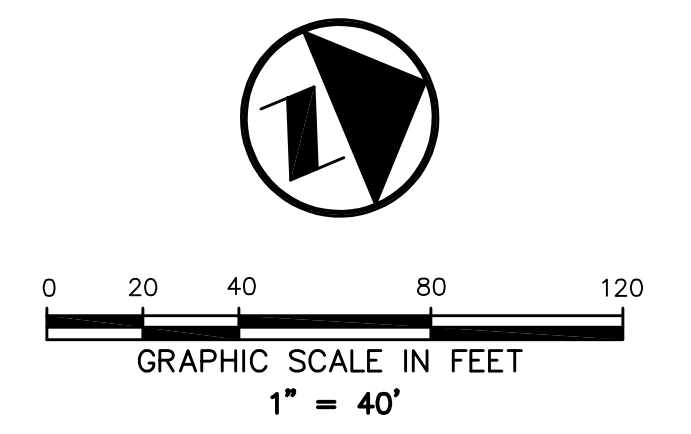
# INTERSTATE HIGHWAY NO. 35

(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

(SERVICE ROAD)



MATCH LINE (SEE SHEET 5)



**VICINITY MAP**  
(NOT TO SCALE)

### LEGEND

- PROPERTY LINE
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SHEET 6 OF 6  
 FINAL PLAT  
**LOTS 1 AND 2, BLOCK A**  
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**EASTGROUP**

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FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP



**Hays County Development Services**  
2171 Yarrington Road, Ste 100, Kyle TX 78640  
512-393-2150 / [www.hayscountytexas.com](http://www.hayscountytexas.com)

June 22nd, 2022

Melissa McCollum  
Planning Director  
City of Buda

**Re: Buda Industrial Eastgroup, Blk A, Lot 1 and 2, Final (PLN-1978-NP)**

Ms. McCollum,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivisions for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Buda for subdivision regulation within the extraterritorial jurisdiction of the City of Buda, please move forward with Approval of the plat as submitted.

If you have any questions, please let me know.

Regards,

*Marcus Pacheco*

Marcus Pacheco  
Director  
Hays County Development Services





# Planning and Zoning Commission Agenda Item Report

July 26, 2022

Contact – Tyler Frost, Planner  
512-312-5745 / [tyler.frost@ci.buda.tx.us](mailto:tyler.frost@ci.buda.tx.us)

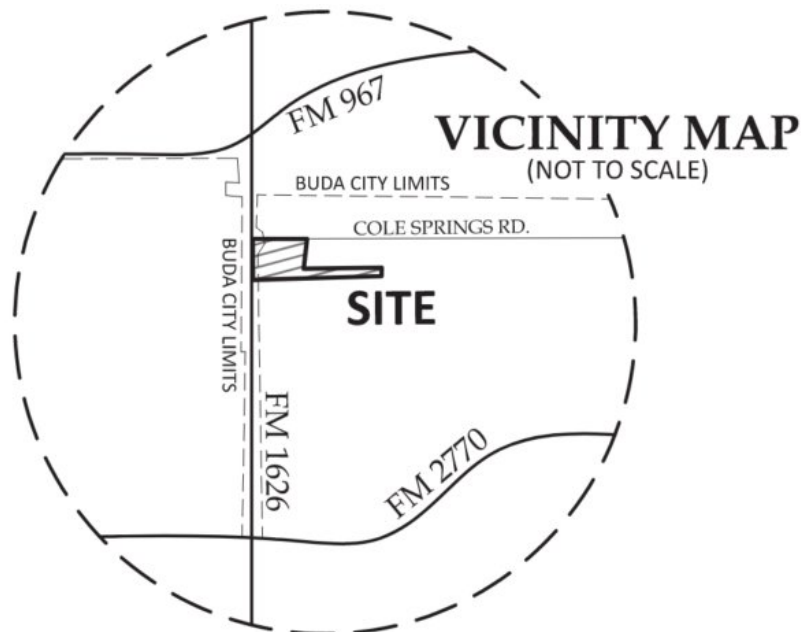
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**SUBJECT:** CONSIDERATION AND APPROVAL OF THE FINAL PLAT OF TUNZE SUBDIVISION, BEING 1.705 +/- ACRES OUT OF THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO. 1, BUDA, HAYS COUNTY TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 1626 AND COLE SPRINGS ROAD IN THE BUDA ETJ (FP 21-07).

---

**1. BACKGROUND/HISTORY**

This is the action item for considering approval of the Tunze Subdivision Final Plat. Water service will be provided by rainwater collection and wastewater service provided by an on-site sewage facility (OSSF).



**2. FINDINGS/CURRENT ACTIVITY**

This plat covers 1.705 acres, southeast of the intersection of FM 1626 and Cole Springs Road. The site is located in the ETJ and therefore has no zoning restrictions.

This plat contains one lot for commercial development, with 0.30 acres (57.37' in width) along FM 1626 dedicated for public ROW and an additional 0.089 acres (17.75' in width) of public ROW dedicated along Cole Springs Road. A proposed commercial development site plan has been submitted and is under review by City staff. The site is not located in any FEMA floodplain areas, but is located in the Edwards Aquifer Recharge Zone.

**3. FINANCIAL IMPACT**

The subdivision will generate plat and site plan review fees.

**4. ACTION OPTIONS/RECOMMENDATION**

Staff recommends approval of the Tunze Subdivision Final Plat as submitted on July 19, 2022.

*1. Criteria for Approval*

*The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied:*

*2. Without Prior Approved Preliminary Plat*

*a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;*

**No Preliminary Plat was required for this subdivision. It is a one lot subdivision with no extension of public utilities.**

*b. The Construction Plans conform to the requirements of 3.04.01. Construction Plans and have been approved by the City Engineer;*

**No Public Improvement Construction Plans are required with this subdivision.**

*c. An Improvement Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Subsection 3.04. Construction Plans and Procedures;*

**No Improvement Agreement or surety is required for this subdivision.**

*d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this UDC; and*

**This lot meets the platting requirements.**

*e. The Final Plat conforms to the Director of Planning's subdivision Application checklist and UDC regulations.*

**This plat meets the checklist requirements.**

**5. ATTACHMENTS**

Final Plat of Tunze Subdivision  
Hays County 1445 Approval Letter



# FINAL PLAT OF TUNZE SUBDIVISION

BEING 1.705 ACRES OF LAND, LYING WITHIN THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO. 1, CITY OF BUDA, HAYS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS  
KNOW ALL MEN BY THESE PRESENTS:

THAT, TUNZE USA, LLC, OWNERS OF 1.705 ACRES OF LAND SITUATED IN THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO. 1, HAYS COUNTY, TEXAS, CONVEYED IN INSTRUMENT NO. 20012054 OF THE OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE THIS 1.705 ACRES, IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS:

TUNZE SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

ROGER J. VITKO, MEMBER  
4221 BLISS SPILLAR ROAD  
MANCHACA, TX 78652

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED TERRY L. TOWNSLEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SWORN AND SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY HAVE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME

EXPIRATION DATE

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT AUTHORIZATION REQUIREMENTS HAVE BEEN SATISFIED.

MARCUS PACHECO, DIRECTOR  
HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT

ERIC VAN GAASBEEK, R.S., C.F.M.  
FLOODPLAIN ADMINISTRATOR

I, THE UNDERSIGNED, DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF BUDA FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF DRIPPING SPRINGS.

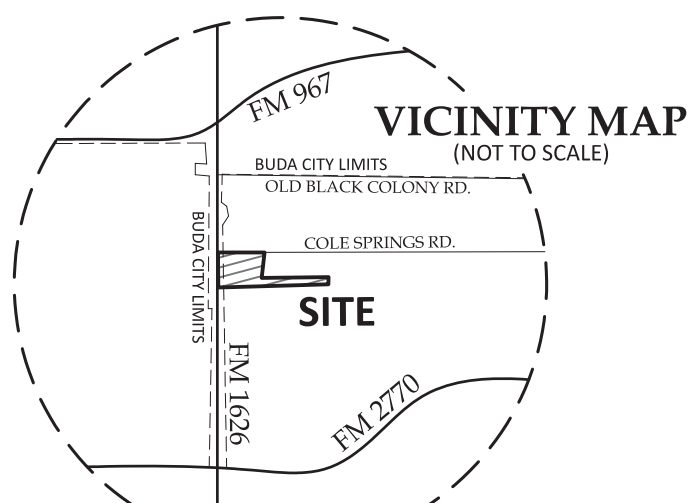
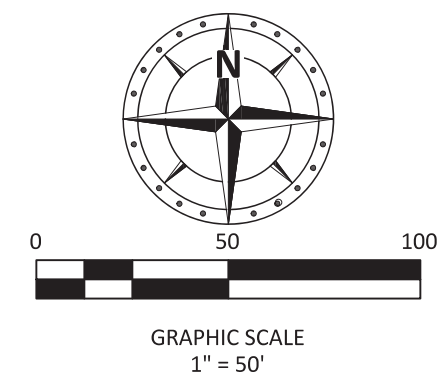
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

MARCUS PACHECO, DIRECTOR  
HAYS COUNTY DEVELOPMENT SERVICES

STATE OF TEXAS  
COUNTY OF HAYS

THAT I, ELAINE CARDENAS, CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOLLOWING INSTRUMENT OF WRITING AND ITS CERTIFICATES 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., IN DOCUMENT NO. \_\_\_\_\_, PLAT RECORDS OF HAYS COUNTY, TEXAS.

ELAINE CARDENAS, COUNTY CLERK, HAYS COUNTY, TEXAS.



PROPERTY OWNER: TUNZE USA, LLC  
ACREAGE: 1.705 ACRES  
SURVEYOR: WHITECAP SURVEY COMPANY, LLC  
SUBMITTAL DATE: JULY 19, 2022  
ENCOMPASSING LAND ABSTRACT SURVEY: PHILIP J. ALLEN SURVEY NO. 5, A-1  
BENCHMARK: MAGNAIL SET AT THE BASE OF A POWER POLE.  
ELEVATION = 742.69'. ELEVATION IS BASED ON NAVD 88 (GEOID 12B).  
ACREAGE BY LOT: DEVELOPMENT - 1.316 ACRES  
ROW - 0.300 ACRES  
ROW - 0.089 ACRES  
NUMBER OF LOTS BY TYPE: DEVELOPMENT - 1  
ROW - 2

THOMAS AND BARBARA SEARGEANT  
CALLED 2.02 AC.  
VOL. 2735, PG. 462  
OPRHCTX

THOMAS AND BARBARA SEARGEANT  
CALLED 11.0634 AC.  
VOL. 4806, PG. 115  
OPRHCTX

COLE SPRINGS ROAD  
(VARIABLE WIDTH ROW)

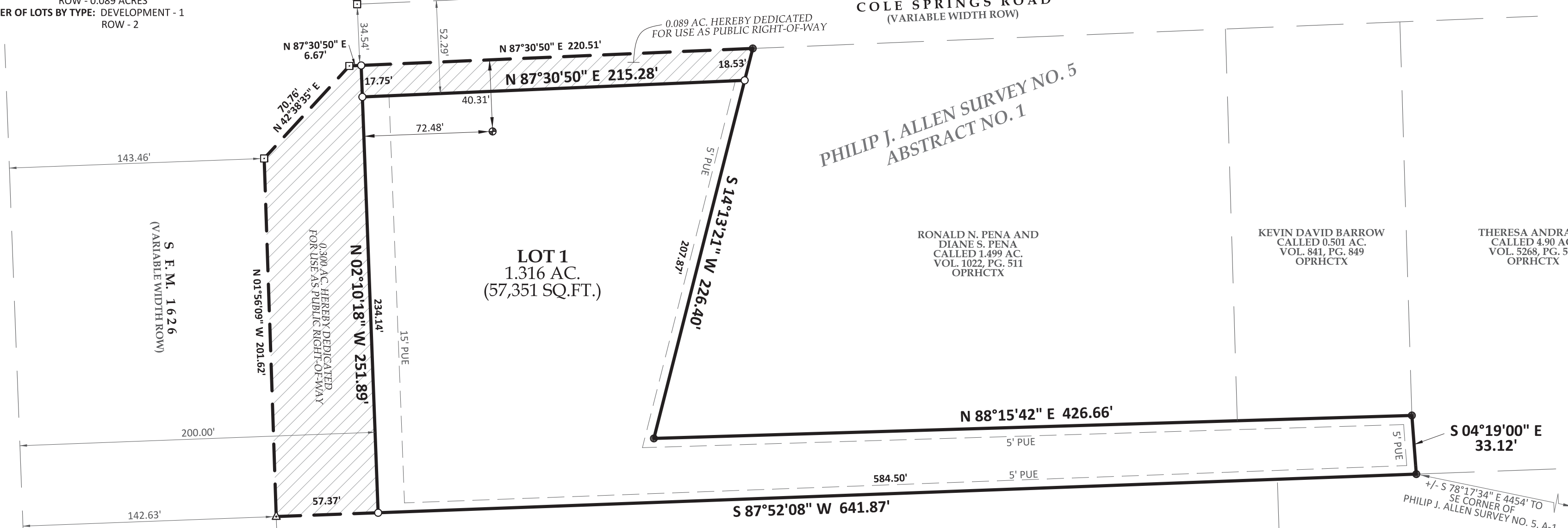
PHILIP J. ALLEN SURVEY NO. 5  
ABSTRACT NO. 1

RONALD N. PENA AND DIANE S. PENA  
CALLED 1.499 AC.  
VOL. 1022, PG. 511  
OPRHCTX

KEVIN DAVID BARROW  
CALLED 0.501 AC.  
VOL. 841, PG. 849  
OPRHCTX

THERESA ANDRADA  
CALLED 4.90 AC.  
VOL. 5268, PG. 573  
OPRHCTX

ROGER KAHLBAU AND CINDY SCHMIDT  
CALLED 43.725 AC.  
DOCUMENT NO. 2001571  
OPRHCTX



DWAYNE CLENDENNAN AND SPOUSE,  
MARIA CLENDENNAN  
CALLED 3.98 AC.  
VOL. 1878, PG. 139  
OPRHCTX

MICHAEL W. TRAHAN AND BETTI J. TRAHAN  
CALLED 1.00 AC.  
DOCUMENT NO. 20011579  
OPRHCTX

LOT	ACREAGE	LAND USE
1	1.316	DEVELOPMENT
ROW	0.300	ROW
ROW	0.089	ROW

LEGEND

- 1/2" IRON ROD FOUND
- 5/8" IRON ROD W/ "WHITECAP RPLS 6355" CAP SET
- TXDOT CONCRETE ROW MARKER FOUND (BROKEN)
- △ CALCULATED POINT
- BENCHMARK
- PUE PUBLIC UTILITY EASEMENT
- F.M. FARM-TO-MARKET
- LOT BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- - - EASEMENT LINE
- - - OPRHCTX OFFICIAL PUBLIC RECORDS HAYS COUNTY, TX

ORIGINAL LOT CONFIGURATION (NOT TO SCALE)



- PLAT NOTES:**
- BEARING BASIS IS GRID NORTH, TEXAS COORDINATE SYSTEM, NAD83 (2011) SOUTH CENTRAL ZONE. UNITS = US SURVEY FEET.
  - NO PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP PANEL NO. 48209C0280F, DATED SEPTEMBER 2, 2005.
  - THIS SITE LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE. NO PORTION OF THIS PLAT LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
  - THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARIES OF THE E.T.J. OF THE CITY OF BUDA.
  - THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARY OF THE HAYS COUNTY INDEPENDENT SCHOOL DISTRICT.
  - IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED TO ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS (A) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE ROAD DEPARTMENT OF HAYS COUNTY AND (B) THE DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENT FOR DRIVEWAYS SET FORTH SECTIONS 7.4 AND 7.5 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 721.
  - THIS SUBDIVISION LIES WITHIN HAYS COUNTY ESD #2 AND ESD #8.
  - ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD.
  - MAIL BOXES PLACED WITHIN THE ROW, SHALL BE OF AN APPROVED TXDOT OR FHWA DESIGN, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 721, SUBCHAPTER 2.01.
  - IMPERVIOUS COVER SHALL COMPLY WITH THE ENVIRONMENTAL PROTECTION AND WATER QUALITY REGULATIONS OF THE CITY OF BUDA 2017 UNIFIED DEVELOPMENT CODE.
  - WATER SERVICE FOR THIS SUBDIVISION IS TO BE PROVIDED BY RAINWATER COLLECTION.
  - ELECTRIC SERVICE FOR THIS SUBDIVISION IS TO BE PROVIDED BY THE PEDERNALES ELECTRIC COOPERATIVE.
  - WASTEWATER TREATMENT FOR THIS SUBDIVISION IS TO BE PROVIDED BY INDIVIDUAL ADVANCED ON-SITE SEWAGE FACILITIES AS APPROVED BY HAYS COUNTY DEVELOPMENT SERVICES.
  - NUMBER OF LOTS IN THIS PLAT - 1  
AVERAGE SIZE OF LOTS - 1.405 AC.  
NUMBER OF LOTS SMALLER THAN 1 AC. - 0  
NUMBER OF LOTS LARGER THAN 1.0 AC. BUT SMALLER THAN 2.0 AC. - 1  
NUMBER OF LOTS LARGER THAN 2.0 AC. BUT SMALLER THAN 5.0 AC. - 0  
NUMBER OF LOTS LARGER THAN 5.0 AC. BUT SMALLER THAN 10 AC. - 0  
NUMBER OF LOTS LARGER THAN 10 AC. - 0

**EASEMENTS:**  
ANY PUBLIC UTILITY, INCLUDING THE CITY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS OR RIGHT-OF-WAY SHOWN ON THE PLAT (OR FILED BY SEPARATE INSTRUMENT THAT IS ASSOCIATED WITH SAID PROPERTY); AND ANY PUBLIC UTILITY, INCLUDING THE CITY, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. EASEMENTS SHALL BE MAINTAINED BY PROPERTY OWNERS. THE CITY CAN MOVE TREES OR ANY OTHER IMPROVEMENTS AND DOES NOT HAVE THE RESPONSIBILITY TO REPLACE THEM.

**SURVEYOR'S CERTIFICATION:**  
I, WILLIAM R. HERRING, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ON-THE-GROUND SURVEY OF THE PROPERTY SHOWN HEREON, CONDUCTED UNDER MY SUPERVISION, AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE FOUND OR PLACED UNDER MY SUPERVISION.

WILLIAM R. HERRING  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6355 - STATE OF TEXAS  
WHITECAP SURVEY COMPANY, LLC  
P.O. BOX 1225  
DRIPPING SPRINGS, TX 78620

DATE: 7/21/22

STATE OF TEXAS  
COUNTY OF HAYS  
CITY OF BUDA  
THIS PLAT, TUNZE SUBDIVISION, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF BUDA CITY COUNCIL AND IS HEREBY APPROVED.

APPROVED, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

BY:  
ALICIA RAMIREZ, BUDA CITY CLERK

**WHITECAP SURVEY COMPANY**

WHITECAP SURVEY COMPANY, LLC  
TBPELS FIRM NO. 10194424  
PO BOX 1225  
DRIPPING SPRINGS, TX 78620  
(512) 808-0102  
EMAIL: INFO@WHITECAPSURVEY.COM



**Hays County Development Services**  
2171 Yarrington Road, Ste 100, Kyle TX 78640  
512-393-2150 / [www.hayscountytexas.com](http://www.hayscountytexas.com)

June 9th, 2022

Melissa McCollum  
Planning Director  
City of Buda

**Re: Tunze Subdivision (PLN-1878-NP)**

Ms. McCollum,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivisions for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Buda for subdivision regulation within the extraterritorial jurisdiction of the City of Buda, please move forward with Approval of the plat as submitted.

If you have any questions, please let me know.

Regards,

*Marcus Pacheco*

Marcus Pacheco  
Director  
Hays County Development Services



# Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

**Agenda Item No. 2019-447- #G.1**

Contact: Melissa McCollum

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**Subject: Election of Chair and Vice-Chair.**

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**1. Executive Summary**

Last elections were July 2021, and February 2022. This will complete the terms until July 2023. Current Chair Cottrill and Vice Chair Jones.

**2. Background/History**

**3. Staff's review and analysis**

**4. Financial Impact**

**5. Strategic Plan**

N/A

**6. Summary/Conclusion**

**7. Pros and Cons**

**8. Alternatives**

**9. Recommendation**

These Bylaws govern the Planning and Zoning Commission of the City of Buda.

## **ARTICLE ONE ORGANIZATION**

1. A. The Planning & Zoning Commission (Commission) shall consist of seven (7) members in accordance with the enabling ordinance adopted by the City of Buda, as it may be amended from time to time.  
  
B. If the enabling ordinance sets specific residency requirements, then those requirements must be observed, provided that if a vacancy occurs as a result of the death, incapacity, resignation, or change of residency of a member (as provided above), the Commission may continue its functions in the interim during the process of filling the vacancy.
2. Unless otherwise required by ordinance or other applicable law, all matters shall be decided by a majority vote of the members present and voting. Proxy voting shall not be permitted.

## **ARTICLE TWO MEETINGS**

1. All meetings of the Commission shall be conducted in strict compliance with the Texas Open Meetings Act. All members shall attend and complete a state approved Open Meetings Act training program.
2. The general public, elected officials, the Commission, and city staff may request agenda items subject to approval by the Chairperson. Such items can be submitted via electronically, paper copy, agenda public comment.
3. A. The Commission shall establish a date and time for its regular meetings. It shall not be required to give notice of regularly scheduled meetings to members, other than compliance with the Open Meetings Act.  
  
B. Special meetings of the Commission may be called by:
  - (1) The Chairperson or interim Chairperson of the Commission;
  - (2) The City Manager or his or her designee; or
  - (3) Three (3) Commission members.

Unless otherwise required by the enabling ordinance, UDC or state law, not less than three (3) days' notice shall be given by the City Manager or his or her designee of special meetings.

C. Emergency meetings may be called in accordance with the Texas Open Meetings Act.

4. A member, who attends a meeting for any purpose other than objecting to the meeting because of lack of required notice, waives any objection to the meeting.
5. *Conflict of Interest.* A Commission member having any potential conflict of interest, as defined by the City Code of Ordinances or State law, on any policy, decision, or determination before the Commission shall disclose to each of the other members the nature of his potential conflict and shall abstain from voting on such policy, decision or determination. In the event that the Commission member recognizes a conflict or clear potential for conflict of interest, he or she shall recuse him or herself from discussion and action on the topic involving such conflict. The disclosure shall be recorded in the Commission's minutes. Intentional or knowing failure to disclose a conflict of interest shall be governed under the general penalty section as set forth in the City's Code of Ordinances.
  - (1) Any member of the Commission who does not legally have a conflict of interest but would like to avoid the appearance of a conflict of interest may elect to follow the procedure established in Section 5.
  - (2) Members shall not represent any other person, group or interest before the Planning and Zoning Commission, the Zoning Board of Adjustments and Appeals, Historic Preservation Commission, Parks and Recreation Commission, Library Commission, Economic Development Corporation, Local Government Corporation or the City Council on any matter pending before such Board or Commission. This provision shall not preclude a member from representing an interest in his or her real homestead property. Members may represent the Planning and Zoning Commission in reporting on the activities or decisions made of the Commission to the Zoning Board of Adjustments and Appeals, Historic Preservation Commission, Parks and Recreation Commission, Library Commission or the City Council.

### ARTICLE THREE OFFICERS

Unless otherwise required by the enabling ordinance or state statute, the following provisions shall control the officers of the Commission:

1. The Commission shall have a Chairperson and a Vice-Chairperson elected from its membership to serve for a one (1) year term. Officers shall be elected annually by the Commission.
2. The Chairperson and Vice-Chairperson shall be residents within the city limits.
3. The Chairperson shall preside over the Commission and shall have the right to vote on all items before the Commission.
4. The Vice-Chairperson shall fulfill the duties of the Chairperson when the Chairperson is not available for any reason.

**ARTICLE FOUR  
ATTENDANCE POLICY**

Recognizing that members serve voluntarily and that the business of the Commission is advisory in nature, and keeping a proper balance between those principles and the important nature of the public business entrusted to the Commission, the following attendance policy shall apply to all members of the Commission:

- A. The voluntary absence of a Commissioner from three (3) consecutive regular meetings of the Commission will result in automatic resignation of the member from the Commission.
- B. The voluntary absence of a Commissioner from more than twenty-five (25) percent of the Commission's regular meetings during a calendar year will result in automatic resignation of the member from the Commission.

However, in no case shall a Commissioner, regardless of whether excused or voluntary, be absent from more than fifty (50) percent of the Commission's regular meetings during a calendar year. Such absenteeism will result in an automatic resignation of the member from the Commission.

C. In this section:

- (1) *Regular meeting* includes only regularly scheduled meetings, and does not include special meetings, workshops, or committee meetings of a board or commission.
- (2) *Excused absence* means an absence that results from, including but not limited to:

- a medical reason of a board or commission member or a



- relative of the member,
- child care for a newly born or newly adopted child during the first eight weeks of the child's life,
- death of a family member,
- a scheduled vacation
  - More than one (1) scheduled vacation will be deemed a voluntary absence.
- business travel,
- school, or
- from an unexpected factor beyond the control of the Commissioner.

The City Manager or his or her designee shall be responsible for determining whether an absence is excused.

(3) *Voluntary absence* means an absence other than an excused absence.

- D. Members shall strive to notify the City Manager or his or her designee in advance of any known or planned absence to enable the City Manager or his or her designee to determine if a quorum will be present. Failure to give reasonable notice may be considered when determining whether an absence shall be excused.
- E. In the event where there is an automatic resignation, the City Manager or his or her designee shall coordinate with the City Secretary to provide a list of eligible candidates to the City Council for consideration of replacement for such vacancy.
- F. The City Manager or his or her designee shall keep abreast the City Council on such voluntary absences.

## **ARTICLE FIVE RECORDS**

All records of the Commission are public records. All such records shall be in the custody of the City Secretary but available to the members in the due course of their proceedings. The City Manager or his or her designee shall be responsible for the care and custody of the records while in the Commission's use.

All secretarial duties of the Commission shall be performed by City staff with the aid and assistance of the Chairperson.

## **ARTICLE SIX REGULATIONS**

The Commission is not a regulatory body and has no authority to adopt regulations governing persons or properties, nor does it have authority to adopt rules implementing City policies. Should the Commission determine rules or regulations would provide a public benefit, those rules or regulations shall be submitted to the City Council for review and adoption.

## **ARTICLE SEVEN RULES OF DECORUM**

1. A. The purposes of these rules are as follows:
  - (1) To ensure that meetings of the city boards and commissions are conducted in a way that allows the business of the city to be effectively conducted.
  - (2) To ensure that members of the public who attend meetings of the city council and of city boards and commissions can be heard in a fair, impartial and respectful manner.
  - (3) To ensure that meetings of the city boards and commissions are conducted in a way that is open to all viewpoints, yet free from abusive, distracting or intimidating behavior.
  - (4) To ensure that the rules governing decorum at meetings of the city boards and commissions are understood by persons attending the meetings.
- B. This section applies to meetings of boards and commissions whose membership is wholly appointed by the city council.
- C. Members of the public may address the city board or commission at the following times during a meeting:
  - (1) During citizen comment period, if such a period is on the agenda for the meeting;
  - (2) During a public hearing on an agenda item; or
  - (3) At other times with the permission of the presiding officer.
- D. Members of the public who wish to address a board or commission at any time during a meeting must complete a sign-in form prior to the meeting at the office of the staff liaison, for a board or commission meeting. Speakers must state their name and place of residence, and must limit their remarks to the specified time limit on the agenda unless otherwise determined by the presiding officer. The allotted time will commence from the beginning of the



speaker's remarks and will include any time spent in discussion between the speaker and board or commission members. Issues taking longer to communicate can be addressed outside the meeting to the city staff or to individual members of a board or commission, or submitted in writing.

- E. All comments and questions by members of the public at a meeting will be directed to the presiding officer.
- F. During a citizen comment period, members of the public will be given an opportunity to speak, and they must observe the specified time-limit, unless otherwise determined by the presiding officer, under subsection D.
- G. The presiding officer and members of boards and commissions, will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.
- H. Members of the public shall not engage in any of the following in the meeting room during a board or commission meeting:
  - (1) Shouting, unruly behavior, distracting side conversations, or speaking out when another person is talking.
  - (2) Defamation, intimidation, personal affronts, profanity, or threats of violence.
  - (3) Audible use of phones, pagers, radios, computers or other electronic equipment notwithstanding the use during presentation purposes before a board or commission.
  - (4) Booing, hissing, foot stomping, parading, singing or other similar behavior that impedes or disrupts the orderly conduct of the meeting.
- I. The rules in this section shall be enforced in the following manner:
  - (1) The presiding officer will request that a person who is violating a rule cease the violation.
  - (2) If the violation continues, the presiding officer will warn the person that he or she will be required to leave the meeting room if the violation continues.
  - (3) If the violation continues, the presiding officer will order the person to leave the meeting room.
  - (4) If the person does not leave the meeting room, the presiding officer may order any peace officer at the meeting to remove the person from the meeting room.
- J. It is unlawful for any person to intentionally or knowingly resist removal from a meeting room by a peace officer under subsection I of this Article.

**ARTICLE EIGHT  
MOTIONS AND MEETING PROCEDURES**

The motions and meeting procedures set forth herein are to guide Commissioners during meetings. Any errors and/or omissions by a Commissioner(s) on a procedure during such meeting shall not constitute the action to be illegal. Any motions and/or meeting procedures not expressly defined in this section or any procedures as set forth within the City Charter shall follow under the latest edition of Robert's Rules of Order.

1. Motions. After a Commissioner obtains the floor, he/she may make a motion on the particular subject of discussion or a procedural point as permitted. A "Second" to the motion, if required, must be made by another Commissioner within a reasonable but brief time period. A "Second" merely implies that the seconder agrees that the main motion should come before the meeting and not that he/she necessarily favors the motion. Without a "Second", if required, the motion dies.
2. Debate. Debate, if permitted, must be limited to the merits of the issue under discussion as stated by the presiding officer.
3. Motion Procedures. There are eleven (11) types of motions in three (3) categories: Meeting Conduct Motions (4 types), Disposition Motions (6 types), and Main Motions. When any motion is pending, any motion listed above it on the chart below is in order; those below it are out of order.

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 3 Commissioners	2/3 Vote
<b>A. Meeting Conduct Motions</b>							
1.point of privilege	yes	no	no	no	yes	no	no
2.point of procedure or order	yes	no	no	no	yes	no	no

3.to appeal a ruling	no	yes	yes	no	no	yes	no
4.to recess	no	yes	yes	yes	no	yes	no
<b>B. Disposition Motions</b>							
5.to withdraw	yes	no	no	no	yes	no	no
6.to postpone	no	yes	yes	yes	no	yes	no
7.to refer	no	yes	yes	yes	no	yes	no
8.to amend	no	yes	yes	yes	no	yes	no
9.to limit; extend or close debate; or to "call the question"	no	yes	yes	yes	no	no	yes
10.to count the vote	no	yes	no	no	no*	no	no
<b>C. Main Motions</b>							
11.to take action or reconsider action taken	no	yes	yes	yes	no	yes**	no

\* Mandatory if seconded; no vote required

\*\* Unless a greater vote is required by the Charter or State law

4. Point of Privilege. A point of privilege, sometimes called a point of personal privilege, is a communication from a Commissioner to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Commissioner(s). In essence, it is a call to the presiding officer for the purpose of assuring a Commissioner's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention and action by the presiding officer, it cannot be debated or amended, and no vote is required.
  
5. Point of Procedure or Order. A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer, no seconding is required, and either inquiring into the manner of conducting

business or raising a question about the propriety of a particular procedure. It is simply an inquiry and is resolved by correction or clarification by the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, a second is not required, and it cannot be debated or amended, and no vote is taken.

6. To Appeal a Ruling. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Commission. Whenever a Commissioner questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of three (3) Commissioners is required.
7. To Recess. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of three (3) Commissioners is required.
8. To Withdraw. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Commissioner later can make a similar motion, a withdrawal motion is not subject to debate, amendment, or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand – or a new issue.
9. To Postpone. This motion may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Commission to deal with the issue more effectively at a later time. Unless otherwise specifically provided in the motion itself, a postponed motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable

(particularly as to postponement, timing), and an affirmative vote of three (3) Commissioners is required.

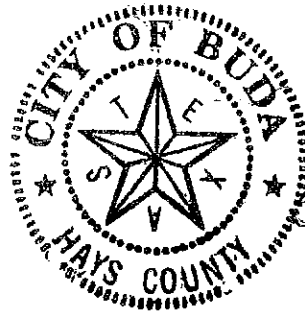
10. To Refer. A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. (See Section 14.). This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of three (3) Commissioners is required.
11. To Amend. A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments thus are in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of three (3) Commissioners is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
12. To Limit, Extend, or Close Debate or “Call the Question”. Because the extent to which an issue is discussed rests primarily with discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit, extend, or close debate is therefore an overruling of the presiding officer’s determination. A motion to close debate is the same as a motion to “call the question”. Because this motion affects the most fundamental right of any Commissioner, the right to speak one’s views, it is the only procedural motion that requires an affirmative vote of two-thirds of the participants voting.
13. To Count the Vote. A motion to count the vote should be limited to those circumstances where the convenient hearing of “yeas” and “nays” cannot clearly resolve the issue. It represents the right of a Commissioner to have a vote demonstrated by count. That count can be directed by the presiding officer either as a showing of hands or a standing of voting members while the vote is recorded. Upon completion of the count, the presiding officer announces the result-and final disposition of the issue voted upon. This motion cannot interrupt a speaker. It requires a second; it is neither debatable nor amendable; and, because of the importance of the matter, it should be considered mandatory; thus, no vote is required.
14. To Take Action or Reconsider an Action; Main Motions. These main motions state proposed policy or action on a substantive issue being considered by the Commission. As such, the motion can be an initial call

to take particular action; to reconsider action taken; or to rescind a prior decision. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Commission are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of three (3) Commissioners is required unless a greater vote is prescribed by the Charter or State law.

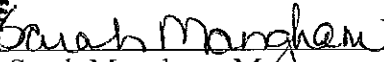
**ARTICLE NINE  
AMENDMENTS TO BYLAWS**

These Bylaws may be amended only by the City Council. Requests for amendment may be submitted to the City Council by any member of the Commission.

APPROVED AND ADOPTED by the City Council on July 5, 2011.



CITY OF BUDA, TEXAS

  
Sarah Mangham, Mayor

ATTEST:

  
Toni Milam, City Secretary



# Planning and Zoning Commission Agenda Item Report July 26, 2022

Contact – Tyler Frost, Planner  
512-312-5745 / [tyler.frost@ci.buda.tx.us](mailto:tyler.frost@ci.buda.tx.us)

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SUBJECT: CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE REMOVAL OF A SIGNATURE TREE AS PART OF THE PROPOSED TUNZE DEVELOPMENT, BEING 1.705 +/- ACRES OUT OF THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO.1, BUDA, HAYS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 1626 AND COLE SPRINGS ROAD IN THE BUDA ETJ.

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**1. BACKGROUND/HISTORY**

This is the action item for considering approval the removal of a 21” cedar elm tree (Tag Number 1994). In accordance with subsection 4.04.01.C., removal of a signature tree (between 20 and 30 caliper inches) requires approval by the Planning and Zoning Commission. The need for the tree permit has been identified through a site plan application (2021-190) for the associated commercial development, which is currently under review by staff. Additionally, this item is connected to the Tunze Subdivision Final Plat.

**2. FINDINGS/CURRENT ACTIVITY**

In September of 2021, an arborist completed a condition assessment on several trees located on the subject property. The arborist’s report indicated that several trees on site were in Very Poor condition due to the major freeze that occurred in Central Texas in early 2021. Additionally, a driveway permit was issued by Hays County Transportation Department allowing the location of the proposed driveway, which conflicted with the subject tree. As such, several trees were removed by the applicant, including the 21” cedar elm.

As part of the site plan application, the applicant is proposing mitigation, including the planting of fifteen (15) 4” trees of various species as well as retaining several existing trees that are under 8” in diameter, which could be removed by right and without a permit under subsection 4.04.01. It is also important to note that the applicant considers himself an avid naturalist and a proponent of native tree species and is planning on planting more trees than the initial fifteen once his development has been established.

**3. FINANCIAL IMPACT**

N/A

**4. ACTION OPTIONS/RECOMMENDATION**

While the 21” cedar elm has already been removed by the applicant, staff recommends approval of the tree removal due to the location of the tree conflicting with the permitted

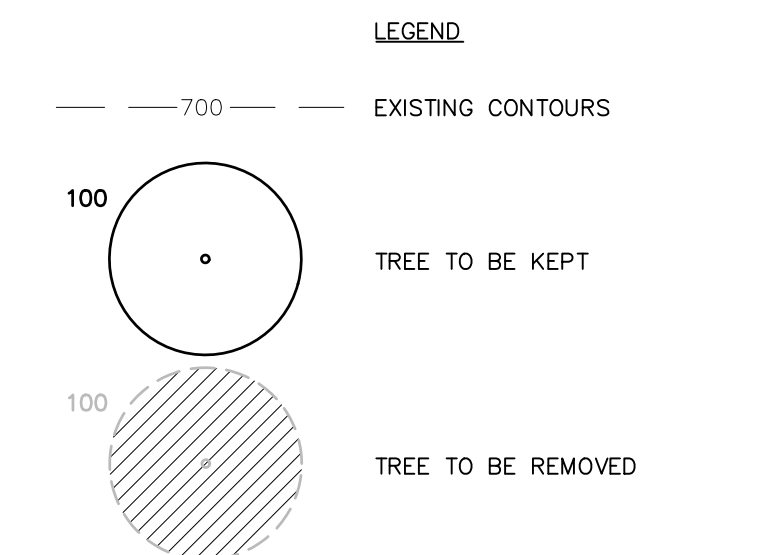
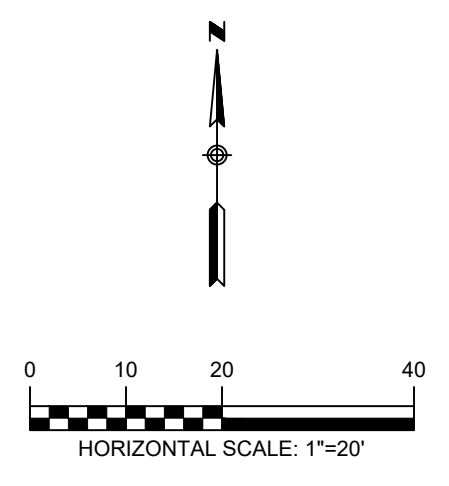
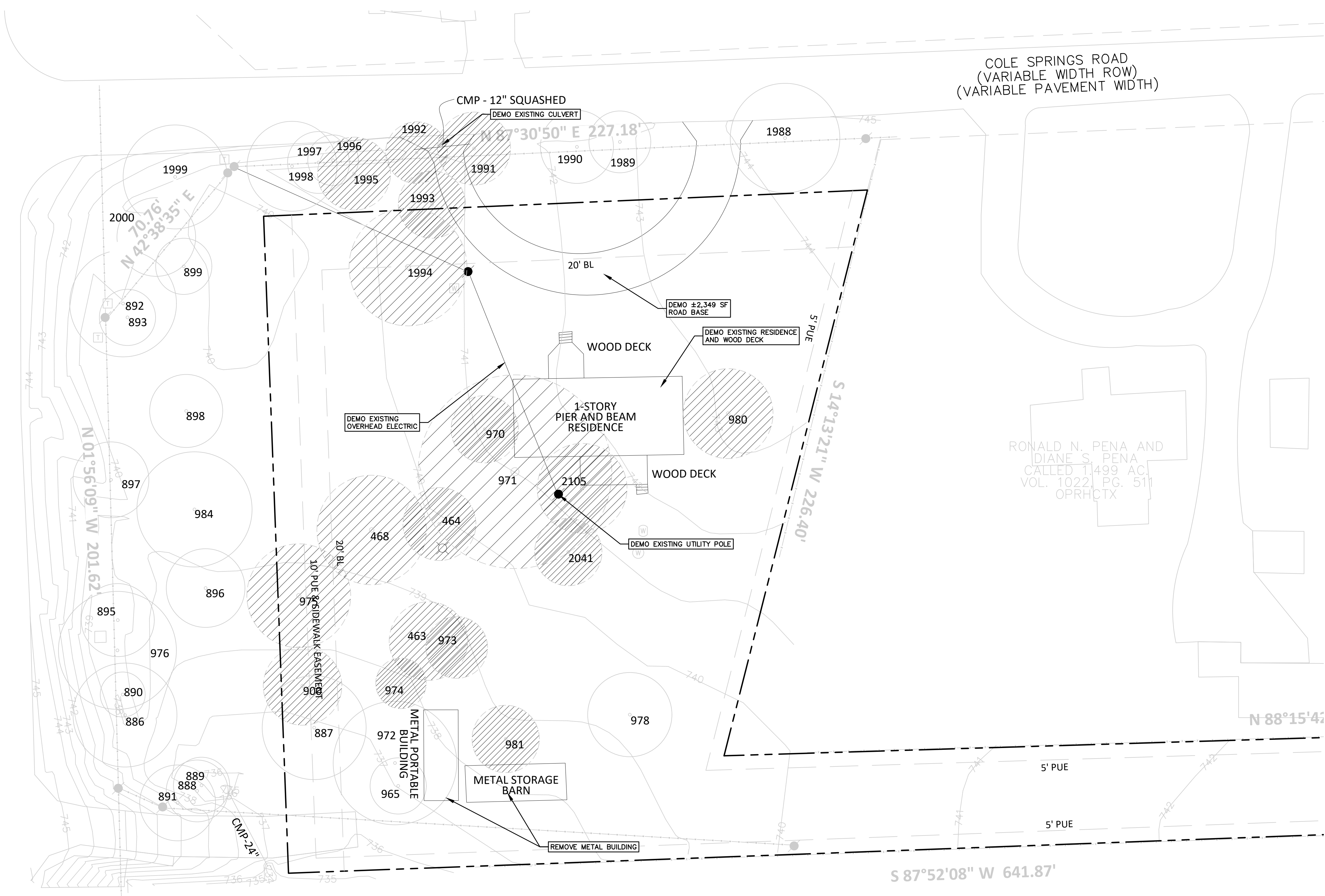
driveway, extensive mitigation, and the damage done to other trees on site from the 2021 winter freeze.

5. **ATTACHMENTS**
  - Existing Conditions & Tree Survey
  - Proposed Site Plan
  - Hays County Driveway Permit



D:\Projects\010\_TUNZE USA\001\_Cole Springs Site Plan\CAD\Sheets\010-001\_EXDM.dwg ~ Layout: "EXISTING CONDITIONS & DEMOLITION PLAN" ~ Wed, Jul 06, 2022, 5:32pm, By: frowl

FM 1626  
(150 FT ROW)



REM./ EXE.	TAG NO.	TRUNK DIAMETER (INCHES)	TREE TYPE
(R)	463	14	CEDAR ELM
(R)	464	13	CEDAR ELM
(R)	468	19.5(M)	CEDAR ELM
	886	18.5(M)	CEDAR ELM
	887	18.5(M)	CEDAR ELM
	888	11	CEDAR ELM
	889	10	CEDAR ELM
	890	8	CEDAR ELM
	891	13.5(M)	CEDAR ELM
	892	19(M)	CEDAR ELM
	893	10	CEDAR ELM
(E)	894	20.5(M)	MESQUITE
	895	13	CEDAR ELM
	896	14	CEDAR ELM
	897	13.5(M)	CEDAR ELM
	898	13	CEDAR ELM
	899	10	CEDAR ELM
(R)	900	14	CEDAR ELM
	965	10	CEDAR ELM
(R)	970	12	RED OAK
(D)	971	34.5(M)	ASH
	972	22(M)	CEDAR ELM
(R)	973	11	CEDAR ELM
(E)	974	9	HACKBERRY
(R)	975	18.5(M)	CEDAR ELM
	976	21(M)	CEDAR ELM
(E)	978	15	HACKBERRY
(D)	980	16	ASH
(R)	981	12	PECAN
(E)	1988	19.5(M)	HACKBERRY
(E)	1989	11	HACKBERRY
(D)	1990	13	CEDAR ELM
(R)	1991	13	CEDAR ELM
(R)	1992	11	CEDAR ELM
(R)	1993	12	CEDAR ELM
(R)	1994	21	CEDAR ELM
(R)	1995	13	CEDAR ELM
	1996	9	CEDAR ELM
	1997	11	CEDAR ELM
	1998	16	CEDAR ELM
	1999	18.5(M)	CEDAR ELM
	2000	14	CEDAR ELM
(R)	2041	12	AMERICAN PLANETREE
(D)	2105	16	ASH
(D)	2106		DEAD/STUMP
	2027		DEAD/STUMP

DWAYNE CLENDENNAN AND SPOUSE,  
MARIA CLENDENNAN  
CALLED 3.98 AC.  
VOL. 1878, PG. 139  
OPRHCTX

RONALD N. PENA AND  
DIANE S. PENA  
CALLED 1.499 AC.  
VOL. 1022, PG. 51  
OPRHCTX

Tree Mitigation Table			
Trees Removed:	Pro.	Sig.	Her.
Total Number of Trees:	12	1	0
Caliper Inches:	162	21	0
Mitigation Required:	162	63	0
Mitigation Trees:			
Existing <8" Specimen Trees	12		
Existing <8" Specimen Inches	62.5		
Proposed 4" Trees:	15		
Caliper Inches:	122.5		
Fee in Lieu of Mitigation	102.5"	\$ 10,250	

SITE PLAN APPROVAL SHEET 04 OF 14  
FILE NUMBER **2020-190** APPLICATION DATE **FEB. 8, 2021**  
APPROVED BY COMMISSION ON **NIA** UNDER THE CITY OF BUDA  
UNIFIED DEVELOPMENT CODE  
EXPIRATION DATE \_\_\_\_\_ CASE MANAGER **FOWLER**

CITY ENGINEER, CITY OF BUDA  
RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_\_ ZONING **B-2**  
Rev. 1 \_\_\_\_\_ Correction 1  
Rev. 2 \_\_\_\_\_ Correction 2  
Rev. 3 \_\_\_\_\_ Correction 3

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

DATE \_\_\_\_\_

REVISION NO. \_\_\_\_\_

NO. \_\_\_\_\_

**FLAKE ENGINEERING**  
TRANVIS@FLAKEENGINEERING.COM  
201 GROVE LANE, BUDA, TX 78610

EXISTING CONDITIONS & DEMOLITION PLAN

**TUNZE USA COLE SPRINGS SITE PLAN**  
2121 COLE SPRINGS RD., BUDA, TEXAS 78610

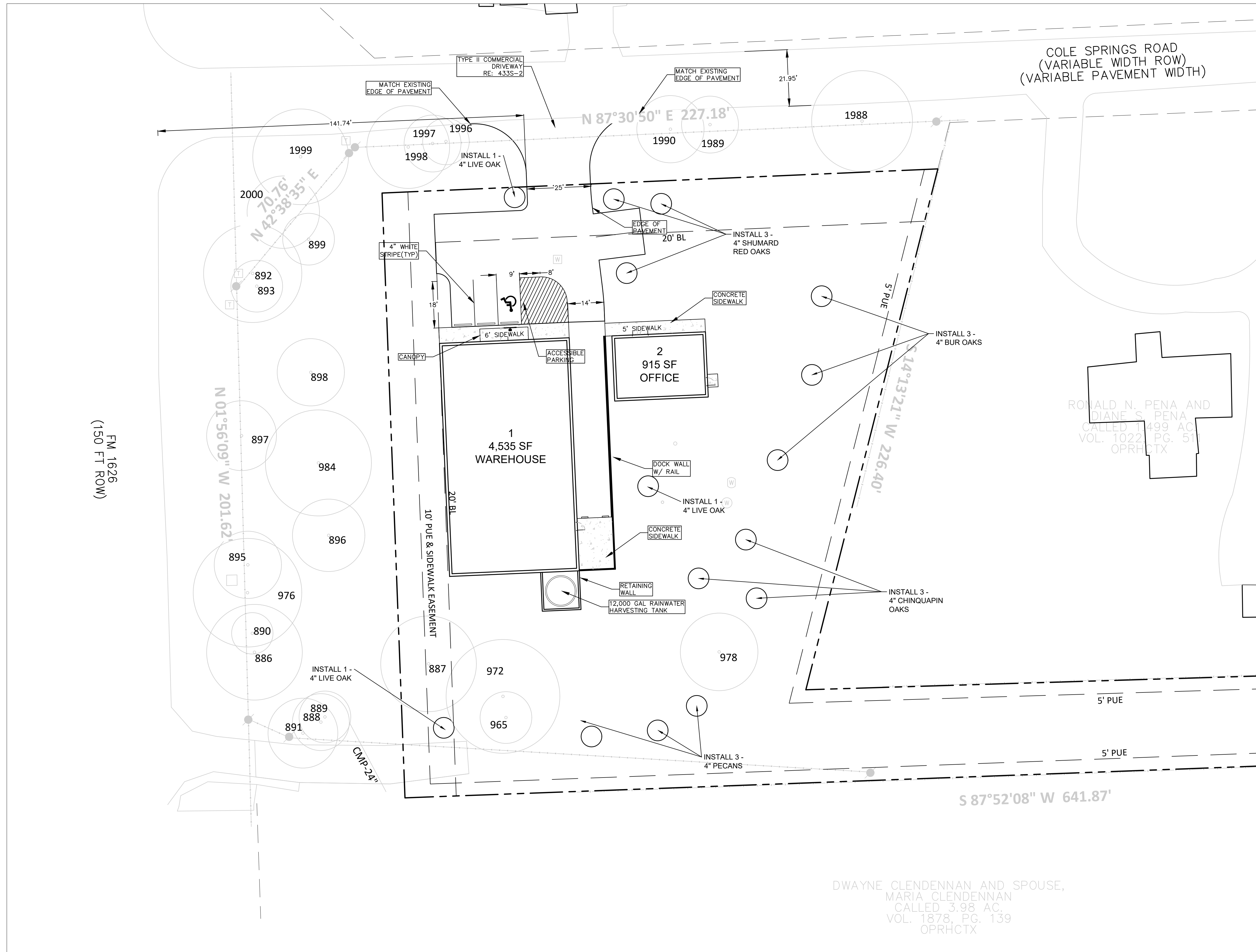
PRO. NO. **010-001**

SHEET **04** OF **14**

07/06/22

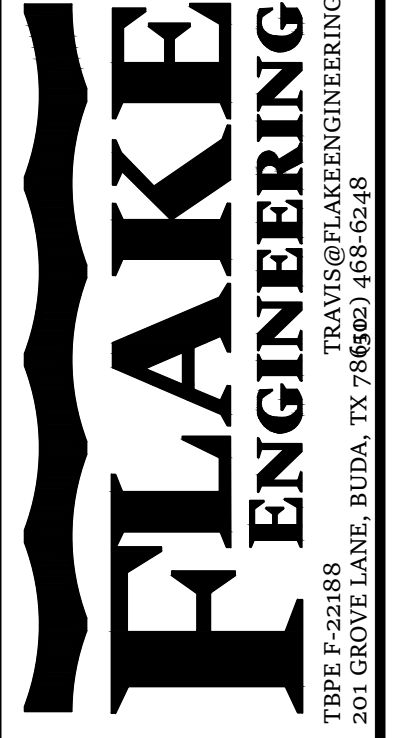


D:\Projects\010\_TUNZE\_USA\001\_Cole\_Springs\_Site\_Plan\CAD\Sheets\010-001-SITE.dwg -- Layout: "SITE & DIMENSIONAL CONTROL PLAN" -- Wed, Jul 06, 2022, 5:33am, By: trais



GENERAL NOTES:  
 1. ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT.  
 2. ALL DRIVES AND PARKING AREAS TO BE ASPHALT PAVING UNLESS OTHERWISE NOTED.  
 3. ALL PAVEMENT SHALL BE PER GEOTECHNICAL REPORT.  
 4. IRRIGATION SHALL BE PROVIDED FOR ALL PROPOSED TREES UNTIL ESTABLISHED.

SIDEWALK NOTE:  
 FEE IN LIEU OF SIDEWALK HAS BEEN PAID FOR THE 252.33 LF OF 6' SIDEWALK REQUIRED ALONG THE COLE SPRINGS FRONTAGE.



LOT	Acreage (ac.)	Total Bldg. (sf.)	Impervious Cover				
			Max. (%)	Existing (sf)	Proposed (sf)	Proposed (%)*	
LOT 1	1.317	5,450	15%	6,224	11,007	0.25	14.82%

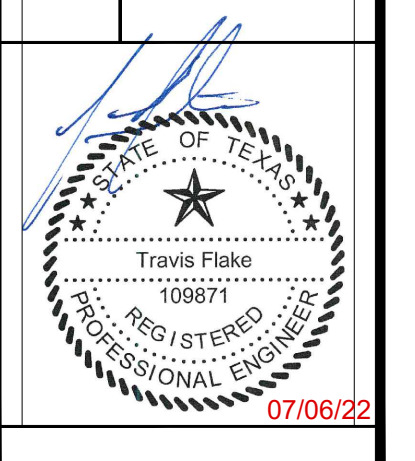
\* Proposed IC calculated from the original 1.705 acre tract

SPECIES	SIZE	QTY	TOTAL INCHES
PROPOSED LIVE OAK (QUERCUS VIRGIANA, 6' HEIGHT)	4" CAL	3	12
PROPOSED BUR OAK (QUERCUS MACROCARPA, 6' HEIGHT)	4" CAL	3	12
PROPOSED SHUMARD RED OAK (QUERCUS SHUMARDII, 6' HEIG	4" CAL	3	12
PROPOSED CHINQUAPIN OAK (QUERCUS MUEHLENBERGII, 6' HI	4" CAL	3	12
PROPOSED PECAN (CARYA ILLINOINENSIS, 6' HEIGHT)	4" CAL	3	12
<b>TOTAL</b>		<b>15</b>	<b>60</b>

SITE PLAN APPROVAL SHEET 07 OF 14  
 FILE NUMBER **2020-190** APPLICATION DATE **FEB. 8, 2021**  
 APPROVED BY COMMISSION ON **N/A** UNDER THE CITY OF BUDA  
 UNIFIED DEVELOPMENT CODE.  
 EXPIRATION DATE \_\_\_\_\_ CASE MANAGER **FOWLER**

CITY ENGINEER, CITY OF BUDA  
 RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_\_ ZONING **B-2**  
 Rev. 1 \_\_\_\_\_ Correction 1 \_\_\_\_\_  
 Rev. 2 \_\_\_\_\_ Correction 2 \_\_\_\_\_  
 Rev. 3 \_\_\_\_\_ Correction 3 \_\_\_\_\_

Final plat must be recorded by the Project Expiration Date, if applicable.  
 Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.



PRO. NO. 010-001  
 SHEET 07 OF 14



# Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640

(P) 512-393-7385 (Web) [www.hayscountytexas.com](http://www.hayscountytexas.com)

## Permit to Construct Access Driveway Facilities on County Road Right of Way

Permit #: TRN-2021-4347-DW

Date Permit Issued: 06/02/2021

### Owner Information

Business Name: TUNZE USA

Name: Roger Vitko

Address: TX

Home Phone:

Cell Phone:

### Contractor Information

Business Name:

Name:

Address: TX

Office Phone:

Cell Phone:

The Hays County Transportation Department, hereinafter called the County, hereby authorizes , herein after called the Grantee, to (re)construct an access driveway on the county right of way abutting **2121 Cole Springs Rd, BUDA, TX 78610**.

### Legal Description - Subdivision:

SubDivision:

Phase:

Section: 1

Block:

Lot:

### Legal Description – If not located in a subdivision:

Legal Description:

Parcel ID: R10151

Precinct:2

### Subject to the following:

1. The Grantee is responsible for all costs associated with the construction of this driveway.
2. Design of the facilities shall be as follows:
  - i. Commercial Culvert- 62Ft. at pavement edge 32Ft. at ROW
  - ii. 18" ROUND CMP (18" X 40')
  - iii. Maintenance of facilities constructed hereafter shall be the responsibility of the Grantee, and the County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the roadway.
3. All repairs to improvements caused by the contractor's failure to install improvements in accordance with Hays County specifications shall be the responsibility of the contractor.
4. The owner, or his agent, shall notify the Hays County Transportation Department twenty-four (24) hours prior to the time when the inspection is needed.
5. This permit will become null and void if the above driveway facilities are not constructed within six (6) months from the issuance of this permit.
6. The Grantee will contact the County's representative at (512) 393-7385 at least twenty-four (24) hours prior to beginning the work authorized by this permit.

A handwritten signature in black ink, appearing to read "Tyler Pendergrass".

Inspector: Tyler J Pendergrass  
Hays County Transportation Dept.



**Planning and Zoning Commission  
Agenda Item Report  
July 26, 2022**

**Contact – Melissa McCollum, AICP, Planning Director  
512-312-5745 / [melissa.mccollum@ci.buda.tx.us](mailto:melissa.mccollum@ci.buda.tx.us)**

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**SUBJECT: CONSIDERATION, AND POSSIBLE ACTION ON THE PROPOSED PERSIMMON DEVELOPMENT AGREEMENT (DA) FOR A TOTAL OF 775 +/- ACRES IN THE CITY OF BUDA, CITY OF BUDA ETJ, CITY OF AUSTIN ETJ, AND TRAVIS AND HAYS COUNTIES PROPERTY LOCATED NORTH OF RM 967 KNOWN AS THE BAILEY/ARMBRUSTER TRACTS AND MILESTONE DEVELOPMENT. [DA 22-01] (PLANNING DIRECTOR MELISSA MCCOLLUM).**

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**1. PROJECT SUMMARY**

This consideration for Persimmon is only for the Development Agreement (“DA”). Although the Developer is pursuing other entitlements for this project, but this item is for the DA portion only. The following outlines the property under consideration.

- Persimmon Development = 775 +/- acres
  - Bailey Tract = 349 +/- acres
  - Armbruster Tract = 426 +/- acres
  - 2,800 residential units, included townhomes – no apartments/multifamily
  - 10 acres minimum of commercial
  - 3,275 LUE (Living Unit Equivalent)- water/sewer service commitment request
- Buda City/ETJ (referenced as “Property” in the DA)
  - 471 +/- acres in the City of Buda/ETJ
    - Bailey 178 +/- acres in the Buda ETJ
    - Armbruster 283 +/- acres in Buda ETJ
    - Armbruster 10 +/- acres in the City of Buda zoned B2
    - 2,100 residential units
    - 10 acres minimum of commercial
    - PID/TIRZ financing
- City of Austin ETJ (referenced as “Additional Property” in the DA)
  - 302 +/- acres in the City of Austin ETJ
    - Bailey = 171 +/- acres in the Austin ETJ
    - Armbruster = 131 +/- acres Austin ETJ
    - 700 residential units

Development Agreements of this scale are usually combined with annexation, zoning, and special financing, such as a Public Improvement District (“PID”), Municipal Utility District (“MUD”) and/or Tax Increment Reinvestment Zone (“TIRZ”). Persimmon is asking for special financing (PID/TIRZ) and seeking approval for financing concurrently with consideration of the DA. However, the PID/TIRZ will be a future agenda item. The Developer has not obtained the release of the Austin ETJ portion of the property. Therefore, as currently proposed the PID/TIRZ only applies to the Buda City/ETJ portions of the Persimmon Development (approximately 471 acres or 62% of the area but 75% of

the residential units). Thus, only the Buda/ETJ portion of the property will be subject to the PID Assessments. The City has not established or committed to a PID/TIRZ for this project, but the City Council is currently evaluating a PID policy for adoption. However, the proposed DA seeks to exclude this project from the City's PID policy.

This DA is also unique in that the property is within two counties (Hays and Travis) as well within the City of Buda, Buda's (ETJ) and Austin's ETJ. The DA tries to straddle between the two jurisdictions (Buda and Austin) while not entirely committing to either. Staff has asked Persimmon to work with Buda and Austin to release Austin's ETJ portion so the DA could adequately address utilities and commitments and the special financing for the entire property. Persimmon submitted a letter request to Austin dated July 6, 2022, but Austin has not responded to the request. Staff is also working to coordinate with City of Austin.

The DA was submitted for review on April 6, 2022. Staff has been working with both internal and external consultants to review the requests and meeting every other week with Milestone to work out questions/details. DAs are detailed documents. Because of numerous changes, Staff needs additional time to review and ensure the DA presented to the Planning and Zoning Commission (P&Z) and City Council complete and adequately addresses the City's concerns. Staff is requesting additional time to review and analyze this DA; the DA under consideration was revised and submitted to the City on July 20, 2022.

Staff has worked with the applicant, P&Z, and City Council to seek input on the terms of the proposed DA. The following are the public meetings related to the Persimmon Development, which as of January 2022, includes both the Bailey and Armbruster tracts.

**PUBLIC MEETINGS:**

Planning and Zoning Workshop - 01.11.2022  
City Council Workshop - 02.01.2022  
City Council Workshop - 03.22.2022  
City Council Workshop - 05.03.22  
Planning and Zoning Commission - 07.25.2022 (DA)

**UPCOMING PUBLIC MEETINGS:**

City Council 1<sup>st</sup> Reading- and Public Hearing, 08.02.2022 (DA)  
City Council 2<sup>nd</sup> Reading- Future Date (DA)

**2. BACKGROUND/HISTORY**

Development Agreements are established and governed under Section 212, Subchapter G, of the Texas Local Government Code. It is a written contract between a municipality and an owner of land that is located in the ETJ to:

1. Guarantee the continuation of the ETJ status of the land and its immunity from annexation;
2. Extend the city's planning authority over the land;
3. Authorize city enforcement of certain land use & development regulations in the same manner as a property within the city;
4. Authorize enforcement of land use and development regulations other than those that apply within the city, as may be agreed to by the landowner and the city;
5. Provide for infrastructure for the land;
6. Authorize enforcement of environmental regulations;
7. Provide for the annexation of the land in whole or in parts and to provide the terms, if annexation is agreed to by the parties;
8. Specify uses & development of the land before & after annexation, if annexation is agreed to by the parties; and
9. Include other lawful terms & considerations the parties deem appropriate.



The City has utilized Development Agreements in the past, with mixed results. The lessons learned from previous agreements are continuing to be used in discussions regarding this DA.

The staff review for the DA involved the City Manager, Assistant City Manager, Planning Director, City Engineer, Senior Engineer, Senior Planner, and City Attorney.

Two primary criteria apply under the UDC:

- Whether the proposed agreement promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
- Whether the proposed agreement is consistent with the Comprehensive Plan.

The criteria are deliberately broad. Fundamentally, consistency with the new UDC is now a measure of Comprehensive Plan compliance due to its recent update.

### **3. STAFF'S REVIEW AND ANALYSIS**

The DA establishes the timelines and requirements for the development of the property. The current draft of the DA was received on July 20, 2022, and Staff has not had enough time to evaluate all the intricacies of the details but does have the following concerns.

- Current DA and proposed PID/TIRZ is slated to apply to the Buda/ETJ portion only. Staff would like the DA to be comprehensive, resolve the potential City of Austin ETJ release, and be applicable to the "Additional Property."
- Initial Comments on Exhibits:
  - Meets and Bounds differ in documents submitted to the City Austin ETJ release versus the "Additional Property." Double-check references to acreage between the exhibits and the text in the DA.
  - Exhibit B, the Concept Plan, shows varying levels of detail, and it should be made clear in the Agreement that the Exhibit is a conceptual rendering, that has not been reviewed for conformance with the Development Agreement or the UDC.
  - Exhibit C, Phasing plan is incomplete, and details differ between Exhibit D, Bubble Plan, and Exhibit G, Parkland Improvement.
  - Northern Tract 1 which is referenced as Commercial is now considered townhomes and should be updated on Exhibits B and D. There are two Tract 1s on Exhibit B.
  - 80' wide lots shown on Exhibit B, should be referenced in the DA Section 8, E 7.
  - Exhibit H, trails plan is incomplete for the entire property.
  - Exhibit I, shows a detention pond in a majority of the commercial Tract 2, shown on Exhibit B.
  - Exhibit N, not available.
- Section 8 Land Uses - 2800 units at a density of 3.6 units to the acre for the overall property. Only 10 acres are set aside for commercial uses, a substantial portion of which is planned to be a large multi-acre pond, reducing developed commercial area significantly. Northern, Tract 1, is planned to be used for condominium townhome residential.
  - No multifamily/apartments for rent are intended within this development. Applicants state intent that multifamily "townhome" lots are to be condominiums, however there is no requirement in the DA preventing a for rent multifamily "townhouse" product, or requirement that they be a for sale "condominium" product.
  - The Developer has provided the current breakdown of land uses within the entire 775 +/- acres. Staff has concerns regarding the breakdown and land use details.

Persimmon Land Use Breakdown	
Residential	52%
Commercial	1%
Parks & Open Space	25%
ROW	20%
School	2%
ESD	0%
Total	100%

- Section 10 Municipal Regulations - Applicant's proposal for "Cluster Development" does not appear to meet City regulations and does not appear to provide the intended benefits of additional opens space (based on submitted exhibits)
- Section 11 Parkland and Open Space- Details regarding parks and open spaces standards are included for the Bailey tract, in the Buda portion of the property. However, the DA is silent on details of the overall open space and trail system connections for the remaining portions of the project. The proposed DA is asking for parkland improvement credit for private parks with no public access. In addition, much of the proposed public parkland does not appear to meet our standards for parkland dedication land suitability in terms of slope and grade. There are questions regarding public parking and access to some of the dedicated parkland areas. In the Development Agreement, the Applicant has identified portions of the trails shown in Exhibit H (Trails Plan) but does not state the intent of the "Neighborhood Trails" shown on Exhibit H. The Applicant has added a open space buffer between the Armbruster Tract and the western neighborhood but has not provided details on width or plans within the buffer.
- Section 12 Utilities and Service Commitments - Water and Wastewater is being requested to serve both the Property and Additional Property for a total of 3275 LUEs. Buda needs to evaluate the cost associated with serving these LUEs as the numbers were finalized on July 19, 2022.
- Section 14 - Tree Preservation. The applicant is proposing to effectively "triple-dip" on tree mitigation through waivers added to the DA, without providing a clear picture of their impact on the current trees on site, by requesting:
  - that trees already required for landscaping purposes count towards mitigation;
  - significant waivers of mitigation requirements (up to 50% of Protected trees can be removed without mitigation, 25% of Signature trees, and 15% of Heritage) and without details/survey showing the current location, species and size; and
  - to be able to count trees planted anywhere on site to count towards the City's Street Tree requirement
- Section 15 – Transportation Applicant is proposing to end a master planned road (Hunt Road) within the limits of their project rather than extending it to the limits of their property. The UDC requires the Developer, not the City, to extend the road/bridge to the property line.
  - Applicant is proposing a cross-section for the north/south connector that does not meet the Transportation Mobility Master Plan (TMMP) standards and does not provide clear indication of the off-street improvement widths.
  - TMMP requires a 10-foot shared use path on either side of the north /south collector, applicant is instead promoting a 6 foot "urban trail".
  - Transportation Improvement Assessment (TIA) has not been submitted for the entire project, but a combined TIA scoping meeting was held with TxDOT on July 1<sup>st</sup>, 2022.

- Applicant is proposing to waive block lengths based on Concept Plan without providing details on detailed description of actual degree waived.
- Section 16 - Prairie Building, staff has concerns regarding the language included in the current DA.

No other builder in Central Texas follows the practice of “prairie building standards” proposed by Milestone. The completion of all basic required public water, wastewater, storm drainage, or street infrastructure cannot overlap or lag the start of home construction.

To create buildable lots, a preliminary plat must be approved. UDC Subsection 2.03.04.D requires that access to “All lots in the One & Two Family Residential (R-3) District shall be accessed by local streets or collector streets.” Further, such access must be via an all-weather improved surface – a street as defined by the City’s engineering design standards. The minimum lot size in R-3 is 6,000 square feet; let’s assume the lots are 55’ x 112’. The minimum front and rear yard setbacks are 20’ from the ROW, and a typical front-loaded home will consume 40 feet of additional depth. This leaves a 32-foot swath through the back yard of every lot on a block to build a so-called “prairie streets.” It is implausible that a homebuilder would construct a roadbed that day-in and day-out will bear up under the weight of ready-mix concrete trucks, equipment trailers, and haul vehicles under variable weather conditions. Further, the proposed “prairie streets” allow for undesirable non-restrictive use of the lot area. In addition, the creation of “prairie streets” willfully and unnecessarily requires the clear cutting of trees that would otherwise enhance the development.

An approved preliminary drainage plan is a pre-condition of preliminary plat approval. The drainage plan defines all drainage sub-catchments and drainage patterns for each block of lots. A logical approach must be taken to transition pre-developed drainage patterns to post-developed drainage infrastructure without violating the Texas Water Code at any point during subdivision construction. With the preliminary drainage plan, a grading plan is devised, and a lot padding scheme is defined, and relative finished floor elevations for future structures are established. On a subdivision block with any degree of vertical fall or rise between lots, the lot pads will be stepped. If you build a “prairie street” across lot lines, this wholly invalidates the drainage design for capturing and conveying inter-lot flow?

An aspirational efficiency goal in site civil work is to balance cut and fill and minimize material haul distances to and from a site. A site-civil contractor is cutting grade, importing classified materials, and placing structural fill for buildable lots, utility trenching, and public streets in concert. This coordinated effort is required, in large part, to ensure the Engineer’s drainage design (e.g., flow lines and patterns) is achieved in a logical, phased, and uniform manner. A site-civil contractor must tie into existing flow lines for receiving drainage channels and storm pipes. Trail cut and “prairie streets” act like channels until curbs and gutters (urbanized) storm infrastructure installed. Grading of lots cannot conflict with the subdivision public street and public storm drainage system gravity flow design. Possibly the most problematic aspect of “prairie building” is the necessity to have water quality control measures in place to treat storm water runoff from impervious public infrastructure and lot site work. Construction phase storm water discharge permit best management practices do not conform with and cannot replace UDC Subsection 4.05. Environmental Protection and Water Quality Regulations for post-development storm water runoff control.

Once the very first element of vertical construction starts within a subdivision, the post-construction water quality measures that will capture and treat runoff from impervious cover area(s) must be in place and functional. Best management



practices for capture and control of sediment from land disturbance activities are not appropriate for buildings and flatwork. Stormwater runoff from a lot where a home is being built must be captured in an appropriately sized conduit (open or closed channel flow) and conveyed to a post-construction control measure that will serve the development. The City's UDC does not allow for temporary or in lieu post-construction stormwater quality control measures; this would compromise protection of surface and groundwater quality.

**4. FINANCIAL IMPACT**

As proposed, the portion of the property not in the Austin ETJ will be in the city limits and pay ad valorem taxes for the proposed 2100 residential units. The development will produce impact fees and development fees and City water and wastewater customers. Additional homes could be added of 700 units if the Austin ETJ is released.

**5. SUMMARY/CONCLUSION**

This item involves a request for a Development Agreement for Persimmon Development. Development Agreements are governed by Unified Development Code Section 3.03.12. and Texas Local Government Code Chapter 212, Subchapter G.

A Development Agreement was identified as an appropriate tool to address the needs of the developer while also allowing an opportunity to advocate for the residential design standards and offsite roadway improvements of connection to FM 1626. Staff is seeking additional time to work with the Developer to finalize details.

**6. ALTERNATIVES**

The Commission has four alternatives for action.

- **Postpone Consideration of the Development Agreement (DA) to the future regular Planning and Zoning Commission Meeting of October 25, 2022 (recommendation)** – This recommendation provides the Planning and Zoning Commission an opportunity to further consider the DA at the October 25, 2022 (3 months), or another future meeting with a date certain. This will allow the Planning and Zoning Commission to give Staff time to evaluate the required additional data, or if some recommended modifications to the DA require further review by the City Attorney or Developer representatives. Staff is supportive of this option and recommends that P&Z request specific information to help outline any actions by Staff & the Developer that are needed before the next meeting.

Motion Language:

*I make a motion to postpone consideration of the Development Agreement (DA) to October 25, 2022 (or another date certain).*

- **Approve the Development Agreement (DA) (alternative)** – This alternative results in the DA being recommended for approval. Staff and the Developer have negotiated in good faith the terms of this DA. A version of this DA could maximize municipal authority, balance the rights of the property owner, and meet the intent of the UDC and 2030 Buda Comprehensive Plan. However, as currently drafted the DA is incomplete and does not adequately address the City's concerns; At this time, Staff does not recommend this option.

Motion Language:

*I make a motion to recommend approval of the ordinance adopting the Development Agreement (DA).*

- **Modify and Recommend, Development Agreement (DA) (alternative)** – This alternative results in the DA being recommended with modifications. Because of

the contractual nature of the DA, it is important for any modifications to be done as an inclusive discussion with the developer applicant.

Motion Language:

*I make a motion to recommend the ordinance Development Agreement (DA), subject to the following modifications... (list)*

- **Recommend Denial of the Annexation, Development and Municipal Utility Consent District Agreement (DA) (alternative)** –Staff does not recommend this alternative because the landowners could elect to develop land outside the city limits not subject to most city ordinances. The City would lose some regulatory oversight provided for by the DA.

Motion Language:

*I make a motion to recommend denial to the City Council of the Development Agreement.*

**7. RECOMMENDATION**

This item is actionable at the discretion of the Planning & Zoning Commission. Staff recommends the Planning and Zoning Commission consider recommending postponing the Development Agreement (to a date certain) to better evaluate the details of the DA.

**8. ATTACHMENTS**

Development Agreement (redline) and Exhibits  
Surrounding Property Owner Responses to notification  
City of Austin ETJ release request

**CITY OF BUDA DEVELOPMENT AGREEMENT  
BAILEY/ARMBRUSTER TRACT SUBDIVISION**

STATE OF TEXAS           §  
  §  
COUNTY OF HAYS       §

This DEVELOPMENT AGREEMENT (“AGREEMENT”), dated \_\_\_\_\_, 2022 (the “EFFECTIVE DATE”), is between the CITY OF BUDA, TEXAS, a home rule municipality located in Hays County, Texas (the “CITY”), Bailey Land Investments, LP, a Texas limited partnership, its successors and/or permitted assigns, and Armbruster Land Investments, LP, a Texas limited partnership, its successors and/or permitted assigns (collectively the “LANDOWNERS”). In this AGREEMENT, the CITY and the LANDOWNERS are sometimes individually referred to as a “PARTY” and collectively referred to as the “PARTIES”.

WHEREAS, the LANDOWNERS own approximately 470.6 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY (“ETJ”) and approximately 13 acres within the full purpose jurisdiction of the CITY, such real property being more particularly described in **Exhibit A**, attached hereto and fully incorporated into this AGREEMENT for all purposes (the “PROPERTY”); and

WHEREAS, the LANDOWNERS desire to develop the PROPERTY as a mixed-use project containing both a commercial component and a residential component; and

WHEREAS, LANDOWNERS have agreed to voluntarily petition the CITY to annex the PROPERTY into the municipal boundaries of the CITY, with the understanding that the CITY will consider the annexation and zoning of the PROPERTY in the manner and time period set forth in this AGREEMENT; and

WHEREAS, the CITY and the LANDOWNERS acknowledge and agree that this AGREEMENT satisfies the requirements of Sections 43.0671-.0673 and 212.172 of the *Texas Local Government Code*; and

WHEREAS, the CITY and the LANDOWNERS further agree that this AGREEMENT will be recorded in the official public records of Hays County, Texas, and will run with the PROPERTY, as provided by law; and

WHEREAS, in recognition of the mutual benefits to be derived from the controlled development of the PROPERTY and its guaranteed continued extraterritorial status for a certain time, the LANDOWNERS and the CITY desire to enter into this AGREEMENT, pursuant to Section 43.016 and 212.172 of the *Texas Local Government Code*, to evidence their agreements with respect to guaranteeing the continuation of the extraterritorial status of the PROPERTY and its immunity from annexation by the CITY for a specific period; extending the CITY’S regulatory authority over the PROPERTY by providing for the regulations and planning authority of the CITY to be applicable to the PROPERTY as provided herein; and authorizing enforcement by the CITY of the CITY’S land use and development regulations, subject to the terms of this AGREEMENT; and

WHEREAS, the CITY will provide water and wastewater services to the PROPERTY as provided herein; and

WHEREAS, LANDOWNERS intend to develop an additional 292.06-acre tract of land, such real property being more particularly described in Exhibit —, O. attached hereto and fully incorporated into this AGREEMENT for all purposes (“*ADDITIONAL PROPERTY*”) located to the immediate north of the PROPERTY in the City of Austin’s ETJ and to pursue the release of the *ADDITIONAL PROPERTY* from Austin’s ETJ to Buda’s ETJ as provided herein, and the CITY will provide water and wastewater services to the *ADDITIONAL PROPERTY* as provided herein; and

WHEREAS, the CITY desires that certain regional transportation infrastructure be constructed in connection with the PROJECT, and LANDOWNERS have submitted to the City a petition for the creation of the Persimmon Public Improvement District (the “*PID*”) on the PROPERTY (~~the “*PIP*”~~) in order to construct certain AUTHORIZED IMPROVEMENTS (as defined below) including, without limitation, certain regional transportation infrastructure (including without limitation the North-South Parkway and 1626 Connector) to support the PROJECT (as defined below) in a financially feasible manner in accordance with Chapter 372 of the *Texas Local Government Code* (the “*PID ACT*”) and any applicable state law (the “*PID PETITION*”); and

WHEREAS, the CITY intends to create the PID in order to plan, finance, construct, acquire, operate and maintain the AUTHORIZED IMPROVEMENTS within the PROJECT without imposing an undue burden on the CITY and its residents and taxpayers; and

WHEREAS, the CITY desires that the AUTHORIZED IMPROVEMENTS be constructed as provided herein, and the CITY and the LANDOWNERS agree that financing the costs of such infrastructure should be facilitated by the (i) creation of the PID and the issuance of PID BONDS (as defined below) to fund such construction pursuant to the PID ACT and (ii) creation of a tax increment reinvestment zone (“*TIRZ*”) pursuant to Chapter 311 of the Texas Tax Code; and

WHEREAS, it is intended that special assessments will be levied on the PROPERTY within the PID (“*PID ASSESSMENTS*”), and PID BONDS will be sold to finance the design, construction and installation of the AUTHORIZED IMPROVEMENTS. The AUTHORIZED IMPROVEMENTS will confer a special benefit to the PROPERTY within the PID; and

WHEREAS, the CITY intends to exercise its powers under the PID ACT, to provide alternative financing arrangements that will enable the LANDOWNERS, at their option, to do the following in accordance with the procedures and requirements of the PID ACT and this AGREEMENT: (i) fund or be reimbursed for a specified portion of the costs of the AUTHORIZED IMPROVEMENTS using the proceeds of the PID BONDS; and/ or (ii) obtain reimbursement for the specified portion of the costs of the AUTHORIZED IMPROVEMENTS, the source of which reimbursement will be installment payments from the PID ASSESSMENTS within the PROPERTY; and

WHEREAS, the CITY, after due and careful consideration, has concluded that the development of the PROPERTY, as provided for herein, will provide public recreational spaces, upgrade public infrastructure within the CITY, result in superior development than would otherwise occur in the City’s ETJ, and otherwise be in the best interests of the CITY by furthering the health, safety, morals and welfare of its residents and taxpayers; and

WHEREAS, the CITY’S Planning & Zoning Commission has considered and made its recommendation regarding this AGREEMENT and the City Council has considered, authorized, and approved this AGREEMENT, each at a regularly scheduled meeting subject to and conducted in accordance with the Texas Open Meetings Act and the ordinances and Charter of the CITY; and

**Commented [A1]:** As we discussed, the “Property” is subject to the land use, development regulations, annexation, zoning, and PID provisions of the Development Agreement because it is in the Buda ETJ and the parties are authorized to make this agreement on those topics accordingly. The “Additional Property” is currently only subject to the utility service and ETJ release provisions, which provide that if acceptable terms of the ETJ release are provided, the Additional Property will then become subject to the land use, development regulations, annexation, zoning, and PID provisions of the DA.

WHEREAS this AGREEMENT was passed and approved by Ordinance on \_\_\_\_\_, 2022, contained in the records of the CITY and recorded minutes adopted and approved for such meeting.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained or referred to herein, the receipt and sufficiency of which are hereby acknowledged by the CITY and the LANDOWNERS, the PARTIES agree as follows:

1. *Findings.* The foregoing recitals are hereby found to be true and correct and are hereby adopted by the PARTIES and made a part of this AGREEMENT for all purposes.
2. *Effective Date.* The EFFECTIVE DATE shall be noted in the recitals of this AGREEMENT. The EFFECTIVE DATE of this AGREEMENT shall be the effective date of the two ordinances described in this Section of this AGREEMENT. Prior to the execution of this AGREEMENT, the CITY adopted an ordinance approving this AGREEMENT and authorizing the ~~annexation contemplated herein, and considered a zoning ordinance enacting the zoning of the PROPERTY~~ creation of the PID and TIRZ as contemplated herein.
3. *Property.* The LANDOWNERS and the CITY acknowledge and agree that the PROPERTY is, upon the EFFECTIVE DATE of this AGREEMENT, subject to the terms of this AGREEMENT.
4. *Term.* The term of this AGREEMENT shall commence on the EFFECTIVE DATE and continue until the earlier to occur of: (i) the expiration of thirty-five (35) years from the EFFECTIVE DATE, or (ii) the date on which the CITY and the LANDOWNERS fully discharge all of their obligations hereunder, including, without limitation: (a) the AUTHORIZED IMPROVEMENTS have been completed and the CITY has accepted all of the AUTHORIZED IMPROVEMENTS, (b) all PID BOND proceeds have been expended for the construction of all of the AUTHORIZED IMPROVEMENTS, and (c) the LANDOWNERS have been reimbursed for all completed and accepted AUTHORIZED IMPROVEMENTS.
5. *General Benefits.* LANDOWNERS have voluntarily elected to enter into and accept the benefits of this AGREEMENT and will benefit from the financing, funding and reimbursements set forth herein. The CITY will benefit from this AGREEMENT by virtue of construction of the AUTHORIZED IMPROVEMENTS and of expanding its public amenities by the LANDOWNERS as herein provided.
6. *Necessary and Appropriate Actions.* The PARTIES agree to take such actions, including the execution and delivery of such documents, instruments, petitions, and certifications (and, in the CITY'S case, the adoption of such ordinances and resolutions), as may be necessary or appropriate, from time to time, to carry out the terms of this AGREEMENT.
7. *Definitions.* In addition to the terms defined above in this AGREEMENT, the following terms, when used in this AGREEMENT, will have the meanings set forth below:
  - A) APPRAISAL means the appraisal of the PROPERTY or portions thereof obtained in connection with the PID BONDS to determine whether there is sufficient value associated with the PROPERTY to meet the value to lien ratios set forth in this AGREEMENT.

- B) AUTHORIZED IMPROVEMENTS means the authorized public improvements within or benefitting the PROPERTY (including without limitation the North-South Parkway and 1626 Connector, utilities, internal streets, public parks, drainage improvements, and all other improvements authorized by the PID ACT) to the maximum extent authorized by the PID ACT, and any other applicable State law, and to be constructed and funded in connection with the PID BONDS that will be more particularly described in the PID creation resolution, the PID FINANCING AGREEMENT (hereinafter defined) and the SAP (hereinafter defined).
- C) BOND AUTHORIZATION DATE means the date that the City Council authorizes the issuance of the PID BONDS.
- D) CITY MANAGER means the City Manager of the CITY, or his/her designee.
- E) COMMERCIAL TRACTS means the tracts identified as the southernmost “F-4 Zoning Tract 1” and the “F-4 Zoning Tract 2”~~Commercial Tracts on the~~ CONCEPTUAL PLAN, as defined herein and attached hereto as Exhibit B.
- ~~F)~~ COMMERCIAL USES means the nonresidential uses permitted as a use by right under Form District (F4), except as expressly modified by this AGREEMENT.
- ~~G)~~ CONDOMINIUM RESIDENTIAL USES means the for-sale, multi-family residential uses where individual residential units are within a condominium regime pursuant to Chapter 82 of the Texas Property Code, which uses shall be permitted as a use by right in the CONDOMINIUM TRACT under Form District (F4) development standards, except as expressly modified by this AGREEMENT.
- ~~F)H)~~ CONDOMINIUM TRACT means the tract identified as the northernmost “F-4 Zoning Tract 1” on the CONCEPTUAL PLAN, as defined herein and attached hereto as Exhibit B.
- ~~G)I)~~ CONCEPTUAL PLAN means the Conceptual Plan for the PROPERTY, attached as Exhibit B, as amended from time to time in accordance with this AGREEMENT. The proposed PROJECT is further illustrated, for informational purposes only, by the bubble plan attached hereto as Exhibit D.
- ~~H)J)~~ CONNECTING FACILITIES means the improvements necessary to connect the INTERNAL FACILITIES to the CITY’s water and wastewater systems at the points of connection described in ~~Subsection 10.A~~Section 12.
- ~~I)K)~~ CRZ means the area intended to define the drip line of the tree and is represented by a concentric circle that is centered on the trunk with a diameter equal in feet to the number of inches of the tree’s trunk diameter.
- ~~J)L)~~ FORCE MAJEURE means acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections; riots; epidemics; landslides; earthquakes; lightning; fires; hurricanes; storms; floods; washouts; or other natural disasters; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to

**Commented [A2]:** As we discussed, we are adding back in the F-4 Tract previously contemplated, but this tract will allow for-sale residential use under the F-4 form (but not rental MF use).

machinery, pipelines or canals; or other causes not reasonably within the control of the PARTY claiming such inability.

- ~~K)M)~~ HOA means a homeowners' association, with mandatory assessment powers, created by the LANDOWNERS as a Texas non-profit corporation.
- ~~L)N)~~ INDENTURE OF TRUST means an Indenture of Trust between the CITY, a trustee acceptable to the CITY, and the LANDOWNERS covering the PID BONDS, as the same may be extended from time to time.
- ~~M)O)~~ INTERNAL FACILITIES means the potable water distribution system and related facilities and the wastewater collection system and related facilities to be constructed by the LANDOWNERS within the PROPERTY, and within the ADDITIONAL PROPERTY if the CITY provides water and wastewater to the ADDITIONAL PROPERTY as provided herein.
- ~~N)P)~~ MINOR MODIFICATIONS mean variations between any preliminary plat or final plat of the PROPERTY from the CONCEPTUAL PLAN, limited to minor adjustments of street or alley alignments or lengths, and minor changes in lot lines, provided that those changes do not increase the overall density of the single-family residential units included in the PROPERTY in excess of the increases authorized by Subsection 6-8.A of this AGREEMENT.
- ~~O)Q)~~ PARKLAND IMPROVEMENT FUNDS means the funds to be expended by the LANDOWNERS pursuant to Subsection ~~911.C)~~ of this AGREEMENT, which will be used as provided in Subsection ~~911.D)~~ of this AGREEMENT.
- ~~P)R)~~ PHASE means an individual phase of development of the PROJECT as depicted and described in the conceptual PHASING PLAN. A PHASE may be referred to by its assigned number, as shown on the conceptual PHASING PLAN.
- ~~Q)S)~~ PHASING PLAN means the conceptual plan showing the LANDOWNERS' current proposed order of development of portions of the PROPERTY attached as **Exhibit C**.
- ~~R)T)~~ PID BONDS means special assessment revenue bonds authorized by the CITY to be issued, in one or more series, for multiple improvement areas, in accordance with the PID ACT and the PFA (as defined below).
- ~~S)U)~~ PID FINANCING DOCUMENTS means the PFA and SAP, collectively.
- ~~T)V)~~ PID FINANCING AGREEMENT or PFA means a PID Financing Agreement to be entered into between the CITY and the LANDOWNERS to provide for the assessment, levying, and collection of PID ASSESSMENTS on the PROPERTY, the construction and maintenance of the AUTHORIZED IMPROVEMENTS, the issuance of PID BONDS and other matters related thereto.
- ~~U)W)~~ PROJECT means the development of the PROPERTY as described in this AGREEMENT.
- ~~V)X)~~ PROJECT APPROVALS means this AGREEMENT and all approvals, variances, waivers and exceptions to the UDC approved by the CITY that are necessary or

required for the development of the PROPERTY in accordance with this AGREEMENT, including those expressly set forth in this AGREEMENT and shown on the CONCEPTUAL PLAN as well as any other future regulatory approvals required for the development of the PROPERTY, including plat approval, final zoning designation, site development plans and building permits. If there is any conflict between the PROJECT APPROVALS and the UDC or any other rule, regulation or ordinance of the CITY, the PROJECT APPROVALS will control.

~~W)Y)~~ PRAIRIE BUILDING PROGRAM means the requirements set forth in Section ~~14~~ 16 of this AGREEMENT.

~~X)Z)~~ REIMBURSEMENT AGREEMENT means a PID reimbursement agreement, PID construction funding agreement, or similar agreement between the CITY and the LANDOWNERS.

~~Y)AA)~~ RESIDENTIAL TRACTS means the tracts located in the PROPERTY identified as “R3/R4 Zoning Residential” and “80’ Single Family Lots” Residential Tracts on Exhibit B.

~~Z)BB)~~ SAP means a Service and Assessment Plan to be entered into contemporaneously with the levy of all requisite PID ASSESSMENTS on the PROPERTY in support of the PID BONDS in accordance with the PID FINANCE DOCUMENTS and further subject to the PID BOND issuance requirements set forth below.

~~AA)CC)~~ SPECIFIC USE PERMIT means a Specific Use Permit or SUP as defined in the UDC.

~~BB)DD)~~ TXDOT means the Texas Department of Transportation.

~~CC)EE)~~ UDC means the Unified Development Code of the City of Buda as adopted on October 2, 2017, as amended by Ordinance Number 2019-24 adopted December 3, 2019, and by Ordinance Number 2020-04, adopted on March 24, 2020, excluding any provisions thereof which have been, or which may in the future be, preempted or otherwise invalidated by State law.

**Commented [A3]:** I think the 3/24/2020 UDC changes is correctly identified here. Developer is not agreeing to be subject to later changes based on the vesting established to date.

~~DD)FF)~~ BAILEY TRACT means the portion of the PROPERTY owned by Bailey Community Development, Inc., and being 177.26 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY as more particularly described in Exhibit A-1.

~~EE)GG)~~ ARMBRUSTER TRACT means the portion of the PROPERTY owned by Armbruster Community Development, Inc., and being 293.34 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY and 12 acres within the full purpose jurisdiction of the CITY (the “ARMBRUSTER TRACT”) as more particularly described in Exhibit A-2.

8. *Land Uses.*

A) Permitted Uses: Conceptual Plan. The LANDOWNERS covenant and agree not to use the PROPERTY for any use other than (i) the existing uses of the PROPERTY



as of January 1, 2022, and (ii) except as provided herein, the uses provided for pursuant to this AGREEMENT, including those uses shown on the CONCEPTUAL PLAN, without CITY approval as evidenced by a duly adopted ordinance or CITY approval of an amendment of this AGREEMENT. The RESIDENTIAL TRACTS may be used for any uses allowed in the UDC for the R3/ R4 Zoning Districts, except as may be modified herein. The COMMERCIAL TRACTS may be used for any uses allowed in the UDC for the F-4 Zoning District, except as may be modified herein. The CONDOMINIUM TRACT may be used for CONDOMINIUM RESIDENTIAL USES and any other uses allowed in the UDC for the F-4 Zoning District, except as may be modified herein. The CITY confirms that the CONCEPTUAL PLAN sets forth the current development plan for the PROPERTY, has been reviewed and approved by all required departments, boards and commissions, and complies with the Buda 2030 Comprehensive Plan, as amended. The CITY agrees that the PROPERTY may be developed by LANDOWNERS in accordance with the CONCEPTUAL PLAN and this AGREEMENT. Any preliminary plat or final plat of the PROPERTY may include MINOR MODIFICATIONS from the CONCEPTUAL PLAN, however, in no event may the single-family residential units (to include single-family detached, single-family attached, condominium, and townhome residential units) in the PROPERTY currently located within the CITY ETJ exceed 2,100 units or the total number of units using the maximum density of the R-3/R-4 Zoning Districts as set forth in the UDC for the RESIDENTIAL TRACTS and the F-4 Zoning District of the CONDOMINIUM TRACT, whichever is less, where such maximum density is calculated within the boundaries of and based on the acreage of each final plat approved within the PROPERTY. Notwithstanding the foregoing, for any single-family attached, condominium, or townhome development proposed within the ~~PROPERTY~~ RESIDENTIAL TRACTS, the maximum density of the R-4 Zoning District as set forth in the UDC shall apply, and any single-family attached, condominium, or townhome development proposed within the CONDOMINIUM TRACT, the maximum density of the F-4 Zoning District as set forth in the UDC shall apply. Increases in the single-family residential density of any PHASE of the PROPERTY, subject to the limitation set forth in the previous sentence, that do not exceed 10% will constitute MINOR MODIFICATIONS, will not require an amendment to this AGREEMENT or the CONCEPTUAL PLAN, and may be approved administratively by the CITY MANAGER. Changes from the CONCEPTUAL PLAN that do not constitute MINOR MODIFICATIONS will require an amendment of the CONCEPTUAL PLAN and this AGREEMENT. Notwithstanding the foregoing or any other provision of this AGREEMENT, unless and until the City of Austin releases the ADDITIONAL PROPERTY to the ~~City of Buda~~ CITY as provided herein, the PARTIES acknowledge and agree that the ADDITIONAL PROPERTY is not subject to the rules and regulations of the CITY or the limitations set forth in this AGREEMENT (except for any rules and regulations regarding connection to the CITY's utility system and provision of CITY water and wastewater service, if applicable) and the LANDOWNERS may use and develop the ADDITIONAL PROPERTY in accordance with applicable law.

B) Generally. The PROJECT will include the COMMERCIAL TRACTS, containing no less than ~~25~~ at least ten (10) acres, the CONDOMINIUM TRACT containing approximately ten (10) acres, and the RESIDENTIAL TRACTS containing the balance of the PROPERTY located in the PROPERTY within the current CITY ETJ, and containing no more than 2,100 single-family residential lots and/or units

**Commented [A4]:** This provision is needed based on the gap between Development Agreement approval and annexation contemplated by the timeline.

**Commented [A5]:** This provision added for clarity.

**Commented [A6]:** New Exhibits have been provided as requested.

**Commented [A7]:** Clarified as requested.

**Commented [A8]:** If the Additional Property is not released, we anticipate developing the Additional Property as a SF residential project based on applicable Austin ETJ subdivision regulations.

**Commented [A9]:** As we discussed, this is not a reduction since the Developer previously included MF rental in the Commercial Tracts as an allowable use. Because we have deleted MF rental use as requested, the portion of the Property which can be dedicated to purely commercial use remains the same.

within the current CITY ETJ and within the PROPERTY in a range of lot and unit sizes, no more than 2,800 single-family residential lots and/or units within the within both the PROPERTY and ADDITIONAL PROPERTY if the Austin ETJ is released as provided herein, in a range of lot and unit sizes.

- C) Historic Preservation. The LANDOWNERS agree that the dairy house and historic dairy barn located on the BAILEY TRACT will, through restoration or re-use of its architectural elements, be incorporated into a modern amenity structure that echoes and honors the historic structure, as depicted on the attached Exhibit E. The LANDOWNERS agree to install a plaque on the amenity center site that recognizes and honors the Bailey family and the PROPERTY'S history. In addition, elements within the PROPERTY'S open space, amenity sites, and signage will reference and honor the PROPERTY'S agricultural history and, where practicable, existing agricultural artifacts and materials that are found on-site will be salvaged and re-used.
- D) COMMERCIAL TRACTS AND CONDOMINIUM TRACT. The development of the COMMERCIAL TRACTS and CONDOMINIUM TRACT will comply with all requirements of Form District (F4), subject to the modifications set forth in this AGREEMENT and the following:

~~9. INTENTIONALLY DELETED.~~

~~-e~~

- (1) Assisted Living/Nursing Home uses are prohibited within the ~~minimum area required for COMMERCIAL USES as specified in subsection 6.D)(2) of this AGREEMENT~~COMMERCIAL TRACTS, but permitted within the CONDOMINIUM TRACT.
- (2) INTENTIONALLY DELETED.
- (3) No single-family dwelling, two-family dwelling, or townhome structures or uses are allowed in the COMMERCIAL TRACTS, but such uses are permitted in the CONDOMINIUM TRACT in addition to the CONDOMINIUM RESIDENTIAL USES.
- (4) INTENTIONALLY DELETED.
- (5) The increased block lengths shown on the CONCEPTUAL PLAN are approved.
- (6) Gasoline Filling or Service Station/Car Wash and Automobile Service Garage (Minor) uses are prohibited within the COMMERCIAL TRACTS and the CONDOMINIUM TRACT.
- (7) Grocery Store, Market, and Farmers Market are included as uses within the COMMERCIAL TRACTS and the CONDOMINIUM TRACT, and SPECIFIC USE PERMITS are not required for such uses.
- (8) Water quality facilities shall be designed to address maximum build-out of the PROJECT.

- (9) Adequate provision must be made based on final development for the acceptance, collection, conveyance, detention, and discharge of storm water runoff drainage onto, through and originating within COMMERCIAL TRACTS.
- (10) No detention facilities other than underground detention facilities shall be allowed in the COMMERCIAL TRACTS on the ~~PROPERTY (and ADDITIONAL PROPERTY, if applicable)~~ BAILEY TRACT.
- (11) No detention facilities serving the RESIDENTIAL TRACT shall be located in the COMMERCIAL TRACTS on the ~~PROPERTY (and ADDITIONAL PROPERTY, if applicable)~~ BAILEY TRACT.

**Commented [A10]:** As we discussed, the topography on the Armbruster Tract limits this and the next provision to the Bailey Tract.

B/E) Residential Tracts. Subject to the modifications set forth in this AGREEMENT, which are hereby approved by the CITY, the RESIDENTIAL TRACTS will be developed in accordance with (i) in the case of single-family detached residential development, the requirements of the One & Two Family Residential District (R-3), limited to single-family dwellings and the following incidental uses: parks, playgrounds, trails, water quality features and other public infrastructure and utility facilities, and as clustering development under Section 2.09.07.E of the UDC, or (ii) in the case of any single-family attached, condominium, or townhome development, the requirements of the Transitional Residential District (R-4). The specific R-3 dimensional regulations applicable to the PROPERTY are as follows:

**Commented [A11]:** Updated Exhibits provided as requested.

Residential Dimensional Regulations	R-3
Minimum Front Yard Setback (ft)	20
Minimum Front Yard Setback (ft) Alley Load/Rear Garage	10
Minimum Side Yard Setback (Interior/Corner) (ft)	7.5/10
Minimum Side Yard Setback (Interior/Corner) (ft) Alley Load/Rear Garage	5/10
Minimum Rear Yard Setback (ft)	10
Minimum Lot Area (sqft) or Maximum Dwelling Units per Acre	4,400/8 DUA*
Minimum Lot Frontage	35
Minimum Lot Width (Interior/Corner) (ft)	40/45
Minimum Lot Depth (ft)	100
Maximum Height (ft)	30
Maximum Building Coverage (%)	50
Maximum Impervious Cover (%)	60

The following additional regulations shall apply to the RESIDENTIAL TRACTS:

- (1) No more than 2100 single-family dwellings (to include single-family detached, single-family attached, condominium, and townhome residential units) shall be constructed in the RESIDENTIAL TRACTS and CONDOMINIUM TRACT located within the PROPERTY that is currently

within the CITY ETJ. If the ADDITIONAL PROPERTY is released from the Austin ETJ as provided herein, no more than 2800 single-family dwellings (to include single-family detached, single-family attached, condominium, and townhome residential units) shall be constructed on both the PROPERTY and ADDITIONAL PROPERTY.

- (2) Notwithstanding the table above, the minimum lot width of any single-family detached residential lot shall be fifty-five (55) feet for the RESIDENTIAL TRACTS located in the ARMBRUSTER TRACT.
- (3) Each single-family ~~residential developments~~detached residence on a lot with lot width equal or greater than 40 feet but less than 55 feet within the RESIDENTIAL TRACTS located in the BAILEY TRACT shall include five of the CITY's single-family residential element design options; provided that, one of such design options must be rear-loaded garages, and such rear-loaded garages shall satisfy the requirements of Section 2.09.08.C.4 of the UDC.
- (4) Each single-family ~~residential developments~~detached residence on a lot with lot width of 55 feet or larger within the RESIDENTIAL TRACTS shall include four of the CITY's single-family residential element design options.
- (5) The maximum number of single-family detached lots on the BAILEY TRACT less than fifty-five (55) feet wide shall be 60% of the total number of single family detached lots on the BAILEY TRACT.
- (6) The minimum number of single-family detached residential lots on the ARMBRUSTER TRACT greater than or equal to sixty-five (65) feet shall be 25% of the total number of single family detached residential lots on the ARMBRUSTER TRACT.
- (7) The minimum single-family detached residential lot width on the ARMBRUSTER TRACT for lots that are located adjacent to existing residential lots in the existing subdivisions located adjacent to the western boundary of the ARMBRUSTER TRACT shall be eighty (80) feet.
- (8) Except as otherwise provided in this AGREEMENT, the single-family design standards set forth in the Subsection 2.09.08 of the UDC shall apply to the single-family detached residential lots located on the RESIDENTIAL TRACTS.
- (9) The owners of all developed and improved residential lots within the RESIDENTIAL TRACTS, exclusive of greenbelt, park, drainage, or utility lots, and exclusive of the SCHOOL SITE (as described and defined in Section ~~17-19~~ below) and ESD SITE (as described and defined in Section ~~18-20~~ below) will be required to be members of the HOA. The HOA will be formed by the LANDOWNERS on or before the date of conveyance of the first developed and improved residential lot within the RESIDENTIAL TRACT to an ultimate homeowner (i.e., not to a builder).
- (10) The LANDOWNERS agree to construct a subdivision wall, in phases, along the frontage of North-South Parkway adjacent to the RESIDENTIAL

TRACTS, as phases of the PROJECT are completed. The subdivision wall will be constructed of pre-cast concrete, of a design similar to that depicted on the attached **Exhibit F**. The subdivision wall and adjacent, exterior landscaping will be located on an easement to be granted to and maintained by the HOA. Under the restrictive covenants applicable to the RESIDENTIAL TRACTS, the HOA will be required to include a line item for subdivision wall and landscape maintenance in its annual budget, to keep the subdivision wall and landscaping in a well-maintained condition at all times, and to collect assessments sufficient for such purpose.

- (11) The neighborhood local streets terminating at the northern boundary of the PROPERTY shall be constructed as cul-de-sacs in conformance with ~~section~~ **Section** 3.05.08.C.4.b of the UDC and must remain as cul-de-sacs until such time as North-South Parkway is designed and constructed to the standards of a collector or larger facility and connects to an access point other than FM 967.

~~9.9.~~ **Contemplated Zoning.** Based on the PROJECT, the CONCEPTUAL PLAN, and the uses and development authorized by this AGREEMENT, the LANDOWNERS contend, and the CITY acknowledges, that the appropriate zoning for the PROPERTY is Planned Development District (PD), including (i) the regulations for Form Based District 4 (F4), modified as provided in this AGREEMENT for the COMMERCIAL TRACTS (including the portions currently in the corporate CITY limits) **and the CONDOMINIUM TRACT**, (ii) the regulations for One & Two Family Residential District (R-3), modified as provided in this AGREEMENT for single-family detached residential units and the regulations for Transitional Residential District (R-4) for single-family attached, condominium, and townhome residential units on the RESIDENTIAL TRACTS, and (iii) all of the other provisions of this AGREEMENT including other modifications to the CITY's applicable use and development regulations set forth herein. The CITY shall consider Planned Development District (PD) zoning of the PROPERTY in accordance with this AGREEMENT concurrently with annexation of the PROPERTY as provided in Section 17 of this AGREEMENT. The PARTIES acknowledge that zoning is a legislative act that cannot be guaranteed or agreed to by contract; however, if the CITY does not zone the PROPERTY as provided in this Section 9, the LANDOWNERS and the PROPERTY will be and remain entitled to the rights and benefits provided for in this AGREEMENT which shall supersede and govern over any contrary CITY regulations and the LANDOWNERS shall have the rights and remedies set forth in Sections ~~17~~ **and 33** of this AGREEMENT.

~~10.10.~~ **Municipal Regulations.**

- A) **Agricultural Wildlife Management and Timber Uses.** As of the EFFECTIVE DATE of this AGREEMENT and except as otherwise provided herein, pursuant to Section 43.016 of the *Texas Local Government Code*, the CITY is authorized to enforce all CITY land use regulations and planning authority within the PROPERTY authorized by this AGREEMENT. If the PROPERTY continues to be used for agriculture, wildlife management or timber uses in effect at the time this AGREEMENT is entered into, the CITY is authorized to enforce all CITY land use regulations authorized by this AGREEMENT that do not materially interfere with such uses, and the PARTIES covenant and agree that all such regulations and planning authority are hereby extended to the PROPERTY. The LANDOWNERS further authorize, subject to the terms of this AGREEMENT, enforcement by the CITY of all such regulations authorized by this AGREEMENT, as amended from

time to time, in the same manner the regulations are enforced within the CITY's boundaries. Pursuant to Section 43.016(b)(1)(B) of the *Texas Local Government Code*, the CITY is authorized, subject to the terms of this AGREEMENT, to enforce all CITY regulations that do not materially interfere with the use of the PROPERTY for agriculture, wildlife management or timber, in the same manner the regulations are enforced within the CITY's boundaries and that do not conflict with the uses and development allowed in this AGREEMENT for the PROJECT. The CITY specifically reserves its authority pursuant to Chapter 251 of the *Texas Local Government Code* to exercise eminent domain over property that is subject to a development agreement recognized by Chapter 43 or Chapter 212 of the *Texas Local Government Code*. Except as otherwise provided herein, the UDC is applicable to the PROPERTY as if the PROPERTY is within the CITY limits.

B) Extension of CITY Planning and Land Use Regulations. LANDOWNERS acknowledge and agree that, subject to the terms of this AGREEMENT, the CITY is authorized, pursuant to Section 212.172 of the *Texas Local Government Code*, to extend the CITY's planning and land use regulations authorized by this AGREEMENT over the PROPERTY. The CONCEPTUAL PLAN has been approved by the CITY and sets forth certain general uses and development for the PROPERTY which are hereby authorized by the CITY. The PARTIES covenant and agree that the CITY's planning authority, land use and development regulations that do not conflict with the uses and development allowed in this AGREEMENT for the PROJECT are hereby extended and applied to the PROPERTY, except as otherwise provided in this AGREEMENT. The PARTIES further agree that:

- (1) Application and enforcement by the CITY of these regulations will, except as otherwise provided in this AGREEMENT, be in the same manner as such regulations are enforced within the CITY's boundaries and, if regulations are established by this AGREEMENT that are not applied within the CITY'S boundaries, those regulations will be applied and enforced as provided herein.
- (2) Except as otherwise provided in this AGREEMENT, the CITY may also enforce all environmental regulations applicable to its jurisdiction.
- (3) Except as otherwise provided in this AGREEMENT, the UDC is applicable to the PROPERTY as if the RESIDENTIAL TRACTS are within the CITY's limits and being developed under the R-3 and R-4 zoning districts (as a clustering development for the BAILEY TRACT) and as if the COMMERCIAL TRACTS are within the CITY's limits and being developed under the F4 zoning district.
- (4) The CITY's building and permitting regulations and requirements will apply to all development on the PROPERTY, except as otherwise provided in this AGREEMENT.
- (5) After the EFFECTIVE DATE, the LANDOWNERS shall make good faith, commercially reasonable efforts to cooperate with the CITY in seeking the release of the ADDITIONAL PROPERTY from the City of Austin's ETJ on terms and conditions acceptable to both PARTIES. Notwithstanding the foregoing, if the City of Austin staff do not recommend such a release or recommend such a release on terms and conditions which are not

**Commented [A12]:** As discussed, clustering only applies to the Bailey Tract.

acceptable to LANDOWNERS in their sole discretion, then the LANDOWNERS shall not be required to further pursue such a release of the ADDITIONAL PROPERTY from the Austin ETJ. In the event that City of Austin agrees to release the ADDITIONAL PROPERTY from its ETJ on terms and conditions that are acceptable to LANDOWNERS, then the terms of this AGREEMENT shall apply to the ADDITIONAL PROPERTY (except as may be modified by the CITY and LANDOWNERS in order to make the terms and conditions of the ETJ release acceptable) with such ADDITIONAL PROPERTY being (i) annexed in accordance with the terms hereof (as may be modified), (ii) zoned with the PD Zoning District as provided herein for a RESIDENTIAL TRACT with the same applicable regulations as apply to the ARMBRUSTER TRACT, (iii) subject to all of the rights, privileges, benefits and requirements in this AGREEMENT as apply to the RESIDENTIAL TRACTS in the ARMBRUSTER TRACT, and (iv) included within a PID and TIRZ as provided in this AGREEMENT. As a condition to any such release of the Austin ETJ, the PARTIES shall prepare an amendment to this AGREEMENT incorporating the specific terms of the ADDITIONAL PROPERTY'S inclusion into the City of Buda's ETJ and application of this AGREEMENT.

**Commented [A13]:** Note: As discussed, the Developer believes that the City of Austin may want to apply its more stringent environmental regulations as a condition to releasing the Additional Property. Such additional regulations may be unacceptable if coupled with the DA provisions because the combined impact could have too great an impact on yield.

12-11. Parkland and Open Space.

- A) **Open Space.** LANDOWNERS agree that a minimum of 30% of the net area of RESIDENTIAL TRACTS located within the BAILEY TRACT, determined as provided in the following sentence, will be designated as open space. The PARTIES agree that the COMMERCIAL TRACTS and all right-of-way dedicated for North-South Parkway, the FM 967 intersection, the 1626 connector, Hunt Road, and any landscaping or signage lots located on the COMMERCIAL TRACTS or street right-of-way, are excluded from the area of the RESIDENTIAL TRACTS located within the BAILEY TRACT for purposes of making the calculation of the net area of the RESIDENTIAL TRACTS. The parties agree that all public parkland; publicly accessible open space, including floodplain; the private amenity park to be owned by the HOA; amenitized or multi-use detention areas and/or wet ponds; landscape lots; and signage lots located on the RESIDENTIAL TRACTS located within the BAILEY TRACT will be included as open space for purposes of making this calculation. The PARTIES agree that the area of open space, as calculated by this Subsection 911.A, meets the minimum open space requirements set forth in Subsection 2.09.07.E or Subsection 4.04.02 of the UDC. LANDOWNERS agree that the parkland dedication requirements for development of the ARMBRUSTER TRACT shall comply with the UDC, except to the extent such requirements are modified herein.
- B) **Park Facilities.** All park facilities provided by the LANDOWNERS as shown on the Parks and Open Space Summary attached as **Exhibit G** and the CONCEPTUAL PLAN, exclusive of the private HOA amenity parks and amenity centers, shall be open to the public. The CITY shall be responsible for establishing any rules or regulations regarding the use of such public use facilities, which will include reasonable hours of use regulations consistent with those applicable to other CITY park facilities. The private amenity park and amenity center and any other park facilities that may be developed by the HOA in addition to those required by this

**Commented [A14]:** These areas have been excluded from the calculation, and so this needs to be reinserted.



AGREEMENT will be private facilities, for use by the HOA's members only, and no public access to those facilities will be required.

- C) Park Dedication and Improvement Fees Funds. In addition to the requirements set forth above, ~~the~~ LANDOWNERS will pay ~~\$1,800~~ \$1,300.00 per unit for each single-family dwelling unit developed within the PROPERTY ~~in accordance with the UDC, which expenditures will be used by the LANDOWNERS to plan, design, permit, and construct public parkland, open space, and trail improvements on the PROPERTY.~~
- D) Use of PUBLIC IMPROVEMENT FUNDS. The CITY acknowledges and agrees that the PARKLAND IMPROVEMENT FUNDS expended by LANDOWNERS shall satisfy the CITY'S parkland improvement requirements provided that such funds are used solely as provided in Section 4.04.02.F of the UDC.
- E) Parkland Dedication. Public open spaces will, at the CITY's discretion, either be dedicated to the CITY as parkland or overlaid with a dedicated permanent public access easement. Landscape lots and signage lots, except for any that are located within the COMMERCIAL TRACTS, will count toward requirements for open space, but will not be dedicated to the CITY and will be owned and maintained by the HOA. Unless otherwise agreed by the LANDOWNERS and the CITY, all parkland within the PROPERTY that is to be dedicated to the CITY will be dedicated in phases as the adjacent land within the PROPERTY is final platted.
- F) Adequacy of Park Contributions. In consideration of the private HOA amenity parks, including the related amenity centers; the public parkland, open space, greenbelts, trails and improvements to be designed, constructed, installed and provided by the LANDOWNERS; and the LANDOWNER'S funding of the PARKLAND IMPROVEMENT FUNDS as provided above, the CITY agrees that no additional dedication of parkland, provision of park improvements, or payment of park-related fees will be required from the LANDOWNERS for the PROPERTY.
- G) Trails. The LANDOWNERS will design and construct, at the LANDOWNERS' sole cost except as otherwise provided in this Subsection ~~911.G~~, a six-foot wide Urban Trail following North-South Parkway; a six-foot wide Nature Trail following Garlic Creek; and a six-foot wide Neighborhood Trail connecting the Urban Trail and the Nature Trail within the North Greenbelt, as shown on **Exhibit H**. The trails will be constructed in accordance with the standards set out in **Exhibit H** (Trails Plan and Standards). Except for the portion of the Nature Trail that begins at the intersection of the North/South Parkway and FM 967 and extends to the right-of-way line for the Hunt Road, which will be designed, constructed and completed within two years of the CITY's approval of the final plat of PHASE 1, each of these trails will be designed, constructed and completed within two years of the CITY's approval of the final plan of the portion of the PROPERTY within which the trail in question is located. ~~The cost of construction of these trails will not be eligible for reimbursement from the PARKLAND IMPROVEMENT FUND.~~

**Commented [A15]:** Sections 11.C, D and F should remain as they represent Developer's significant parkland proposal.

13-12. Utilities.

- A) Extension of Wastewater and Water Services. The CITY will provide wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise



provided by the City of Austin) through a connection to the CITY's Garlic Creek Lift Station, located adjacent to the PROPERTY on FM 967. The CITY will provide water service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise provided by the City of Austin) through a connection to the CITY's existing 12-inch water line in FM 967, adjacent to the PROPERTY. The LANDOWNERS will design, construct and install the INTERNAL FACILITIES and the CONNECTING FACILITIES in order to enable the CITY to provide water and wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise provided by the City of Austin).

- B) Sizing of Facilities; Oversizing; Credits for Oversizing. The LANDOWNERS agree to give the CITY at least 30 days' written notice before commencing the design of any CONNECTING FACILITIES and/or INTERNAL FACILITIES, which notice will include a schematic plan showing the general location and size of the facilities proposed to be designed and constructed to serve only the PROPERTY and the ADDITIONAL PROPERTY (if applicable). If the CITY determines that it would be in its best interests to oversize any of such facilities in order to serve areas other than the PROPERTY and the ADDITIONAL PROPERTY (if applicable), the CITY may request such oversizing by giving written notice to the LANDOWNERS within that 30-day notice period, specifying, in LUEs, the amount of oversized capacity the CITY requests be included within each of the facilities depicted on the schematic plan. If the CITY fails to give the LANDOWNERS written notice within the time and in the manner required, the CITY agrees that the LANDOWNERS will be authorized to proceed with design of the facilities in question, sized only to serve the PROPERTY and the ADDITIONAL PROPERTY (if applicable), and no oversizing of any of such facilities may be required by the CITY at any time thereafter. If oversizing is timely requested by the CITY as to any of the facilities shown on a schematic plan, the LANDOWNERS agrees to cooperate with the CITY to accommodate the CITY's oversizing request, provided that (a) the oversizing does not result in an unreasonable delay in design, construction or development; and (b) the CITY pays the incremental cost of the oversizing (i.e., the difference between the cost of the facilities with the CITY's requested increase in capacity and the cost of those facilities if they were designed and constructed as originally proposed by the LANDOWNERS). Any facilities that are oversized at the CITY's request will be bid by LANDOWNERS at both the size originally proposed by the LANDOWNERS for service only to the PROPERTY and the ADDITIONAL PROPERTY (if applicable) and at the size required to accommodate the CITY's requested increase in capacity, and the CITY's cost share will be determined based on the difference between the bid amount for the facilities if built at the size originally proposed by the LANDOWNERS and the cost of the facilities built at the size required by the CITY. The resulting percentage of the total construction cost allocated to the CITY will also be used to determine the CITY's share of all other costs of the oversized facilities, including engineering, inspection and permitting costs. The CITY will grant LANDOWNERS credits against the CITY's water and wastewater impact fees for the PROPERTY and the ADDITIONAL PROPERTY (if applicable) to compensate LANDOWNERS for the CITY's allocated share of engineering, inspection, permitting and construction costs of any oversized facilities under this Subsection 10.B). Except as provided in this Subsection 10.B), the CITY will not require the LANDOWNER to design or construct any facilities

other than the INTERNAL FACILITIES and the CONNECTING FACILITIES to provide water and wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if applicable) and the LANDOWNERS will have no obligation to construct or cost participate in any water or wastewater facilities other than the INTERNAL FACILITIES and the CONNECTING FACILITIES, to oversize any INTERNAL FACILITIES or CONNECTING FACILITIES, or to construct any offsite facilities other than the CONNECTING FACILITIES.

- C) Service Commitment. Subject to the terms and conditions set forth herein, the CITY commits and agrees to provide retail water and wastewater services to the PROPERTY as and when required by customers within and/or for development of the PROPERTY in an aggregate amount not to exceed ~~2400~~2575 LUEs and within and/or for development of the ADDITIONAL PROPERTY in an aggregate amount not to exceed ~~1000-700~~ LUEs, at flow rates and pressures and in quantities, sufficient to meet the minimum requirements of the UDC, including fire flow, in the same manner and on the same terms and conditions as the CITY provides service to similarly situated retail customers inside its corporate limits for the PROPERTY and, if the Austin ETJ is released on terms and conditions acceptable to LANDOWNERS in their sole discretion, the ADDITIONAL PROPERTY. Notwithstanding the foregoing, if the City of Austin does not recommend or approve the release of the ADDITIONAL PROPERTY from the Austin ETJ on terms and conditions acceptable to LANDOWNERS in their sole discretion, the LANDOWNERS will agree to pay the CITY'S utility fees and rates applicable to property outside the CITY's corporate limits.

**Commented [A16]:** As we discussed, the 2575 includes 2100 SF plus additional amounts for the school site, commercial, and other uses proposed for the PROPERTY. Updated information was provided to the City.

~~14-13.~~ Environmental. The LANDOWNERS agree to provide the following environmental enhancements:

- A) Use of Reclaimed Water. Irrigated open space areas within the PROPERTY will be developed with a "Purple Pipe" irrigation system that can be adapted to utilize Type I reclaimed water pursuant to the requirements of the Texas Commission on Environmental Quality under 30 Texas Administrative Code 210 if and when the CITY elects to extend and connect facilities to deliver such reclaimed water to the PROPERTY. These irrigation systems will utilize potable water until reclaimed water service is provided.
- B) Water Quality. Alternative water quality/batch detention will be provided as set forth on the attached Exhibit I.
- C) Green Building. "Green" building code/1 Star elements will be provided as set forth on the attached Exhibit J.

~~15-14.~~ Tree Preservation, Replacement and Mitigation. The CITY approves the following modifications to Subsection 4.04.01 of the UDC, Tree Preservation and Mitigation Code:

- A) Street Trees.
- (1) All roadways internal to the PROPERTY will be planted with street trees spaced at minimum 40' on center, in accordance with the UDC's Form Based Street Sections. Street trees will not be required in locations in which they would conflict with the canopies of existing shade trees. All street trees will be included in the calculation of replacement planted trees under the

CITY's tree mitigation requirements. These trees will be maintained by either the adjacent property owner or the HOA, under the terms of the restrictive covenants applicable to the PROJECT. The CITY agrees that no license agreement with the CITY for the installation or maintenance of street trees will be required.

- (2) If the CITY or any utility provider prohibits any proposed street trees from being planted in the right-of-way, the CITY agrees that an equal number of trees may be planted in other locations on the PROPERTY to meet the overall street tree requirement under Subsection ~~4.04~~14.A)-(1).
- B) Landscape Trees. The CITY agrees that any tree required under Subsection 2.09.01 of the UDC, Landscaping, will also be counted as a replacement tree under the CITY's tree mitigation requirements.
- C) Street and Replacement Tree Requirements. The LANDOWNERS agree that all street trees and other replacement trees planted within the PROPERTY will meet the following requirements:
- (1) Canopy trees will, at a minimum, be three-inch caliper Texas-grown nursery stock complying with the "American Standards for Nursery Stock."
  - (2) Trees will be irrigated using an automatic irrigation system and zoned separately from turf areas.
  - (3) Trees will be covered by a replacement warranty provided by the landscape contractor for two years from the date of planting. The LANDOWNERS will be responsible for ensuring any necessary replacement of trees during such two-year warranty period.
  - (4) Trees on public property (including right-of-way and open space) will, in addition to the two-year replacement warranty required by Subsection ~~4.04~~14.C)-(3), be maintained for a minimum period of two years after planting by the LANDOWNERS or HOA.
- D) Tree Preservation and Mitigation Modifications. The CITY hereby approves the following modifications to Section 4.04.01 of the UDC, Tree Preservation and Mitigation Code:
- (1) Up to 50% of the Protected Trees on the ~~BAHLEY TRACT~~PROPERTY may be removed, ~~in accordance with Exhibit \_\_\_\_\_, w mitigation, without mitigation, upon approval of the CITY's Director of Planning.~~
  - (2) Trees located within right-of-way and within easements to be dedicated to the CITY will be exempt from the CITY's tree preservation requirements and will not be included in calculating the authorized 50% removal percentage specified above.
  - (3) During construction, the LANDOWNERS will retain a Certified Arborist to observe and make recommendations regarding the protection and health of all existing trees to be preserved. The Certified Arborist will review all tree protection measures at the start of construction and will visit the site

**Commented [A17]:** The Developer's significant tree preservation proposal needs to remain as proposed.

at least twice per month during construction to review tree health and preservation measures and make recommendations.

- (4) A tree will be considered saved or preserved if one-half of the total area of the CRZ outside the 1/2 CRZ is preserved, and the entire 1/2 CRZ is preserved. Within the 1/2 CRZ, no cut or fill will be allowed. A qualified arborist will be retained by LANDOWNERS and will review the viability of any affected tree during design.
- (5) For lots with 7.5 foot side setbacks, the side setback on one side of the lot may be reduced to no less than 5 feet if this reduction would reduce the impact on the CRZ of a tree on the other side of the lot, so long as the total of the side setbacks on the lot is 15 feet.
- (6) This AGREEMENT constitutes CITY approval of Tree Removal Permits for the removal of 25% of regulated Signature Trees from the PROPERTY. These Tree Removal Permits will be administratively approved by the Director of Planning, BAILEY TRACT, in accordance with Exhibit K. Mitigation will be required at the rates specified in Subsection 4.04.01 of the UDC.
- (7) This AGREEMENT constitutes Planning & Zoning Commission and City Council approval of Tree Removal Permits for the removal of up to 15% of regulated Heritage Trees from the PROPERTY. These Tree Removal Permits will be administratively approved by the Director of Planning, BAILEY TRACT. Mitigation will be required at the rates specified in Subsection 4.04.01 of the UDC.

16-15 *Transportation.*

- A) Right-of-Way Dedications. The LANDOWNERS will dedicate the portions of right-of-way for the North-South Parkway, Hunt Road, the 1626 Connector, and the intersection of North-South Parkway with FM 967 that are located within the PROPERTY and shown on the attached **Exhibit K**, at no cost to the CITY and without the CITY's grant of any development fee credits to the LANDOWNERS. LANDOWNERS will use commercially reasonable efforts to acquire any additional right-of-way needed for the 1626 Connector. Notwithstanding the foregoing, in the event that the LANDOWNERS are not able to secure such right-of-way within 60 days of completing the design for the 1626 Connector, the CITY agrees to utilize its powers of eminent domain under Chapter 251 of the Texas Local Government Code to acquire such right-of-way; and in that event, LANDOWNERS shall be responsible for any and reasonable costs incurred by the CITY to acquire such right-of-way.
- B) FM 967 Intersection Improvements. The LANDOWNERS will design, permit and construct improvements to the intersection of FM 967 and North-South Parkway at no cost to the CITY and without the CITY's grant of any development fee credits to the LANDOWNERS.
- C) North-South Parkway. Subject to and upon creation of the PID and TIRZ and issuance PID bonds are issued as provided in Section 18+6 of this AGREEMENT to provide LANDOWNERS with construction funding, the LANDOWNERS will

**Commented [A18]:** This is a standard provision for municipal development agreements that require offsite improvements and is necessary to ensure that critical ROW benefitting the public is obtained. The Developer remains responsible for the cost, and this just ensures fair market value is given.

design and construct North-South Parkway in full as shown on **Exhibit K** and -as one-half of the street cross-sections included in **Exhibit L**, and with (i) Segment 1 and Segment 2 (as both are defined below) of the North-South Parkway required to be designed and constructed concurrently with the development of PHASE 1 of the PROJECT and completed prior to the CITY's issuance of any Certificates of Occupancy for homes within PHASE 1, and (ii) the design of the remainder of the North-South Parkway required to be started within 30 days of the execution of this document and construction required to be commenced within 60 days after issuance of permits and will be completed within 18 months of issuance of all necessary permits. The remaining one-half of the North-South Parkway cross section, if required by the project, shall be designed and constructed as development of the ARMBRUSTER TRACT adjacent to such roadway occurs. Notwithstanding the foregoing or in the subsequent sections and subsections below, LANDOWNERS may design and construct the North-South Parkway in a narrower configuration, if such narrower configuration is recommended by a subsequent roadway sizing analysis approved by the CITY. If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds as provided in Section 18+6 of this AGREEMENT, then the LANDOWNERS will design and construct the North-South Parkway in segments as provided in the following Subsections subsections.

- (1) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, a LANDOWNER will design, permit and construct the first segment of North-South Parkway ("Segment 1") as shown on **Exhibit K** as a 30-foot wide (face of curb to face of curb) roadway with curb and gutter as shown on **Exhibit L** from FM 967 to first traffic circle as indicated in such exhibits. The LANDOWNER will submit plans and specifications for Segment 1 concurrently with its submission of plans for the PHASE 1 of the PROJECT. The CITY's approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Segment 1 will be constructed concurrently with the development Phase 1 and must be completed prior to the CITY's issuance of any Certificates of Occupancy for homes within PHASE 1.
- (2) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, a LANDOWNER will design, permit and construct the second segment of North-South Parkway ("Segment 2") as shown on **Exhibit K** as a 22-foot wide (edge of pavement to edge of pavement) rural roadway as shown on **Exhibit L**, with no storm sewer or curb and gutter, from the termination of Segment 1 through the last subdivision street connection. In that event, the LANDOWNER will submit plans and specifications for Segment 2 concurrently with the submission of plans for PHASE 3 of the PROJECT. The CITY's approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Also, in that event, Segment 2 will be constructed concurrently with development of that phase and completed prior to the issuance of any Certificates of Occupancy for homes in PHASE 3.
- (3) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, concurrently with its design of Segment 2, the LANDOWNER will design the third segment of North-South Parkway

(“*Segment 3*”) as shown on **Exhibit K** as a 22-foot wide (edge of pavement to edge of pavement) rural roadway with no storm sewer or curb and gutter, as shown on **Exhibit L** from the termination of Segment 2 to the northern boundary of the PROPERTY. In that event, the LANDOWNER will submit the plans and specifications for Segment 3 concurrently with the submission of plans for Segment 2. The CITY’s approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Also in that event, the CITY may elect to require LANDOWNER to construct and complete Segment 3 concurrently with Segment 2 or to defer such construction until such time as LANDOWNER begins development of the ADDITIONAL PROPERTY, but no later time.

**Commented [A19]:** Developer does not currently know when development of the Additional Property might start. It will depend on numerous factors such as plan, approval construction timelines, and market absorption.

- D) **1626 Connector.** Subject to and upon creation of the PID and TIRZ and issuance of PID bonds as provided in Section ~~18+6~~ of this AGREEMENT to provide LANDOWNERS with construction funding, the LANDOWNERS will design and construct the East-West connector from the North-South Parkway to FM 1626 as shown on **Exhibit K** and on **Exhibit L**. The design of the 1626 Connector must be started within 30 days of the execution of this document. Construction will begin within 60 days after the issuance of permits and acquisition of any needed right-of-way and will be completed within 18 months of issuance of all necessary permits and acquisition of necessary Right of Way. If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds as provided in Section ~~18+6~~ of this AGREEMENT, LANDOWNERS shall have no obligation or responsibility to design, permit, or construct the 1626 Connector.
- E) **Hunt Road.** A LANDOWNER will design and construct the onsite segment of the Hunt Road East-West arterial as shown on **Exhibit K** and on **Exhibit L** at no cost to the CITY and without the CITY’s grant of any development fee credits to the LANDOWNER. The improvements to the onsite section of the Hunt Road East-West Arterial must be completed prior to the CITY’s issuance of any Certificates of Occupancy for homes within PHASE 1. The CITY acknowledges and agrees that construction of the Hunt Road East-West arterial beyond the location shown in the above-referenced exhibits to the eastern boundary of the BAILEY TRACT is not feasible and is not required because the eastern boundary line is in the center line of a creek. Notwithstanding the foregoing, A LANDOWNER shall dedicate right-of-way for the Hunt Road East-West arterial to the eastern boundary of the BAILEY TRACT as that portion of the PROPERTY is platted.
- F) **Subdivision Streets.** Streets within the PROPERTY, as illustrated in Exhibit M, will be constructed in accordance with the form-based code sections for on-site streets contained in ~~Sub~~section 2.08.05 of the UDC, with the dimensions shown on the attached **Exhibit L**.
- G) **Modification.** Anything herein to the contrary notwithstanding, the CITY acknowledges that the design of the intersections of FM 967 and North-South Parkway and FM 1626 and 1626 Connector are subject to approval by TXDOT and/ or Hays County and that any modifications required by TXDOT and/ or Hays County may affect the configuration and location of such roadways and other roadways in and adjacent to the PROPERTY. If changes to roadway configurations or locations are necessary due to modifications by TXDOT and/ or Hays County, the CITY and the LANDOWNERS agree to amend the corresponding provisions of

this Section ~~13-15~~ to facilitate needed traffic improvements while ensuring that all contemplated right-of-way is dedicated, all traffic improvements are ~~constructed, and constructed and~~ the LANDOWNERS receive the ~~development fee credits PID and TIRZ financing and funding~~ as contemplated by this AGREEMENT.

~~17-16.~~ *Prairie Building Program.*

- A) The Prairie Building Program shall be allowed in Phase 1 pursuant to the terms of this section ~~16+4~~ of the AGREEMENT. The use of the Prairie Building Program in any future phases shall be at the discretion of the CITY.
- B) A building permit within a platted lot will be released by the CITY when all the following conditions are fully satisfied by the LANDOWNER:
  - (1) The final plat must be recorded.
  - (2) An improvement agreement must be fully executed with the appropriate surety provided in accordance with ~~subsection-Section~~ Section 3.04.05 of the UDC.
  - (3) All requirements of the CITY's Stormwater Management Program shall be met to the satisfaction of the CITY as approved by the CITY MANAGER.
  - (4) An engineering-stamped plan documenting erosion and sedimentation controls and tree/natural area protective fencing shall be provided to the CITY and must be approved by the CITY MANAGER prior to any construction.
  - (5) All detention ponds shall comport with CITY standards as set forth in the CITY's drainage criteria manual as established in Section 1.01.06 of the UDC. All outlet structures shall be constructed prior to any grading. The outlet system must consist of a sump pit outlet and an emergency spillway meeting the requirements of the CITY's drainage criteria manual and environmental criteria manual, as established in ~~section-Section~~ Section 1.01.06 of the UDC. The outlet system shall be protected from erosion and shall be maintained throughout the course of construction until completion of the permanent water quality pond(s). Construction-phase sedimentation basins shall comply with the requirements of TPDES Construction General permit (CGP) TXR150000
- C) Prior to any construction on the PROPERTY, an emergency services and access plan must be submitted to and approved by Hays County Emergency Services Districts #2 and #8. At all times during construction, the public water system fire flow requirement of 1,500 minimum gpm shall be provided. Distribution system pipe sizes shall be sized in accordance with a hydraulic report prepared by a licensed professional engineer. Water distribution network capacity analyses related to development are the sole responsibility of the Owner. A minimum pressure of 35 psi at all points within the potable water distribution network at flow rates of at least 1.5 gpm per connection must be maintained. When any portion of the public water distribution system is intended to provide fire-fighting capability, the network must also be designed to maintain a minimum pressure of 20 psi under combined fire and drinking water flow conditions.



- D) No certificate of occupancy for any structures within a particular phase of development shall issue until all public infrastructure for such phase provided within the final plat is approved and accepted by the CITY subject to the maintenance warranty period by the CITY.

~~18-17.~~ Annexation. Subject to the terms and conditions set forth in this AGREEMENT, the LANDOWNERS agree to voluntarily consent to and request that the CITY approve annexation of the PROPERTY as provided this AGREEMENT. Within 60 days of the EFFECTIVE DATE, each LANDOWNER agrees that it shall request annexation of the PROPERTY, which request shall be expressly conditioned on the zoning required in Section ~~7-109~~ of this AGREEMENT. The PROPERTY will be annexed into the corporate limits of the CITY in accordance with and subject to the provisions of this AGREEMENT. The CITY agrees that annexation and zoning of the PROPERTY shall occur concurrently with annexation. Notwithstanding the foregoing, annexation and zoning shall not occur unless and until the PID and TIRZ described in Section 18 of this AGREEMENT are created and the first series of PID BONDS are issued as provided in this AGREEMENT, which PID BOND issuance may occur concurrently with annexation and zoning. The adoption of all required readings of the zoning ordinance of the PROPERTY as provided in Section 9 of this AGREEMENT concurrently and simultaneously with the annexation of the PROPERTY, the creation of the PID and TIRZ prior to annexation, and the issuance of first series of PID BONDS concurrently with annexation shall be (i) pre-conditions of LANDOWNERS' consent to annexation such that if such zoning does not occur concurrently and simultaneously and such creation and issuance do not occur as provided herein, LANDOWNERS' consent to the annexation and their petitions for annexation shall be deemed withdrawn and revoked as the annexation of the PROPERTY shall not be voluntary and shall be null and void *ab initio*, and (ii) incorporated in the terms of the annexation services agreement pursuant to Section 43.0672 of the *Texas Local Government Code*. Pursuant to Section 212.172(b)(8) of the *Texas Local Government Code*, the CITY agrees that the land uses, development, and development intensity shown on and allowed in the CONCEPTUAL PLAN and this AGREEMENT shall be allowed for the PROPERTY after annexation regardless of the zoning approved by the CITY. Without waiving or limiting the application of the foregoing consequences, if the CITY does not zone the PROPERTY as provided in Section 9 of this AGREEMENT, create the PID and TIRZ prior to annexation, or issue the first series of PID BONDS as provided herein, then any affected owner, may seek and obtain dis-annexation of the PROPERTY for failure to provide services contained within the annexation service agreement pursuant to the *Texas Local Government Code*, and the PROPERTY shall be and remain entitled to the rights and benefits provided in this AGREEMENT notwithstanding any such failure. The CITY agrees to cooperate with any and all reasonable efforts of LANDOWNERS to document the PROPERTY's status as provided in this Section ~~17~~.

~~19-18.~~ Creation of PID and TIRZ.

- A) Contemplated Sequence of Events. The sequence of events with respect to the PID as contemplated by this AGREEMENT is as follows:
  - (1) Submittal of the PID PETITION and the setting of a public hearing for the creation of the PID by the CITY;
  - (2) Approval of this AGREEMENT by the CITY and the LANDOWNERS;

**Commented [A20]:** Some additional comments here were provided by Patrick Bourne.



- (3) ~~Concurrently with the approval of this AGREEMENT, R~~review of the PID PETITION and creation of the PID, subject to approval by City Council;
  - (4) Submittal and review of preliminary plats for the various phases of the PROPERTY;
  - (5) Review and approval of a PFA-preliminary and final project and finance plan for the TIRZ and creation of the TIRZ;
  - (6) The CITY and the LANDOWNERS' negotiation and execution of various agreements and the City Council's consideration of resolutions and ordinances to effectuate the terms of this AGREEMENT, including, but not limited to: the preparation and approval of the SAP, formal approval of the TIRZ project and finance plan, the levy of PID ASSESSMENTS on PROPERTY within the PID, and the issuance of the first series of PID BONDS; and
  - (7) Review and consideration of annexation and zoning for the PROPERTY, which shall be approved as provided in this AGREEMENT.
- B) CITY'S Obligations. The CITY will reasonably cooperate with the LANDOWNERS and use its best efforts, in good faith, to:
- (1) Negotiate and enter into the PFA and a REIMBURSEMENT AGREEMENT, if any, and approve the form of SAP and TIRZ project and finance plan prior to the issuance of the PID BONDS, provided that:
    - (i) The PFA and the SAP will specifically identify the AUTHORIZED IMPROVEMENTS; and
    - (ii) LANDOWNERS can reasonably demonstrate that they have or will have adequate funding to timely construct or cause to be constructed the AUTHORIZED IMPROVEMENTS for the PROJECT which will not be paid for or reimbursed by the PID BONDS; and
  - (2) Authorize issuance of the PID BONDS within three (3) months after receiving a bond issuance request from the LANDOWNERS (the "BOND AUTHORIZATION DATE") in accordance with the PID BOND issuance requirements set forth in this AGREEMENT and the PID Finance Exhibits attached hereto, provided CITY is proceeding in good faith and LANDOWNERS have provided all necessary documentation to effectuate the transaction; and
    - (i) An APPRAISAL of the PROPERTY has been prepared by a third party selected by the CITY and reasonably approved by the LANDOWNERS prior to issuance of PID BONDS;
    - (ii) The PARTIES have entered into the PFA and a Reimbursement Agreement, if applicable;
    - (iii) PID ASSESSMENTS in an amount adequate to finance the PID BONDS have been levied against the PROPERTY and the SAP has been adopted.
    - (iv) LANDOWNERS can reasonably demonstrate to the CITY and its financial advisors that, as of the time of the proposed bond sale that

- (i) all applicable ~~tests~~ requirements in the PFA necessary for issuance of the PID BONDS have been satisfied, and (ii) sufficient security for the PID BONDS based upon the existing market conditions at the time of such bond sale; and
- (3) Subject to the conditions set forth in Sections 18(B)(~~1~~) and (~~2~~), approval of the PFA, a REIMBURSEMENT AGREEMENT, if any, the SAP, and issuance of the PID BONDS.
- C) PID BOND Issuance Requirements. The PARTIES acknowledge (i) the CITY'S "Public Improvement District Policy" as of the EFFECTIVE DATE; (ii) that the PID PETITION was submitted prior to adoption of such policy; and (iii) agree that as consideration for the LANDOWNERS' development of the PROJECT, the CITY'S issuance of PID BONDS and the PID FINANCING DOCUMENTS shall be subject to the following requirements, and shall not be subject to such policy:
- (1) PID BOND Operations. The PID BONDS may be used to fund: (i) the actual costs of the AUTHORIZED IMPROVEMENTS, (ii) to the extent permitted by law, required reserves, additional interest, and capitalized interest during the period of construction and not more than twelve (12) months after the completion of construction of all AUTHORIZED IMPROVEMENTS covered by the PID BOND issue in question and in no event for a period greater than thirty-six (36) months from the date of the initial delivery of the PID BONDS, (iii) a PID reserve fund and administrative fund, and (iv) any costs of issuance for the PID BONDS; provided, however, that to the extent the law(s) which limit the period of capitalized interest to twelve (12) months after completion of construction change, the foregoing limitation may, with the agreement of the PARTIES, be adjusted to reflect the law(s) in effect at the time of future PID BOND issuances.
- (2) Maturity. The final maturity for each series of PID BONDS shall occur no later than thirty (30) years from the issuance date of said PID BONDS.
- (3) Value to Lien Ratio. The minimum value to lien ratio based on the anticipated final lot and parcel values as provided in an APPRAISAL at the issuance date of each series of PID BONDS shall be at least 3 to 1 overall, as set forth in the INDENTURE OF TRUST, unless a lower ratio is approved by City Council.
- (4) Maximum PID Administrative Expenses. The administrative expenses related to the PID, as set forth in the SAP, shall not increase by more than two percent (2%) on an annual basis.
- ~~(5) No Cap on Equivalent Tax Rate.~~ There shall be no cap on the amount of PID ASSESSMENTS that may be levied if the other items in this Section 18(C) are satisfied.
- ~~(5)~~
- ~~D) D) Funding of AUTHORIZED IMPROVEMENTS.~~ The PARTIES agree that the CITY shall have no obligation under this AGREEMENT to fund or reimburse

certain project costs for AUTHORIZED IMPROVEMENTS within the PID except for remittance of PID ASSESSMENTS collected from property owners within the PROPERTY. The PID project costs to be funded by the PID (the "PID PROJECT COSTS") will be described in the SAP, which AUTHORIZED IMPROVEMENTS confer a special benefit on the PROPERTY. The PID PROJECT COSTS will also be stated in the PID Service and Assessment Plan. The PID PROJECT COSTS will include the cost of one-year maintenance bonds for all PID project facilities funded with the proceeds of PID BONDS. The CITY shall review and update the SAP consistent with the requirements of Section 372.013(b) of the PID Act and this AGREEMENT. As needed to implement the SAP, the CITY and the LANDOWNERS will enter into a REIMBURSEMENT AGREEMENT that provides for the LANDOWNERS construction of certain AUTHORIZED IMPROVEMENTS and the CITY's allowance of PID PROJECT COSTS to be funded out of the project account established with PID BOND proceeds. The CITY will use its best efforts to issue one or more series of PID BONDS secured, in whole or in part, by assessments levied against benefited property within the PID. The net proceeds from the sale of PID BONDS (i.e., net of PID administration costs, net of costs and expenses of issuance and amounts for debt service reserves and capitalized interest) will be used to pay PID PROJECT COSTS. Notwithstanding the foregoing, the obligation of the CITY to issue PID BONDS is conditioned upon the adequacy of the bond security and the financial ability and obligation of the LANDOWNERS to pay the amount, if any, by which PID PROJECT COSTS exceed the net proceeds from the sale of PID BONDS and the amount, if any, of cost overruns. The CITY may require the LANDOWNER to secure its obligation to pay such deficit and cost overruns by providing a performance bond, letter of credit, lender set-aside letter, or other security reasonably acceptable to the CITY prior to the issuance of the PID BONDS. The net proceeds from the sale of the PID BONDS will be deposited in and disbursed from a construction fund created and administered pursuant to the indenture under which the PID BONDS are issued. The PARTIES agree that the LANDOWNERS shall have no obligation to provide any such financial assurance to the CITY for any AUTHORIZED IMPROVEMENTS that are funded by the LANDOWNER, and which are reimbursed by the PID (either from the proceeds of PID BONDS or by payment of PID ASSESSMENTS to the LANDOWNERS).

D)

- E) Creation of TIRZ. In addition to the PID, the CITY acknowledges and agrees that in order to deliver the AUTHORIZED IMPROVEMENTS and public infrastructure contemplated in this AGREEMENT that all of the annual installments of the PID ASSESSMENTS by property owners within the PROPERTY will be offset each year (until the PID ASSESSMENTS are paid) by 60% of the incremental CITY *ad valorem* taxes due for such property owners' portion of the PROPERTY that year in excess of the amount of such taxes that were due for and allocated to such portions of the PROPERTY in 2022. The CITY will take any all actions reasonably necessary to create, establish, operate and maintain the TIRZ prior to annexation of the PROPERTY and prior to the issuance of the first series of PID BONDS so that 60% of such tax increment is established and available as a credit to annual installments of the PID ASSESSMENTS. Alternatively, the LANDOWNERS may request that the TIRZ revenues be used to reimburse the LANDOWNERS for improvements or COSTS authorized by Chapter 311 of the Texas Tax Code.

~~20-19.~~ *School Site.* LANDOWNERS agree to designate and reserve a site on the PROPERTY as reasonably determined by LANDOWNERS for use by the Hays Consolidated Independent School District (“*HCISD*”) as an elementary school (the “*SCHOOL SITE*”) on the following terms and conditions: (i) the SCHOOL SITE shall be a minimum of 15 acres, (ii) the SCHOOL SITE shall be available for purchase by HCISD on commercially reasonable terms acceptable to LANDOWNERS, (iii) the SCHOOL SITE must be purchased by HCISD on before final PHASE of the PROJECT is approved for development, and (iv) if the SCHOOL SITE is not purchased by HCISD in such time period, the SCHOOL SITE may be used and developed as allowed for the RESIDENTIAL TRACTS as set forth in this AGREEMENT.

~~21-20.~~ *Emergency Services Site.* LANDOWNERS agree to designate and reserve a site on the PROPERTY as reasonably determined by LANDOWNERS for use by the Hays County Emergency Services District as an emergency services site (the “*ESD SITE*”) on the following terms and conditions: (i) the ESD SITE shall be a minimum of 3.5 acres, (ii) the ESD SITE shall be available for purchase by HCES on commercially reasonable terms acceptable to LANDOWNERS, (iii) the ESD SITE must be purchased by HCES on before final PHASE of the PROJECT is approved for development, and (iv) if the ESD SITE is not purchased by HCES in such time period, the ESD SITE may be used and developed as allowed for the RESIDENTIAL TRACTS as set forth in this AGREEMENT.

~~22-21.~~ *Contractors’ Bonds.* The LANDOWNERS will require the contractor for any public improvements constructed to name the CITY as an additional beneficiary under the contractor’s payment and performance bond for the public improvements.

~~23-22.~~ *Development Obligations.* If there is a conflict between the CONCEPTUAL PLAN and the written terms of this AGREEMENT, the written terms of this AGREEMENT will control. If there is a conflict between the UDC or other applicable CITY regulations and the terms of this AGREEMENT, the terms of this AGREEMENT will control.

~~24-23.~~ *Municipal Services.* The LANDOWNERS acknowledge and agree that the CITY is under no obligation to provide the LANDOWNERS with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the PROPERTY prior to annexation of the PROPERTY, except as otherwise specifically provided for this AGREEMENT.

~~25-24.~~ *Extraterritorial Status.* The CITY hereby guarantees the extraterritorial status of the PROPERTY and that it shall not annex the PROPERTY for the time period provided for in this AGREEMENT, subject to the terms and conditions of this AGREEMENT.

~~26-25.~~ *Voluntary Annexation.* By entering into this AGREEMENT, LANDOWNERS ~~irrevocably agree to voluntarily~~ petition the CITY to annex and include the PROPERTY within the jurisdictional city limits of the CITY ~~subject to and as provided in the terms and conditions set forth in this AGREEMENT-concurrently with CITY approval of a preliminary plat covering the PROPERTY that is consistent with the terms of this AGREEMENT. The LANDOWNERS agree that all conditions to annexation required by statute have been met on or before the EFFECTIVE DATE.~~

~~27-26.~~ *Written Agreement Regarding Services.* The LANDOWNERS and CITY have entered into the written agreement regarding services, attached as **Exhibit M**, as required by Section 43.0672, *Texas Local Government Code*, regarding the provisions of services to the PROPERTY ~~upon annexation as provided in this AGREEMENT.~~

~~28-~~27. *LANDOWNER'S Right to Continue Development.* In consideration of the LANDOWNERS' agreements hereunder, except as provided herein, the CITY agrees that it will not, during the term of this AGREEMENT, impose or attempt to impose (a) any moratorium on building or development within the PROPERTY, or (b) any land use or development regulation that limits the rate or timing of land use approvals, whether affecting preliminary plats, final plats, site plans, or other necessary approvals, within the PROPERTY unless the moratorium is mandated by an agency of the State of Texas or the United States, or is applicable to the CITY in its entirety. The CITY may impose temporary moratoria provided that any such moratorium is applicable to the CITY's entire jurisdiction and is due to an emergency constituting an imminent threat to the public health or safety, provided that any such moratorium may continue with respect to the PROPERTY only during the duration of the emergency.

~~29-~~28. *Vesting of Rights.* The CONCEPTUAL PLAN, which has been approved by the CITY as of the EFFECTIVE DATE of this AGREEMENT, constitutes a development plan as provided in Section 212.172, *Texas Local Government Code*, is an application by the LANDOWNERS for the development of the PROPERTY, and initiates the development permit process for the PROPERTY. Except in the event and the extent that the LANDOWNERS have previously filed an application related to the development of the Property (in which event such prior development application shall be the first permit application), this AGREEMENT shall constitute the first (permit) in a series of applications for the purposes of rights accruing as contemplated in Chapter 245 of the *Texas Local Government Code*. To the extent applicable, an accrued right under this Section 28 shall not apply to those regulations identified in Section 245.004 of the *Texas Local Government Code*. LANDOWNERS and CITY each acknowledge that the detailed submissions to the CITY (in the aggregate) regarding the planned uses and development of the PROPERTY illustrate the planned use for the land which existed before the 90<sup>th</sup> day before the date any annexation proceedings will be instituted in connection with this PROPERTY. LANDOWNERS and CITY each further acknowledge that one or more licenses, certificates, permits, approvals or other forms of authorization by the CITY were required by law for the planned uses, and that LANDOWNERS filed one or more completed applications for the initial authorization for such uses with the CITY before the date any annexation proceedings were instituted in connection with this PROPERTY. LANDOWNERS and CITY also acknowledge that the preceding detailed submissions regarding the development of the PROPERTY meet all requirements and conditions set forth in ~~Texas Local Government Code~~ Section 43.002(a) of the Texas Local Government Code, triggering the statutory prohibition upon annexation which prohibits the CITY from prohibiting LANDOWNERS from continuing to develop the PROPERTY in the manner planned prior to the annexation. This acknowledgement does not otherwise constitute approval or denial of any regulatory power or contractual agreement related to the PROPERTY.

~~30-~~29. *Force Majeure.* If any PARTY is rendered unable, wholly or in part, by Force Majeure, hereinafter defined, to carry out any of its obligations under this AGREEMENT other than an obligation to pay or provide money, such PARTY shall give written notice of the particulars of such FORCE MAJEURE to the other PARTY within a reasonable time after the occurrence thereof. The obligations of the PARTY giving notice, to the extent affected by such FORCE MAJEURE, will be suspended during the continuance of the inability to the extent provided above, but for no longer period. The PARTY giving notice shall use due diligence is being used to resume performance at the earliest practicable time. The cause, as far as possible, must be remedied with all reasonable diligence; however, the

**Commented [A21]:** As discussed, the Developer has previously submitted a preliminary plan application and utility service request, both of which trigger Chapter 245.

settlement of strikes and lockouts will be entirely within the discretion of the PARTY affected, and the requirement that any FORCE MAJEURE be remedied with all reasonable dispatch will not require the settlement of strikes and lockouts by acceding to the demand of the opposing PARTY or parties if settlement is unfavorable to it in the judgment of the affected PARTY.

~~31-30.~~ *Severability.* If any part of this AGREEMENT or its application to any person or circumstance is held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, the PARTIES agree that they will cooperate to amend or revise this AGREEMENT to accomplish, to the greatest degree practical, the same purpose as the part determined to be invalid or unconstitutional. It is the intent of the PARTIES to preserve and protect, to the maximum extent possible, the PARTIES' contractual rights and benefits under this AGREEMENT.

~~32-31.~~ *Good Faith.* Each PARTY agrees that, notwithstanding any provision herein to the contrary, it will not unreasonably withhold or unduly delay any consent, approval, decision, determination or other action required or permitted under the terms of this AGREEMENT, it being agreed and understood that each PARTY will act in good faith and will at all times deal fairly with the other PARTY.

~~33-32.~~ *Default and Remedies.*

- A) Default; Notice of Default; Opportunity to Cure. If a PARTY defaults in the performance of any obligation under this AGREEMENT, the non-defaulting PARTY may give written notice to the other PARTY specifying the alleged event of default and extending to the defaulting PARTY 30 days from the date of the notice in order to cure the default complained of or, if the curative action cannot reasonably be completed within 30 days, 30 days to commence the curative action and a reasonable additional period, not to exceed 90 days, to diligently pursue the curative action to completion.
- B) Dispute Resolution. If any default is not cured within the curative period specified above, the PARTIES agree to use good faith, reasonable efforts to resolve any dispute among them by agreement, including engaging in mediation or other non-binding alternative dispute resolution methods, before initiating any lawsuit to enforce their respective rights under this AGREEMENT. The PARTIES will share the costs of any alternative dispute resolution method equally.
- C) Legal or Equitable Remedies. If the PARTIES are unable to resolve any dispute through alternative dispute resolution methods, a non-defaulting PARTY will have the right to pursue all remedies existing at law or in equity. The PARTIES acknowledge that a default in the performance of the CITY's obligations hereunder could not be adequately compensated in money damages alone and that the curtailment or discontinuance of water and/or wastewater service to a residential subdivision is often an unattainable remedy because of the potential threat to the health, safety, and welfare and property of the residents of the PROPERTY; therefore, the CITY agrees, in the event of any default on its part, that LANDOWNER will have available to it the equitable remedies of mandamus and specific performance in addition to any other legal or equitable remedies that may also be available.

D) Non-Waiver. Any failure by a PARTY to insist upon strict performance by the other PARTY of any material provision of this AGREEMENT will not be deemed a waiver of such provision or of any other provision of this AGREEMENT, and such PARTY will have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this AGREEMENT.

~~34-33.~~ Amendments. Neither this AGREEMENT nor any term herein may be changed, waived, discharged, or terminated except by an agreement in writing signed by all PARTIES hereto.

~~35-34.~~ Notice. Any notice given under this AGREEMENT must be in writing and may be given: (i) by depositing it in the United States mail, certified, with return receipt requested, addressed to the PARTY to be notified and with all charges prepaid; or (ii) by depositing it with a service guaranteeing "next day delivery", addressed to the PARTY to be notified and with all charges prepaid; or (iii) by personally delivering it to the PARTY, or any agent of the PARTY listed in this AGREEMENT. Notice will be effective only when received. For purposed of notice, the addresses of the PARTIES will, until changed as provided below, be as follows:

CITY: City of Buda  
405 E. Loop St.  
Building 100  
Buda, Texas 78610  
Attn: City Manager

With Required Copy to: Alan Bojorquez  
Bojorquez Law Firm, PC  
11675 Jollyville Rd. Ste. 300  
Austin, Texas 78759

LANDOWNERS: Bailey Land Investments, LP  
Armbruster Land Investments, LP  
2100 Northland Drive  
Austin, Texas 78756

The LANDOWNERS and the LANDOWNERS' successors, and assigns shall give the CITY written notice within fourteen (14) days of any change in the agricultural exemption status of the PROPERTY.

~~36-35.~~ Law Governing. This AGREEMENT shall be deemed to be a contract under the laws of the State of Texas, which is performable in Hays, County, Texas, and for all purposes shall be construed and enforced in accordance with and governed by the laws of the State of Texas.

~~37-36.~~ Assignment; Binding Effect. Neither PARTY may assign this AGREEMENT or any benefit or obligation, including the selling or conveyance of any unimproved portion of the PROPERTY, under this AGREEMENT to any other person or entity without the prior written consent of the other PARTY. No assignment may occur that divorces obligations from rights. This AGREEMENT and all its terms and provisions shall be binding upon and inure to the benefit of the CITY and the LANDOWNERS and their respective successors



and permitted assigns. The foregoing notwithstanding, as provided in Section 212.172(f), *Texas Local Government Code*, this AGREEMENT is not binding on, and does not create any encumbrance to title as to, any end-buyer of a fully developed and improved lot within the PROPERTY, except as to any land use and development regulations provided for by this AGREEMENT that may apply to a specific lot developed out of the PROPERTY.

~~38-~~37. *Authority.* By their execution hereof, each individual signing this AGREEMENT on behalf of a PARTY represents and warrants that he or she has the authority to execute this AGREEMENT on behalf of the PARTY in the capacity shown below and to thereby fully bind the PARTY represented to the terms and obligations contained herein.

~~39-~~38. *Counterparts.* To facilitate execution, this AGREEMENT may be executed in any number of counterparts, and it will not be necessary that the signatures of all PARTIES be contained on any one counterpart. Additionally, for purposes of facilitating the execution of this AGREEMENT: (a) the signature pages taken from separate, individually executed counterparts of this AGREEMENT may be combined to form multiple fully executed counterparts; and (b) a facsimile or electronic signature will be deemed to be an original signature for all purposes. All executed counterparts of this AGREEMENT will be deemed to be originals, but all such counterparts, when taken together, will constitute one and the same instrument.

~~40-~~39. *Headings, Construction.* The paragraph headings contained in this AGREEMENT are for convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Wherever appropriate, words of the masculine gender include the feminine or neuter, and the singular includes the plural, and vice-versa. The PARTIES acknowledge that each of them has been actively and equally involved in the negotiation and drafting of this AGREEMENT. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting PARTY will not be employed in interpreting this AGREEMENT or any exhibits hereto.

~~41-~~40. *Interested Parties.* LANDOWNERS acknowledge that Section 2252.908, Texas Government Code ("*Section 2252.908*") requires disclosure of certain matters by business entities entering into a contract with a local government entity such as the CITY. LANDOWNERS confirm that they have reviewed Section 2252.908 and that LANDOWNERS will 1) complete Form 1295, using the unique identification number specified on page 1 of this AGREEMENT, and electronically file it with the Texas Ethics Commission ("*TEC*"); and 2) submit to the CITY the completed Form 1295, including the certification of filing number of the Form 1295 with the TEC, at the time the LANDOWNERS execute and submit this AGREEMENT to the CITY Form 1295 is available at the TEC's website: <https://www.ethics.state.tx.us/filinginfo/1295/>.

~~42-~~41. *Chapter 2271 Representation.* If required under Chapter 2271 of the Texas Government Code, LANDOWNERS represent and warrant that, at the time of execution and delivery of this AGREEMENT, neither LANDOWNERS, nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same that exists to make a profit, if any, boycotts Israel or will boycott Israel during the term of this AGREEMENT. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, and to the extent such Section does not contravene applicable Federal law. As used in the foregoing verification, "boycotts Israel" and "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-



controlled territory, but does not include an action made for ordinary business purposes. LANDOWNERS understand “affiliate” to mean an entity that controls, is controlled by, or is under common control with LANDOWNERS.

~~43-42.~~ *Chapter 2252 Representation.* If required under Chapter 2252 of the Texas Government Code, LANDOWNERS represent and warrant that, neither LANDOWNERS, nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same that exists to make a profit, if any, are companies identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Sections 2252.153 or 2270.0201, of the Texas Government Code, and posted on the following pages of such officer’s internet website:

<https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf>,  
<https://comptroller.texas.gov/purchasing/docs/iran-list.pdf>,  
<https://comptroller.texas.gov/purchasing/docs/fto-list.pdf>.

The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes LANDOWNERS and each parent company, wholly- or majority-owned subsidiaries, and other affiliates of the same that exist to make a profit, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan, Iran or a foreign terrorist organization. LANDOWNERS understand “affiliate” to mean any entity that controls, is controlled by, or is under common control with LANDOWNERS.

~~44-43.~~ *Verification Regarding Energy Company Boycotts.* To the extent the AGREEMENT constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code, (as added by Senate Bill 13, 87th Texas Legislature, Regular Session) as amended, the LANDOWNERS hereby verify that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, do not boycott energy companies and, will not boycott energy companies during the term of the AGREEMENT. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code, does not contravene applicable Texas or federal law. As used in the foregoing verification, “boycott energy companies” shall have the meaning assigned to the term “boycott energy company” in Section 809.001, Texas Government Code. The LANDOWNER understands “affiliate” to mean an entity that controls, is controlled by, or is under common control with the LANDOWNERS and exists to make a profit

~~45-44.~~ *Verification Regarding Discrimination Against Firearm Entity or Trade Association.* To the extent the AGREEMENT constitutes a contract for the purchase of goods or services for which a written verification is required under Section 2274.002, Texas Government Code, (as added by Senate Bill 19, 87th Texas Legislature, Regular Session, “SB 19”), as amended, the LANDOWNERS hereby verify that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any,

- A) do not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and
- B) will not discriminate during the term of the AGREEMENT against a firearm entity or firearm trade association.

The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, “discriminate against a firearm entity or firearm trade association” shall have the meaning assigned to such term in Section 2274.001(3), Texas Government Code (as added by SB 19). The LANDOWNERS understand “affiliate” to mean an entity that controls, is controlled by, or is under common control with the LANDOWNERS and exists to make a profit.

~~46-45.~~ *Recordation.* This AGREEMENT shall be filed in the Hays County deed records for the PROPERTY. Any filing fees shall be paid by the LANDOWNERS.

~~47-46.~~ *Duration; Expiration.* The initial term for this AGREEMENT shall be seven (7) years from the EFFECTIVE DATE. After the initial term of this AGREEMENT, the term of this AGREEMENT will be extended for an additional eight (8) years, so long as any permitted development provided for by this AGREEMENT is has occurred during the initial seven-year term. All terms of this AGREEMENT in effect during the initial term shall remain in full force and effect during the any successive term. The LANDOWNERS’ obligations to comply with the terms of this AGREEMENT survive annexation until the uses and on-site improvements provided by this AGREEMENT are complete and survive to bind the LANDOWNERS’ successors and assigns as to all terms, including the irrevocable agreement for voluntary annexation of the PROPERTY with this AGREEMENT serving as a petition for voluntary annexation.

~~48-47.~~ *Exhibits.* The following exhibits are attached to this AGREEMENT and incorporated herein for all purposes:

- Exhibit A – Property
- Exhibit A-1 – Bailey Tract
- Exhibit A-2 – Armbruster Tract
- Exhibit B – Conceptual Plan
- Exhibit C – Phasing Plan
- Exhibit D – ~~INTENTIONALLY DELETED~~Bubble Plan
- Exhibit E – ~~Historic Preservation~~Amenity Concept
- Exhibit F – Subdivision Wall Design
- Exhibit G – Parks and Open Space
- Exhibit H -- Trails Plan and Standards
- Exhibit I – Alternative Water Quality/Batch Detention
- Exhibit J – Green Building/Star Energy Elements
- Exhibit K – Depiction of Right-of-Way Dedications and North-South Parkway Segments
- Exhibit L – Depiction of Subdivision Street Sections
- ~~Exhibit M~~ - ~~Roadway Classifications~~
- ~~Exhibit MN~~ - Written Agreement Regarding Services
- ~~Exhibit O~~ - ~~Additional Property~~

[SIGNATURE PAGES FOLLOW]

EXECUTED by the PARTIES hereto to be effective as of the EFFECTIVE DATE.

**CITY:**

CITY OF BUDA, a home rule municipality in Hays County, Texas

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

ATTEST:

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

THE STATE OF TEXAS           §  
  §  
COUNTY OF HAYS           §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, \_\_\_\_\_ of City of Buda, a home rule municipality in Hays County, Texas, on behalf of said municipality.

(SEAL)

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

**LANDOWNER:**

Bailey Land Investments, LP,  
a Texas limited partnership

By: Bailey Land Investments GP, LLC,  
a Texas limited liability company,  
its General Partner

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

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_,  
2022 by \_\_\_\_\_, \_\_\_\_\_ of Bailey Land  
Investments GP, LLC, a Texas limited liability company, General Partner of Bailey Land  
Investment, LP, a Texas limited partnership, on behalf of said company.

(SEAL)

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

**LANDOWNER:**

Armbruster Land Investments, LP,  
a Texas limited partnership

By: Armbruster Land Investments GP, LLC,  
a Texas limited liability company,  
its General Partner

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

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

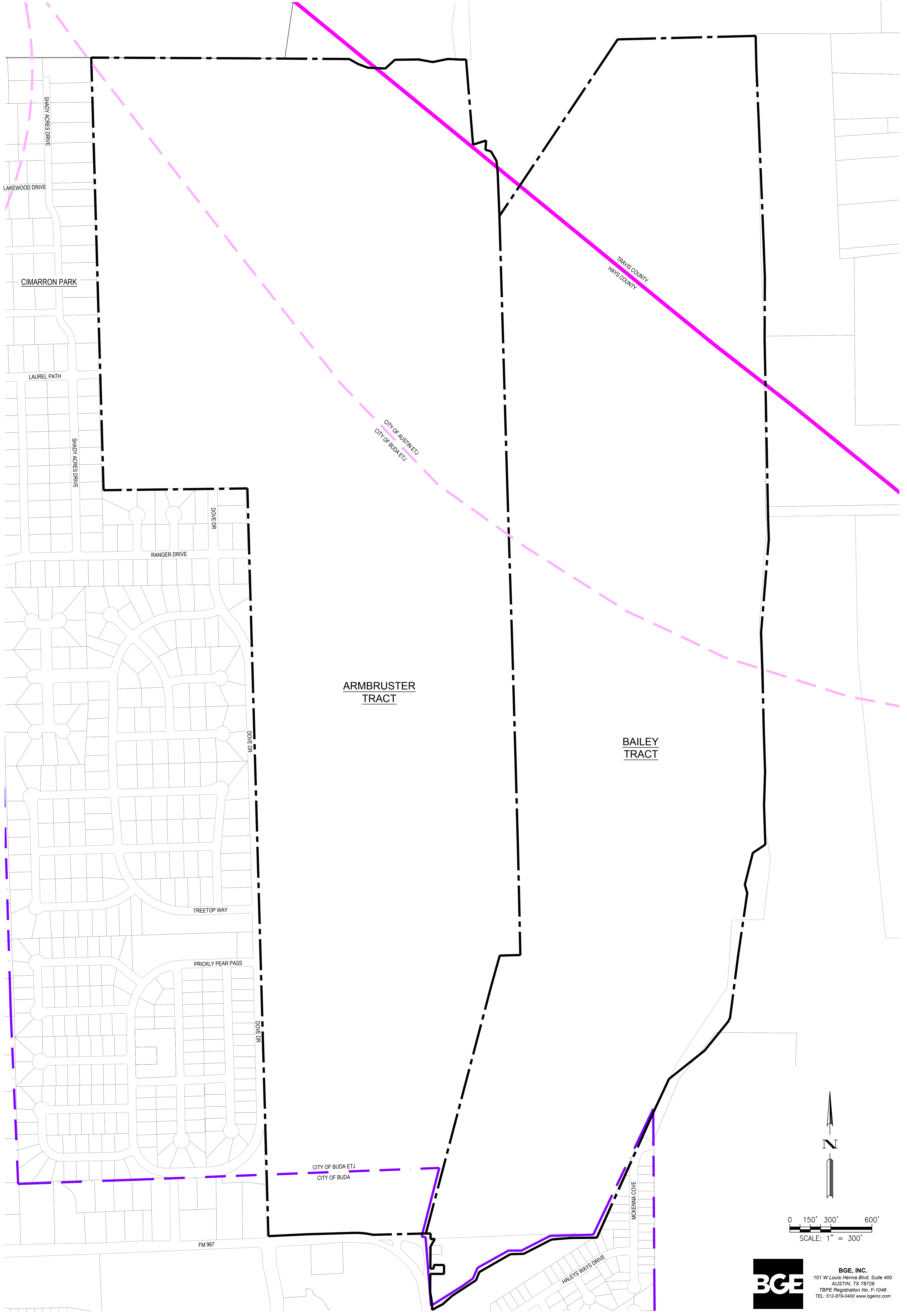
This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_,  
2022 by \_\_\_\_\_, \_\_\_\_\_ of Armbruster  
Land Investments GP, LLC, a Texas limited liability company, General Partner of Armbruster  
Land Investments, LP, a Texas limited partnership, on behalf of said company.

(SEAL)

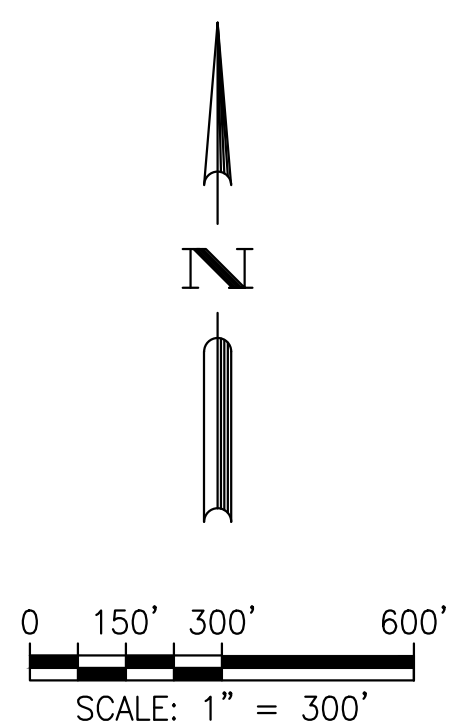
\_\_\_\_\_  
Notary Public Signature

# Exhibit A

## PERSIMMON OVERALL TRACTS JULY 15, 2022



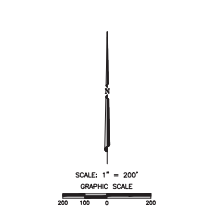
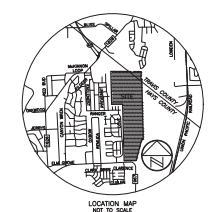
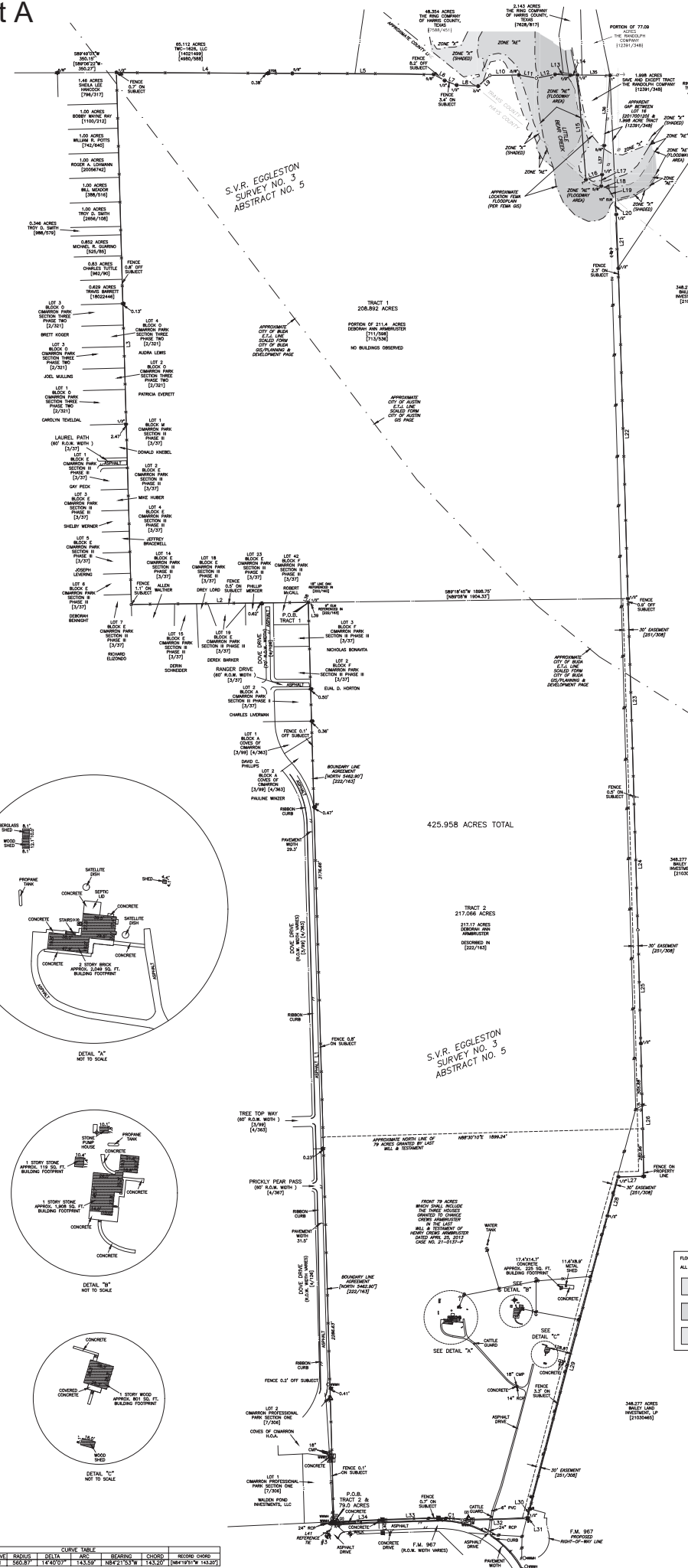
G:\TXC\Projects\Milestone\6674-00\_Bailey\_Prelim\03\_CADD\05\_Exhibits\Armbruster Tract\2022-07-15 Overall Cover.dwg Layout: EXHIBIT\_Plotter: 7/15/2022 11:38:30 AM By: MSULLIVAN



**BGE**  
BGE, INC.  
101 W Louis Henna Blvd, Suite 400  
AUSTIN, TX 78728  
TBPE Registration No. F-1046  
TEL: 512-879-0400 www.bgeinc.com

TRACT 1: 208.892 ACRES (APPROX. 9,099,333 SQ. FT.), BEING ALL OF 211.4 ACRES OF LAND, MORE OR LESS, OUT OF THE S.V.R. EGLESTON SURVEY NUMBER 3, ABSTRACT NUMBERS 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS, SAVE AND EXCEPT THAT CERTAIN 1.998 ACRE TRACT OF LAND OUT OF THE S.V.R. EGLESTON SURVEY NUMBER 3, ABSTRACT NUMBERS 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS;

TRACT 2: 217.066 ACRES (APPROX. 9,455,411 SQ. FT.), BEING ALL OF 217.17 ACRES OF LAND, MORE OR LESS, OUT OF THE S.V.R. EGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 5 OF HAYS COUNTY, TEXAS;



LINE TABLE with columns for LINE, BEARING, DISTANCE, and RECORD, listing specific survey points and their coordinates.

- LEGEND: Symbols for various features like 1/2" REBAR FOUND (AS NOTED), CONCRETE NEARBY (NOT FOUND), and SURFACE POINT LOCATIONS.

THIS IS A SURFACE DRAWING. BEARING BASED: THE TEXAS COORDINATE SYSTEM OF 1883 (NAD83), SOUTH CENTRAL ZONE. THE SOLUTION FROM THE LOCAL TIE TO THE SURFACE POINT OF CHAMBERS CONTROL POINT #3.

TITLE COMMITMENT NOTE: COMMITMENT FOR THE SURVEYOR PREPARED BY: GEORGETOWN TITLE COMPANY, GEORGETOWN, TEXAS, INC.

FLOOD-PLAN NOTE: The flood plain location for this project is based on the 1:25,000 scale flood map of the U.S. Army Corps of Engineers, dated October 15, 1971, of record in Vol. 251, Page 308 of the Flood Insurance Study of Hays County, Texas (Chart 2) - Subject to its terms.

GENERAL SURVEY NOTES: PROPERTY ADDRESS: F.M. 967, Box 7810, Travis County, Texas. ATTACHMENTS: Maps and bounds. SURVEYOR'S CERTIFICATE: Certified True and Correct.

Professional Land Surveying, Inc. logo and contact information, including address (2500 Mecca Loop, Austin, TX) and phone number (512-343-1724).

CURVE TABLE with columns for CURVE, RADIUS, DELTA, CHORD, BEARING, CHORD BEARING, and RECORD, listing curve data for the survey.



Exhibit A

METES & BOUNDS DESCRIPTION

FIELD NOTES FOR 172.206 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NO. 5 OF HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABREKki BRANCH, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018119702 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBER 18027027 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND FURTHER BEING A PORTION OF LOT 1, BLOCK T OF THE WOODS OF BEAR CREEK, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS; SAID 172.206 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING FOR POINT OF REFERENCE at a 4x4 Concrete highway monument found on the North right-of-way line of RM 967 (80-foot wide at this point), same being the South line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas; Thence, with the north right-of-way line of said RM 967, N 88°20'06" E a distance of 333.08 feet to a 4x4 Concrete highway monument found for the point of curvature of a curve to the right; Thence, continuing with the east line of said RM 967, along said curve to the right, an arc distance of 143.59 feet, having a radius of 560.87 feet, a central angle of 144°00'55" and a chord which bears S 84°19'51" E a distance of 143.20 feet to a calculated point for corner marking the most westerly corner of tract "C"; as dedicated to the State of Texas by Right-of-way Deed recorded in Volume 146, Page 335 of the Deed Records of Hays County, Texas; Thence, continuing with the north right-of-way line of said RM 967, N 88°30'13" East, passing a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 967 acre tract at the southwest corner of a called 5,000 acre tract of land as conveyed to Milestone Community Builders, LLC by Special Warranty Deed recorded in Document Number 19023267 of the Official Public Records of Hays County, Texas a distance of 386.32 feet, and continuing on for a total distance of 412.37 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most southerly southeast corner of said 5,000 acre tract, for a westerly corner and the POINT OF BEGINNING of the herein described tract;

THENCE, with the easterly and northerly lines of said 5,000 acre tract the following five (5) courses:

- 1) N 14°47'39" E a distance of 1,851.96 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
2) N 15°44'56" E a distance of 55.95 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an interior corner of said 5,000 acre tract, for an exterior corner of the herein described tract;
3) EAST a distance of 740.06 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly southeast corner of said 5,000 acre tract, for an interior corner of the herein described tract;
4) NORTH a distance of 267.38 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the northeast corner of said 5,000 acre tract, for an interior corner of the herein described tract;
5) WEST a distance of 224.76 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
6) S 78°50'47" W a distance of 348.25 feet to a 1/2-inch iron rod found at an exterior corner of said 217.17 acre tract, at an angle point in the north line of said 5,000 acre tract, for an exterior corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract the following three (3) courses:

- 1) N 01°14'08" W a distance of 788.84 feet to a 1/2-inch iron pipe found for an angle point;
2) N 01°24'34" W a distance of 622.22 feet to a 1/2-inch iron rod found for an angle point; and
3) N 01°44'45" W a distance of 1,600.55 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the northerly City of Buda Extraterritorial Jurisdiction line and the southerly City of Austin 2-Mile Extraterritorial Jurisdiction line (as extracted from City of Buda GIS data), for the northwest corner of the herein described tract;

THENCE, over and across said 349.690 acre tract, with the common Extraterritorial Jurisdiction lines of said City of Austin and City of Buda, the following five (5) courses:

- 1) S 54°27'08" E a distance of 84.54 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
2) S 57°40'22" E a distance of 887.17 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
3) S 65°19'16" E a distance of 381.65 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
4) S 64°10'31" E a distance of 395.95 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
5) S 72°26'48" E a distance of 347.68 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the east line of said 349.690 acre tract and the west line of a called 97.36 acre tract of land described as "First Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for the northeast corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 97.36 acre tract, the following four (4) courses:

- 1) S 01°18'09" E a distance of 400.41 feet to a 1/2-inch iron rod found for an angle point;
2) S 01°46'48" E a distance of 310.90 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
3) S 01°45'49" W a distance of 241.89 feet to a 60d nail found in a dead tree for an angle point; and
4) S 01°50'33" E a distance of 288.45 feet to a 26-inch Live Oak found at the east corner of said 97.36 acre tract, and at the northwest corner of a called 98.01 acre tract of land described as Second Tract as conveyed to Gene Ledoux by Deed recorded in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron pipe bears S 19°11'27" E a distance of 28.07 feet;

THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 98.01 acre tract, the following six (6) courses:

- 1) S 55°03'49" W a distance of 24.59 feet to a 1/2-inch iron rod found for an angle point;
2) S 56°08'39" W a distance of 85.68 feet to a 60d nail found in a fence post for an angle point;
3) S 14°07'00" W a distance of 239.07 feet to a 15-inch Cedar Elm for an angle point;
4) S 15°54'31" E a distance of 63.94 feet to a 60d nail found on the east side of a 21-inch Live Oak for an angle point;
5) S 08°18'35" W a distance of 463.00 feet to a 1/2-inch iron rod found for an angle point; and
6) S 07°22'38" W a distance of 455.90 feet to a 1/2-inch iron rod in concrete found at the apparent north corner of a graveyard as described in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the east line of said 349.690 acre tract, S 25°57'19" W a distance of 31.27 feet to a 60d nail found in the fence for an angle point;

THENCE, generally along a fence, with the east line of said 349.690 acre tract, S 39°05'02" W a distance of 272.60 feet to a 60d nail found at the most northerly northwest corner of a called 81.67 acre tract of land as conveyed to Robert Rembert Guinn and Nina Guinn by Deed recorded in Volume 1001, Page 24 of the Deed Records of Hays County, Texas, being further described in Volume 158, Page 362 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 51°26'41" W a distance of 333.89 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 25°00'46" W a distance of 238.99 feet to a 1/2-inch iron rod found at the most northerly corner of CREEKSIDE PARK SECTION TWO P.U.D., a subdivision recorded in Volume 8, Page 283 of the Plat Records of Hays County, Texas, and at the most westerly northwest corner of said 81.67 acre tract, for an angle point;

THENCE, generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S 24°36'19" W a distance of 35.08 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S 24°16'53" W a distance of 999.38 feet to a 1/2-inch iron rod found at an interior corner of said CREEKSIDE PARK SECTION TWO P.U.D., for the southeast corner of the herein described tract;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION TWO P.U.D. and the south line of said 349.690 acre tract, N 87°58'40" W a distance of 9.41 feet to a 1/2-inch iron rod found at an interior corner of said CREEKSIDE PARK SECTION TWO P.U.D., and at the northeast corner of CREEKSIDE PARK SECTION ONE P.U.D., a subdivision recorded in Volume 8, Page 103 of the Plat Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 89°22'26" W a distance of 182.09 feet to a 1/2-inch iron rod found for an angle point;

THENCE, continuing with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 85°18'14" W a distance of 140.04 feet to a calculated point on the southeast line of Lot 1, Block T of the WOODS OF BEAR CREEK, a subdivision recorded in Volume 3, Page 347 of the Plat Records of Hays County, Texas, lying in the center of Garlic Creek;

THENCE, with the northwest lines of said CREEKSIDE PARK SECTION ONE P.U.D., the southeast lines of said Lot 1, Block T of the WOODS OF BEAR CREEK, the southeast lines of said 349.690 acre tract, and the meanders of Garlic Creek, the following seven (7) courses:

- 1) S 62°49'33" W a distance of 229.00 feet to a calculated angle point;
2) S 88°24'33" W a distance of 97.00 feet to a calculated angle point;
3) S 60°06'42" W a distance of 262.00 feet to a calculated angle point;
4) S 21°49'52" W a distance of 64.00 feet to a calculated angle point;
5) S 56°52'57" W a distance of 208.35 feet to a calculated angle point;
6) S 48°06'33" W a distance of 92.00 feet to a calculated angle point; and
7) S 62°01'33" W a distance of 88.26 feet to a calculated point on the curving east right-of-way of said RM 967 (width varies at this point), at the northwest corner of said CREEKSIDE PARK SECTION ONE P.U.D. and the southwest corner of said Lot 1, Block T of the WOODS OF BEAR CREEK, for the beginning of a non-tangent curve to the left and the southwest corner of the herein described tract;

THENCE, with the east right-of-way line of said RM 967, along said curve to the left, an arc distance of 127.07 feet, having a radius of 560.87 feet, a central angle of 128°58'50" and a chord which bears N 06°24'30" W a distance of 126.80 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most southerly corner of said Tract "C", for an angle point;

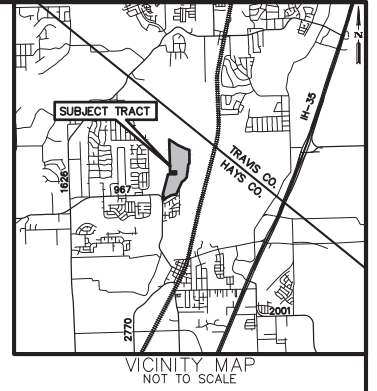
THENCE, continuing with the Easterly right-of-way of said RM 967, N 00°22'18" E a distance of 137.26 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southwest corner of a called 0.1337 acre tract of land as conveyed to the City of Buda, Texas by Special Warranty Deed recorded in Document Number 14037968 of the Official Public Records of Hays County, Texas, for an exterior corner of the herein described tract;

THENCE, with the perimeter of said 0.1337 acre Lift Station tract the following five (5) courses:

- 1) S 89°37'42" E a distance of 100.00 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
2) N 00°22'18" E a distance of 65.00 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the northeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
3) N 89°37'42" W a distance of 75.00 feet to a calculated point at the most northerly northwest corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
4) S 00°22'18" W a distance of 27.00 feet to a calculated point at an interior corner of said 0.1337 acre Lift Station tract, for an exterior corner of the herein described tract; and
5) N 89°37'42" W a distance of 25.00 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the Easterly right-of-way line of said RM 967, at the most westerly northwest corner of said 0.1337 acre Lift Station tract, for an exterior corner of the herein described tract;

THENCE, with the east right-of-way line of said RM 967, N 00°22'18" E a distance of 257.09 feet to a 60d Nail found at the northeast corner of said right-of-way Tract "C", at an interior corner of said 349.690 acre tract, for an interior corner of the herein described tract, from which a 1/2-inch iron rod found at the edge of a gravel drive bears South 67°38'42" West, 15.57 feet;

THENCE, with the north right-of-way line of said RM 967, S 88°30'13" W a distance of 11.10 feet to the POINT OF BEGINNING and containing 172.206 acres of land, more or less.



GENERAL NOTES

- 1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83, COMBINED SCALE FACTOR = 0.9999247624
2. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), IN ZONE "A" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT - BASE FLOOD ELEVATIONS DETERMINED) AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0280F, REVISED SEPTEMBER 2, 2005. ALL FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
3. THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY AND COUNTERSIGNED BY GRAYSTONE TITLE COMPANY, LLC UNDER FILE NUMBER 706780, DATED EFFECTIVE APRIL 2, 2020 AND ISSUED ON APRIL 13, 2020.
4. RIGHT-OF-WAY APPEARS TO HAVE BEEN DEDICATED BY THE PLAT OF THE WOODS OF BEAR CREEK RECORDED IN VOL. 3, PG. 347, P.R.H.C. AND BY SEPARATE INSTRUMENTS RECORDED IN VOLUME 540, PAGE 845 AND VOLUME 540, PAGE 851 OF THE D.R.H.C. DOCUMENTS RECORDED IN VOLUME 540, PAGE 851 AND VOLUME 540, PAGE 845 HAVE BEEN ABANDONED PER DECLARATION OF ABANDONMENT OF RIGHT-OF-WAY RECORDED IN VOLUME 11193, PAGE 941 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.
5. POLITICAL BOUNDARIES SHOWN HEREON ARE EXTRACTED FROM GIS DATA AND ARE APPROXIMATE. THE CITY OF BUDA ETJ AND CITY OF BUDY CITY LIMITS LINE WORK WAS DOWNLOADED FROM THE CITY OF BUDA GIS. (https://buda.tms.mops.org/cis.com)

RESTRICTIVE COVENANT AND EASEMENT NOTES:

- 1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD IN VOLUME 472, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS AND THOSE SET OUT ON THE PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THESE RESTRICTIVE COVENANTS)
10B. PUBLIC UTILITY EASEMENT 7.5 FEET WIDE ALONG THE NORTHERLY PROPERTY LINE AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)
10C. EASEMENT AS SET OUT IN VOLUME 118, PAGE 515 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
10D. EASEMENT GRANTED TO UNITED PRODUCERS PIPE LINE COMPANY AS SET OUT IN VOLUME 97, PAGE 21 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
10E. EASEMENT AS SET OUT IN VOLUME 138, PAGE 522 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
10F. DRAINAGE EASEMENT AS SET OUT IN VOLUME 147, PAGE 280 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)
10G. EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS SET OUT IN VOLUME 348, PAGE 886 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)
10H. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF BUDA, BY INSTRUMENT DATED DECEMBER 8, 2014, RECORDED IN UNDER VOLUME 5102, PAGE 288 OF THE OFFICIAL RECORDS, HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS, SHOWN HEREON)
10I. ALL TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT FOR WASTEWATER EASEMENT GRANTED TO THE CITY OF BUDA AS SET OUT IN VOLUME 4848, PAGE 498 AND VOLUME 4850, PAGE 507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)

REVISED 4/29/2020 - UPDATED CERTIFICATION.

1420 RM 967 BUDA, TX 78610

BGE Inc. 101 West Louis Henna Blvd, Suite 400, Austin, TX 78728 Tel: 512-879-0400 • www.bgeinc.com TBPLS Licensed Surveying Firm No. 10106502

ALTA/NSPS LAND TITLE SURVEY OF A 172.206 ACRE TRACT OF LAND SITUATED IN THE S.V.R. EGGLESTON SURVEY NO. 3 ABSTRACT NO. 5 HAYS COUNTY, TEXAS

Table with columns: PARTY CHIEF, M.G., ISSUE DATE, TECHNICIAN, D.G.F., REVISED DATE, R.P.L.S., J.N., SCALE, FIELD BOOK, 22/51, JOB NUMBER, 6861-00, SHEET 1 OF 3

To Milestone Community Builders, International Bank of Commerce, a Texas banking association and its successors and assigns, and Stewart Title Guaranty Company:

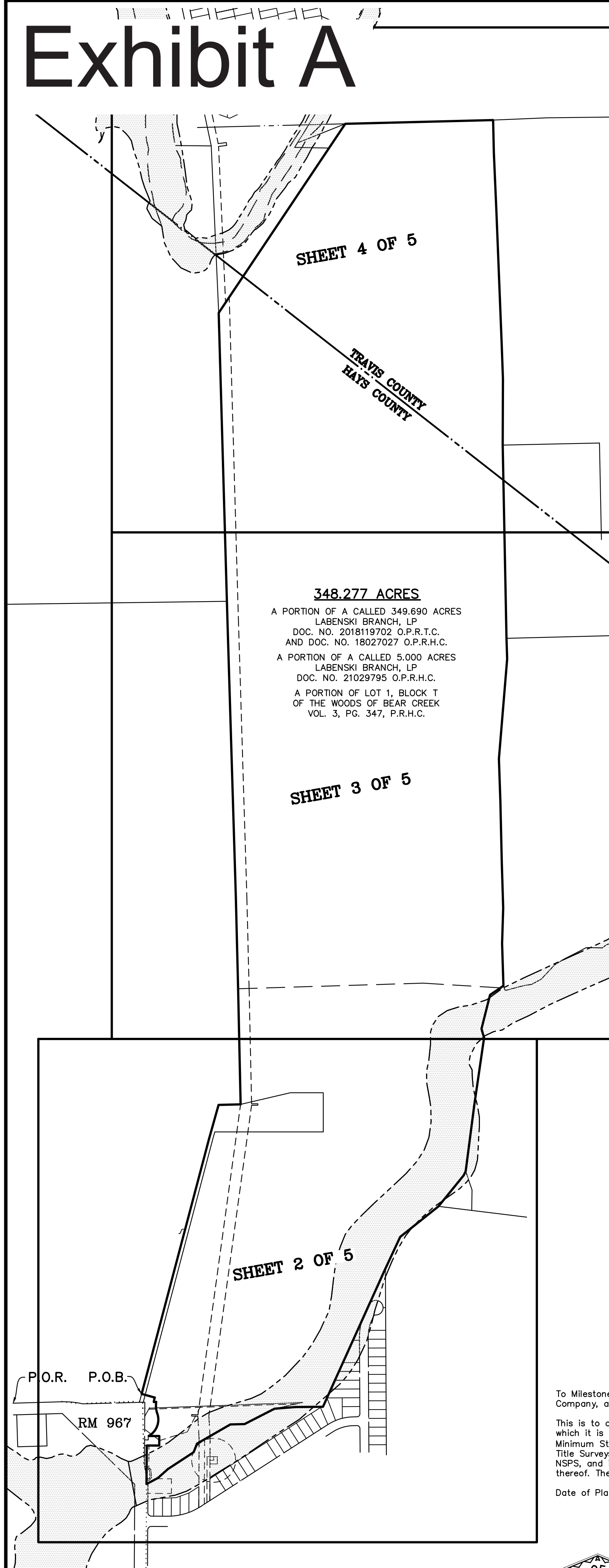
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 4, 7a, 9, 11 (observed evidence only), 14 & 16 of Table A thereof. The field work was completed on September 13, 2018.

Date of Plat or Map: April 29, 2020

Professional signature and seal of Jonathan O. Nobles, State of Texas Land Surveyor No. 5777



# Exhibit A



SHEET 4 OF 5

TRAVIS COUNTY  
HAYS COUNTY

**348.277 ACRES**  
 A PORTION OF A CALLED 349.690 ACRES  
 LABENSKI BRANCH, LP  
 DOC. NO. 2018119702 O.P.R.T.C.  
 AND DOC. NO. 18027027 O.P.R.H.C.  
 A PORTION OF A CALLED 5.000 ACRES  
 LABENSKI BRANCH, LP  
 DOC. NO. 21029795 O.P.R.H.C.  
 A PORTION OF LOT 1, BLOCK T  
 OF THE WOODS OF BEAR CREEK  
 VOL. 3, PG. 347, P.R.H.C.

SHEET 3 OF 5

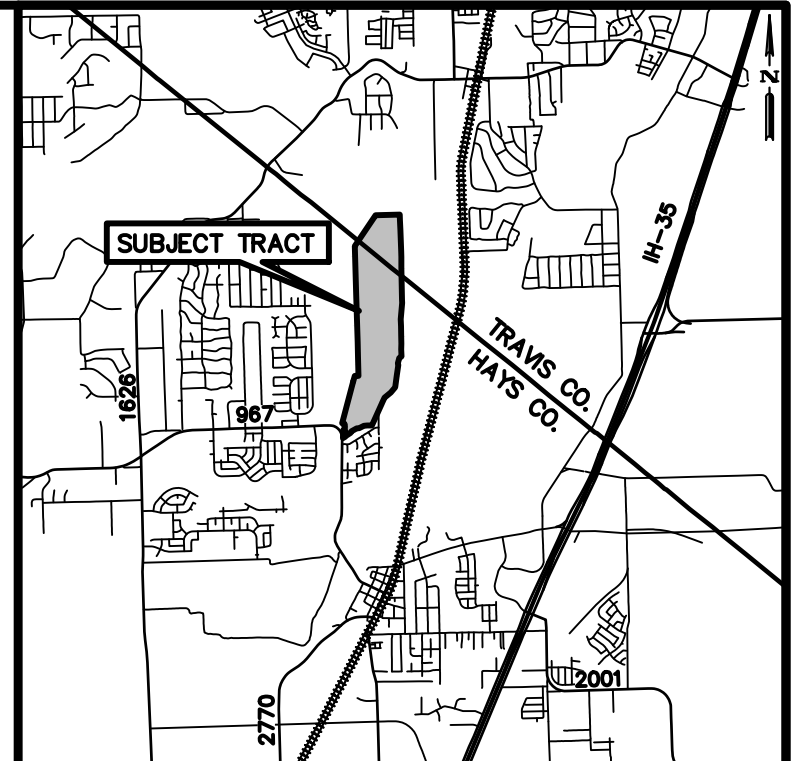
SHEET 2 OF 5

P.O.R. P.O.B.

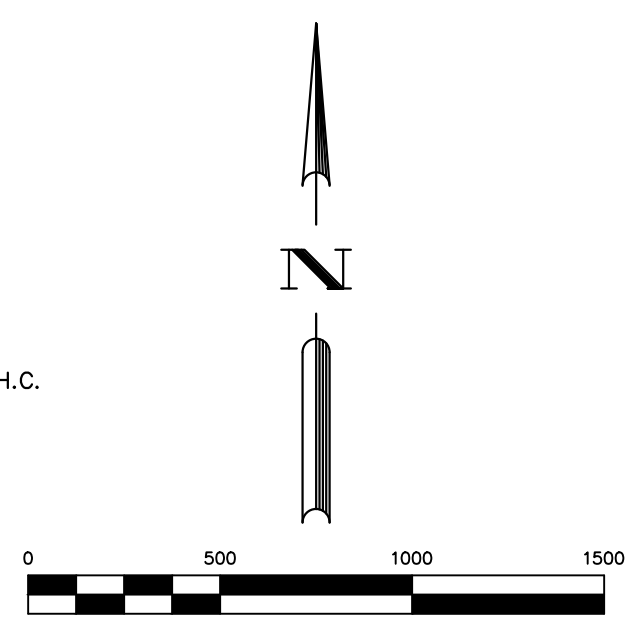
RM 967

### LEGEND

- |            |   |
|------------|---|
| BLDG.      | BUILDING  |
| CONC.      | CONCRETE  |
| D.E.       | DRAINAGE EASEMENT                                     |
| DOC.       | DOCUMENT  |
| D.R.H.C.   | DEED RECORDS HAYS COUNTY                              |
| E.C.R.     | ELECTRIC CONDUIT RISER                                |
| E.M.P.     | ELECTRIC METER POLE                                   |
| ESMT.      | EASEMENT  |
| F.H.       | FIRE HYDRANT  |
| H.C.       | HANDICAP  |
| M.H.       | MANHOLE   |
| NO.        | NUMBER  |
| O.P.R.H.C. | OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY              |
| O.P.R.T.C. | OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY              |
| PED.       | PEDESTAL  |
| PG.        | PAGE  |
| P.O.B.     | POINT OF BEGINNING                                    |
| P.O.R.     | POINT OF REFERENCE                                    |
| P.P.       | POWER POLE  |
| P.R.H.C.   | PLAT RECORDS HAYS COUNTY                              |
| P.U.E.     | PUBLIC UTILITY EASEMENT                               |
| RCP        | REINFORCED CONCRETE PIPE                              |
| R.O.W.     | RIGHT-OF-WAY  |
| SAN.       | SANITARY  |
| SQ. FT.    | SQUARE FEET   |
| ST.C.      | STONE COLUMN  |
| S.V.       | SPRINKLER VALVE                                       |
| TEL.       | TELEPHONE   |
| TRANS.     | TRANSFORMER   |
| U.C.M.     | UNDERGROUND CABLE MARKER                              |
| VOL.       | VOLUME  |
| W.F.       | WATER FAUCET  |
| W.V.       | WATER VALVE   |
| ( )        | RECORD INFORMATION, DOC. NO. 2018119702 O.P.R.T.C.    |
| { }        | RECORD INFORMATION, VOL. 222, PG. 163 H.C.D.R.        |
| < >        | RECORD INFORMATION, VOL. 158, PG. 362 H.C.D.R.        |
| [ ]        | RECORD INFORMATION, VOL. 146, PG. 335 H.C.D.R.        |
| (( ))      | RECORD INFORMATION, VOL. 8, PG. 283 P.R.H.C.          |
| [[ ]]      | RECORD INFORMATION, DOC. NO. 14037969 O.P.R.H.C.      |
| }} }       | RECORD INFORMATION, VOL. 8, PG. 103, P.R.H.C.         |
| / /        | RECORD INFORMATION, VOL. 153, PG. 490 H.C.D.R.        |
| ~ ~        | RECORD INFORMATION, DOC. NO. 2011006800 O.P.R.T.C.    |
| * *        | RECORD INFORMATION, VOL. 11125, PG. 875 R.P.R.T.C.    |
| ** **      | RECORD INFORMATION, VOL. 203, PG. 527 H.C.D.R.        |
| (( ( (     | RECORD INFORMATION, DOC. NO. 2011131371 O.P.R.T.C.    |
| [[ [ [ [   | RECORD INFORMATION, DOC. NO. 201700120 P.R.T.C.       |
| }} } }     | RECORD INFORMATION, DOC. NO. 2008-80014950 O.P.R.H.C. |
| << >>      | RECORD INFORMATION, VOL. 12391, PG. 348 R.P.R.T.C.    |
| // //      | RECORD INFORMATION, DOC. NO. 21029795 O.P.R.H.C.      |
| ○          | FOUND 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)         |
| ●          | FOUND 1/2" IRON PIPE                                  |
| ▲          | FOUND 60D NAIL  |
| ■          | FOUND 4X4 CONCRETE MONUMENT                           |
| ○          | SET 1/2" IRON ROD W/CAP "BGE INC"                     |
| △          | CALCULATED POINT                                      |
| —          | EDGE OF ASPHALT                                       |
| —          | OVERHEAD UTILITIES                                    |
| -x-        | BARBED WIRE FENCE                                     |
| (10G)      | SCHEDULE B ITEM                                       |



VICINITY MAP  
NOT TO SCALE



### RESTRICTIVE COVENANT AND EASEMENT NOTES:

- THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD IN VOLUME 472, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS AND THOSE SET OUT ON THE PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THESE RESTRICTIVE COVENANTS)**
- PUBLIC UTILITY EASEMENT 7.5 FEET WIDE ALONG THE NORTHERLY PROPERTY LINE AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)**
- EASEMENT AS SET OUT IN VOLUME 118, PAGE 515 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)**
- EASEMENT GRANTED TO UNITED PRODUCERS PIPE LINE COMPANY AS SET OUT IN VOLUME 97, PAGE 21 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS NOT SUBJECT TO THIS EASEMENT)**
- DRAINAGE EASEMENT AS SET OUT IN VOLUME 147, PAGE 380 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)**
- EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS SET OUT IN VOLUME 348, PAGE 886 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)**
- EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF BUDA, BY INSTRUMENT DATED DECEMBER 8, 2014, RECORDED IN/UNDER VOLUME 5102, PAGE 288 OF THE OFFICIAL RECORDS, HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS, SHOWN HEREON)**
- ALL TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT FOR WASTEWATER EASEMENT GRANTED TO THE CITY OF BUDA AS SET OUT IN VOLUME 4849, PAGE 498 AND VOLUME 4850, PAGE 507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)**

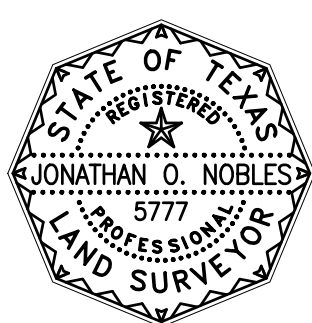
### GENERAL NOTES

- BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83. COMBINED SCALE FACTOR = 0.9999247624
- THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), IN ZONE "A" AND ZONE "AE" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT - BASE FLOOD ELEVATIONS DETERMINED) AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0280F, REVISED SEPTEMBER 2, 2005. AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48453C0680H, REVISED SEPTEMBER 26, 2008. ALL FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
- THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY AND COUNTERSIGNED BY GRAYSTONE TITLE COMPANY, LLC UNDER FILE NUMBER 1267957, DATED EFFECTIVE MAY 5, 2021 AND ISSUED ON MAY 26, 2021.

To Milestone Community Builders, Stewart Title Guaranty Company, and Graystone Title Company, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 9, 14 & 16 of Table A thereof. The field work was completed on August 3, 2019.

Date of Plat or Map: June 3, 2021



*Jonathan O. Nobles*  
 JONATHAN O. NOBLES RPLS NO. 5777  
 BGE, INC.  
 101 WEST LOUIS HENNA BLVD., SUITE 400  
 AUSTIN, TEXAS 78728  
 TELEPHONE: (512) 879-0400

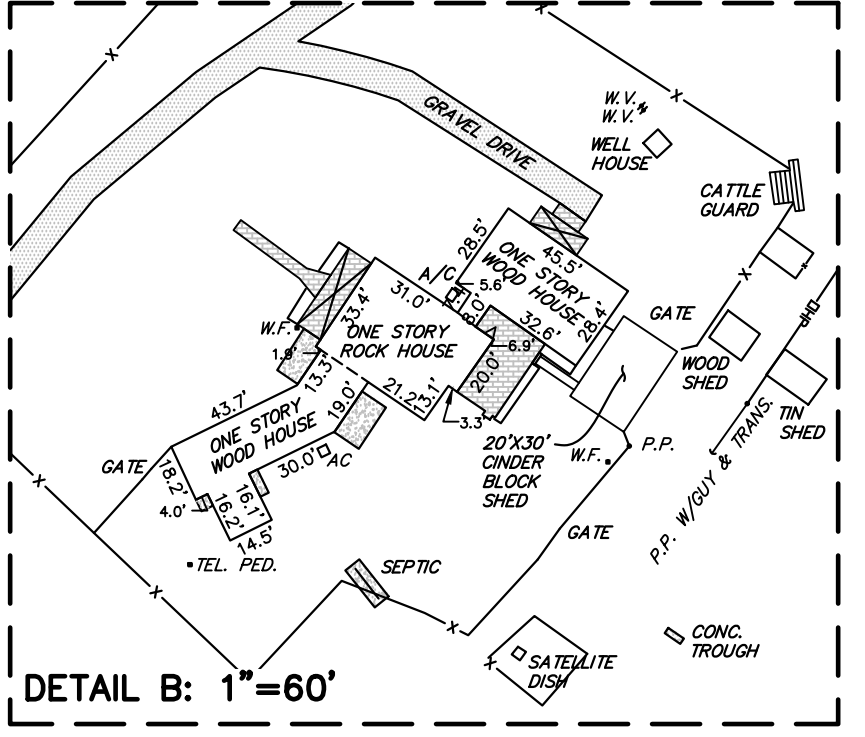
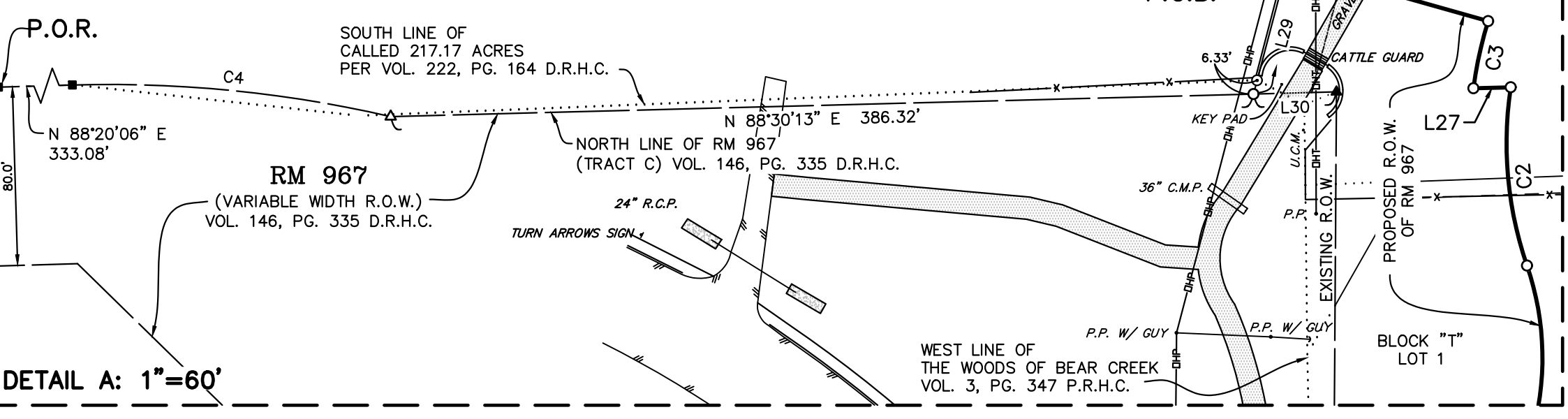
<b>1420 RM 967 BUDA, TX 78610</b>	
	<b>BGE, Inc.</b> 101 West Louis Henna Blvd, Suite 400, Austin, TX 78728 Tel: 512-879-0400 • www.bgeinc.com TBPELS Licensed Surveying Firm No. 10106502
<b>ALTA/NSPS LAND TITLE SURVEY OF 348.277 ACRES SITUATED IN THE S.V.R. EGGLESTON SURVEY NO. 3 ABSTRACT NOS. 5 &amp; 11 HAYS AND TRAVIS COUNTY, TEXAS</b>	
PARTY CHIEF: M.G.	ISSUE DATE: 06/03/2021
TECHNICIAN: D.G.F.	SCALE: 1"=500'
R.P.L.S.: J.N.	JOB NUMBER: 6861-01
FIELD BOOK NAME:	22/51
BASE FILE: C:\TXC\Projects\Survey Projects\5577-00 Bailey Tract\01_Calcs	

SHEET 1  
OF 5



# Exhibit A

HENRY CREWS ARMBRUSTER  
CALLED 217.17 ACRES  
BOUNDARY LINE AGREEMENT  
(VOL. 222, PG. 164 D.R.H.C.)



CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	177.53'	127.00'	80°05'36"	N 21°02'27" E	163.43'
C2	80.89'	168.00'	27°35'08"	N 05°12'47" W	80.11'
C3	30.82'	184.33'	9°34'51"	N 12°22'05" E	30.79'
C4	143.59'	560.87'	14°40'05"	S 84°19'51" E	143.20'

RECORD CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C4	[150.23']	[560.87']	[15°20'49"]	[S 86°40'24" W]	[149.78']

(LS) CALLED 0.1337 ACRES (5,828 SQ. FT.) THE CITY OF BUDA, TEXAS DOC. NO. 14037969 O.P.R.H.C.

(10E) CALLED 0.390 ACRE (TRACT B) STATE OF TEXAS CHANNEL EASEMENT VOL. 147, PG. 380, D.R.H.C.

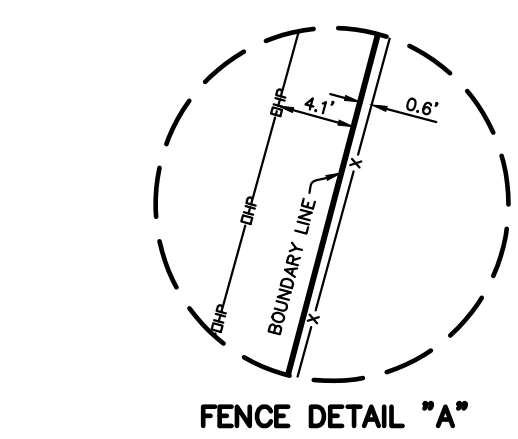
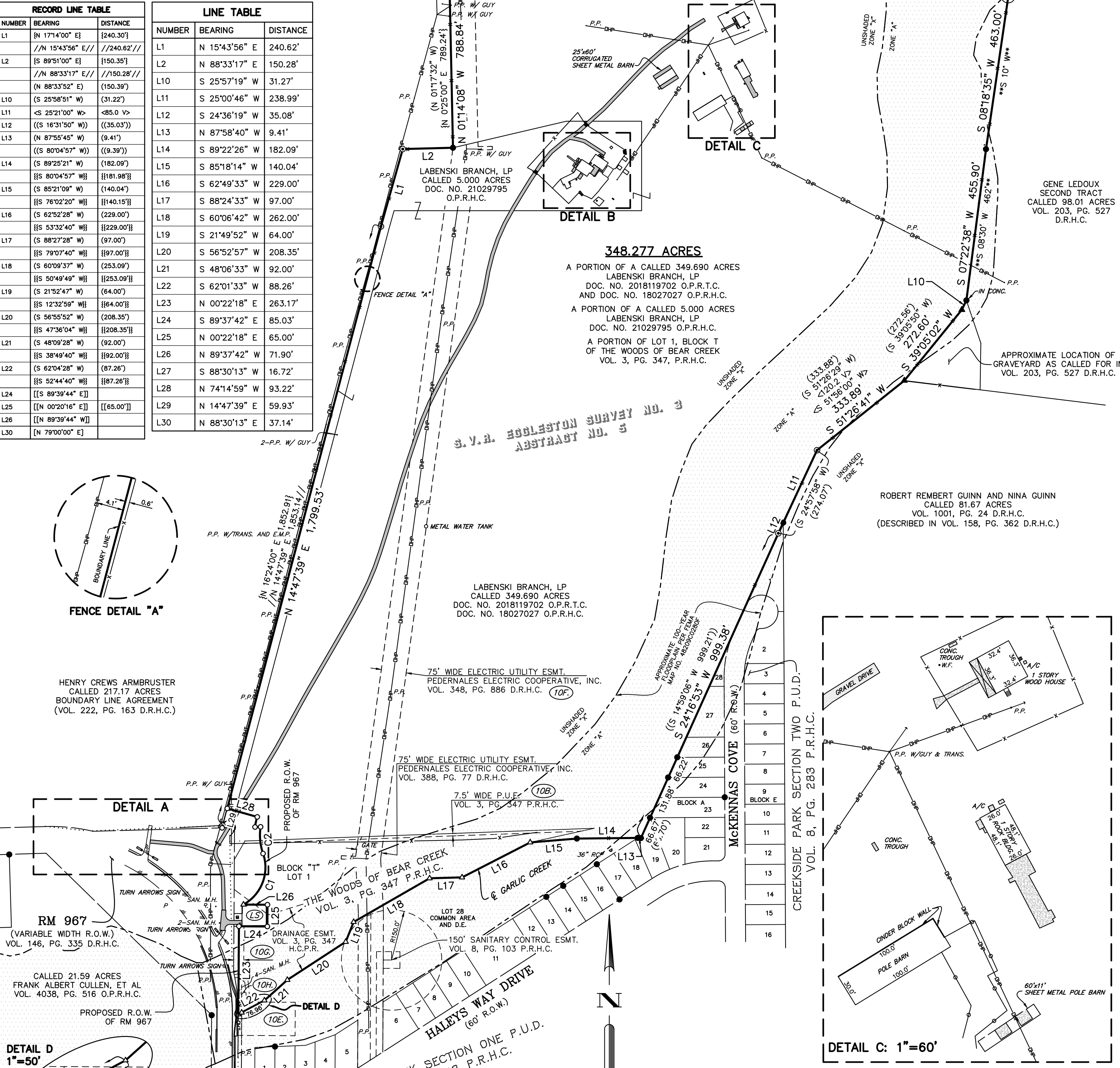
(10G) 30' SAN. S.E. THE CITY OF BUDA, TEXAS VOL. 5102, PG. 288 O.P.R.H.C. DOC. NO. 14037970, O.P.R.H.C.

(10H) CALLED 0.042 ACRE CITY OF BUDA WASTEWATER EASEMENT VOL. 4849, PG. 498, O.P.R.H.C. AND VOL. 4850, PG. 507, O.P.R.H.C.

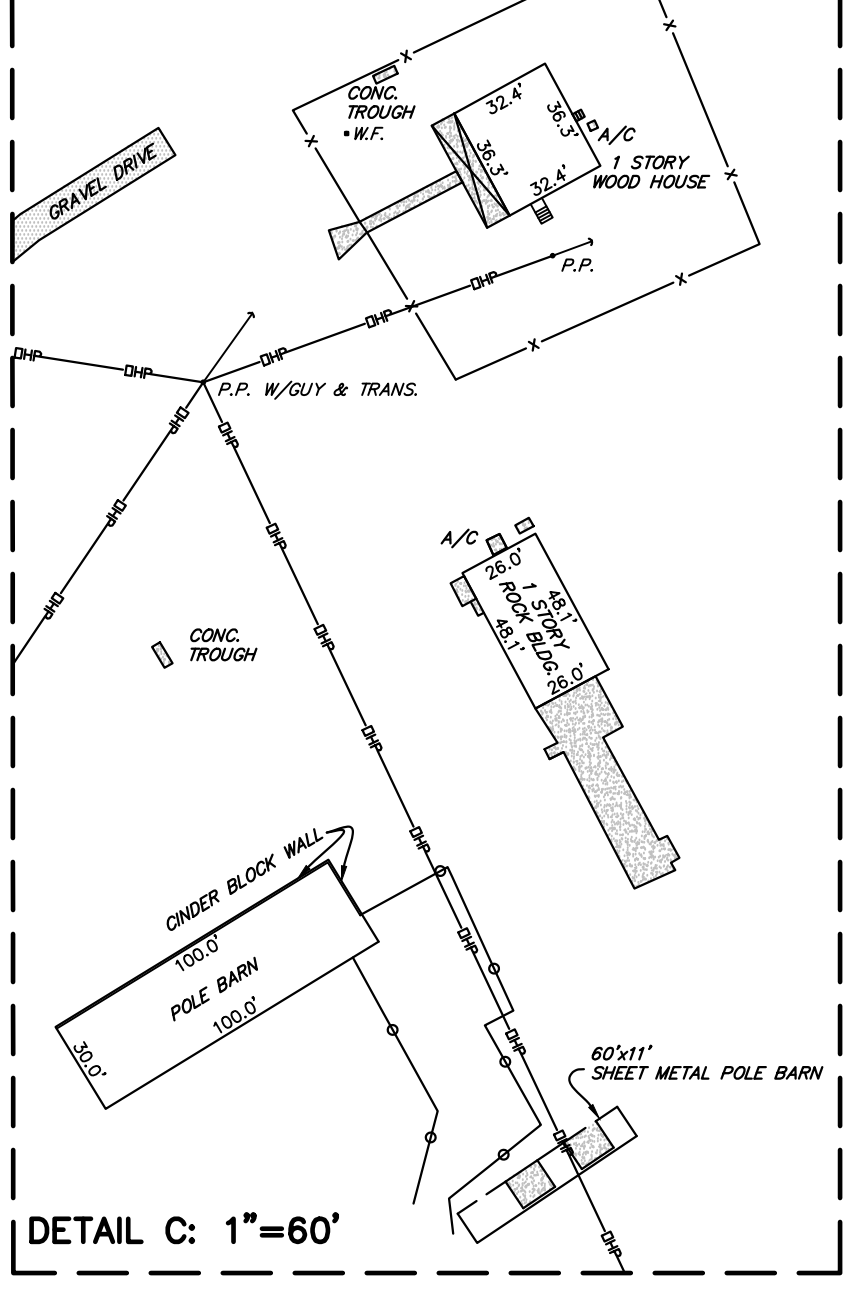
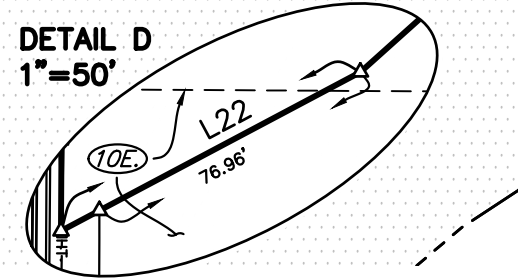
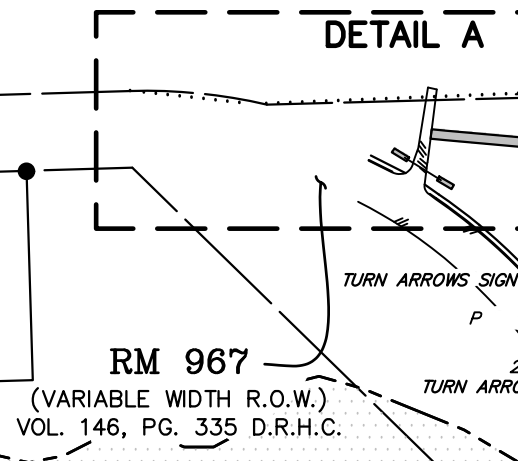
RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	{N 17°14'00" E}	{240.30'}
L2	{/N 15°43'56" E//}	{/240.62'//}
L2	{S 89°51'00" E}	{150.35'}
L2	{/N 88°33'17" E//}	{/150.28'//}
L10	{N 88°33'52" E}	{150.39'}
L11	{S 25°58'51" W}	{31.22'}
L12	{S 25°21'00" W}	{85.0'}
L12	{(S 16°31'50" W)}	{(35.03')}
L13	{N 87°55'45" W}	{9.41'}
L14	{(S 80°04'57" W)}	{(9.39')}
L14	{(S 89°25'21" W)}	{(182.09')}
L15	{S 85°21'09" W}	{140.04'}
L16	{S 76°02'20" W}	{140.15'}
L16	{(S 62°52'28" W)}	{(229.00')}
L17	{S 53°32'40" W}	{229.00'}
L17	{(S 88°27'28" W)}	{(97.00')}
L18	{S 79°07'40" W}	{97.00'}
L18	{(S 60°09'37" W)}	{(253.09')}
L19	{S 50°49'49" W}	{253.09'}
L19	{(S 21°52'47" W)}	{(64.00')}
L20	{S 12°32'59" W}	{86.00'}
L20	{(S 56°55'52" W)}	{(208.35')}
L21	{S 47°36'04" W}	{208.35'}
L21	{(S 48°09'28" W)}	{(92.00')}
L22	{S 38°49'40" W}	{92.00'}
L22	{(S 62°04'28" W)}	{(87.26')}
L24	{S 52°44'40" W}	{87.26'}
L24	{[S 89°39'44" E]}	{[65.00']}
L25	{[N 00°20'16" E]}	{[65.00]}
L26	{[N 89°39'44" W]}	{[65.00]}
L30	{[N 79°00'00" E]}	{[65.00]}

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 15°43'56" E	240.62'
L2	N 88°33'17" E	150.28'
L10	S 25°57'19" W	31.27'
L11	S 25°00'46" W	238.99'
L12	S 24°36'19" W	35.08'
L13	N 87°58'40" W	9.41'
L14	S 89°22'26" W	182.09'
L15	S 85°18'14" W	140.04'
L16	S 62°49'33" W	229.00'
L17	S 88°24'33" W	97.00'
L18	S 60°06'42" W	262.00'
L19	S 21°49'52" W	64.00'
L20	S 56°52'57" W	208.35'
L21	S 48°06'33" W	92.00'
L22	S 62°01'33" W	88.26'
L23	N 00°22'18" E	263.17'
L24	S 89°37'42" E	85.03'
L25	N 00°22'18" E	65.00'
L26	N 89°37'42" W	71.90'
L27	S 88°30'13" W	16.72'
L28	N 74°14'59" W	93.22'
L29	N 14°47'39" E	59.93'
L30	N 88°30'13" E	37.14'

MATCHLINE SEE SHEET 3 OF 5



HENRY CREWS ARMBRUSTER  
CALLED 217.17 ACRES  
BOUNDARY LINE AGREEMENT  
(VOL. 222, PG. 163 D.R.H.C.)



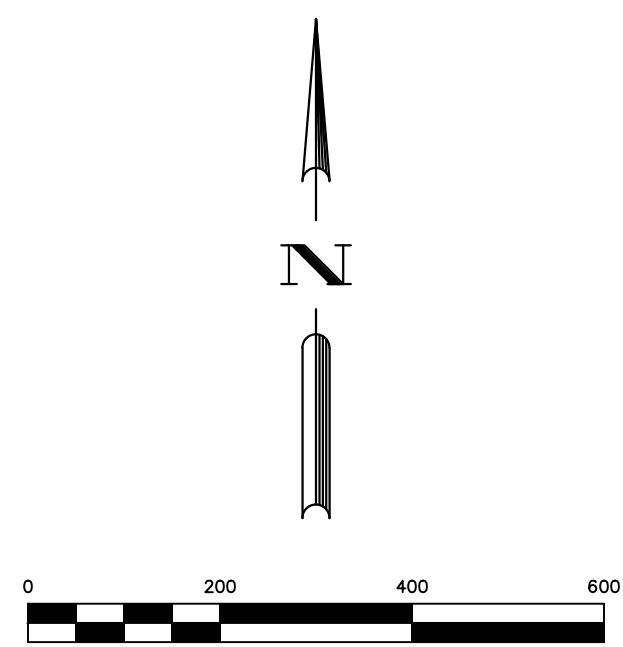
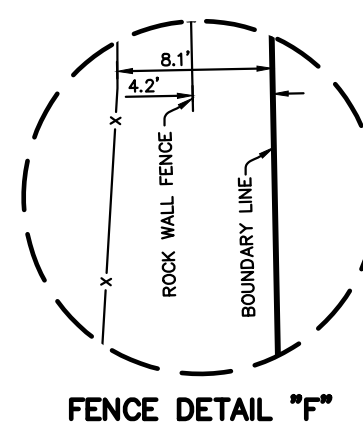
BGE, Inc.  
101 West Louis Henna Blvd, Suite 400, Austin, TX 78728  
Tel: 512-879-0400 • www.bgeinc.com  
TBPELS Licensed Surveying Firm No. 10106502

SCALE: 1"=200'  
SHEET 2  
OF 5

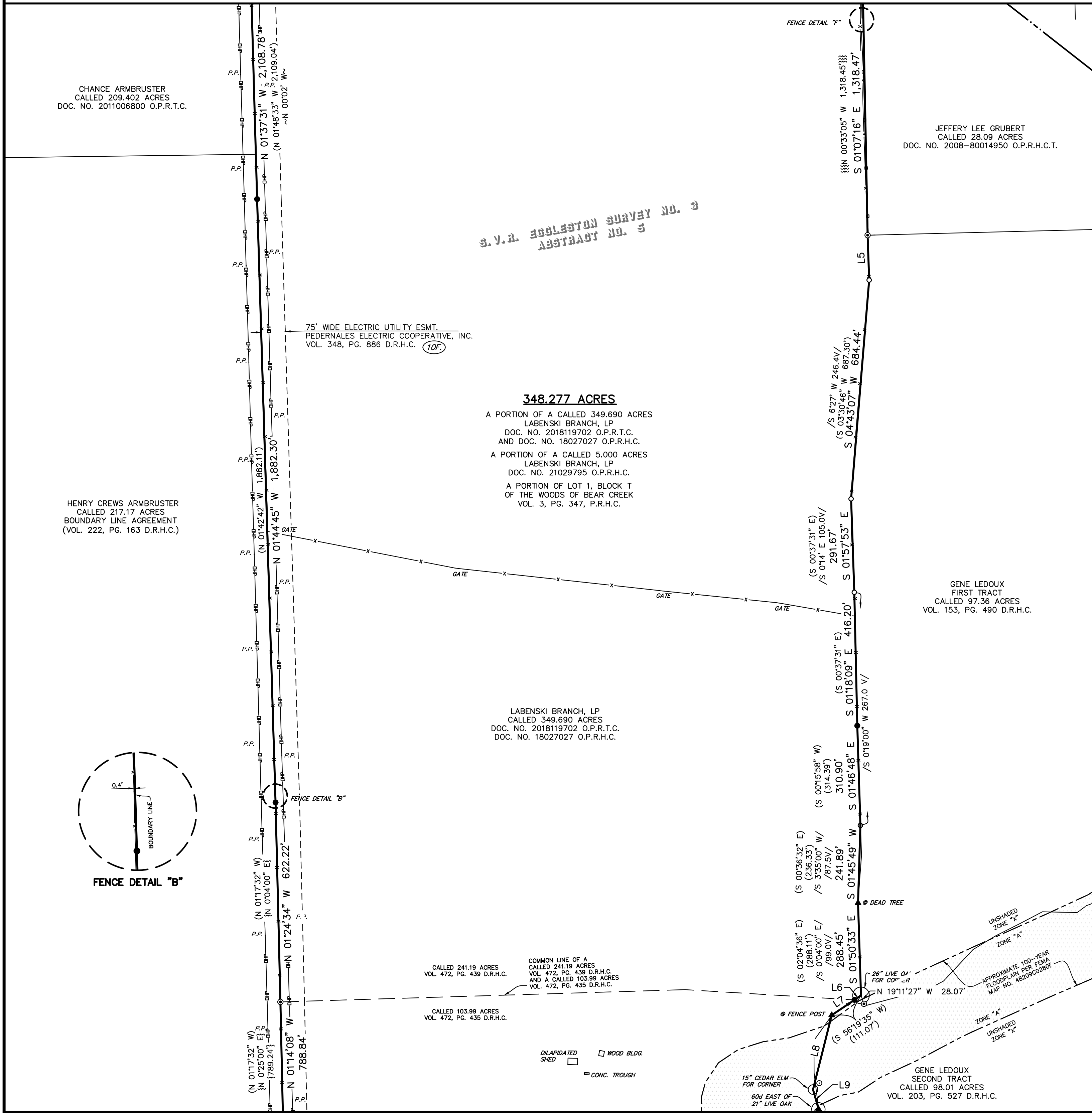
# Exhibit A

LINE TABLE		
NUMBER	BEARING	DISTANCE
L5	S 01°58'05" E	140.05'
L6	S 55°03'49" W	24.59'
L7	S 56°08'39" W	85.68'
L8	S 14°07'00" W	239.07'
L9	S 15°54'31" E	63.94'

RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L5	/S 0°02' W/ (S 03°30'46" W)	/50.4 V/ **93.00**
L7	**S 48°00' W**	



MATCHLINE SEE SHEET 4 OF 5



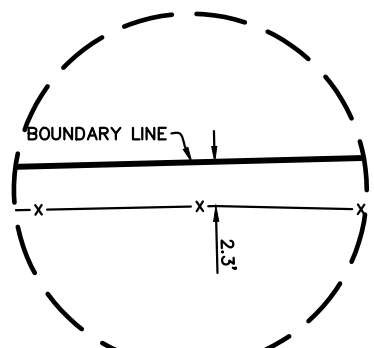
MATCHLINE SEE SHEET 2 OF 5

SCALE: 1"=200'  
SHEET 3  
OF 5

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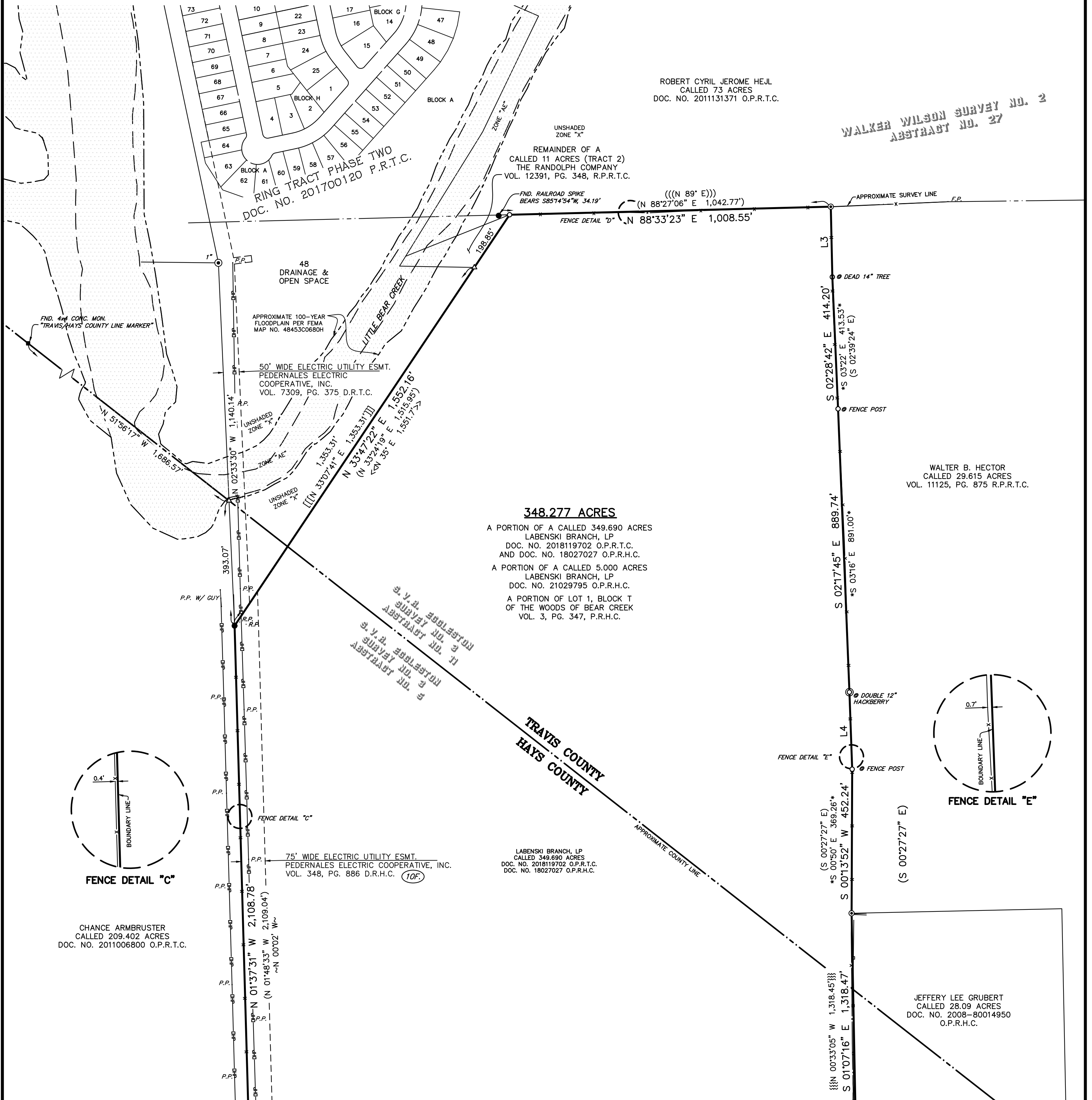
# Exhibit A



FENCE DETAIL "D"

LINE TABLE		
NUMBER	BEARING	DISTANCE
L3	S 01°17'31" E	220.82'
L4	S 02°03'46" E	241.91'

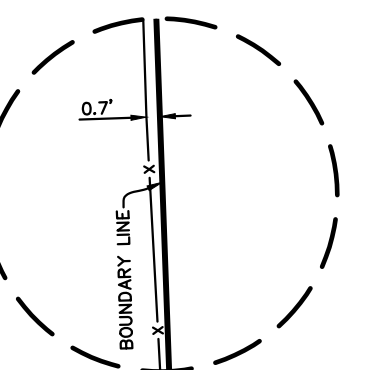
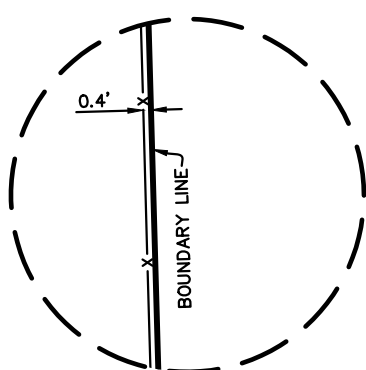
RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L3	*S 02°22' E*	*220.74*
	(S 02°07'00" E)	(291.87')
L4	*S 02°14' E*	*239.60*
	(S 00°27'27" E)	



MATCHLINE SEE SHEET 3 OF 5

CHANCE ARMBRUSTER  
CALLED 209.402 ACRES  
DOC. NO. 2011006800 O.P.R.T.C.

FENCE DETAIL "C"



FENCE DETAIL "E"



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SCALE: 1"=200'  
SHEET 4  
OF 5



# Exhibit A

## METES & BOUNDS DESCRIPTION

FIELD NOTES FOR 348.277 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NOS. 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018119702 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBER 18027027 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 5.000 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 21029795 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND FURTHER BEING A PORTION OF LOT 1, BLOCK T OF THE WOODS OF BEAR CREEK, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS; SAID 348.277 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR POINT OF REFERENCE at a 4x4 Concrete highway monument found on the North right-of-way line of RM 967 (80-foot wide at this point), same being the South line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas; Thence, with the north right-of-way line of said RM 967, N 88°20'06" E a distance of 333.08 feet to a 4x4 Concrete highway monument found for the point of curvature of a curve to the right; Thence, continuing with the east line of said RM 967, along said curve to the right, an arc distance of 143.59 feet, having a radius of 560.87 feet, a central angle of 14°40'05" and a chord which bears S 84°19'51" E a distance of 143.20 feet to a calculated point for corner marking the most westerly corner of Tract "C" as dedicated to the State of Texas by Right-of-way Deed recorded in Volume 146, Page 335 of the Deed Records of Hays County, Texas; Thence, continuing with the north right-of-way of said RM 967, N 88°30'13" E a distance of 386.32 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 217.17 acre tract and at the southwest corner of the above described 5.000 acre tract, from which a 60d nail found at the northeast corner of said Tract "C", and at an interior corner of said 349.690 acre tract, bears N 88°30'13" E a distance of 37.14 feet; Thence, generally along a fence, with the line common to said 217.17 acre tract and said 5.000 acre tract, N 14°47'39" E, pass a 1/2-inch iron pipe found at a fence corner at a distance of 6.33 feet, and continuing on for a total distance of 59.93 to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most westerly southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, continuing generally along a fence, with the line common to said 217.17 acre tract and said 5.000 acre tract, the following three (3) courses:

- 1) N 14°47'39" E a distance of 1,799.53 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 15°43'56" E a distance of 240.62 feet to a 1/2-inch iron pipe found at an interior corner of said 217.17 acre tract and at the northwest corner of said 5.000 acre tract, for an exterior corner of the herein described tract; and
- 3) N 88°33'17" E a distance of 150.28 feet to a 1/2-inch iron rod found at an exterior corner of said 217.17 acre tract, and at an exterior corner of the remaining portion of said 349.690 acre tract, for an interior corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract, the following three (3) courses:

- 1) N 01°14'08" W a distance of 788.84 feet to a 1/2-inch iron pipe found for an angle point;
- 2) N 01°24'34" W a distance of 622.22 feet to a 1/2-inch iron rod found for an angle point; and
- 3) N 01°44'45" W a distance of 1,882.30 feet to a 1/2-inch iron rod found for an angle point;

THENCE, generally along a fence, continuing with the west line of said 349.690 acre tract and continuing partly with the east line of said 217.17 acre tract and partly the east line of a called 209.402 acre tract of land as conveyed to Chance Armbruster by Special Warranty Deed recorded in Document Number 2011006800 of the Official Public Records of Travis County, Texas, N 01°37'31" W a distance of 2,108.78 feet to a 1/2-inch iron rod found at the most southerly corner of RING TRACT PHASE TWO, a subdivision recorded in Document Number 201700120 of the Plat Records of Travis County, Texas, for the most westerly northwest corner of the herein described tract, from which a 1-inch iron pipe found for an angle point on the west line of said RING TRACT PHASE TWO, bears N 02°33'30" W a distance of 1,140.14 feet;

THENCE, partly with the southeast line of said RING TRACT PHASE TWO and partly with the southeast line of the remainder of a called 11 acre tract of land described as Tract 2 as conveyed to The Randolph Company by Correction Warranty Deed recorded in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, N 33°47'22" E a distance of 1,552.16 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a called 73 acre tract of land as conveyed to Robert Cyril Jerome Hejl by Executor's Deed recorded in Document Number 2011131371 of the Official Public Records of Travis County, Texas, at the most easterly corner of said 11 acre tract, for the most northerly northwest corner of the herein described tract, from which a found Railroad Spike bears S 85°14'54" W a distance of 34.19 feet;

THENCE, generally along a fence, with the south line of said 73 acre tract and the north line of said 349.690 acre tract, N 88°33'23" E a distance of 1,008.55 feet to a 1/2-inch iron pipe found at the northwest corner of a called 29.615 acre tract of land as conveyed to Walter B. Hector by General Warranty Deed recorded in Volume 11125, Page 875 of the Real Property Records of Travis County, Texas, and at the northeast corner of said 349.690 acre tract, for the northeast corner of the herein described tract;

THENCE, generally along a fence, with the west line of said 29.615 acre tract and the east line of said 349.690 acre tract, the following five (5) courses:

- 1) S 01°17'31" E a distance of 220.82 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a 14-inch dead tree;
- 2) S 02°28'42" E a distance of 414.20 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post;
- 3) S 02°17'45" E a distance of 889.74 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a double trunk 12-inch Hackberry;
- 4) S 02°03'46" E a distance of 241.91 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post; and
- 5) S 00°13'52" W a distance of 452.24 feet to a 1/2-inch iron pipe found at the northwest corner of a called 28.09 acre tract of land as conveyed to Jeffery Lee Grubert by Warranty Deed with Vendor's Lien recorded in Document Number 2008-80014950 of the Official Public Records of Hays County, Texas, for an angle point;

THENCE, with the west line of said 28.09 acre tract and the east line of said 349.690 acre tract, S 01°07'16" E a distance of 1,318.47 feet to 1/2-inch iron pipe found at the southwest corner of said 28.09 acre tract, and at the northwest corner of a called 97.36 acre tract of land described as "First Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the west line of said 97.36 acre tract and the east line of said 349.690 acre tract, the following seven (7) courses:

- 1) S 01°58'05" E a distance of 140.05 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) S 04°43'07" W a distance of 684.44 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) S 01°57'53" E a distance of 291.67 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 4) S 01°18'09" E a distance of 416.20 feet to a 1/2-inch iron rod found for an angle point;
- 5) S 01°46'48" E a distance of 310.90 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 6) S 01°45'49" W a distance of 241.89 feet to a 60d nail found in a dead tree for an angle point; and
- 7) S 01°50'33" E a distance of 288.45 feet to a 26-inch Live Oak found at a west corner of said 97.36 acre tract, and at the northwest corner of a called 98.01 acre tract of land described as Second Tract as conveyed to Gene Ledoux by Deed recorded in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron pipe bears S 19°11'27" E a distance of 28.07 feet;

THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 98.01 acre tract, the following six (6) courses:

- 1) S 55°03'49" W a distance of 24.59 feet to a 1/2-inch iron rod found for an angle point;
- 2) S 56°08'39" W a distance of 85.68 feet to a 60d nail found in a fence post for an angle point;
- 3) S 14°07'00" W a distance of 239.07 feet to a 15-inch Cedar Elm for an angle point;
- 4) S 15°54'31" E a distance of 63.94 feet to a 60d nail found on the east side of a 21-inch Live Oak for an angle point;
- 5) S 08°18'35" W a distance of 463.00 feet to a 1/2-inch iron rod found for an angle point; and
- 6) S 07°22'38" W a distance of 455.90 feet to a 1/2-inch iron rod in concrete found at the apparent north corner of a graveyard as described in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, continuing generally along a fence, with the east line of said 349.690 acre tract, S 25°57'19" W a distance of 31.27 feet to a 60d nail found in the fence, for an angle point;

THENCE, continuing generally along a fence, with the east line of said 349.690 acre tract, S 39°05'02" W a distance of 272.60 feet to a 60d nail found at the most northerly northwest corner of a called 81.67 acre tract of land as conveyed to Robert Rembert Guinn and Nina Guinn by Deed recorded in Volume 1001, Page 24 of the Deed Records of Hays County, Texas, being further described in Volume 158, Page 362 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 51°26'41" W a distance of 333.89 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 25°00'46" W a distance of 238.99 feet to a 1/2-inch iron rod found at the most northerly corner of CREEKSIDE PARK SECTION TWO P.U.D., a subdivision recorded in Volume 8, Page 283 of the Plat Records of Hays County, Texas, and at the most westerly northwest corner of said 81.67 acre tract, for an angle point;

THENCE, generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S 24°36'19" W a distance of 35.08 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S 24°16'53" W a distance of 999.38 feet to a 1/2-inch iron rod found at an interior corner of said CREEKSIDE PARK SECTION TWO P.U.D., for the southeast corner of the herein described tract;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION TWO P.U.D. and the south line of said 349.690 acre tract, N 87°58'40" W a distance of 9.41 feet to a 1/2-inch iron rod found at a westerly corner of said CREEKSIDE PARK SECTION TWO P.U.D., and at the northeast corner of CREEKSIDE PARK SECTION ONE P.U.D., a subdivision recorded in Volume 8, Page 103 of the Plat Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 89°22'26" W a distance of 182.09 feet to a 1/2-inch iron rod found for an angle point;

THENCE, continuing with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 85°18'14" W a distance of 140.04 feet to a calculated point on the southeast line of Lot 1, Block T of THE WOODS OF BEAR CREEK, a subdivision recorded in Volume 3, Page 347 of the Plat Records of Hays County, Texas, lying in the center of Garlic Creek;

THENCE, with the northwest lines of said CREEKSIDE PARK SECTION ONE P.U.D., the southeast lines of said Lot 1, Block T, the southeast lines of said 349.690 acre tract, and the meanders of Garlic Creek, the following seven (7) courses:

- 1) S 62°49'33" W a distance of 229.00 feet to a calculated angle point;
- 2) S 88°24'33" W a distance of 97.00 feet to a calculated angle point;
- 3) S 60°06'42" W a distance of 262.00 feet to a calculated angle point;
- 4) S 21°49'52" W a distance of 64.00 feet to a calculated angle point;
- 5) S 56°52'57" W a distance of 208.35 feet to a calculated angle point;
- 6) S 48°06'33" W a distance of 92.00 feet to a calculated angle point; and
- 7) S 62°01'33" W a distance of 88.26 feet to a calculated point on the east right-of-way of said RM 967 (width varies at this point), at the northwest corner of said CREEKSIDE PARK SECTION ONE P.U.D., at the southwest corner of said Lot 1, Block T, and at the southwest corner of said 349.690 acre tract, for the most southerly southwest corner of the herein described tract;

THENCE, over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, N 00°22'18" E a distance of 263.17 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a called 0.1337 acre tract of land as conveyed to the City of Buda, Texas by Special Warranty Deed recorded in Document Number 14037969 of the Official Public Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron rod set at the southwest corner of said 0.1337 acre Lift Station bears N 89°37'42" W a distance of 14.67 feet;

THENCE, with the perimeter of said 0.1337 acre Lift Station tract the following three (3) courses:

- 1) S 89°37'42" E a distance of 85.03 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
- 2) N 00°22'18" E a distance of 65.00 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the northeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract; and
- 3) N 89°37'42" W a distance of 71.90 feet to a calculated point for the beginning of a non-tangent curve to the left and an exterior corner of the herein described tract;

THENCE, over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the left, an arc distance of 177.53 feet, having a radius of 127.00 feet, a central angle of 80°05'36" and a chord which bears N 21°02'27" E a distance of 163.43 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for a point of reverse curvature;

THENCE, continuing over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the right, an arc distance of 80.89 feet, having a radius of 168.00 feet, a central angle of 27°35'08" and a chord which bears N 05°12'47" W a distance of 80.11 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

THENCE, continuing over and across said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, S 88°30'13" W a distance of 16.72 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the beginning of a non-tangent curve to the right and an exterior corner of the herein described tract;

THENCE, continuing over and across said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the right, an arc distance of 30.82 feet, having a radius of 184.33 feet, a central angle of 09°34'51" and a chord which bears N 12°22'05" E a distance of 30.79 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

THENCE, continuing over and across said 349.690 acre tract and said 5.000 acre tract, with a northerly proposed right-of-way line of RM 967, N 74°14'59" W a distance of 93.22 feet to the POINT OF BEGINNING and containing 348.277 acres of land, more or less.

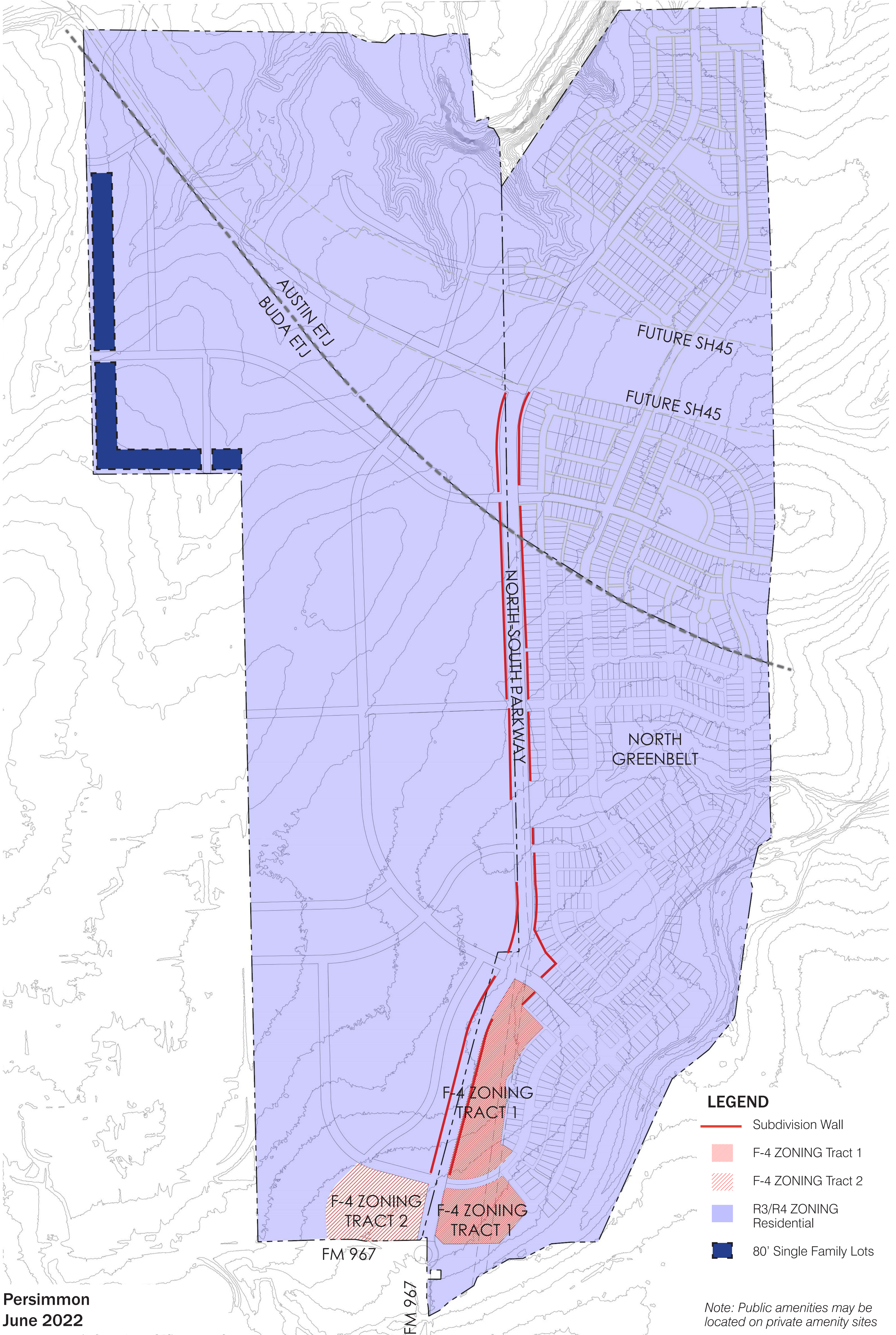
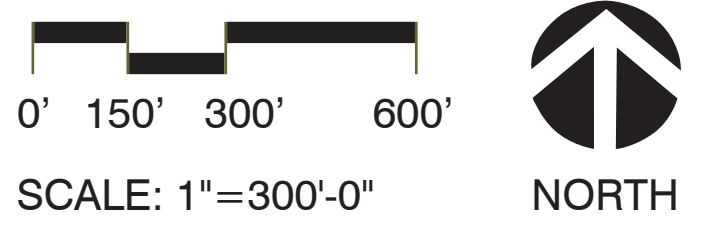


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TBPELS Licensed Surveying Firm No. 10106502

SCALE: N/A  
SHEET 5  
OF 5



# EXHIBIT B - CONCEPTUAL PLAN



- LEGEND**
- Subdivision Wall
  - F-4 ZONING Tract 1
  - F-4 ZONING Tract 2
  - R3/R4 ZONING Residential
  - 80' Single Family Lots

Note: Public amenities may be located on private amenity sites



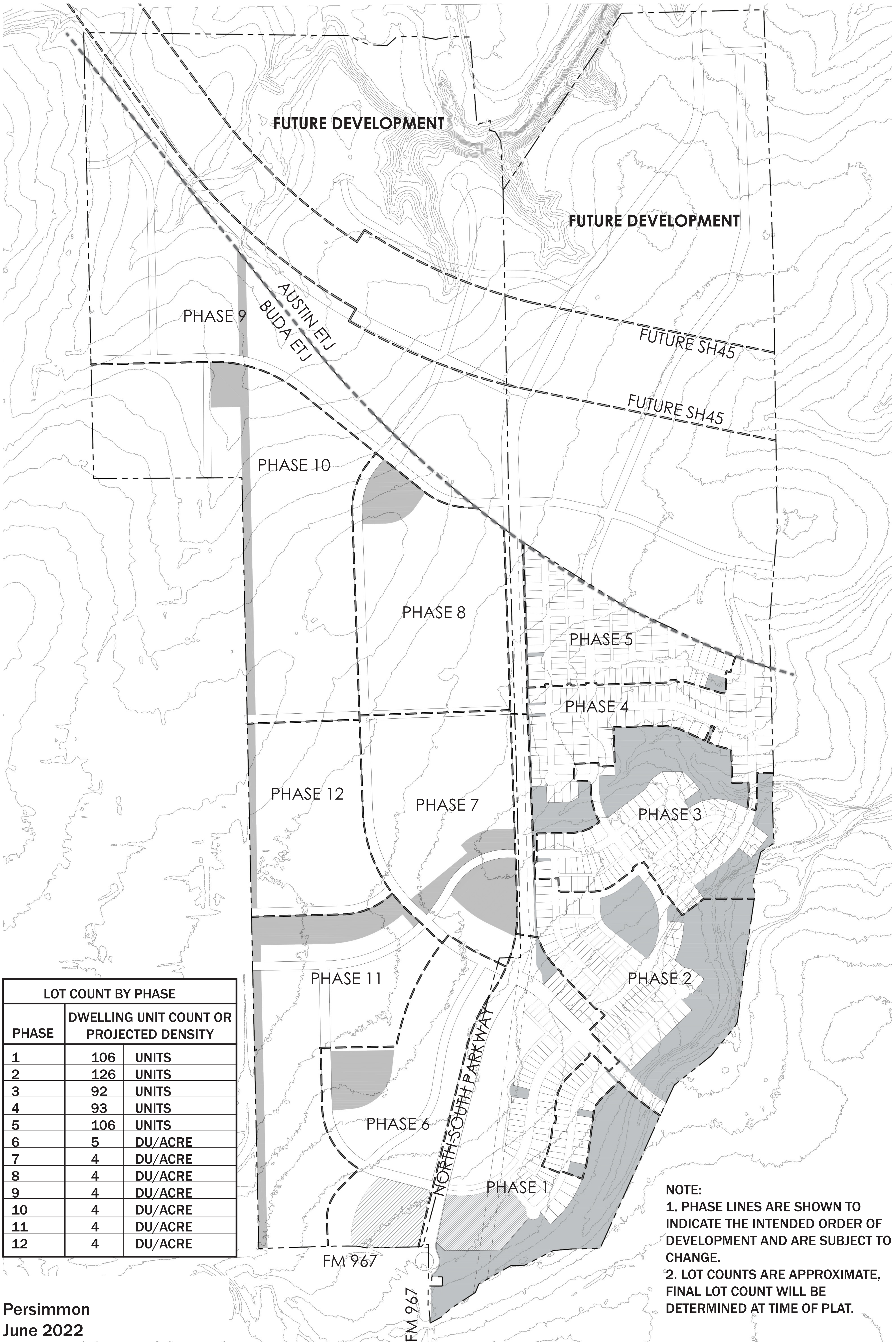
# EXHIBIT C - PHASING PLAN

0' 150' 300' 600'



SCALE: 1"=300'-0"

NORTH



LOT COUNT BY PHASE		
PHASE	DWELLING UNIT COUNT OR PROJECTED DENSITY	
1	106	UNITS
2	126	UNITS
3	92	UNITS
4	93	UNITS
5	106	UNITS
6	5	DU/ACRE
7	4	DU/ACRE
8	4	DU/ACRE
9	4	DU/ACRE
10	4	DU/ACRE
11	4	DU/ACRE
12	4	DU/ACRE

**NOTE:**  
 1. PHASE LINES ARE SHOWN TO INDICATE THE INTENDED ORDER OF DEVELOPMENT AND ARE SUBJECT TO CHANGE.  
 2. LOT COUNTS ARE APPROXIMATE, FINAL LOT COUNT WILL BE DETERMINED AT TIME OF PLAT.



# EXHIBIT D - BUBBLE PLAN

0' 150' 300' 600'

SCALE: 1"=300'-0"



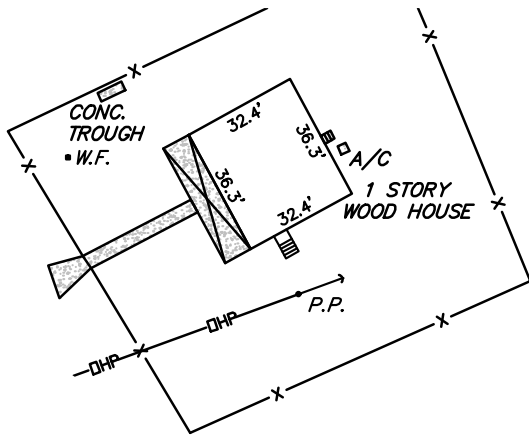
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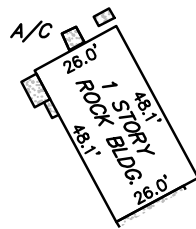
Persimmon  
June 2022



EXHIBIT E - AMENITY CONCEPT



DAIRY HOUSE



DAIRY BARN



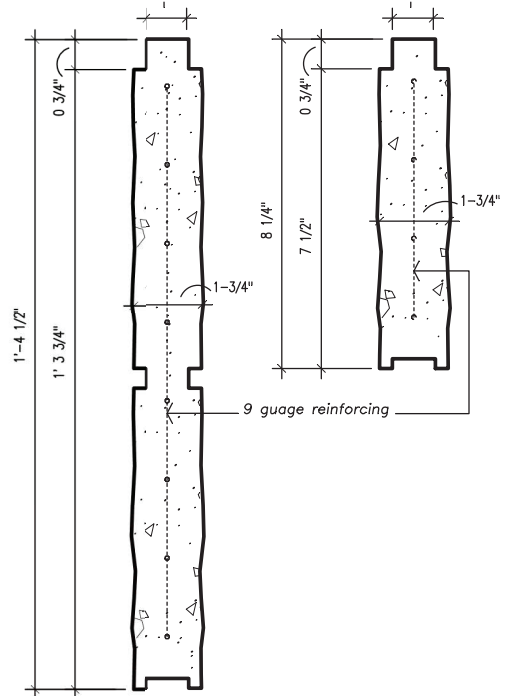
Historic precedent image







Split-Face CMU Style Concrete Fence



Typical Panel Sections

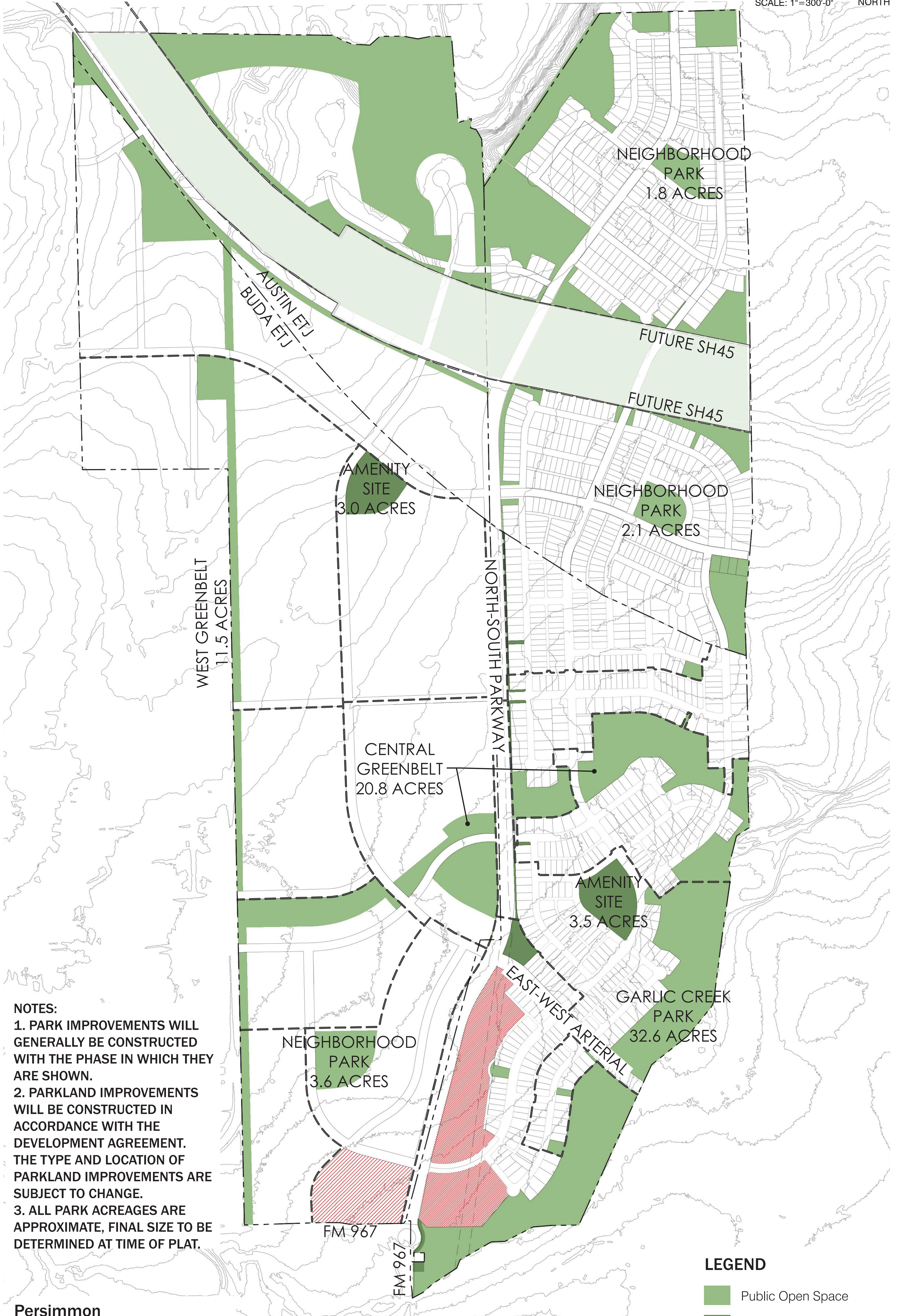
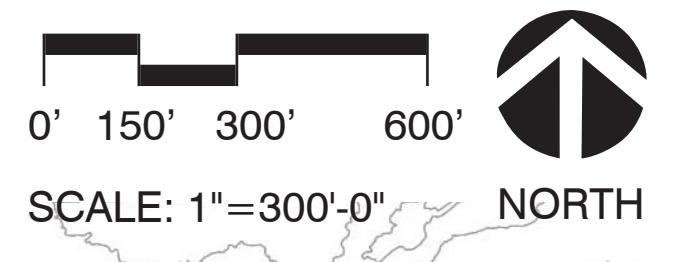


Post-Tension Rock Wall

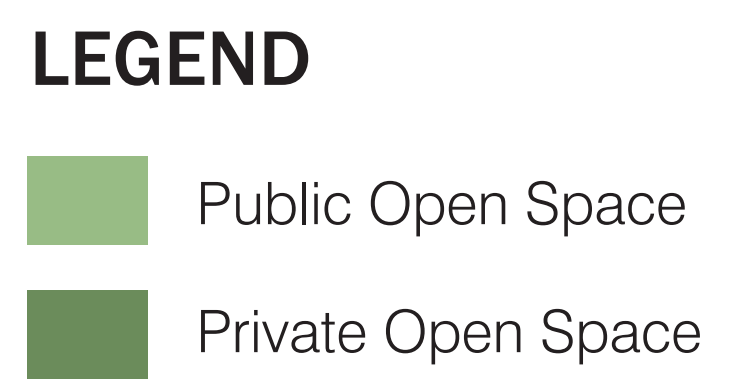
The subdivision wall shall be no less than six (6) feet and no more than eight (8) feet tall and shall be constructed of one of the above styles.



# EXHIBIT G - PARKLAND IMPROVEMENTS

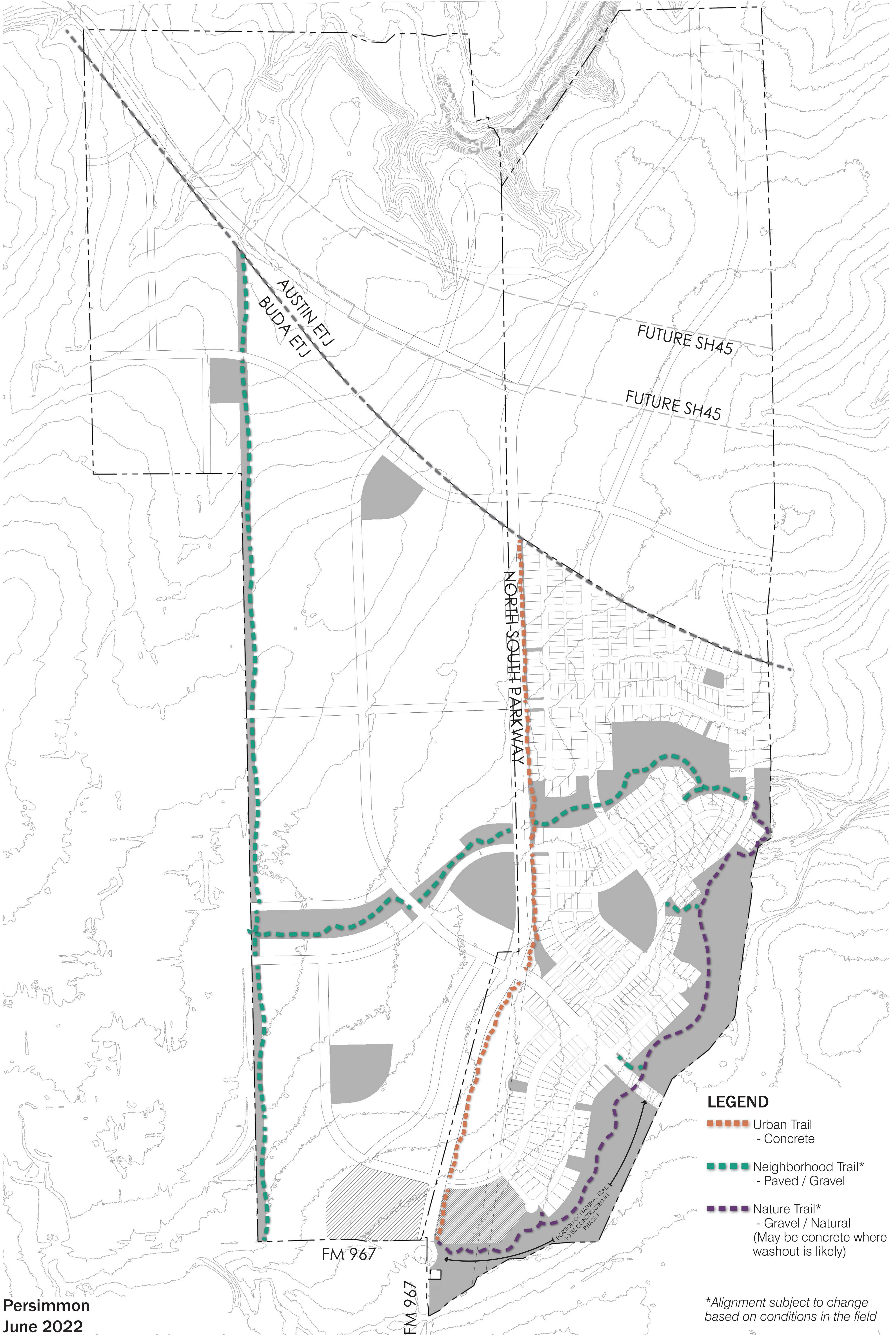
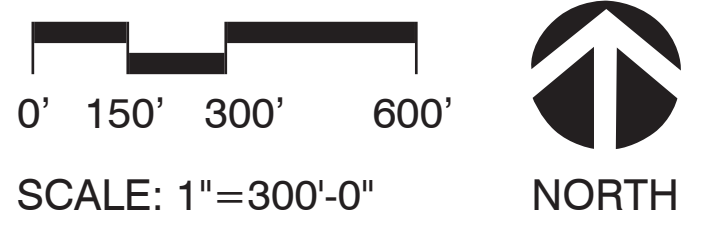


- NOTES:**
1. PARK IMPROVEMENTS WILL GENERALLY BE CONSTRUCTED WITH THE PHASE IN WHICH THEY ARE SHOWN.
  2. PARKLAND IMPROVEMENTS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT. THE TYPE AND LOCATION OF PARKLAND IMPROVEMENTS ARE SUBJECT TO CHANGE.
  3. ALL PARK ACREAGES ARE APPROXIMATE, FINAL SIZE TO BE DETERMINED AT TIME OF PLAT.





# EXHIBIT H - TRAILS PLAN



## LEGEND

- Urban Trail  
- Concrete
- Neighborhood Trail\*  
- Paved / Gravel
- Nature Trail\*  
- Gravel / Natural  
(May be concrete where washout is likely)

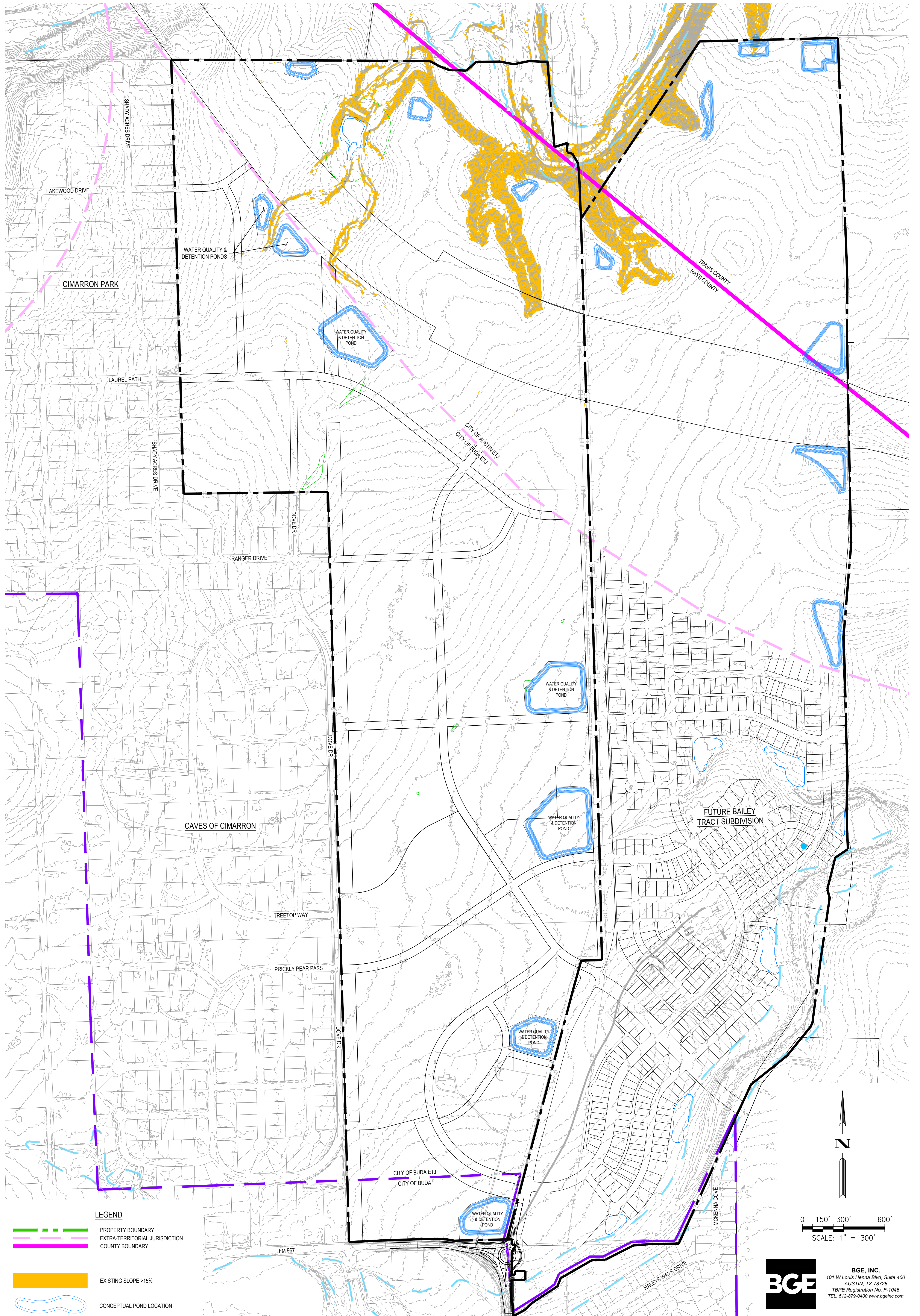
\*Alignment subject to change based on conditions in the field



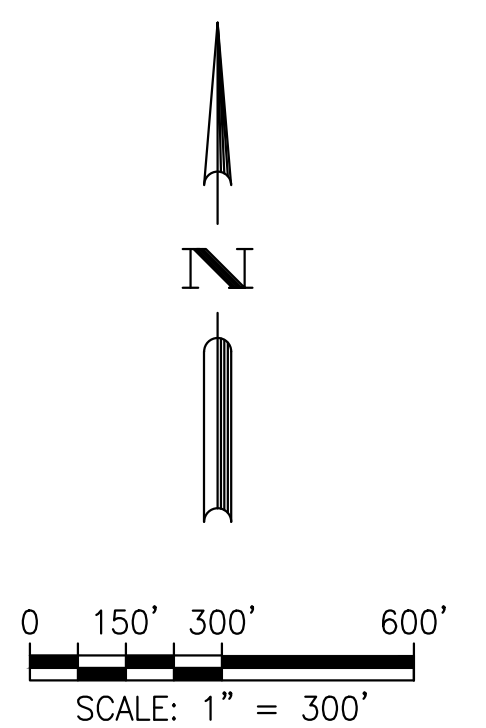
# PERSIMMON

## OVERALL DEVELOPMENT AREA

JULY 18, 2022



- LEGEND**
- PROPERTY BOUNDARY
  - EXTRA-TERRITORIAL JURISDICTION
  - COUNTY BOUNDARY
  - EXISTING SLOPE >15%
  - CONCEPTUAL POND LOCATION



**BGE**  
**BGE, INC.**  
 101 W Louis Henna Blvd, Suite 400  
 AUSTIN, TX 78728  
 TBPE Registration No. F-1046  
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G:\TXC\Projects\Milestone\6674-00\_Bailey\_Prelim\03\_CADD\05\_Exhibits\Ambruster\_Tract\2022-07-15 Overall Development Area.dwg Layout: EXHIBIT A\_Plotlet: 7/18/2022 9:54:01 AM By: MSULLIVAN



## 1. Codes and Energy Performance

### Intent

To build a green building rated home, which must comply, at a minimum to meet all current codes and laws associated with the built environment. These codes are in place to assure energy-efficient quality buildings and protect the health and safety of building occupants, our community, and the natural environment.

### Requirements

All new construction residential buildings, as defined by the 2015 IECC as amended by the City of Austin, shall meet all current City of Austin Codes as amended.

- City of Austin Energy Code compliance can be met by one of the following methods:
  - o Minimum percentage above code required shall be 0% using International Code Compliance Calculator (IC3),
  - OR
  - o Maximum Energy Rating Index (ERI) value of 59.

## 2. HVAC Efficiency and Design

### Intent

To reduce energy use and increase occupant comfort through energy-efficient and climate-appropriate design and appropriate sizing of mechanical cooling systems.

### Requirements

Meet all of the following:

- Cooling and heating equipment and duct sizing based on complete and accurate manual J and manual D calculations.
- Design home such that 600 sq. ft. of living space per ton of cooling is met. Homes smaller than 900 sq. ft. must be equipped with a mini-split or other appropriate system
- Cooling equipment minimum efficiency for split systems 15 SEER / 12 EER
  - o Gas furnace rated at 80 AFUE or greater
  - o Heat Pump rated at 8.2 HSPF or greater
- Ductwork is masked/sealed at supplies and returns during construction
- Ceiling registers: curved blade-type--fixed or adjustable

## 3. Insulation Installation

### Intent

To reduce energy use and increase occupant comfort through energy efficient and climate appropriate Design

### Requirements

## EXHIBIT J – 1 STAR ENERGY ELEMENTS

Meet all of the following:

- Insulation installation meets 2015 IECC criteria and ENERGY STAR Grade I requirements, including
- insulated headers, 2-stud corners, and ladder blocking
- Insulation contains no added urea formaldehyde

### **4. Skylights**

#### **Intent**

To reduce heat gain and heat loss associated with skylights

#### **Requirements**

Meet one of the following:

- No skylights in the conditioned space  
OR
- Any skylights installed meet current ENERGY STAR criteria for SHGC and U-Factor

### **5. Indoor Environmental Quality**

#### **Intent**

To reduce air contaminants that are odorous or potentially irritating and unhealthy for both installers and occupants

#### **Requirements**

Meet all of the following:

- Exhaust fans for bathrooms with a tub or shower:
  - o Must vent to the outside
- Range hood exhaust vents to outside
- Low-VOC (volatile organic compound) interior wall and ceiling paint:
  - o Max VOC level of 50 grams per liter
  - o City of Austin recycled paint

### **6. Electrical**

#### **Intent**

To install ENERGY STAR appliances, which incorporate advanced technologies that use 10–50% less energy and water than standard models. The money saved on utility bills can make up for the cost of a more expensive but very efficient ENERGY STAR model.

#### **Requirements**

Meet all of the following:

- Incorporate a minimum of 4 ENERGY STAR rated appliances and fixtures; no more than 2 of any item type in this measure or combined with Energy 6.
- Install a minimum of two ceiling fans within the conditioned space

## **7. Homeowner Education**

### **Intent**

To provide homeowners with information about their homes so that they may more efficiently operate and maintain them.

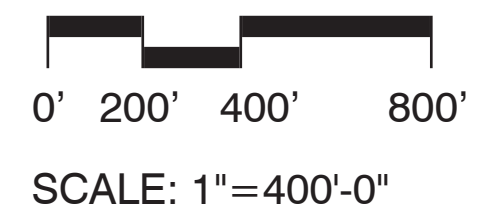
### **Requirements**

Provide the following to the homeowner:

- Warranty information for home systems, appliances, and coatings
- Walk-through review of home system and appliance operations and maintenance
- Cover at a minimum:
  - o Heating and air conditioning and ventilation system – filter types and changes, annual maintenance, and condensate overflow
  - o Water heater operation and annual maintenance, plumbing system temperature and other settings, shut-off valve location, and freeze prevention
  - o Kitchen appliance operation
  - o Vent fan operation
  - o Irrigation system operation and maintenance
  - o Landscape plant establishment and maintenance information
  - o Gutter maintenance
  - o Exterior cladding maintenance
  - o Decking maintenance
  - o Flooring and/or floor coating maintenance
  - o Pest control
  - o Fire and CO2 alarm system warnings and maintenance
  - o Electrical panel location and basic electrical safety information
  - o Gas system safety related to appliance operation
  - o Location of all operations and maintenance manuals



# EXHIBIT K - NORTH/SOUTH PARKWAY SEGMENTS, EAST/WEST ARTERIAL AND ADDITIONAL OFF-SITE ROADWAY IMPROVEMENTS



**NOTE:**  
ROADWAY ALIGNMENT SUBJECT TO CHANGE  
BASED ON CONDITIONS IN THE FIELD

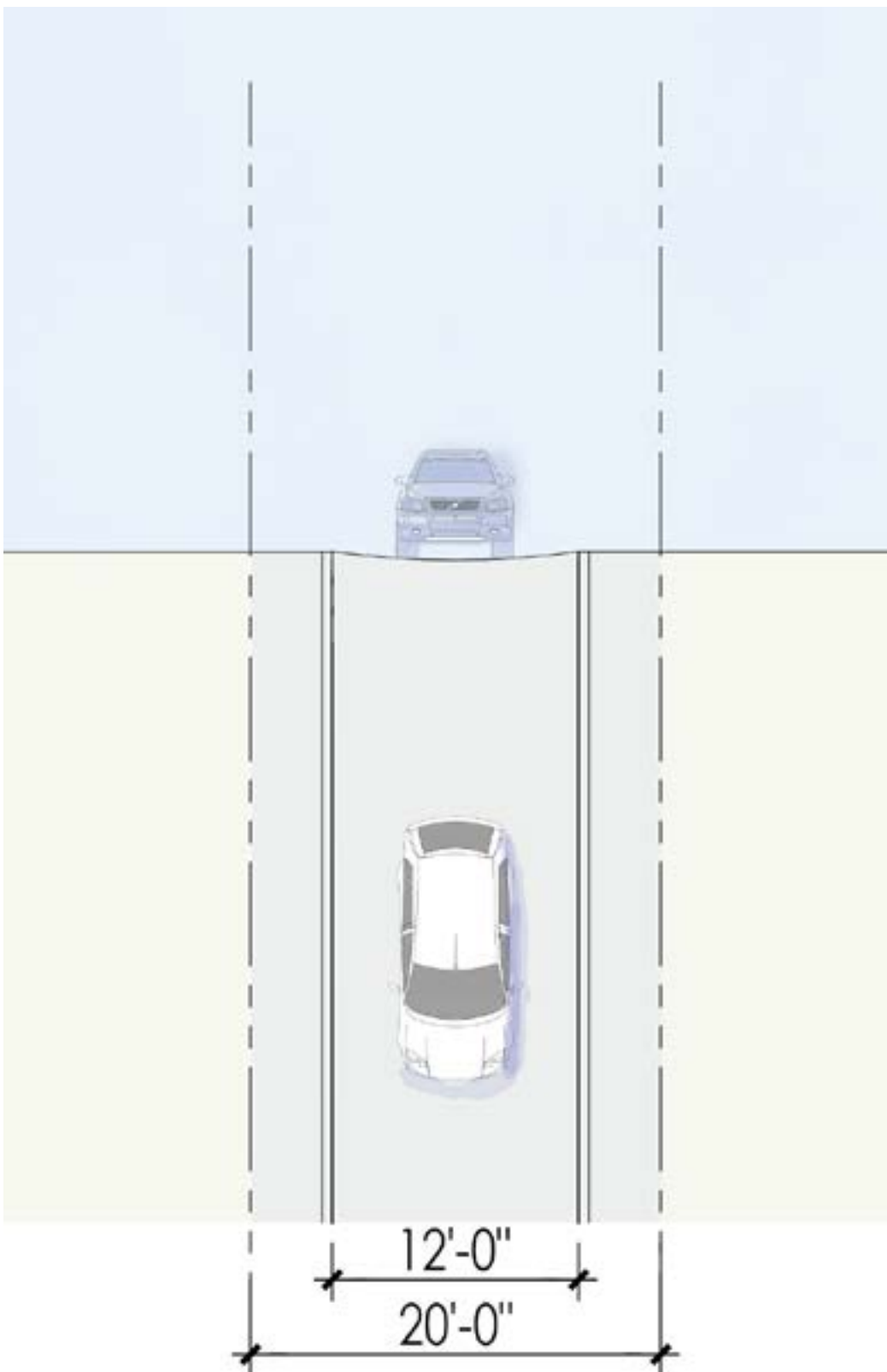


## LEGEND

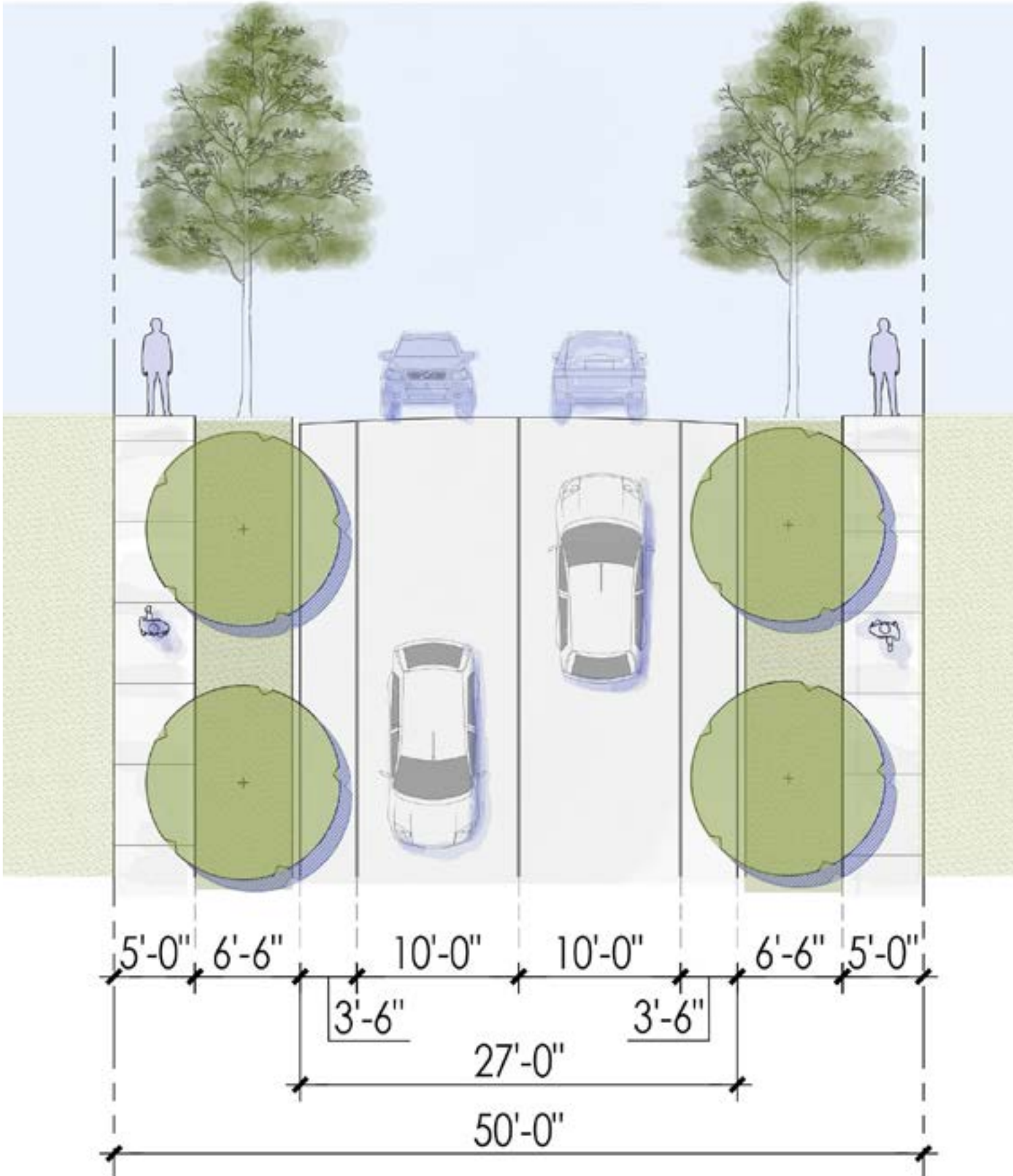
- FM 967 Intersection
- Hunt Road
- North/South Parkway
- 1626 Connector
- x Roadway Phasing



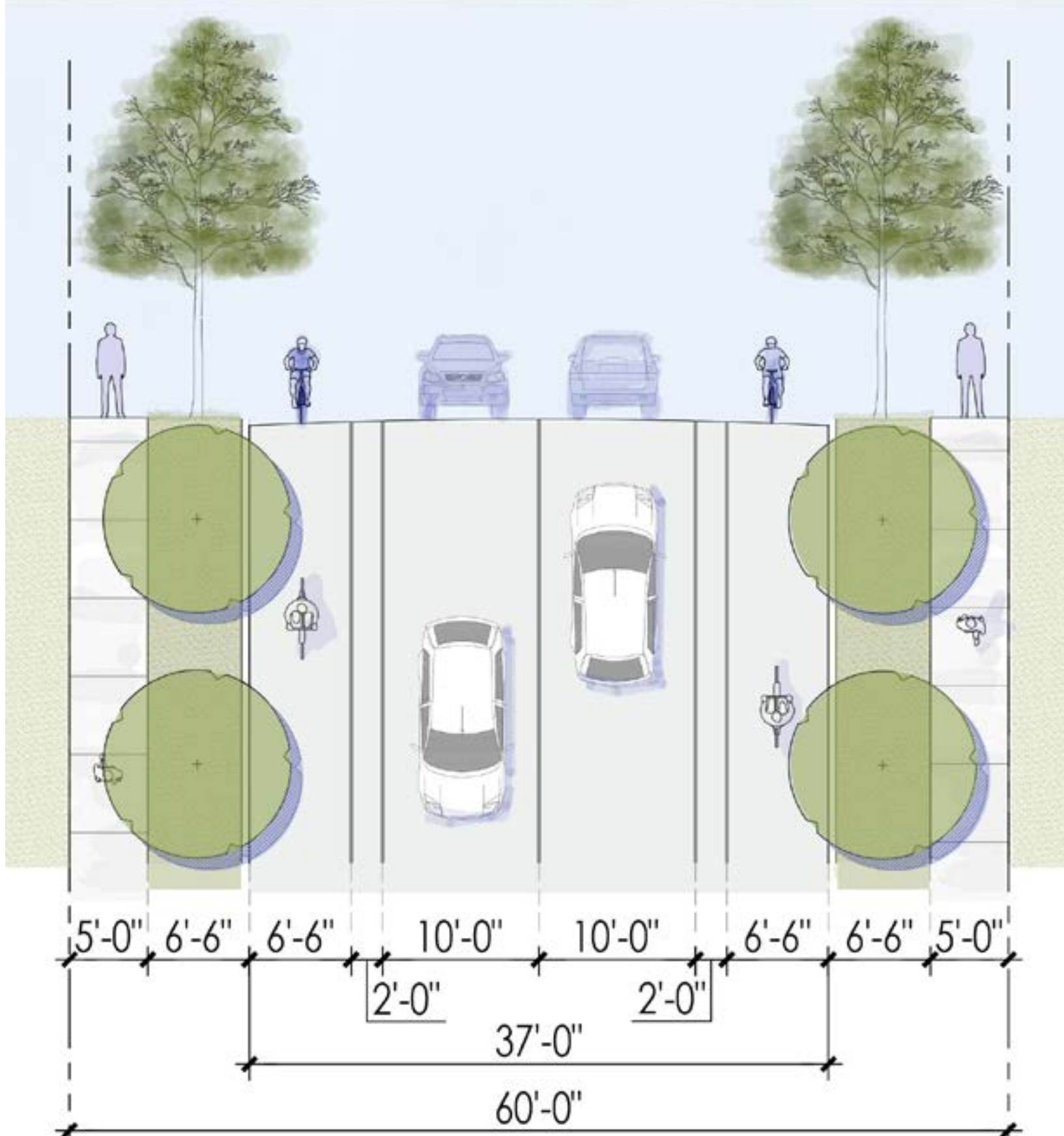
# EXHIBIT L - DEPICTION OF RIGHT-OF-WAY DEDICATIONS AND SUBDIVISION STREET CROSS-SECTIONS



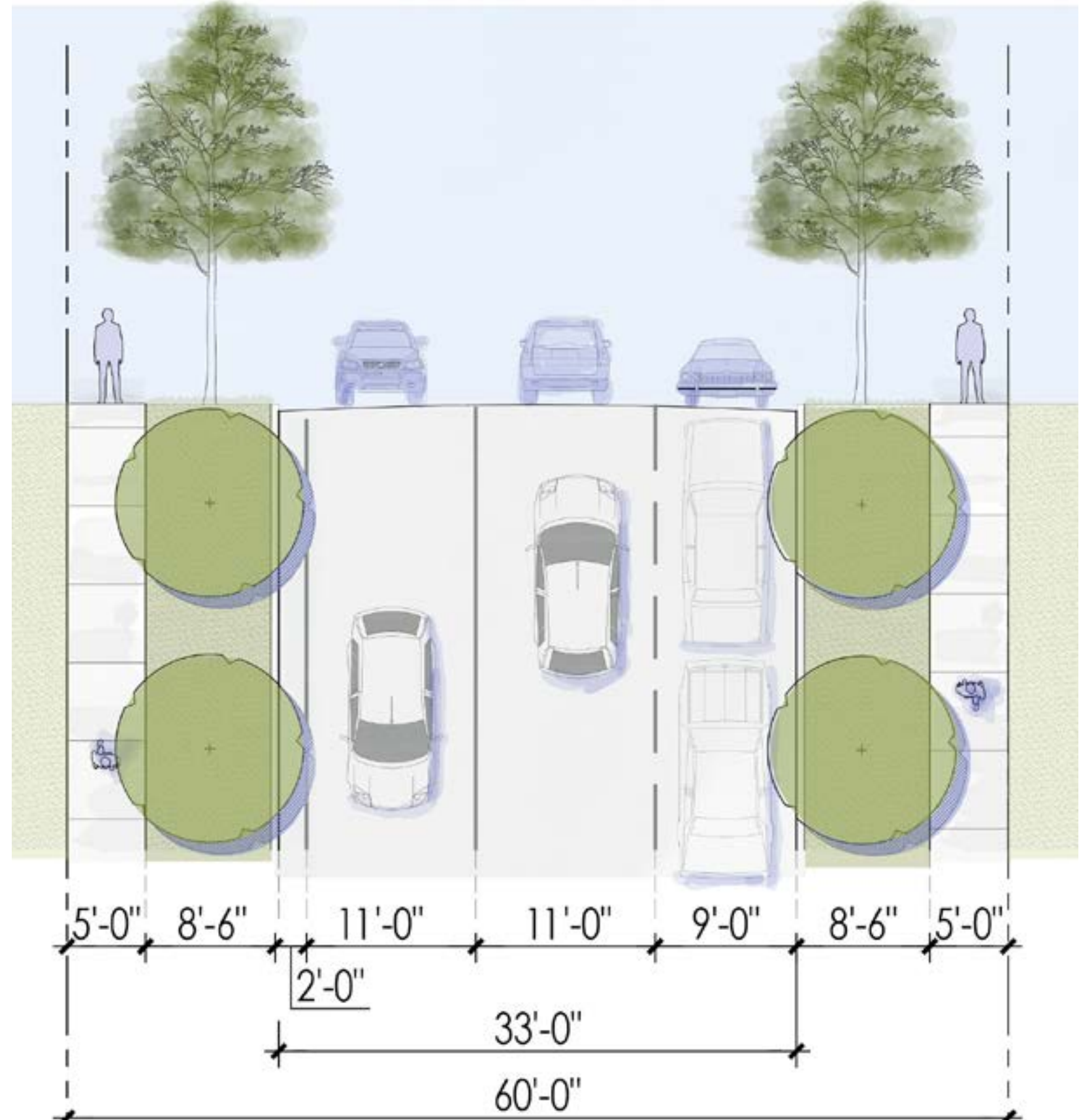
20' REAR LOADED ALLEY



50' NEIGHBORHOOD LOCAL



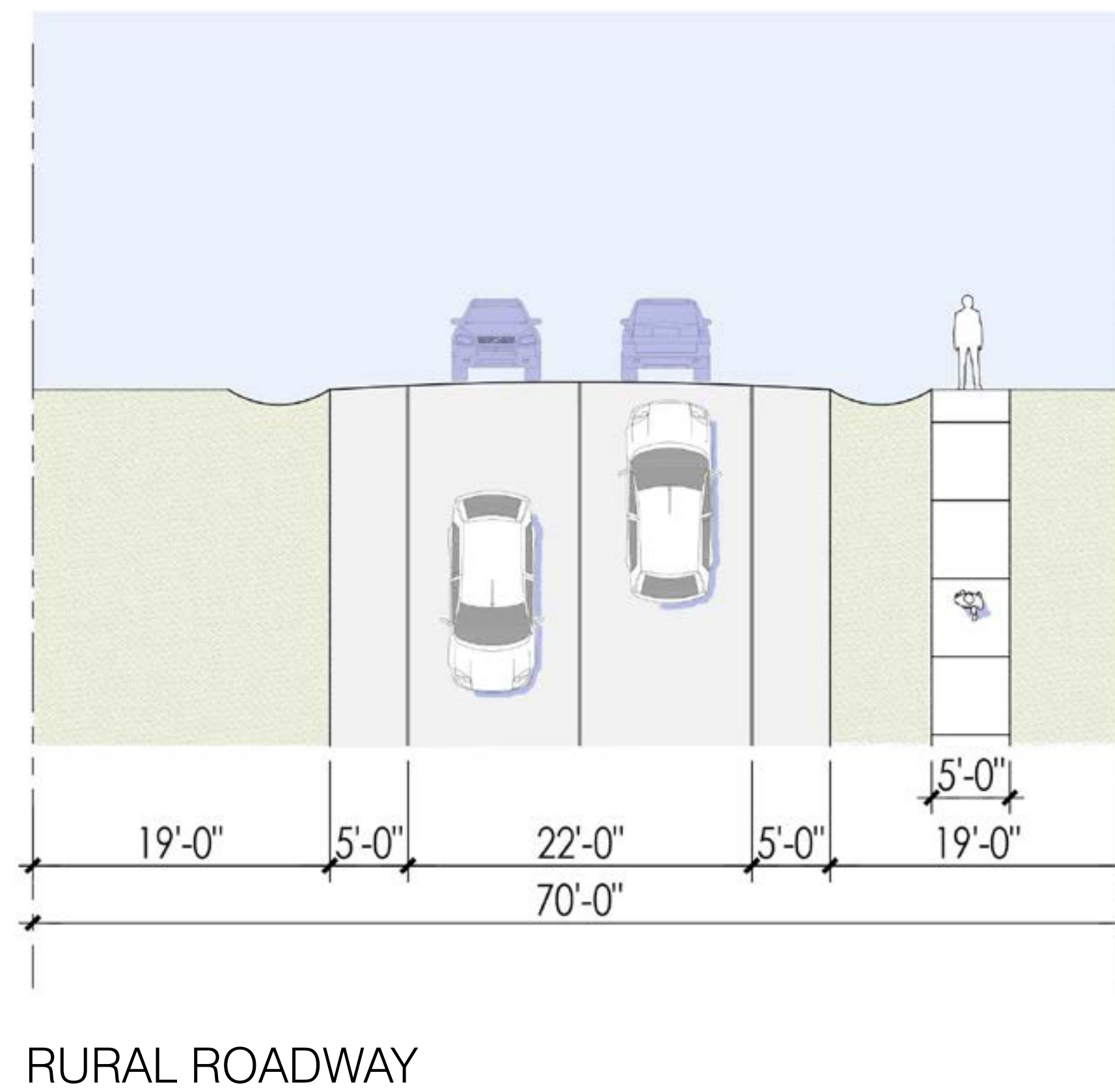
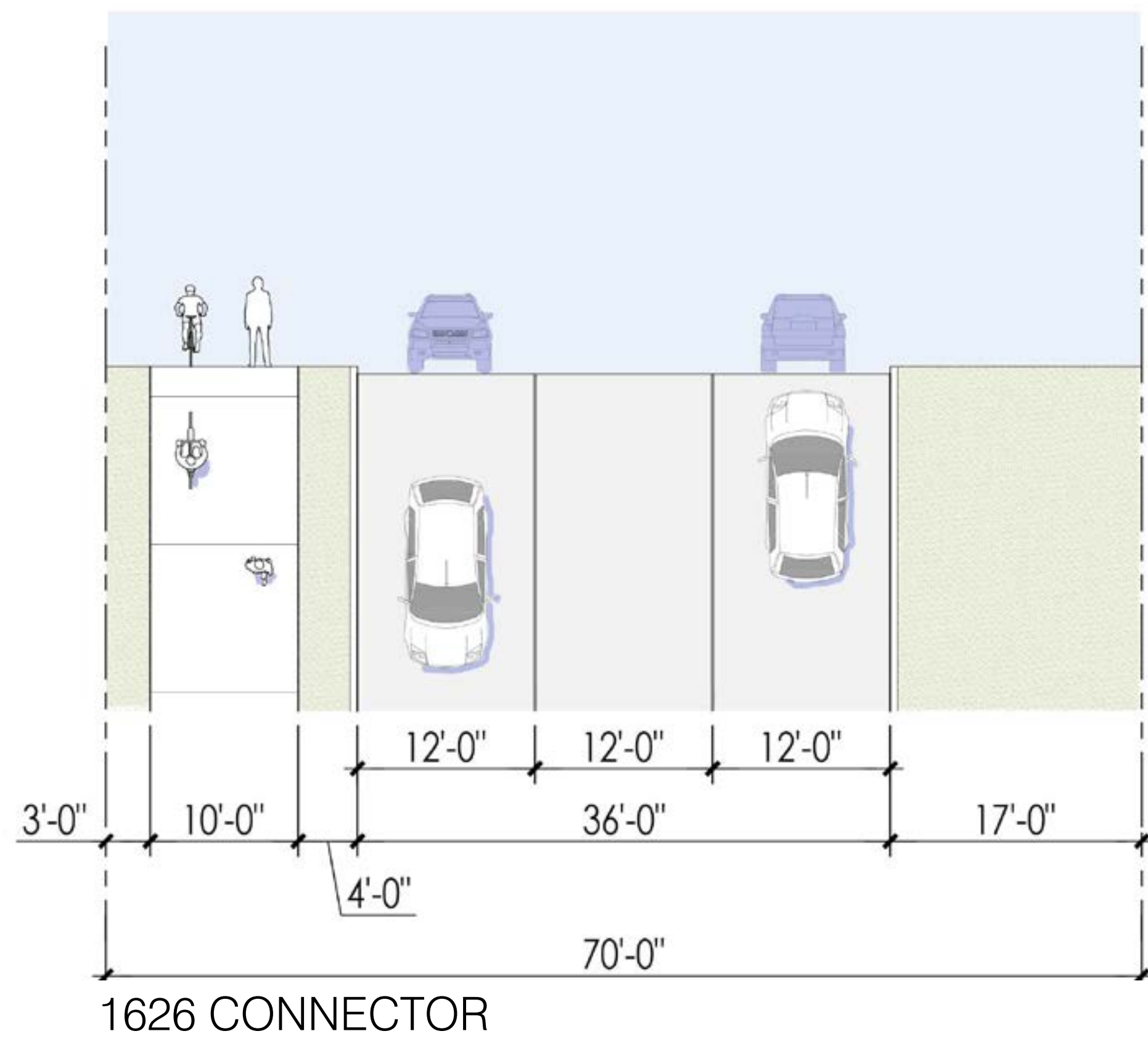
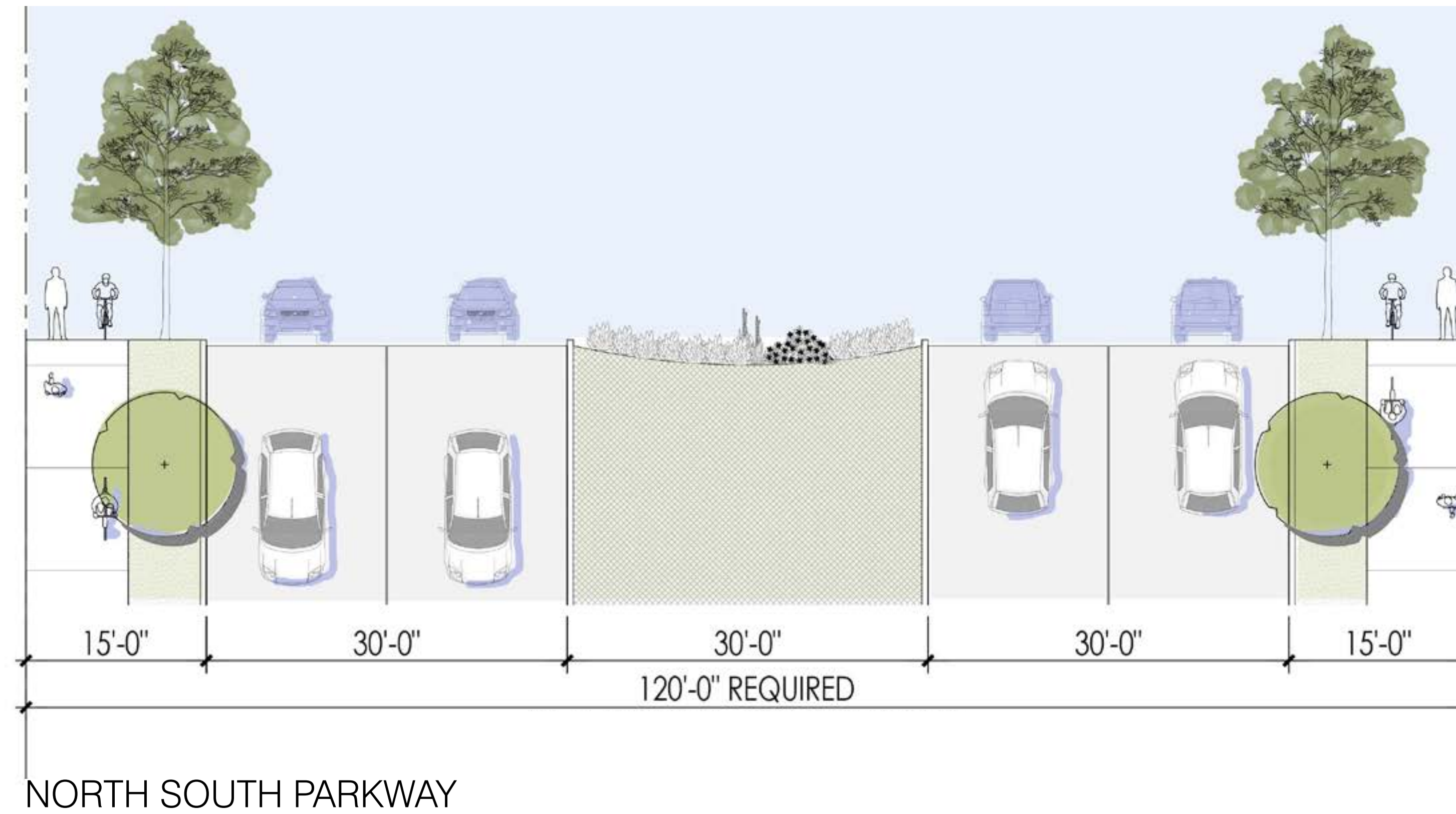
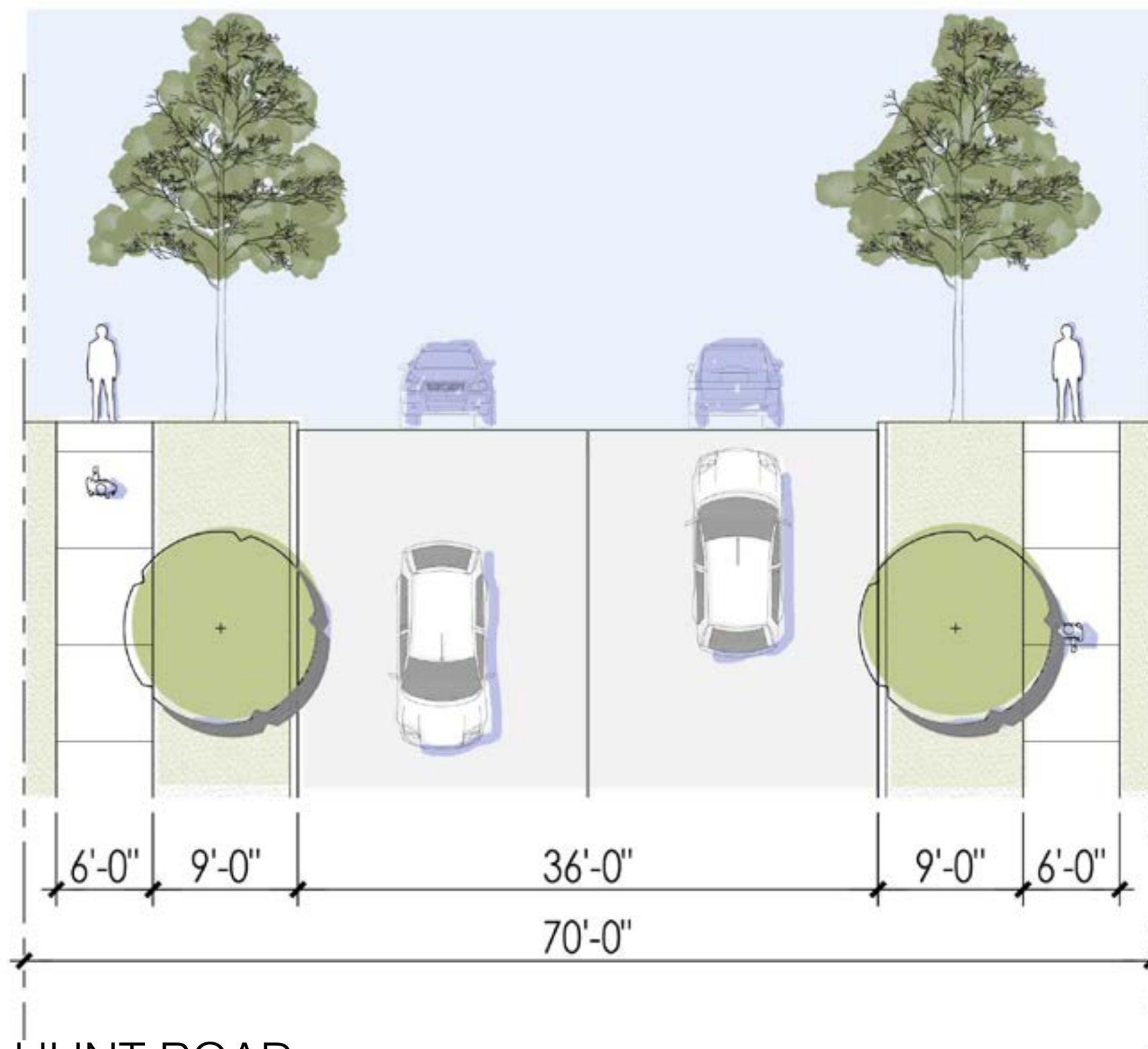
60' COMMUNITY CONNECTOR



60' NEIGHBORHOOD CONNECTOR

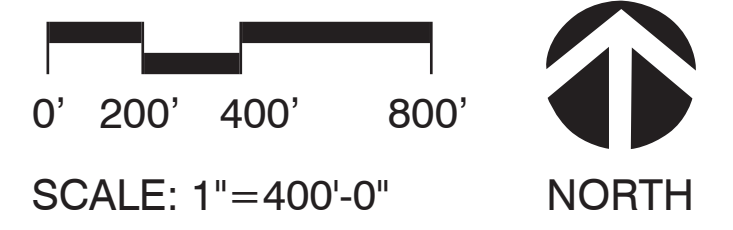


# EXHIBIT L - DEPICTION OF RIGHT-OF-WAY DEDICATIONS AND SUBDIVISION STREET CROSS-SECTIONS AND SUBDIVISION STREET CROSS-SECTIONS





# EXHIBIT M - ROADWAY CLASSIFICATIONS



**NOTE:**  
ROADWAY ALIGNMENT SUBJECT TO CHANGE  
BASED ON CONDITIONS IN THE FIELD

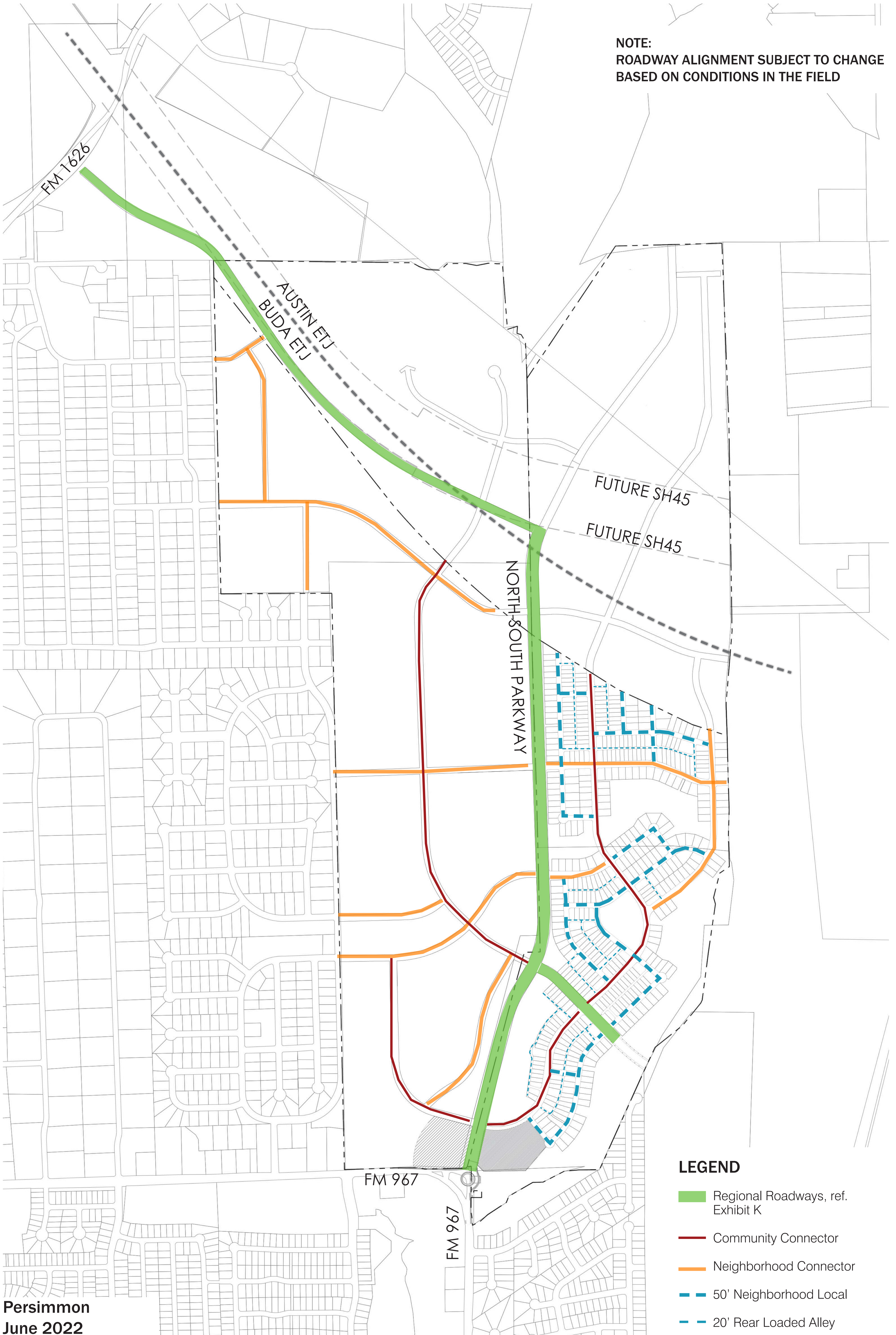




EXHIBIT N  
*Written Agreement Regarding Services*

*To be provided at a later date*

**From:** [Terry Carroll](#)  
**To:** [Melissa McCollum](#)  
**Subject:** Milestone Development  
**Date:** Tuesday, July 12, 2022 8:31:15 PM

---

Download Attachment  
Available until Aug 11, 2022

---

I live in CreekSide Park on Haley's way. I back to our HOA Greenbelt on Garlic Creek. I've attached a video that shows how far the water rose on Garlic Creek when we had 18" of rain. My concern is with this development and the impervious cover it will create a massive watershed issue. Has there been a complete study of this issue? Can you forward this to the other Commissioners?

Terry Carroll  
1137 Haley's Way  
Buda, TX 78610

[Click to Download](#)  
IMG\_2380.MOV  
0 bytes

Sent from my iPhone



**From:** [Comments](#)  
**To:** [Melissa McCollum](#)  
**Subject:** Fwd: DA 22-01  
**Date:** Thursday, July 7, 2022 12:11:14 PM

---

Fyi

Get [Outlook for iOS](#)

---

**From:** Kathryn <artography2000@gmail.com>  
**Sent:** Wednesday, July 6, 2022 12:36:27 PM  
**To:** Comments <comments@budatx.gov>  
**Subject:** DA 22-01

Our home backs us to Dove Drive. The traffic has increased tremendously in the past few years. Cars and commercial vehicles speed down the road. There has been a fatality on Dove Dr and numerous accidents. It is dangerous to get on 967 from Dove Dr at rush hour. The roads must be made safe and constructed to handle the increase in traffic before any new homes and cars are added to the area. Dove Drive is already **dangerous today**. What will happen to the wildlife currently living on the acreage? What about the beautiful trees?

12708 Shady Acres Drive  
Buda, Texas 78610  
July 4, 2022

Will Parrish, AICP/ City of Buda Planning and Zoning Commission:

I am writing this letter in response to a letter that I received from you notifying me of a proposed development DA 22-01. I may not be able to attend the public hearing on Tuesday, July 12, 2022, but I would like to submit my input in opposition of this development.

My concerns would include:

1. An increase in the already traffic pattern through my neighborhood. I have noticed this at the beginning of school and whenever there is a traffic jam on 967 drivers divert through Coves of Cimmaron on Dove Dr, then on Shady Acres Dr or other streets that connect to 1626. The problem exists now, therefore I predict that it will become worse if the proposed development is approved.
2. We get our water supply from the Edwards Aquafer. Will this new development also tap into the Aquafer? If so, I feel that the increase in the new housing development will be an issue of any future water supply problems.

The proposed development would negatively affect the quality of life in my neighborhood, therefore I am opposed to this development.

Sincerely,



Evelyn Wehman

July 6, 2022

Mayor Steve Adler  
Spencer Cronk, City Manager  
City of Austin  
301 W 2nd St, Austin, TX 78701

Re: Release of the Bailey Tract and Armbruster Tract (Persimmon Development)  
1420 FM 967 Buda, Texas, and Comprising Approximately 292 Acres, from in the  
Austin Extraterritorial Jurisdictions (“ETJ”)

Dear Honorable Mayor Adler and City Manager Spencer Cronk,

Pursuant to City of Austin Resolution No. 20071011-006 (the “ETJ Adjustment Policy Resolution”), and as owners of the above-described property which is more particularly described and shown on **Exhibit A** attached hereto, the undersigned hereby notify you of our current support for the request from the City of Buda, Texas that the City of Austin release the subject property currently in Austin’s ETJ so that the City of Buda may expand its ETJ over such property. Please be advised that our support is subject to and conditioned on a City of Buda utility service agreement for water and wastewater being executed and the application of the City of Buda land development codes, ordinances, and rules and regulations as they may be modified by a development agreement entered into by and between the undersigned owners and the City of Buda pursuant to Section 212.172 of the Texas Local Government Code.

The undersigned owners believe development under a single jurisdiction and subject to a single set of development standards will encourage a cohesive master plan with respect to zoning regulations, subdivision regulations, drainage, water quality, and environmental rules, street construction standards and planning. The undersigned owners also believe that the City of Buda is in a better position to provide utility services and other municipal services and that the annexation potential by the City of Austin is minimal.

The property owned by the owners consists of 776.6 acres of land area of which approximately 292.0 acres (37.6%) is in the Austin ETJ and 483.6 acres (62.4%) is in Buda’s jurisdiction. The portion of tract within Austin’s ETJ is south of Little Bear Creek and has no vehicular access without traversing Buda’s ETJ. Access is provided on FM 967, a state controlled right of way, and water and wastewater services are available from the City of Buda located in FM 967.

Subject to the conditions of our support as set forth in this letter, the undersigned owners believe that the City of Buda’s request meets the requirements of the ETJ Adjustment Policy Resolution regarding requests for ETJ releases for the following reasons:

- **Annexation Potential** – The subject tract does not adjoin the City of Austin Full Purpose jurisdiction. The southern portion of the subject tract contains approximately 13 acres of Buda Full Purpose jurisdiction and access is provided via FM967, a TxDOT controlled facility.
- **Environmental Impact** - The City of Buda has comparable or greater drainage, environmental, and tree preservation regulations as would apply in the Austin ETJ.
- **Infrastructure Investment** - There are no adverse impacts to City of Austin as no water, wastewater, or roadway infrastructure exists in the immediate area to serve this property. Most of Austin’s utility infrastructure is located north of Little Bear Creek and property south of Little Bear Creek is largely undeveloped, including the subject tract.
- **Long-term Effects of Release to Other Jurisdictions** – Geographic expansion of the City of Austin ETJ to the south is bounded by other municipalities.

- Hardship or Extenuating Circumstances - This letter of support is being made to relieve an undue hardship regarding the availability of infrastructure for the development of the subject tract and the desire for unified development regulations.

Notwithstanding the foregoing, please be advised that if the undersigned owners and the City of Buda fail to enter into a utility service agreement and a development agreement pursuant to Section 212.172 of the Texas Local Government Code on mutually acceptable terms and conditions prior to any release of the Austin ETJ, then this letter of support shall be deemed withdrawn. Please be further advised that if any agreement between the City of Buda and the City of Austin regarding the release of the Austin ETJ contain or impose any regulations on development of the subject property that are not acceptable to the owners, this letter of support shall be deemed withdrawn.


Your favorable consideration of the City of Buda's request is greatly appreciated.

Sincerely,

**OWNERS:**


BAILEY LAND INVESTMENTS, LP,  
a Texas limited partnership

By: Bailey Land Investments GP, LLC,  
a Texas limited liability company,  
its General Partner

By:   
Name: Garrett Martin  
Title: Manager

ARMBRUSTER LAND INVESTMENTS, LP,  
a Texas limited partnership

By: Armbruster Land Investments GP, LLC,  
a Texas limited liability company,  
its General Partner

By:   
Name: Garrett Martin  
Title: Manager



SKETCH TO ACCOMPANY A DESCRIPTION OF 131.6 ACRES, OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 5 OF HAYS COUNTY, TEXAS AND THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 11 OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 217.066 ACRE TRACT, SAVE AND EXCEPT 79.000 ACRES, CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO. 2021284020 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107 AND 21071108 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS AND ALSO BEING A PORTION OF A 208.892 ACRE TRACT CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO(S). 2021280420, 2021280421, 2021280422, 2021280423, 2021280424, 2021280425 AND 2021280426, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107, 21071109, 21071110, 21071111, 21071112, 21071114 AND 21071115, ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°42'36"E	1044.87'
L2	S89°36'55"E	839.72'
L3	S60°49'12"E	74.39'
L4	S69°02'36"E	76.33'
L5	S87°22'15"E	127.86'
L6	N47°43'15"E	94.70'
L7	N89°13'53"E	172.17'
L8	S79°37'01"E	105.27'
L9	N78°37'51"E	113.30'
L10	S87°19'55"E	90.88'
L11	N89°43'14"E	42.23'
L12	S04°39'05"E	623.74'
L13	N72°24'34"E	100.28'
L14	S03°58'54"W	67.95'
L15	S73°19'44"E	42.20'
L16	S30°12'44"E	79.49'
L17	S05°45'08"E	87.94'
L18	S02°16'55"E	320.31'
L19	S01°38'47"E	1962.76'
L20	S01°45'39"E	461.18'
L21	N57°51'25"W	216.55'
L22	N50°36'22"W	482.65'
L23	N43°40'39"W	1026.83'
L24	N37°11'33"W	2952.81'
L25	N01°36'39"W	69.07'

LEGEND	
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
⊙	IRON PIPE FOUND (SIZE NOTED)
△	CALCULATED POINT
⊗	REFERENCED TREE FOUND (SIZE AND TYPE NOTED)
{ }	RECORD INFORMATION TRAVIS COUNTY TEXAS
[ ]	RECORD INFORMATION HAYS COUNTY TEXAS

7.07.2022

DATE OF SURVEY: 12/08/21  
 PLOT DATE: 07/07/22  
 DRAWING NO.: 759-022-EX  
 PROJECT NO.: 759-022  
 T.B.P.E.L.S. FIRM NO. 10124500  
 DRAWN BY: JDB  
 SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 759-022-EX

**Chaparral**





1" = 500'

CITY OF AUSTIN  
E.T.J. EXHIBIT

S.V.R. EGGLESTON  
SURVEY NO. 3  
ABSTRACT NO. 11

S.V.R. EGGLESTON  
SURVEY NO. 3  
ABSTRACT NO. 5

208.892 ACRES  
ARMBRUSTER LAND  
INVESTMENTS, LP  
\*SEE SURVEY

APPROX.  
131.6 ACRES  
WITHIN CITY OF  
AUSTIN E.T.J.

APPROXIMATE  
CITY OF BUDA  
E.T.J. LINE  
SCALED FROM  
CITY OF BUDA  
GIS/PLANNING &  
DEVELOPMENT PAGE

208.892 ACRES  
ARMBRUSTER LAND  
INVESTMENTS, LP  
\*SEE SURVEY

APPROXIMATE  
CITY OF AUSTIN  
E.T.J. LINE  
SCALED FROM  
CITY OF AUSTIN  
GIS PAGE

AN EXHIBIT SHOWING THE  
APPROXIMATE 294.4 ACRES  
OF THE ARMBRUSTER LAND  
INVESTMENTS, LP PROPERTY,  
LYING WITHIN THE CITY OF  
BUDA EXTRATERRITORIAL  
JURISDICTION (E.T.J.)

LAUREL PATH  
(60' R.O.W. WIDTH)  
[3/37]

DOVE DRIVE  
(70' R.O.W. WIDTH)  
[4/126]

RANGER DRIVE  
(60' R.O.W. WIDTH)  
[3/37]

\* POLITICAL BOUNDARIES SHOWN  
HEREON ARE APPROXIMATE,  
LINWORK SCALED FROM  
CITY OF BUDA GIS/PLANNING &  
DEVELOPMENT WEB PAGE

217.066 ACRES  
ARMBRUSTER LAND  
INVESTMENTS, LP  
\*SEE SURVEY

Chaparral



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724

Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

**131.6 ACRES**

**S.V.R. EGGLESTON SURVEY NO. 3, ABS. NO. 5,  
HAYS COUNTY, TEXAS AND THE  
S.V.R. EGGLESTON SURVEY NO. 3, ABS. NO. 11  
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 131.6 ACRES, OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 5 OF HAYS COUNTY, TEXAS AND THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 11 OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 217.066 ACRE TRACT, SAVE AND EXCEPT 79.000 ACRES, CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO. 2021284020 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107 AND 21071108 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS AND ALSO BEING A PORTION OF A 208.892 ACRE TRACT CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO(S). 2021280420, 2021280421, 2021280422, 2021280423, 2021280424, 2021280425 AND 2021280426, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107, 21071109, 21071110, 21071111, 21071112, 21071114 AND 21071115, ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 131.6 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** a 1/2" iron pipe found for the northwest corner of said 208.892 acre tract, being the northeast corner of a 1.46 acre tract described in Volume 796, Page 317 of the Deed Records, all of Hays County, Texas and also being an angle point in the south line of a 65.112 acre tract described in Document No. 14021499 of the Official Public Records of Hays County, Texas;

**THENCE** South 89°42'36" East, with the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract, a distance of 1044.87 feet to a 5/8" iron pipe found for an angle point in the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract;

**THENCE** South 89°36'55" East, continuing with the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract and the south line of a 48.354 acre tract described in Volume 7588, Page 451 of the Deed Records of Travis County, Texas, a distance of 839.72 feet to a 5/8" iron pipe found for an angle point in the north line of the 208.892 acre tract, same being the south line of said 48.354 acre tract;

**THENCE** continuing with the north line of the 208.892 acre tract, same being the south



## Exhibit A

Page 2

line of the 48.354 acre tract, the following seven (7) courses and distances:

1. South 60°49'12" East, a distance of 74.39 feet to a 1/2" iron pipe found;
2. South 69°02'36" East, a distance of 76.33 feet to a 1/2" iron pipe found;
3. South 87°22'15" East, a distance of 127.86 feet to a 3/4" iron pipe found;
4. North 47°43'15" East, a distance of 94.70 feet to a 1/2" rebar with "Chaparral" cap set;
5. North 89°13'53" East, a distance of 172.17 feet to a 5/8" iron pipe found;
6. South 79°37'01" East, a distance of 105.27 feet to a 1/2" rebar with "Chaparral" cap set;
7. North 78°37'51" East, a distance of 113.30 feet to a 1" iron pipe found;

**THENCE** continuing with the north line of the 208.892 acre tract, the following two (2) courses and distances:

1. South 87°19'55" East, crossing Little Bear Creek, a distance of 90.88 feet to a 1/2" iron pipe found;
2. North 89°43'14" East, a distance of 42.23 feet to a 1/2" iron pipe found for the northwest corner of a 1.998 acre tract, described in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, being in the south line of a 2.143 acre tract described in Volume 7628, page 817 of the Deed Records of Travis County, Texas;

**THENCE** with the common lines of the 208.892 and said 1.998 acer tract, the following two (2) courses and distances:

1. South 04°39'05" East, a distance of 623.74 feet to a 1" iron pipe found for the southwest corner of the 1.998 acre tract;
2. North 72°24'34" East, a distance of 100.28 feet to a 1/2" iron pipe found for the southeast corner of the 1.998 acre tract, being in the easternmost northeast corner of the 208.892 acre tract;

**THENCE** with the east line of the 208.892 acre tract, the following four (4) courses and distances:

1. South 03°58'54" West, a distance of 67.95 feet to a 5/8" iron pipe found on the north bank of Little Bear Creek;

## Exhibit A

Page 3

2. South 73°19'44" East, a distance of 42.20 feet to a calculated point in Little Bear Creek;
3. South 30°12'44" East, a distance of 79.49 feet to a 10" Elm tree found on the south bank of Little Bear Creek, as referenced in Volume 711, Page 598 of the Deed Records of Hays County, Texas;
4. South 05°45'08" East, a distance of 87.94 feet to a 1/2" iron pipe found in the west line of said Lot 16, Block A, Ring Tract Phase Two, Final Plat, a subdivision of record in Document No. 201700120 of the Official Public Records of Travis County, Texas;

**THENCE** South 02°16'55" East, with the east line of the 208.892 acre tract, same being the west line of Lot 16, a distance of 320.31 feet to a 1/2" iron pipe found in the west line of a 348.277 acre tract described in Document No. 21030465 of the Official Public Records of Hays County, Texas;

**THENCE** South 01°38'47" East, with the east line of the 208.892 acre tract, same being the west line of said 348.277 acre tract, a distance of 1962.76 feet to a 1/2" iron pipe found for the southeast corner of said 208.892 acre tract, being the northeast corner of said 217.066 acre tract;

**THENCE** South 01°45'39" East, with the east line of the 217.066 acre tract, same being the west line of the 348.277 acre tract, a distance of 461.18 feet to a calculated point;

**THENCE** crossing the 217.066 acre tract and the 208.892 acre tract, the following four (4) courses and distances:

1. North 57°51'25" West, a distance of 216.55 feet to a calculated point;
2. North 50°36'22" West, a distance of 482.65 feet to a calculated point;
3. North 43°40'39" West, a distance of 1026.83 feet to a calculated point;
4. North 37°11'33" West, a distance of 2952.81 feet to a calculated point in the west line of the 208.892 acre tract, same being the east line of said 1.46 acre tract;

Exhibit A

Page 4

**THENCE** North 01°36'39" West, with the west line of the 208.892 acre tract, same being the east line of the 1.46 acre tract, a distance of 69.07 feet the **POINT OF BEGINNING**, containing 131.6 acres of land, more or less.

Surveyed on the ground on November 12, 2021. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), South Central Zone, based on GPS solutions from The National Geodetic Survey (RTN) on-line positioning user service (OPUS) for Chaparral control point "3". Attachments: Survey Drawing No. 759-022-EX2.

*Steven P. Timberlake*

*11.12.2021*

Steven P. Timberlake  
Registered Professional Land Surveyor  
State of Texas No. 6240  
TBPLS Firm No. 10124500

Date





Exhibit A

**METES & BOUNDS DESCRIPTION**

FIELD NOTES FOR 171.664 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NOS. 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018119702 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBER 18027027 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 171.664 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the east line of a called 209.402 acre tract of land as conveyed to Chance Armbruster by Special Warranty Deed recorded in Document Number 2011006800 of the Official Public Records of Travis County, Texas, at the most southerly corner of RING TRACT PHASE TWO, a subdivision recorded in Document Number 201700120 of the Plat Records of Travis County, Texas, for the most westerly northwest corner of the herein described tract, from which a 1-inch iron pipe found for an angle point on the west line of said RING TRACT PHASE TWO bears N 02°33'30" W a distance of 1,140.14 feet

THENCE, partly with the southeast line of said RING TRACT PHASE TWO and partly with the southeast line of the remainder of a called 11 acre tract of land described as Tract 2 as conveyed to The Randolph Company by Correction Warranty Deed recorded in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, N 33°47'22" E a distance of 1,552.16 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a called 73 acre tract of land as conveyed to Robert Cyril Jerome Hejl by Executor's Deed recorded in Document Number 2011131371 of the Official Public Records of Travis County, Texas, at the most easterly corner of said 11 acre tract, for the most northerly northwest corner of the herein described tract, from which a found Railroad Spike bears S 85°14'54" W, 34.2 feet;

THENCE, generally along a fence, with the south line of said 73 acre tract and the north line of said 349.690 acre tract, N 88°33'23" E a distance of 1,008.55 feet to a 1/2-inch iron pipe found at the northwest corner of a called 29.615 acre tract of land as conveyed to Walter B. Hector by General Warranty Deed recorded in Volume 11125, Page 875 of the Real Property Records of Travis County, Texas, and at the northeast corner of said 349.690 acre tract, for the northeast corner of the herein described tract;

THENCE, generally along a fence, with the west line of said 29.615 acre tract and the east line of said 349.690 acre tract, the following five (5) courses:

- 1) S 01°17'31" E a distance of 220.82 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a dead 14-inch tree;
- 2) S 02°28'42" E a distance of 414.20 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post;
- 3) S 02°17'45" E a distance of 889.74 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a double 12-inch Hackberry;
- 4) S 02°03'46" E a distance of 241.91 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post; and
- 5) S 00°13'52" W a distance of 452.24 feet to a 1/2-inch iron pipe found at the northwest corner of a called 28.09 acre tract of land as conveyed to Jeffery Lee Grubert by Warranty Deed with Vendor's Lien recorded in Document Number 2008-80014950 of the Official Public Records of Hays County, Texas, for an angle point;

THENCE, with the west line of said 28.09 acre tract and the east line of said 349.690 acre tract, S 01°07'16" E a distance of 1,318.47 feet to 1/2-inch iron pipe found at the southwest corner of said 28.09 acre tract, and at the northwest corner of a called 97.36 acre tract of land described as "First Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the west line of said 97.36 acre tract and the east line of said 349.690 acre tract, the following four (4) courses:

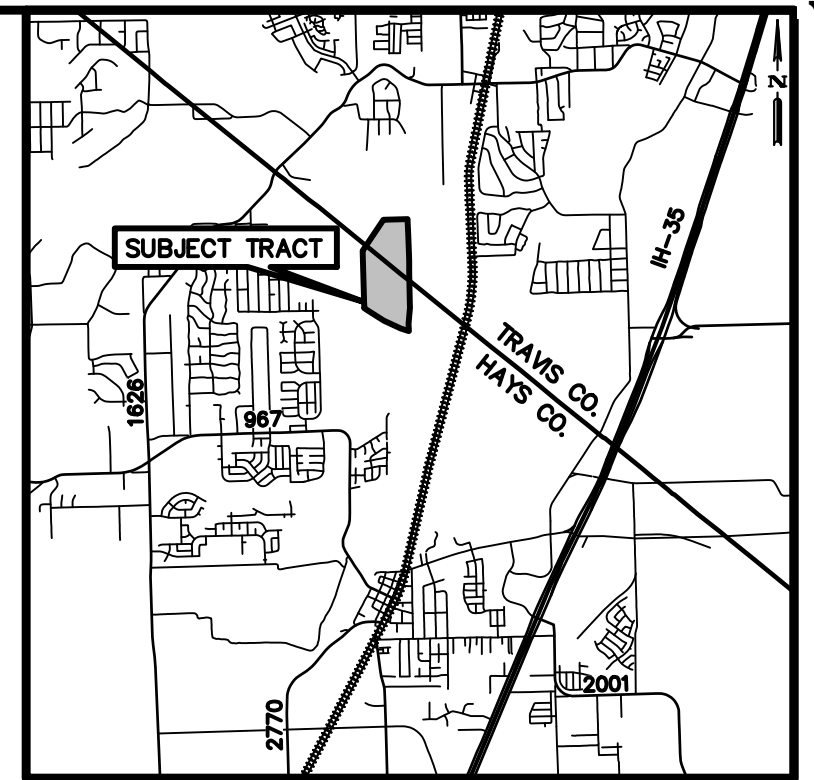
- 1) S 01°58'05" E a distance of 140.05 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) S 04°43'07" W a distance of 684.44 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) S 01°57'53" E a distance of 291.67 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 4) S 01°18'09" E a distance of 15.79 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the northerly City of Buda Extraterritorial Jurisdiction (ETJ) line and the southerly City of Austin 2-mile ETJ line (as extracted from City of Buda GIS data), for the southeast corner of the herein described tract;

THENCE, over and across said 349.690 acre tract, with the common ETJ lines of the City of Austin and the City of Buda, the following five (5) courses:

- 1) N 72°26'48" W a distance of 347.68 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 64°10'31" W a distance of 395.95 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) N 65°19'16" W a distance of 381.65 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 4) N 57°40'22" W a distance of 887.17 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 5) N 54°27'08" W a distance of 84.54 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the east line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas and on the west line of said 349.690 acre tract, for the southwest corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract, N 01°44'45" W a distance of 281.74 feet to a 1/2-inch iron rod found for an angle point;

THENCE, generally along a fence, continuing with the west line of said 349.690 acre tract and continuing partly with the east line of said 217.17 acre tract and partly the east line of said 209.402 acre tract, N 01°37'31" W a distance of 2,108.78 feet to the POINT OF BEGINNING and containing 171.664 acres of land, more or less.



VICINITY MAP  
NOT TO SCALE

**RESTRICTIVE COVENANT AND EASEMENT NOTES:**

1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD IN VOLUME 472, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS AND THOSE SET OUT ON THE PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THESE RESTRICTIVE COVENANTS)**
- 10B. PUBLIC UTILITY EASEMENT 7.5 FEET WIDE ALONG THE NORTHERLY PROPERTY LINE AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS NOT SUBJECT TO THIS EASEMENT)**
- 10C. EASEMENT AS SET OUT IN VOLUME 118, PAGE 515 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)**
- 10D. EASEMENT GRANTED TO UNITED PRODUCERS PIPE LINE COMPANY AS SET OUT IN VOLUME 97, PAGE 21 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)**
- 10E. EASEMENT AS SET OUT IN VOLUME 138, PAGE 522 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)**
- 10F. DRAINAGE EASEMENT AS SET OUT IN VOLUME 147, PAGE 380 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS NOT SUBJECT TO THIS EASEMENT)**
- 10G. EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS SET OUT IN VOLUME 348, PAGE 886 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)**
- 10K. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF BUDA, BY INSTRUMENT DATED DECEMBER 8, 2014, RECORDED IN/UNDER VOLUME 5102, PAGE 288 OF THE OFFICIAL RECORDS, HAYS COUNTY, TEXAS. **(PROPERTY IS NOT SUBJECT TO THIS EASEMENT)**
- 10L. ALL TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT FOR WASTEWATER EASEMENT GRANTED TO THE CITY OF BUDA AS SET OUT IN VOLUME 4849, PAGE 498 AND VOLUME 4850, PAGE 507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. **(PROPERTY IS NOT SUBJECT TO THIS EASEMENT)**

**GENERAL NOTES**

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83. COMBINED SCALE FACTOR = 0.9999247624
2. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0280F, REVISED SEPTEMBER 2, 2005, AND THE FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48453C0680J, REVISED JANUARY 22, 2020. ALL FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
3. THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY AND COUNTERSIGNED BY GRAYSTONE TITLE COMPANY, LLC UNDER FILE NUMBER 01460-6368, DATED EFFECTIVE SEPTEMBER 13, 2018 AND ISSUED ON SEPTEMBER 24, 2018.
4. RIGHT-OF-WAY APPEARS TO HAVE BEEN DEDICATED BY THE PLAT OF THE WOODS OF BEAR CREEK RECORDED IN VOL. 3, PG. 347, P.R.H.C. AND BY SEPARATE INSTRUMENTS RECORDED IN VOLUME 540, PAGE 845 AND VOLUME 540, PAGE 851 OF THE D.R.H.C. DOCUMENTS RECORDED IN VOLUME 540, PAGE 851 AND VOLUME 540, PAGE 845 HAVE BEEN ABANDONED PER DECLARATION OF ABANDONMENT OF RIGHT-OF-WAY RECORDED IN VOLUME 11193, PAGE 941 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.
5. POLITICAL BOUNDARIES SHOWN HEREON ARE EXTRACTED FROM GIS DATA AND ARE APPROXIMATE. THE CITY OF BUDA ETJ AND CITY OF BUDY CITY LIMITS LINE WORK WAS DOWNLOADED FROM THE CITY OF BUDA GIS. (<https://budatx.maps.arcgis.com>)

To Milestone Community Builders; and Stewart Title Guaranty Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 9, 11 (observed evidence only), 14 & 16 of Table A thereof. The field work was completed on September 13, 2018.

Date of Plat or Map: April 2, 2020

**PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT**

JONATHAN O. NOBLES RPLS NO. 5777  
BGE, INC.  
101 WEST LOUIS HENNA BLVD., SUITE 400  
AUSTIN, TEXAS 78728  
TELEPHONE: (512) 879-0400

<b>1420 RM 967 BUDA, TX 78610</b>	
	<b>BGE, Inc.</b> 101 West Louis Henna Blvd, Suite 400, Austin, TX 78728 Tel: 512-879-0400 • www.bgeinc.com TBPLS Licensed Surveying Firm No. 10106502
	<small>Copyright 2020</small>
<b>ALTA/NSPS LAND TITLE SURVEY OF A 171.664 ACRE TRACT OF LAND SITUATED IN THE S.V.R. EGGLESTON SURVEY NO. 3 ABSTRACT NOS. 5 &amp; 11 HAYS AND TRAVIS COUNTY, TEXAS</b>	
PARTY CHIEF: M.G.	ISSUE DATE: 04/02/2020
TECHNICIAN: D.G.F.	SCALE: 1"=200'
R.P.L.S.: J.N.	JOB NUMBER: 6861-00
FIELD BOOK NAME:	22/51
BASE FILE: G:\TXC\Projects\Survey Projects\5577-00 Bailey Tract\01_Calcs	

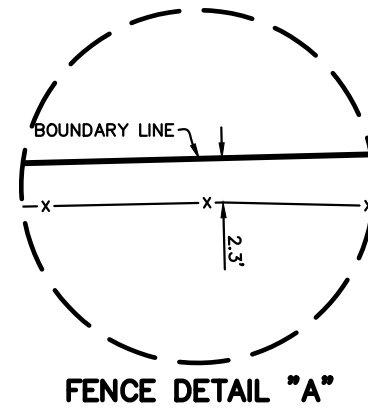
SHEET **1**  
OF **3**

Exhibit A



**LEGEND**

- BLDG. BUILDING
- CONC. CONCRETE
- D.E. DRAINAGE EASEMENT
- DOC. DOCUMENT
- D.R.H.C. DEED RECORDS HAYS COUNTY
- E.C.R. ELECTRIC CONDUIT RISER
- E.M.P. ELECTRIC METER POLE
- ESMT. EASEMENT
- F.H. FIRE HYDRANT
- FND. FOUND
- H.C. HANDICAP
- I. IRON
- M.H. MANHOLE
- NO. NUMBER
- O.P.R.H.C. OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- PED. PEDESTAL
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- P.P. POWER POLE
- P.R.H.C. PLAT RECORDS HAYS COUNTY
- P.U.E. PUBLIC UTILITY EASEMENT
- RCP. REINFORCED CONCRETE PIPE
- R.O.W. RIGHT-OF-WAY
- SAN. SANITARY
- SQ. FT. SQUARE FEET
- ST.C. STONE COLUMN
- S.V. SPRINKLER VALVE
- TEL. TELEPHONE
- TRANS. TRANSFORMER
- U.C.M. UNDERGROUND CABLE MARKER
- VOL. VOLUME
- W.F. WATER FAUCET
- W.V. WATER VALVE
- ( ) RECORD INFORMATION, DOC. NO. 2018119702 O.P.R.T.C.
- { } RECORD INFORMATION, VOL. 222, PG. 163, H.C.D.R.
- [ ] RECORD INFORMATION, VOL. 12391, PG. 348, R.P.R.T.C.
- [ ] RECORD INFORMATION, DOC. NO. 201700120, P.R.T.C.
- ( ( ) ) RECORD INFORMATION, DOC. NO. 2011131371 O.P.R.T.C.
- [ [ ] ] RECORD INFORMATION, VOL. 11125, PG. 875, R.P.R.T.C.
- { { } } RECORD INFORMATION, DOC. NO. 2008-80014950 O.P.R.H.C.
- ~ ~ ~ RECORD INFORMATION, VOL. 153, PG. 490, H.C.D.R.
- ~ ~ ~ RECORD INFORMATION, DOC. NO. 2011006800 O.P.R.T.C.
- FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
- FOUND 1/2" IRON PIPE
- ▲ FOUND 60D NAIL
- FOUND 4x4 CONCRETE MONUMENT
- SET 1/2" IRON ROD W/CAP "BGE INC"
- △ CALCULATED POINT
- EDGE OF ASPHALT
- OVERHEAD UTILITIES
- x- BARBED WIRE FENCE



CALLLED 73 ACRES  
ROBERT CYRIL JEROME HEJL  
DOC. NO. 2011131371, O.P.R.T.C.

WALKER WILSON SURVEY NO. 2  
ABSTRACT NO. 27

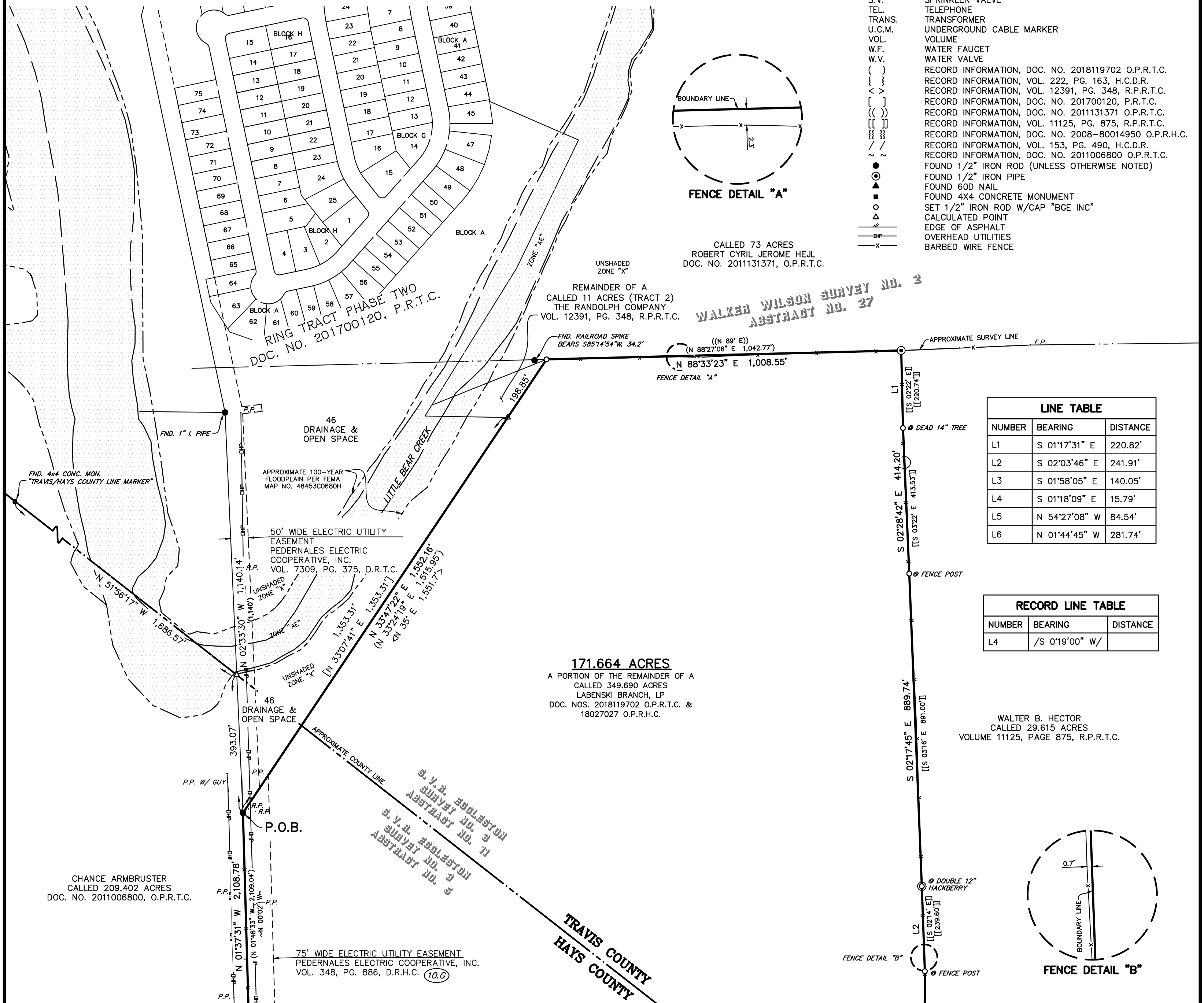
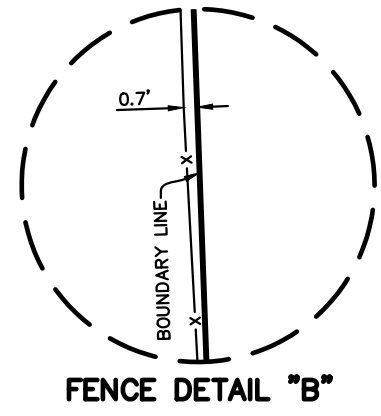
REMAINDER OF A  
CALLLED 11 ACRES (TRACT 2)  
THE RANDOLPH COMPANY  
VOL. 12391, PG. 348, R.P.R.T.C.

RING TRACT PHASE TWO  
DOC. NO. 201700120, P.R.T.C.

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 01°17'31" E	220.82'
L2	S 02°03'46" E	241.91'
L3	S 01°58'05" E	140.05'
L4	S 01°18'09" E	15.79'
L5	N 54°27'08" W	84.54'
L6	N 01°44'45" W	281.74'

RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L4	/S 0°19'00" W/	

WALTER B. HECTOR  
CALLLED 29.615 ACRES  
VOLUME 11125, PAGE 875, R.P.R.T.C.



MATCHLINE SEE SHEET 3 OF 3

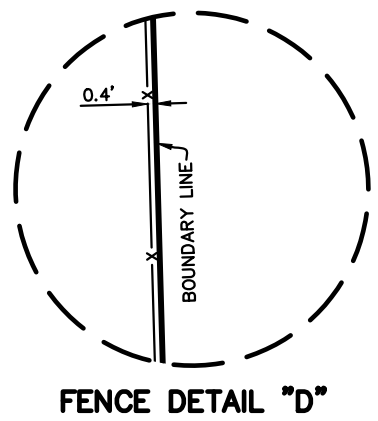


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Tel: 512-879-0400 • www.bgeinc.com  
TBPLS Licensed Surveying Firm No. 10106502

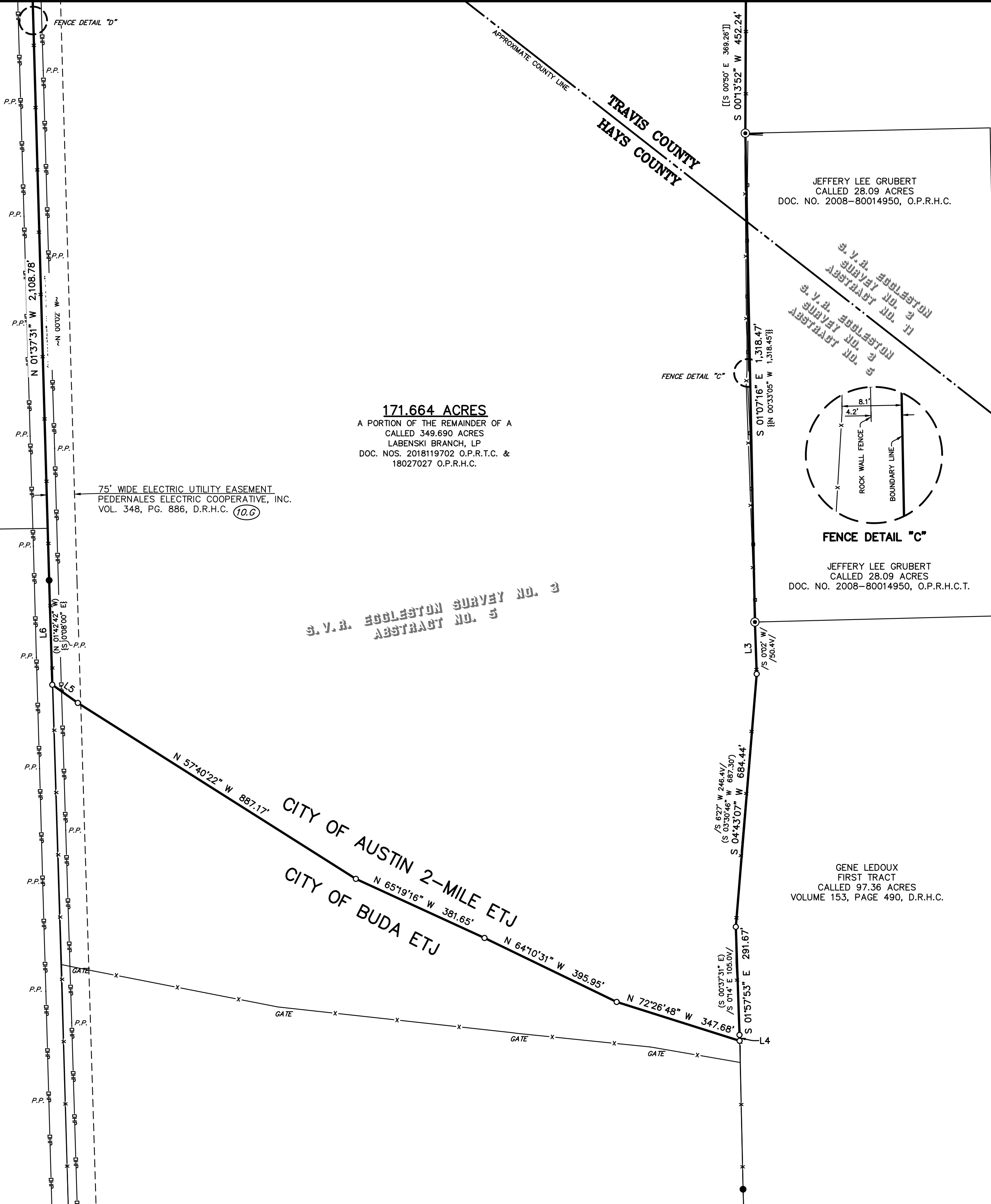
SCALE: 1"=200'  
SHEET 2  
OF 3  
Copyright 2020



Exhibit A



MATCHLINE SEE SHEET 2 OF 3



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 01°17'31" E	220.82'
L2	S 02°03'46" E	241.91'
L3	S 01°58'05" E	140.05'
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RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L4	/S 0°19'00" W/	

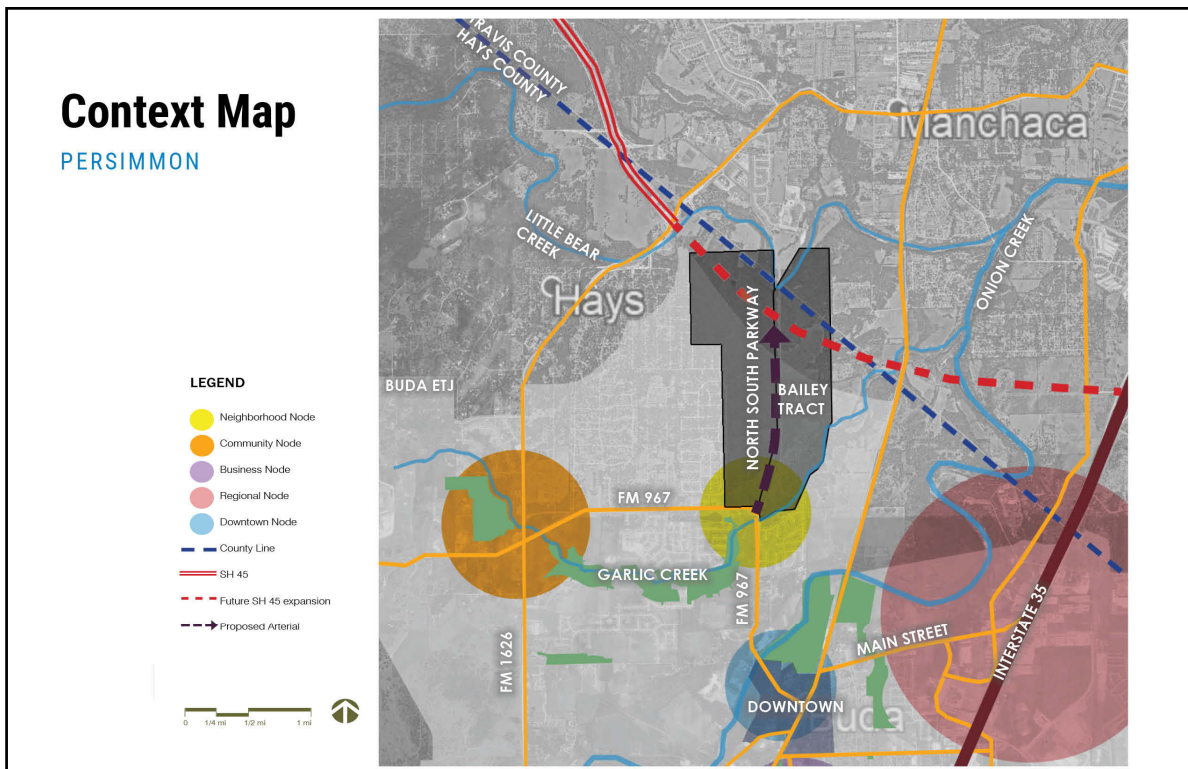


**BGE, Inc.**  
 101 West Louis Henna Blvd, Suite 400, Austin, TX 78728  
 Tel: 512-879-0400 • www.bgeinc.com  
 TBPLS Licensed Surveying Firm No. 10106502

SCALE: 1"=200'  
 SHEET **3**  
 OF **3**



1



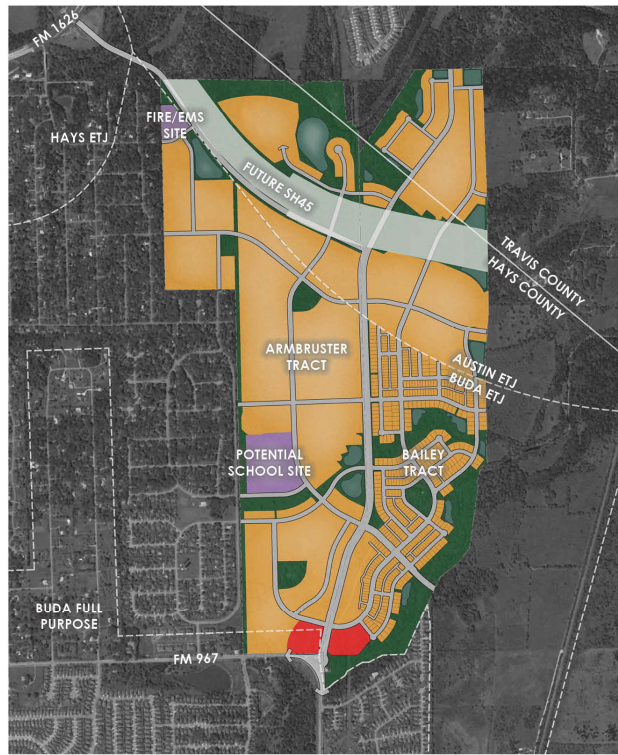
2



# Combined Site Plan

PERSIMMON

- Massive regional transportation improvements
- 2100 max dwelling units in the Buda ETJ
- New commercial center at the intersection of 967 and Garlic Creek Parkway offering 10-30 acres of form based neighborhood scale commercial
- F4 zoning for commercial parcels
- R3 zoning for residential parcels with Townhomes permitted
- A 15 acre parcel is being reserved for a future Hays ISD elementary school site
- A 3.5 acre parcel is being reserved for Fire / EMS
- Extensive trails and open space
- Careful attention to community development with thoughtful streetscape and street scene design



3

# Parks and Open Space

PERSIMMON

- 18% of project is parks and open space, 2X code requirement
- Generous greenbelts for trail connectivity and access
- Thoughtfully distributed neighborhood parks and amenities
- Parkland improvements exceed city code by 160% (1,300/unit) and include playgrounds, trail improvements, and disc golf course.

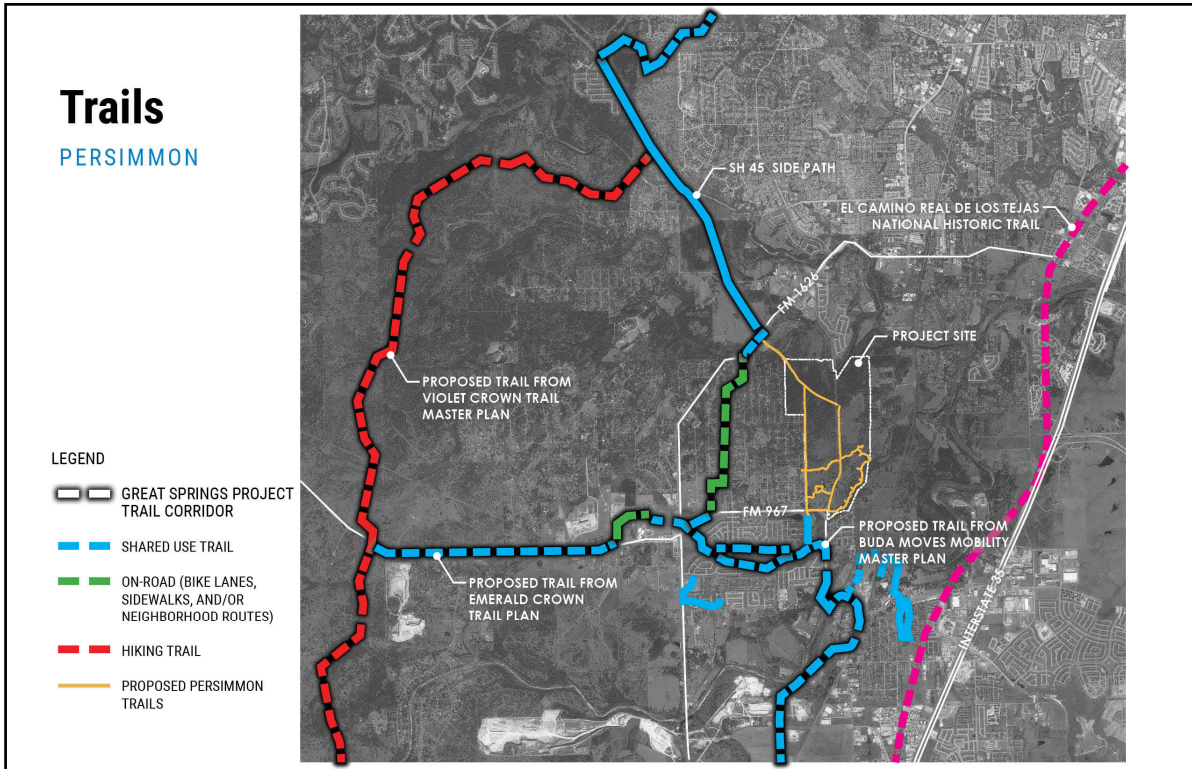


4





5



6



# Commercial

## PERSIMMON

- 10-30 acres provided
- 20,000 sf minimum commercial
- No multifamily rentals within the project per council request



7

# Tree Preservation

## PERSIMMON

- Preservation of at least 75% of Signature Trees and 85% of Heritage Trees. These preservation measures will be extended to the Armbruster property.
- Milestone will retain a certified arborist to review all tree protective measures and monitor the site during construction.
- A comprehensive tree care plan that includes pre and post construction treatment will be provided for trees impacted by construction.
  - Mulching to conserve moisture and minimize compaction, soil temperature fluctuations, and weed/brush growth
  - Construction tree watering
  - Soil Invigoration to improve soil composition, and promote healthy root growth for trees
  - Construction Deep Root Fertilization to stimulate vigor and encourage healthy root and canopy growth
- Trees are warranted for two years and will be replaced during that time frame as necessary.
- Arborist qualifications, references and sample scope have been provided as supplemental information

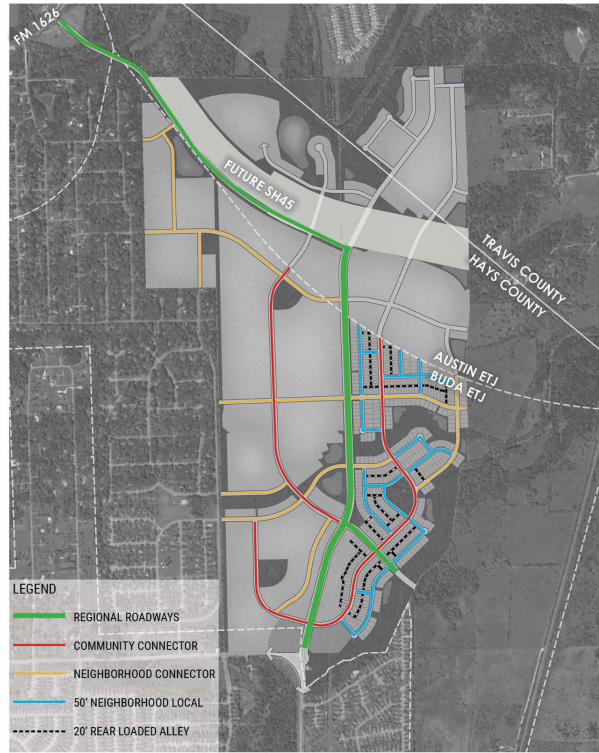


8

# Neighborhood Character

## PERSIMMON

- Rear loaded homes oriented along collectors
- 40' lots allowed on Bailey only, must be rear-load
- 55s and 65s on Armbruster, 80s required adjacent to existing neighborhoods
- Townhomes possible per code within unit caps
- Meeting 4 or 5 residential design standards

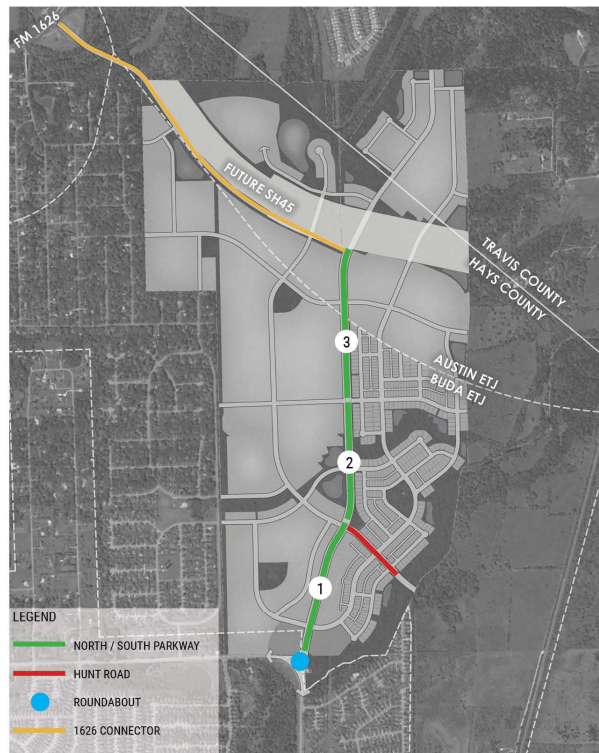
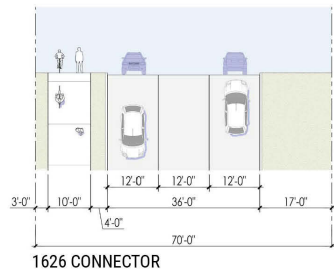


9

# Regional Transportation Improvements

## PERSIMMON - RAPID BUILD-OUT

- Full connection between 967 and 1626 must be completed prior to occupancy of more than 325 homes
- \$50 million in roadway improvements provided up-front at no cost to City of Buda or current Buda residents
- A Public Improvement District (PID) will be used to fund the road construction



10



# Regional Transportation Improvements

## PERSIMMON - PHASE 1

The aerial map shows the project area with labels for FM 1826, FUTURE SH45, TRAVIS COUNTY, HAYS COUNTY, AUSTIN ETJ, and BUDA ETJ. A legend indicates:
 

- Green line: NORTH / SOUTH PARKWAY
- Red line: HUNT ROAD
- Blue circle: ROUNDABOUT

**Cross-sections:**

- NORTH / SOUTH PARKWAY:** 15'-0" (tree), 30'-0" (car), 120'-0" REQUIRED (median), 30'-0" (car), 15'-0" (tree).
- HUNT ROAD:** 8'-0" (tree), 9'-0" (car), 36'-0" (median), 9'-0" (car), 8'-0" (tree), total 70'-0".

11

# Regional Transportation Improvements

## PERSIMMON - ROUNDABOUT

**ROUNDABOUTS TYPICALLY ACHIEVE:**

- 50% UP TO 50% INCREASE IN TRAFFIC CAPACITY
- 37% REDUCTION IN OVERALL COLLISIONS
- 30% REDUCTION IN VEHICLE EMISSIONS
- 90% REDUCTION IN FATALITY COLLISIONS
- 40% REDUCTION IN PEDESTRIAN COLLISIONS
- 75% REDUCTION IN INJURY COLLISIONS

**VALUE OF TRAFFIC CALMING:**

- INCREASED QUALITY OF LIFE
- SAFE AND EFFICIENT MOVEMENT OF ALL STREET USERS
- SENSE OF PLACE FOR COMMUNITIES

The aerial view shows a roundabout at the intersection of NORTH SOUTH PKWY and an existing road, with labels for EXISTING ROAD ROW, PROPOSED ROAD ROW, SIDE WALK, and PROPOSED ROW.

12







# Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

## Agenda Item No. 2022-144- #H.1

Contact: Melissa McCollum

---

**Subject: Workshop, consideration and discussion regarding a proposed future Municipal Utility District (MUD), Development Agreements (DA) and Planned Development (PD) zoning change to allow residential development on the Reserve at Cole Springs located within City of Buda and Buda Extra Territorial Jurisdictions (ETJ) for approximately 110 +/- acres off Cole Springs Road with some frontage on Old Black Colony Road, Buda, TX 78610 (Planning Director Melissa McCollum).**

---

### 1. Executive Summary

This item is a workshop requested by the applicant, who seeks feedback regarding a proposed extension of the residential subdivision of the Conly at Cole Springs, to be known as the Reserve at Cole Springs. The Reserve at Cole Springs is an additional 110 acres to an already planned 177-acre residential subdivision. The Reserve section proposes approximately 279 single family lots in addition to the existing Colony lots of 499. This will be a combined total of approximately 778 residential lots on 286 acres for an overall density of 2.72 units to the acre.

### 2. Background/History

Most of the property located on these new tracts (Lacker and Home Living Hospitality) are within the ETJ, but one tract (Stanfield) approximately 11.5 acres is within the city limits and zoned AG, Agricultural. This project is planned to be an extension of the Colony at Cole Springs and the current property entitlements of a Municipal Utility District, (MUD), Development Agreement (DA) and Planned Development (PD) zoning will be revised/added to include this new 109 acres.

The proposed developers/home builders, MI Homes and Meritage Homes are seeking feedback regarding the proposed development before proceeding with consideration to make sure all questions are considered prior to commencing the enticement process.

### 3. Staff's review and analysis

The development review process allows governmental entities to review proposed development standards from applicants who petition the City for a new development project that lies within the City's planning jurisdiction. The process consists of, but is not limited to, meetings with City of Buda

development staff and the Buda Economic Development Corporation; industry-specific planning, building, and engineering review discussions; and board and commission workshops and public hearings. The City of Buda has not solicited, sought, or promoted this project, but is simply exercising its development review authority, which protects the health, safety, and general welfare of the City of Buda and its citizens.

**4. Financial Impact**

This project is proposing utilizing the MUD financing mechanisms to support the proposed infrastructure (transportation and utilities). The Developer is requesting the existing Colony at Cole Springs MUD be expanded for this development. The Developer is seeking feedback from the decision makers.

**5. Strategic Plan**

N/A

**6. Summary/Conclusion**

The goal of this workshop is to allow the developers to share their vision and seek feedback on proposed development concepts.

**7. Pros and Cons**

Pros: Expanded/enhanced infrastructure (transportation and utilities) in this area.

Cons: Development, additional traffic and change.

**8. Alternatives**


A small portion of this property is in the City limits (11.5 acres) and the remaining portion is in the ETJ..


The applicant hopes this will be an extension to the existing Colony at Cole Springs development.

**9. Recommendation**

No action is required but the workshop gives the P&Z the opportunity to provide the Developer and Staff direction on potential future developer permit applications.









**THE RESERVE**  
- AT COLE SPRINGS -


City of Buda  
P&Z Workshop  
Workshop July 2022

**BudaTx** breathe easy here..





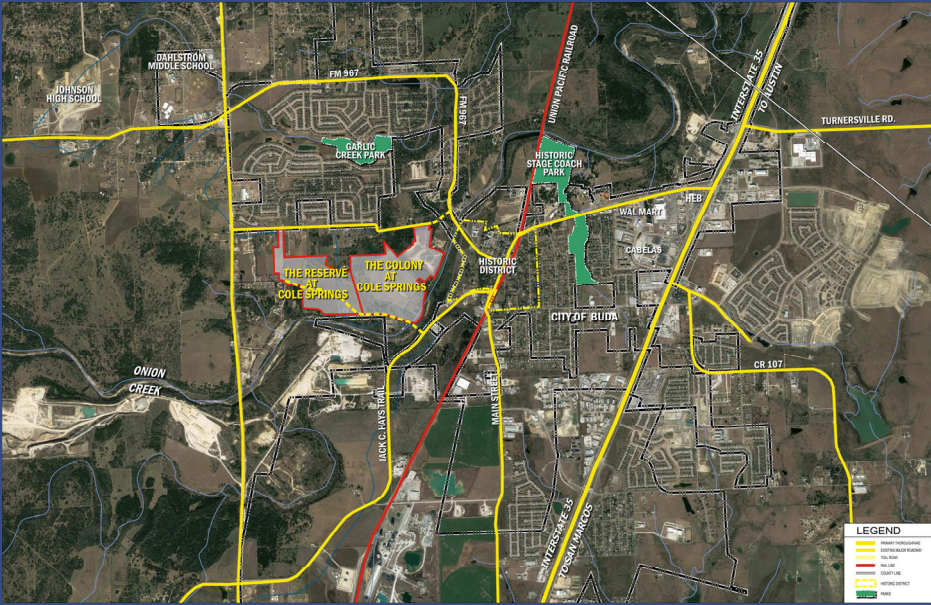
**M/I HOMES**




**Meritage Homes**

1

## Context Map



*Historic*  
DOWNTOWN BUDA  
SHOP DINE RELAX



**LEGEND**

- HISTORIC DISTRICT
- THE RESERVE AT COLE SPRINGS
- THE COLONY AT COLE SPRINGS
- PARKS
- WETLANDS
- WATERWAYS

2

### Colony at Cole Springs Update



- DA approved **June 2020**
- Preliminary Plan approved **September 2021**
- Bridge and Phase 1 Construction: Working through final comments with staff. Bidding soon.
- DA: No Phase 2 building permits until bridge complete
- OBC and New collector anticipated completion **Fall 2023**
- Bridge status: Anticipated completion **Fall 2023**
- First homes anticipated complete **Spring 2024**

3

### Colony at Cole Springs Park Improvements Update



- 10.62 Park Acres Required. **33.1** park acres provided
- **9,000 linear feet** of trails, including 8 foot, concrete Onion Creek trail
- No Phase 2 building permits allowed until all Phase 1 trails are installed and inspected
- No Phase 3 building permits allowed until all Phase 2 trails are installed and inspected
- Prior to completion of Phase 3, a public trailhead and parking area with 12 spaces will be constructed for the Onion Creek Trail

4



## Existing Site Conditions – Reserve at Cole Springs



- 110.48 Acres
- Electric Easement in northern third
- Tree cover in northern third
- Cole Springs Road on the southern boundary

5

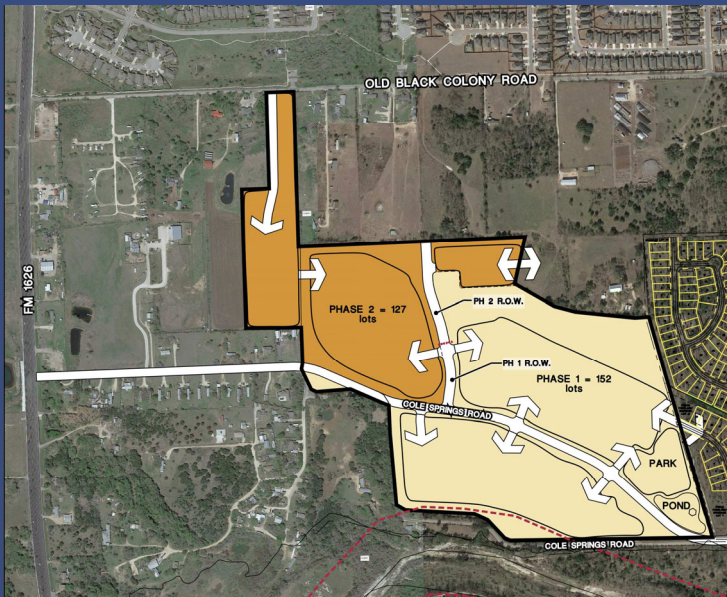
## Land Use Plan – Reserve at Cole Springs



- Supplement Colony at Cole Springs DA: All other terms and conditions of the DA stay in effect.
- Expands MUD boundary to include additional 110 acres
- Re-align, widen and straighten Cole Springs Road to 1626
- Create north south collector in compliance with City thoroughfare map
- Lot Sizes 55 foot width and 75 foot width
- Approx. 279 lots (62 lots, 75 foot wide or larger)
- Lot standards in compliance with UDC regulations for zoning category R-3
- 7.5' side setbacks on R-3 homes
- Approximately 30 acres of open space

6

# Land Use Plan



- Phase 1: EST. START 2024
  - 152 Lots
  - Cole Springs Improved and straightened to edge of Reserve Property
- Phase 2: EST. START 2025
  - 127 Lots
  - Cole Springs Improved to 1626

7

# Park and Trails Plan



- Code Requirement 1 acre per 50 units = 5.5 acres
- Parkland Proposed = 16.2 acres
- Wider sidewalks along each side of collector road and ultimately across bridge
- Bike lanes along each side of Cole Springs and the new N/S collector roadway
- New hike and bike trail along Onion Creek linking to Colony at Cole Springs trail
- Internal trails connected to Colony
- Neighborhood park with playground, picnic area, outdoor gaming, trails

8



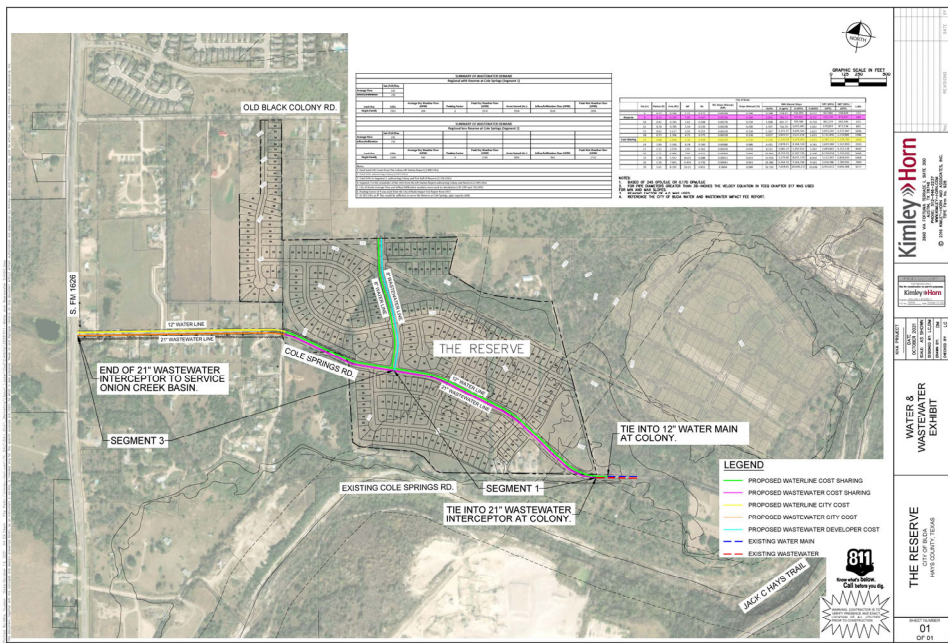
## Reserve at Cole Springs Neighborhood Park



- New neighborhood park with parking, pavilion, playground, open play, amenity lake and plaza
- Joint use of Colony at Cole Springs Amenity Center
- Trails and bike lanes connect the overall master plan

9

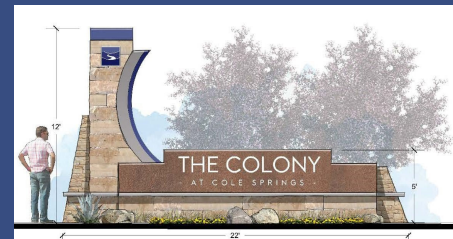
## Utilities



10

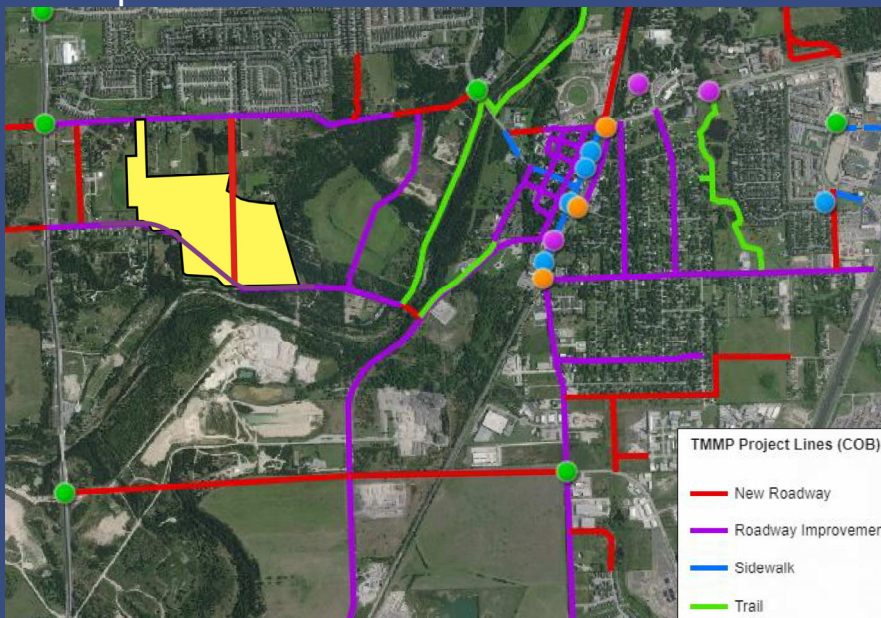
Community Benefits made possible by MUD:

- Transportation Improvements exceed traditional development requirements
  - New North South Connections
  - New Cole Springs Alignment
- Masonry Standards imposed for new homes despite State Legislation
- Home designs that exceed ENERGY STAR rating
- Oversized waste water line and water line connection to serve future growth
- Connectivity to downtown businesses
- Parks / trails exceed requirements
- Master Planned Community cohesive design utilizing City UDC



11

Transportation



Buda Move!  
Transportation Mobility  
Master Plan

- Straighten Cole Springs Alignment
- Provide new North/South Connection between OBC and Cole Springs Road

12





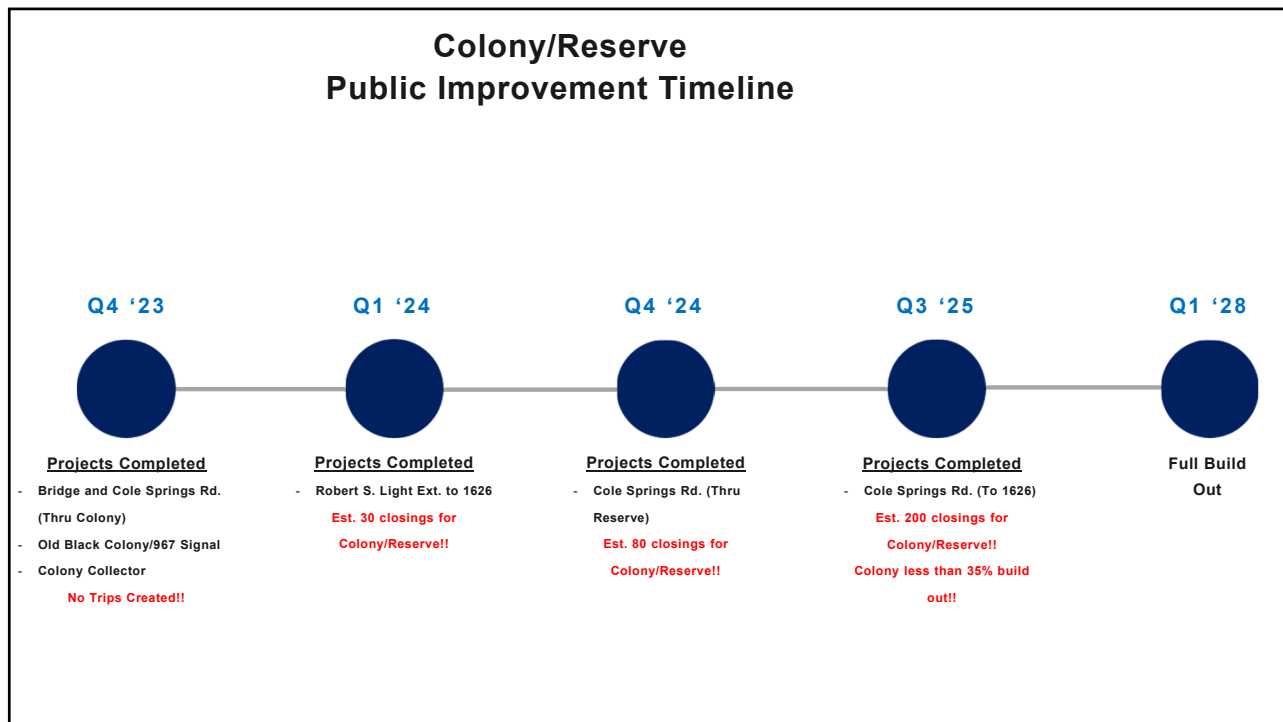
13

### THE RESERVE TRAFFIC IMPROVEMENTS

#### PROPOSED MITIGATION AND DEVELOPER SHARE

Item	Intersection/Street	Approach	Mitigation Measure	Total Estimated Cost	% Site Traffic at Location	Pro-Rata Cost Share	% Contribution by Developer	Developer Contribution Cost
<i>Phase 1</i>								
1	Main Street & FM 967	EB	Restripe roadway to add a 65' EB Left Turn Lane with Taper	\$2,000	1%	\$385	1%	\$385
2	Main Street & Jack C Hays Trail	ALL	Install Traffic Signal	\$300,000	6%	\$18,860	6%	\$18,860
3	Main Street & Jack C Hays Trail	NB	Install 210' NB Left Turn Lane with Taper	\$91,000	13%	\$11,483	13%	\$11,483
4	Cole Springs Rd. & FM 967	NB	Install 195' NB Right Turn Lane with Taper	\$85,750	0%	\$0	0%	\$0
5	FM 1626 & Old Black Colony Rd.	ALL	Install Traffic Signal	\$300,000	3%	\$7,502	3%	\$7,502
6	FM 1626 & Cole Springs Rd.	ALL	Install Traffic Signal	\$300,000	3%	\$9,795	3%	\$9,795
<i>Phase 2</i>								
7	Cole Springs Rd.	N/A	Road Const. between Reserve & FM 1626	\$950,000	Additional Mitigation not required by UDC, but proposed by developer to improve health and safety		100%	\$950,000
<b>Total</b>						<b>\$48,025</b>		<b>\$998,025</b>

14




15

**THE RESERVE**  
- AT COLE SPRINGS -

## Questions and Discussion

16






**Meritage Homes**

Elliot Jones  
Division Vice President

8920 Business Park Drive  
Suite 350  
Austin, Texas 78759



**M/I HOMES**

Royce Rippey  
Vice President of Land Development

Austin Evetts  
Director of Land Development

6801 N. Capital of Texas Highway  
Lakewood II, Suite 100  
Austin, Texas 78731

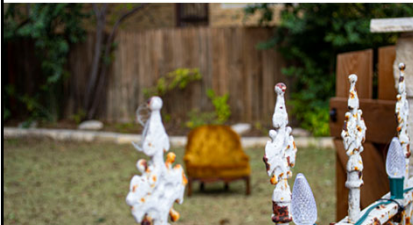
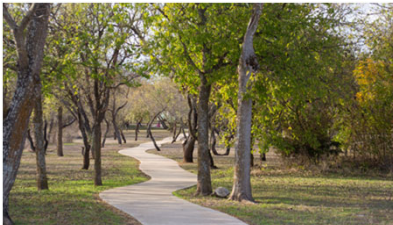
**Design / Consulting Team**

**PLANNING | LANDSCAPE ARCHITECTURE:**  
SEC Planning, LLC  
Mark Baker, ASLA  
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**LEGAL:**  
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Austin, Texas 78701

**FINANCIAL ADVISOR:**  
Public Finance Group, LLC  
Cheryl Allen  
President  
900 South Capital of Texas Highway  
Building IV, Suite 475  
West Lake Hills, Texas 78746

17





**Proposed 70 foot collector right of way**

- New Collector Road: 2 lane with 6 foot bike lanes.
- 6 foot wide walks on each side
- Street tree and landscaped parkway
- Implement connection from Cole Springs to Old Black Colony as indicated on City Transportation Master Plan
- Allows improved north/south circulation and brings traffic away from flood prone Cole Springs roadway
- Cole Springs re-alignment designed and constructed with Phase 1 of the development

18



# Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

## Agenda Item No. 2020-388- #H.2

Contact: Micah Grau

---

**Subject: Work Session, presentation, and feedback on the draft FY 2023-27 Capital Improvements Plan (CIP) for the City of Buda (City Manager Micah Grau).**

---

### 1. Executive Summary

The purpose of this item is to seek feedback from the Planning & Zoning Commission on the proposed draft FY2023-27 Capital Improvement Plan (CIP).

### 2. Background/History

The City of Buda five year Capital Improvements Plan (CIP) is a planning tool to help the City forecast the timing and funding of future capital projects. The Plan is reviewed and updated annually as part of the annual budget development process. Projects are derived from the Buda 2030 Comprehensive Plan as well as infrastructure specific master plans. Projects are also identified through staff observations, citizen comments, and development trends occurring in and around the City. A staff team that includes representatives from the Public Works, Parks, Planning, Engineering, and Finance departments work together to develop the project scopes and to prioritize needs. Input on the document is also solicited from the Parks Commission and the Planning and Zoning Commission in order to account for the impact of growth on the City's infrastructure system.

The five year CIP outlines capital improvements, those projects with a value greater than \$50,000 and a useful lifespan that exceeds 20 years. The CIP document is reviewed annually for project prioritization based on growth and needs in the community.

Adoption of the Capital Improvements Plan is done with the adoption of the annual budget in September.

### 3. Staff's review and analysis

Staff is seeking feedback from the Planning & Zoning Commission on project priorities and funding options. Following input from the P&Z and other boards and commissions, the CIP will be presented to the City Council. Once initial direction is received from the City Council, staff will post the draft



CIP online for public inspection and comments. Final adoption of the CIP is expected to occur concurrently with the adoption of the Fiscal Year 2023 Budget. Only the projects shown as previously funded or approved in the budget process are considered funded and approved to continue. Projects in future years are shown for reference and are used to assist the City with financial planning and rate setting.

**4. Financial Impact**

Funding for projects can come from many sources including operating funds, fund balance, debt, and special revenue sources such as impact fees, hotel occupancy taxes, and park dedication fees.

**5. Strategic Plan**

N/A

**6. Summary/Conclusion**

Staff is seeking input from the P&Z on the draft CIP.

**7. Pros and Cons**

Not applicable.

**8. Alternatives**

Not applicable.

**9. Recommendation**

Staff seeks feedback from the P&Z on the proposed CIP. P&Z may choose to provide a recommendation for adoption of the proposed CIP to City Council.



**DRAFT**

**City of Buda, TX**

**2023 - 2027**

**Capital Improvements Plan**





## TABLE OF CONTENTS

EXECUTIVE SUMMARY	Page 3
DEFINITIONS	Page 4
PROJECT SUMMARY	Page 6
FUNDING SUMMARY	Page 9
PARKS	Page 11
FACILITIES	Page 24
WATER	Page 30
WASTEWATER	Page 42
RECLAIMED WATER	Page 62
MOBILITY	Page 70
DRAINAGE	Page 112
CIP POLICIES & PROCEDURES	Page 126

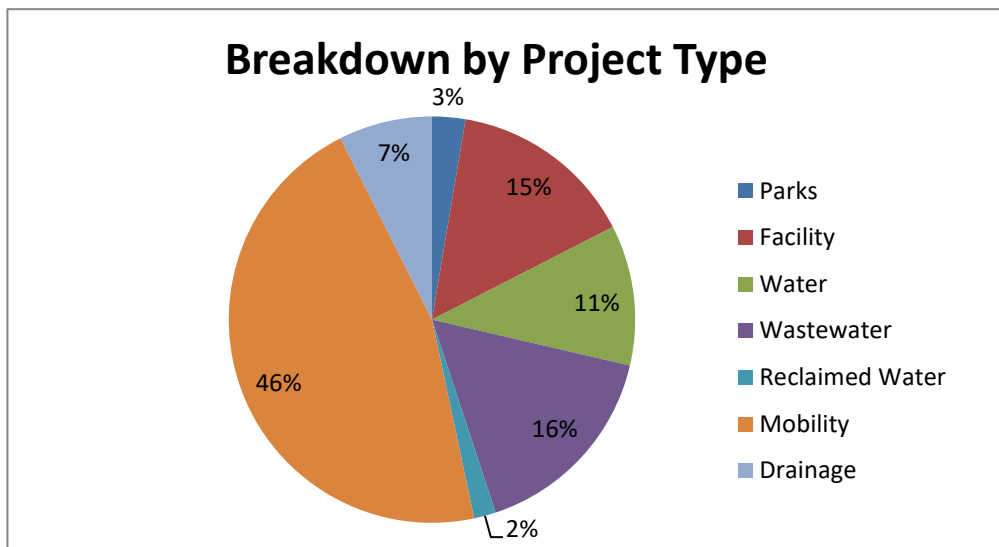
## EXECUTIVE SUMMARY

The City of Buda five year Capital Improvements Plan (CIP) is a planning tool to help the City forecast the timing and funding of future capital projects. The Plan is reviewed and updated annually as part of the annual budget development process. Projects are derived from the Buda 2030 Comprehensive Plan, the 2036 Strategic Plan, as well as infrastructure specific master plans. Projects are also identified through staff observations, citizen feedback, and development trends occurring in and around the City. A staff team that includes representatives from the Public Works, Parks, Planning, Engineering, and Finance departments work together to develop the project scopes and to prioritize needs. Input on the document is also solicited from the various Boards and Commissions in order to account for the impact of growth on the City's infrastructure system.

The inclusion of a project in the Capital Improvements Plan does not guarantee that the City will design or construct the project in the time frame noted in the document. Project funding and construction is always subject to change and annual appropriation. The CIP is evaluated annually by the City Council in order to prioritize projects and identify funding sources based on needs and the availability of funding. Some projects shown in the CIP may be constructed by private development as it is needed to serve future development with or without participation by the City of Buda. Projects such as these are shown in the CIP to reflect the City's master plans and to help identify how future projects may impact the existing infrastructure network.

Identified funding sources noted in the document are representative of funding options but are not a guaranty of project funding or source. The City Council will annually evaluate funding availability to determine the best funding source as part of the annual budget process. Project costs are shown at today's dollars. No inflationary factor is included in the projections. Most project costs are based on early estimates as typically no engineering has been completed on the project. The costs of projects in the document will be reviewed and updated during the annual review to adjust for cost changes.

A referendum bond election totaling \$89.66 million was approved by Buda voters in November 2021 - \$73.57 million for mobility and \$16.09 million for park projects. The City is also anticipates receiving \$4.2 million as its allocation from the American Rescue Plan Act (ARPA). Those funds may be used for water and wastewater infrastructure in addition to other uses. Congress is also debating an infrastructure bill that could provide significant federal funds for future capital projects including mobility.





## DEFINITIONS & ACRONYMS

Below is a list of terms and acronyms used in this document.

ADA. The Americans with Disabilities Act of 1990.

ARPA. American Rescue Plan Act of 2021.

ARWA. Alliance Regional Water Authority. Formerly the Hays Caldwell Public Utility Authority.

ASR. Aquifer Storage and Recovery well. A means by which surplus water is pumped into the aquifer for future use.

BBAC. The Buda Bond Advisory Committee. A committee appointed by City Council to evaluate potential projects for inclusion in a possible bond referendum election.

BEDC. The Buda Economic Development Corporation. Also referred to as the "EDC."

BODs. Biochemical oxygen demand.

CIP. Capital Improvements Plan. The five year planning document used by the City of Buda to plan out capital expenditures.

COs. Certificates of Obligation bonds.

DPR. Direct Potable Reuse water.

Duration. Duration is shown in months.

FM. Farm to Market roadway or wastewater force main, depending on the context.

FY. Fiscal Year.

GOs. General Obligation bonds. Also known as referendum bonds.

HCISD. Hays Consolidated Independent School District.

HDPE. High-density polyethylene is a strong thermoplastic used for piping.

HOA. Home owners association.

Impact Fee. A charge made to new development to connect to the city's roadway, water, or wastewater system in accordance with Ch. 395 of the Texas Local Government Code.

LF. Linear Feet.

LS. Lift station.

MG. Million gallons.

MGD. Million gallons daily.

Parks Capital Fund. A fund of the City of Buda that accounts for Park Dedication Fees that are charged during the development process. These fees are used to make improvements to the City's park system.

PCI. Pavement Condition Index. A numerical index between 0 and 100, which is used to indicate the general condition of a pavement section. A score of 100 indicates a new roadway, and a score of 0 indicates that the pavement has completely failed.

PVC. Polyvinyl chloride pipe.

Reuse Water. Water such as wastewater that is treated to a level to meet TCEQ standards for reuse as non-potable water for irrigation or another use.

Rd. or St. Road or street.

RM. Ranch to Market roadway.

ROW. Right of way.

Sq. Ft. or SF. Square foot.

TCEQ. Texas Commission on Environmental Quality.

TMMP. Transportation Mobility Master Plan - the City's mobility master plan that was completed in 2020.

TSS. Total suspended solids.

WWMP. The City's Wastewater Master Plan that was completed in 2020.

WWTP. Wastewater Treatment Plant.



COMBINED PROJECT SUMMARY									
PROJECT CATEGORY	Prior Years	Fiscal Year					Future	Total	
		23	24	25	26	27			
<b>Parks</b>	20,558,000	1,991,000	200,000	185,000	-	-	22,348,000	45,282,000	
<b>Facility</b>	28,000	110,000	6,936,000	170,000	6,087,000	-	32,897,000	46,228,000	
<b>Water</b>	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	-	19,925,400	
<b>Wastewater</b>	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	5,930,000	31,843,480	
<b>Reclaimed Water</b>	510,000	-	975,000	75,000	510,000	-	3,425,000	5,495,000	
<b>Mobility</b>	29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	66,709,000	137,403,324	
<b>Drainage</b>	610,000	3,588,000	664,000	250,000	2,170,000	-	-	7,282,000	
<b>Total</b>	<b>72,382,143</b>	<b>18,774,141</b>	<b>46,415,920</b>	<b>4,965,000</b>	<b>13,438,000</b>	<b>6,175,000</b>	<b>131,309,000</b>	<b>293,459,204</b>	

PROJECT CATEGORY SUMMARY									
PROJECT CATEGORY	Prior Years	Fiscal Year					Future	Total	
		23	24	25	26	27			
<b>Park Projects</b>									
P03	Garison Memorial Park Development	11,400,000	-	-	-	-	-	9,000,000	20,400,000
P04	Sports Complex Improvements	998,000	-	-	-	-	-	4,248,000	5,246,000
P05	Greenbelt Improvements (Downtown Plan)	-	-	-	-	-	-	900,000	900,000
P06	Eastside Community Park Land Acquisition	8,000,000	-	-	-	-	-	-	8,000,000
P07	Recreation Center with Pool	-	-	75,000	-	-	-	8,200,000	8,275,000
P08	Bradfield Park Playground and Restroom	160,000	-	-	-	-	-	-	160,000
P10	Green Meadows and Stoneridge Park Improvements	-	283,500	-	-	-	-	-	283,500
P11	Stagecoach Park Improvements	-	-	125,000	-	-	-	-	125,000
P13	City Park Shade Structures	-	100,000	-	-	-	-	-	100,000
P14	City Park Parking Areas	-	607,500	-	-	-	-	-	607,500
P16	Main Street / S Loop 4 Sidewalk to Norris Skate Park	-	-	-	185,000	-	-	-	185,000
		-	-	-	-	-	-	-	-
	Total Use of Funds	20,558,000	1,991,000	200,000	185,000	-	-	22,348,000	45,282,000
<b>Facility Projects</b>									
F01	Current Public Works & Parks Facility Expansion Projects	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000
F02	Convention Center	-	-	-	-	-	-	-	-
F05	121 Main Street Exterior Siding Replacement	-	55,000	-	-	-	-	-	55,000
F06	Stagecoach House Historic Restoration	-	55,000	175,000	-	-	-	-	230,000
F07	Downtown Parking Lot Site Lighting	-	-	25,000	170,000	-	-	-	195,000
	Total Use of Funds	28,000	110,000	6,936,000	170,000	6,087,000	-	32,897,000	46,228,000
<b>Water Projects</b>									
W01	ASR / Trinity Well #1	1,896,000	-	150,000	700,000	-	-	-	2,746,000
W03	Water Master Plan	175,000	-	-	-	-	-	-	175,000
W04	IH-35 12" Transmission Main Loop	-	-	-	135,000	1,000,000	-	-	1,135,000
W09	Old Black Colony Road 12" Transmission Main & Pressure Valve	-	250,000	1,250,000	-	-	-	-	1,500,000
W11	Old Black Colony Water Storage Facilities	7,650,000	-	-	-	-	-	-	7,650,000
W12	Old Black Colony to Treehaven 12" Line Upsize	135,000	-	-	-	-	-	-	135,000
W13	ASR/Trinity #2 & 3	-	-	-	-	750,000	4,250,000	-	5,000,000
W14	FM 2770 12" Waterline	-	125,000	575,000	-	-	-	-	700,000
W15	South Loop 4 Water Tank Paint and Rehabilitation	-	320,000	-	-	-	-	-	320,000
W17	S. Loop 4 Utility Relocations for Roadway Reconstruction - Water	44,400	260,000	-	-	-	-	-	304,400
W18	Upsize Main Street 2" Waterline to 8"	-	-	-	260,000	-	-	-	260,000
	Total Use of Funds	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	-	19,925,400
<b>Wastewater Projects</b>									
WW04	Wastewater Manhole Rehabilitation	202,880	-	-	-	-	-	-	202,880

WW07	South Loop 4 Lift Station Decommission & Gravity Interceptor Extension	797,545	2,045,455	-	-	-	-	-	2,843,000
WW10	Northwest IH-35 15" Gravity Interceptor	-	-	-	-	-	1,275,000	-	1,275,000
WW11	Bradfield/Lifschutz 12"/16"/18" Gravity Interceptor Expansion	450,000	-	3,000,000	-	-	-	-	3,450,000
WW12	Direct Potable Reuse (DPR) Feasibility Study	-	-	-	-	-	-	450,000	450,000
WW13	Garlic Creek Basin Inflow & Infiltration Study	50,000	-	-	-	-	-	-	50,000
WW14	Edwards Aquifer Recharge Zone Integrity Testing & Rehabilitation	-	-	50,000	-	-	-	-	50,000
WW15	Overlook Lift Station Upsize and Interceptor for Cole Springs Road	-	-	-	700,000	-	-	-	700,000
WW16	Sunfield Effluent Wastewater Discharge Force Main	9,504,000	-	-	-	-	-	-	9,504,000
WW17	Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion	-	-	-	-	-	-	2,480,000	2,480,000
WW18	FM 967 Interceptor Expansion to 12"	-	-	-	75,000	-	650,000	-	725,000
WW19	Lower Garlic Creek Interceptor Expansion 18" to 21"	-	-	-	215,000	1,885,000	-	-	2,100,000
WW20	Upper Garlic Creek Interceptor Expansion to 15"	-	-	-	50,000	420,000	-	-	470,000
WW21	Dacy Lane Lift Station and Force Main	-	-	2,800,000	-	-	-	-	2,800,000
WW22	FM1626 Wastewater Service Extension Study	75,000	-	-	-	-	-	-	75,000
WW23	Lift Station Condition and Capacity Assessment	100,000	-	-	-	-	-	-	100,000
WW24	Nighthawk Lift Station Capacity Increase	-	-	-	-	-	-	3,000,000	3,000,000
WW25	South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater	103,600	565,000	-	-	-	-	-	668,600
WW26	Coves of Cimarron Wastewater Line Replacement	-	-	150,000	750,000	-	-	-	900,000
Total Use of Funds		11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	5,930,000	31,843,480
<b>Reclaimed Water Projects</b>									
RW00	Reclaimed Water Ground Storage Tank	50,000	-	-	-	-	-	-	50,000
RW01	Main Street and Interstate 35 Reuse Loop	-	-	975,000	-	-	-	-	975,000
RW02	Reuse Water System Expansion	460,000	-	-	-	-	-	-	460,000
RW03	Westside Reuse Expansion Analysis	-	-	-	75,000	-	-	-	75,000
RW04	RM 967 Force Main Conversion and Reuse Line	-	-	-	-	510,000	-	-	510,000
RW05	Buda Sportsplex Reuse Line	-	-	-	-	-	-	1,825,000	1,825,000
RW06	Reuse Ground Storage Tank and Pump Station	-	-	-	-	-	-	1,600,000	1,600,000
Total Use of Funds		510,000	-	975,000	75,000	510,000	-	3,425,000	5,495,000
<b>Mobility Projects</b>									
M01	Roadway Impact Fee Study	60,000	-	-	-	-	-	-	60,000
M03	Cabela's Drive at Old San Antonio Road Traffic Signal	-	-	-	400,000	-	-	-	400,000
M04	Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study	-	350,000	-	-	-	-	430,000	780,000
M05	Cabela's Connector	1,420,000	-	-	-	-	-	-	1,420,000
M06	IH-35 to Old San Antonio Connector	-	854,686	-	-	-	-	-	854,686
M07	Downtown Streetscaping Improvements - Main St.	-	-	-	-	-	-	1,500,000	1,500,000
M09	Old Black Colony Road Reconstruction	10,021,000	-	13,984,800	-	-	-	-	24,005,800
M10	West Goforth Road Reconstruction	9,237,248	-	11,693,000	-	-	-	-	20,930,248
M11	FM 2001 Pedestrian and Bicycle Trail	600,000	-	-	-	-	-	-	600,000
M12	South Loop 4 Sidewalk (Downtown to Meadows at Buda)	-	-	-	-	-	-	1,303,000	1,303,000
M13	FM 1626 and RM 967 Intersection Study	-	240,000	-	-	-	-	-	240,000
M14	Talley Loop Rehabilitation	409,230	713,000	-	-	-	-	-	1,122,230
M15	Oyster Creek Drive Rehabilitation	-	-	-	-	616,000	-	-	616,000
M16	Green Meadows Lane Rehabilitation	-	-	-	-	-	-	3,142,000	3,142,000
M17	Middle Creek Drive Rehabilitation	864,000	2,931,000	-	-	-	-	-	3,795,000
M20	Railroad Street Reconstruction	-	-	-	-	-	-	1,600,000	1,600,000
M21	Austin Street Reconstruction	3,492,040	-	3,267,000	-	-	-	-	6,759,040
M23	Interstate Drive Reconstruction	-	-	-	1,000,000	-	-	-	1,000,000
M24	Cole Springs Road Reconstruction	-	-	-	-	-	-	34,734,000	34,734,000
M25	Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector	-	-	-	-	-	-	6,800,000	6,800,000
M26	Downtown Streets Reconstruction	-	-	-	-	-	-	4,100,000	4,100,000
M27	Overpass Road / FM 2001 Intersection Improvements	-	-	721,120	-	-	-	-	721,120
M28	Oyster Creek / Mark's Overlook at RM 967 Signal	-	-	-	-	-	-	400,000	400,000
M29	RM 967 Accel / Decel Lanes	930,650	1,639,000	-	-	-	-	-	2,569,650
M30	Main Street Pedestrian Crossings	-	-	-	-	-	-	1,500,000	1,500,000
M31	Downtown Railroad Crossing Safety Improvements	-	-	-	-	-	-	8,400,000	8,400,000
M32	Harvest Meadows Roadway Extension	-	-	-	-	-	-	1,900,000	1,900,000



M33	RM 967 Sidewalk from Old Buda Elementary to Downtown	177,000	-	-	-	-	-	-	177,000
M34	Cabela's Drive Sidewalk Connection	-	50,000	-	-	-	-	-	50,000
M35	Old San Antonio Rd. Sidewalk Gap	-	67,000	-	-	-	-	-	67,000
M36	Garlic Creek Trail	745,500	-	-	-	-	-	-	745,500
M37	Onion Creek Trail from RM 967 to Garison Park	553,500	-	-	-	-	-	-	553,500
M38	Bradfield Trail Connection to West Goforth	75,000	-	-	-	-	-	-	75,000
M39	FM 2770 Trail from Cole Springs Road to Bluff Street	-	-	-	-	-	-	592,000	592,000
M40	RM 967 Sidewalk from FM 1626 to City Limits	-	-	-	-	-	-	308,000	308,000
M41	Pavement Management Plan Implementation	-	-	-	-	-	-	-	-
M42	RM 967 Right Turn Lane onto FM 1626	444,260	1,037,000	-	-	-	-	-	1,481,260
M43	FM 2770 / Main St / China St Pedestrian Connections	355,790	816,000	-	-	-	-	-	1,171,790
M44	ADA Transition Plan	-	100,000	-	-	-	-	-	100,000
M45	Existing Robert S. Light Blvd Rehabilitation	107,500	605,000	-	-	-	-	-	712,500
M46	Bella Vita Sidewalk to West Goforth	-	117,000	-	-	-	-	-	117,000
Total Use of Funds		29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	66,709,000	137,403,324
<b>Drainage Projects</b>									
D02	Whispering Hollow Street Drainage	410,000	-	-	-	-	-	-	410,000
D03	Garlic Creek Tributary Under RM 967	-	-	-	50,000	270,000	-	-	320,000
D05	West Lifschutz Area Drainage	-	1,700,000	-	-	-	-	-	1,700,000
D06	Stormwater Drainage Master Plan	-	175,000	-	-	-	-	-	175,000
D07	Lifschutz Central Area Drainage	-	1,408,000	-	-	-	-	-	1,408,000
D08	West Goforth Drainage Improvements	150,000	-	-	-	-	-	-	150,000
D09	Wild Wind Cove Groundwater Solutions	50,000	150,000	-	-	-	-	-	200,000
D10	Bradfield Park / Onion Creek Watershed Protection Pilot Project	-	-	50,000	150,000	-	-	-	200,000
D11	Drainage Inventory, Inspection and Maintenance Plan	-	55,000	-	-	-	-	-	55,000
D12	Flood Property Buyouts - Claudia Drive	-	-	400,000	-	-	-	-	400,000
D13	Downtown Regional Stormwater Study	-	100,000	-	-	-	-	-	100,000
D14	Elm Grove Channel Improvements	-	-	214,000	-	-	-	-	214,000
D15	Sequoyah Drainage Improvements	-	-	-	50,000	1,900,000	-	-	1,950,000
Total Use of Funds		610,000	3,588,000	664,000	250,000	2,170,000	-	-	7,282,000

**FUNDING SUMMARY**

	Prior Years	23	24	Fiscal Year			Five Year Total
				25	26	27	
<b>Park Projects</b>							
Operating Fund	-	-	75,000	185,000	-	-	260,000
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,000
Fund Balance	-	-	-	-	-	-	-
2021 CO Bonds	400,000	1,000,000	-	-	-	-	1,000,000
2021 GO Bonds	14,000,000	891,000	-	-	-	-	891,000
Future Debt	-	-	-	-	-	-	-
Other/Grants	6,073,000	-	-	-	-	-	-
<b>Total</b>	<b>20,558,000</b>	<b>1,991,000</b>	<b>200,000</b>	<b>185,000</b>	<b>-</b>	<b>-</b>	<b>2,376,000</b>
<b>Facility Projects</b>							
General Fund	28,000	55,000	25,000	170,000	-	-	250,000
Fund Balance	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	6,736,000	-	6,087,000	-	12,823,000
Other	-	55,000	175,000	-	-	-	230,000
<b>Total</b>	<b>28,000</b>	<b>110,000</b>	<b>6,936,000</b>	<b>170,000</b>	<b>6,087,000</b>	<b>-</b>	<b>13,303,000</b>
<b>Water Projects</b>							
Operating Fund	179,400	-	-	260,000	-	-	260,000
Future Utility Debt	9,546,000	-	1,825,000	700,000	1,750,000	4,250,000	8,525,000
Impact Fees	-	-	150,000	135,000	-	-	285,000
Other/Grants	175,000	955,000	-	-	-	-	955,000
<b>Total</b>	<b>9,900,400</b>	<b>955,000</b>	<b>1,975,000</b>	<b>1,095,000</b>	<b>1,750,000</b>	<b>4,250,000</b>	<b>10,025,000</b>
<b>Wastewater Projects</b>							
Operating Fund	153,600	-	50,000	-	-	-	50,000
Future Utility Debt	-	-	3,000,000	1,450,000	2,305,000	1,925,000	8,680,000
2017 COs	9,504,000	-	-	-	-	-	-
2021 COs	-	-	-	-	-	-	-
2022 COs	450,000	-	-	-	-	-	-
Impact Fees	797,545	-	750,000	340,000	-	-	1,090,000
Other/Grants	377,880	2,610,455	2,200,000	-	-	-	4,810,455
<b>Total</b>	<b>11,283,025</b>	<b>2,610,455</b>	<b>6,000,000</b>	<b>1,790,000</b>	<b>2,305,000</b>	<b>1,925,000</b>	<b>14,630,455</b>
<b>Reclaimed Water Projects</b>							
Operating Fund	50,000	-	-	75,000	-	-	75,000
Future Utility Debt	-	-	975,000	-	510,000	-	1,485,000
2022 COs	460,000	-	-	-	-	-	-
Other/Grants	-	-	-	-	-	-	-
<b>Total</b>	<b>510,000</b>	<b>-</b>	<b>975,000</b>	<b>75,000</b>	<b>510,000</b>	<b>-</b>	<b>1,560,000</b>
<b>Mobility</b>							
General Fund	512,000	100,000	-	400,000	-	-	500,000
2014 GO Proposition 3	420,000	-	-	-	-	-	-
2014 GO Proposition 5	300,000	-	-	-	-	-	-
2021 CO Bond	1,000,000	-	-	-	-	-	-
2021 GO Proposition A	26,860,718	8,939,686	29,665,920	-	-	-	38,605,606
Future Debt Proceeds	-	-	-	1,000,000	616,000	-	1,616,000
Other/Grants	400,000	480,000	-	-	-	-	480,000
<b>Total</b>	<b>29,492,718</b>	<b>9,519,686</b>	<b>29,665,920</b>	<b>1,400,000</b>	<b>616,000</b>	<b>-</b>	<b>41,201,606</b>
<b>Drainage</b>							
General Fund	200,000	480,000	264,000	250,000	270,000	-	1,264,000
2014 GO Proposition 3	-	-	-	-	-	-	-
2014 GO Proposition 4	410,000	-	-	-	-	-	-
2014 GO Proposition 5	-	-	-	-	-	-	-
2021 GO Proposition A	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	-	-	1,900,000	-	1,900,000
Other/Grants	-	3,108,000	400,000	-	-	-	3,508,000
<b>Total</b>	<b>610,000</b>	<b>3,588,000</b>	<b>664,000</b>	<b>250,000</b>	<b>2,170,000</b>	<b>-</b>	<b>6,672,000</b>
<b>Grand Total</b>	<b>72,382,143</b>	<b>18,774,141</b>	<b>46,415,920</b>	<b>4,965,000</b>	<b>13,438,000</b>	<b>6,175,000</b>	<b>89,768,061</b>



**Summary**

General Fund	740,000	635,000	364,000	1,005,000	270,000	-	2,274,000
Water Fund	229,400	-	-	335,000	-	-	335,000
Wastewater Fund	153,600	-	50,000	-	-	-	50,000
2014 GO Proposition 3	420,000	-	-	-	-	-	-
2014 GO Proposition 4	410,000	-	-	-	-	-	-
2014 GO Proposition 5	300,000	-	-	-	-	-	-
2021 GO - Proposition A	26,860,718	8,939,686	29,665,920	-	-	-	38,605,606
2021 GO - Proposition B	14,000,000	891,000	-	-	-	-	891,000
2017 CO Bond	9,504,000	-	-	-	-	-	-
2021 CO Bond	1,400,000	1,000,000	-	-	-	-	1,000,000
2022 CO Bond	910,000	-	-	-	-	-	-
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,000
Future Tax Supported Debt	-	-	6,736,000	1,000,000	8,603,000	-	16,339,000
Future Utility Supported Debt	9,546,000	-	5,800,000	2,150,000	4,565,000	6,175,000	18,690,000
Impact Fees	797,545	-	900,000	475,000	-	-	1,375,000
Grants/Other	7,025,880	7,208,455	2,775,000	-	-	-	9,983,455
<b>Total</b>	<b>72,382,143</b>	<b>18,774,141</b>	<b>46,415,920</b>	<b>4,965,000</b>	<b>13,438,000</b>	<b>6,175,000</b>	<b>89,768,061</b>

**Parks Capital Improvement Program  
FY 2023 - 2027**



The Parks improvement projects reflect projects identified through the Parks, Recreation, Open Spaces, and Trails Master Plan and through the Parks Advisory Commission. Funding for some projects is derived from Parkland Dedication Fees that are paid by new development in the City. The Parks Master Plan was updated in 2021. The City will explore grant funding opportunities including funds from Texas Parks and Wildlife. Furthermore, Hays County passed a County Parks Bond in 2020. A portion of those proceeds will be made available for communities to complete local park projects.

<i>Sources of Funding</i>	Prior						2023-27
	Years	23	24	25	26	27	Total
General Fund	-	-	75,000	185,000	-	-	260,000
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,000
Fund Balance	-	-	-	-	-	-	-
2021 CO Bonds	400,000	1,000,000	-	-	-	-	1,000,000
2021 GO Bonds	14,000,000	891,000	-	-	-	-	891,000
Future Debt Proceeds	-	-	-	-	-	-	-
Other/Grants	6,073,000	-	-	-	-	-	-
<b>Total</b>	<b>20,558,000</b>	<b>1,991,000</b>	<b>200,000</b>	<b>185,000</b>	<b>-</b>	<b>-</b>	<b>2,376,000</b>

<i>Uses of Funds</i>	Prior						Future	Total
	Years	23	24	25	26	27		
<b><i>Parks Projects:</i></b>								
P03 Garrison Memorial Park Development	11,400,000	-	-	-	-	-	9,000,000	20,400,000
P04 Sports Complex Improvements	998,000	-	-	-	-	-	4,248,000	5,246,000
P05 Greenbelt Improvements (Downtown Plan)	-	-	-	-	-	-	900,000	900,000
P06 Eastside Community Park Land Acquisition	8,000,000	-	-	-	-	-	-	8,000,000
P07 Recreation Center with Pool	-	-	75,000	-	-	-	8,200,000	8,275,000
P08 Bradfield Park Playground and Restroom	160,000	-	-	-	-	-	-	160,000
P09 City Park Repairs	-	1,000,000	-	-	-	-	-	1,000,000
P10 Green Meadows and Stoneridge Park Improvements	-	283,500	-	-	-	-	-	283,500
P11 Stagecoach Park Improvements	-	-	125,000	-	-	-	-	125,000
P13 City Park Shade Structures	-	100,000	-	-	-	-	-	100,000
P14 City Park Parking Areas	-	607,500	-	-	-	-	-	607,500
P16 Main Street / S Loop 4 Sidewalk to Norris Skate Park	-	-	-	185,000	-	-	-	185,000
<b>Total Use of Funds</b>	<b>20,558,000</b>	<b>1,991,000</b>	<b>200,000</b>	<b>185,000</b>	<b>-</b>	<b>-</b>	<b>22,348,000</b>	<b>45,282,000</b>

**Cumulative Balance**

**Sources Over/(Under) Uses**

-      -      -      -      -      -

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Garison Memorial Park Development**

**Responsible Department:** Parks **CIP No.** P03

**Financial Plan :**

	Prior Years	Projected					Future	Total
	23	24	25	26	27			
	11,400,000	-	-	-	-	-	9,000,000	20,400,000

**Description :**

Phase I of Garison Park development which includes the parking areas, trails, water access headquarters, and prairie land restoration. Future phases of the project would include the construction of a nature center and possible restoration of the McCaughan homestead.



<b>Estimated Project Cost:</b>	
Design/Engineering	1,250,000
ROW Acquisition	-
Construction	19,150,000
Other	-
<b>Total</b>	<b>20,400,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	24
Right-of-way/Utilities	-
Construction	18
<b>Total</b>	<b>42</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	15,400,000
Grants/Other	5,000,000
<b>Total</b>	<b>20,400,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	77,500
Capital & Other	-
<b>Total</b>	<b>77,500</b>

**Notes:**

Possible grant application through Texas Parks and Wildlife Department for Garison Park development. Operational impact is combined personnel, supplies, and repairs based on Design Workshop report. The City submitted Phase I for consideration for funding from Hays County as part of the 2020 Hays County Parks Bond Election. Hays County will allocate funding for projects in the Fall of 2021. \$6 million in funding will come from the 2021 GO bonds.



**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Sports Complex Improvements**

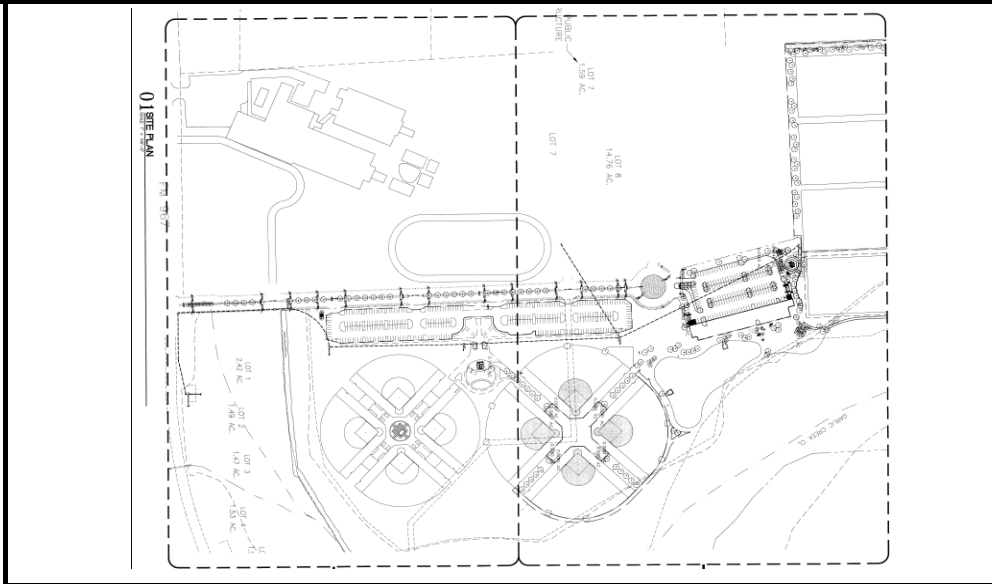
**Responsible Department:** Parks **CIP No.** P04

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	998,000	-	-	-	-	-	4,248,000	5,246,000

**Description :**

Phase 1 added an LED lighting system to the softball/baseball and soccer fields. This will allow teams to utilize the fields more times of the year and opens up the facility to host tournaments. Phase 2 could include additional parking and approximately 1000' of sidewalks to the softball fields, construction of a pavilion with restrooms at the center of the fields, maintenance shed, parking lot expansion, high fencing on the north side of soccer fields, two additional fields, irrigation repairs, replace softball field fencing, and batting cages. The items could be phased in over multiple years or paid for through a bond.



<b>Estimated Project Cost:</b>	
Design/Engineering	250,000
ROW Acquisition	-
Construction	3,000,000
Other	998,000
<b>Total</b>	<b>4,248,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	5
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>14</b>

<b>Funding Source:</b>	
Operating Fund	398,000
Debt	3,250,000
Grants/Other	600,000
<b>Total</b>	<b>4,248,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	35,000
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>35,000</b>

**Notes:**

Funding for lighting project is \$600,000 from the Buda EDC and \$398,000 from the Hotel Occupancy Tax fund. The future funds could come from a future bond election, CO bonds, or the Parks Capital Fund.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Greenbelt Improvements (Downtown Plan)**

**Responsible Department:** Parks **CIP No.** P05

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	900,000	900,000

**Description :**

The Greenbelt Park (Action 5, 2015 Downtown Master Plan) is intended to be configured for every-day use as a beautiful contemplative signature public space in Downtown Buda as well as a location for events. Walkways should encompass the event lawn area, and new garden-like landscaping should be installed in the area between the lawn and Main Street to create a vegetative buffer. A terminus sight-line feature should be incorporated at the end of Elm Street and the Greenbelt Park. As part of the project, improvements to the gazebo are needed including replacement of wooden steps with an ADA accessible ramp and upgrades to the electrical system for special events.



**Estimated Project Cost:**

Design/Engineering	150,000
ROW Acquisition	-
Construction	700,000
Other	50,000
<b>Total</b>	<b>900,000</b>

**Project Task: Duration**

Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

**Funding Source:**

Operating Fund	-
Debt	900,000
Grants/Other	-
<b>Total</b>	<b>900,000</b>

**Ongoing Operational Impact:**

Personnel	8,000
Supplies & Materials	1,000
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>9,000</b>

**Notes:**

Project was identified in the 2015 Downtown Master Plan. The space is already utilized for markets and craft fairs. Improvements will naturally tie into the future use of the former Library located at 303 Main Street. This project was ranked as a Tier 2 project by the Buda Bond Advisory Committee.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Eastside Community Park Land Acquisition**

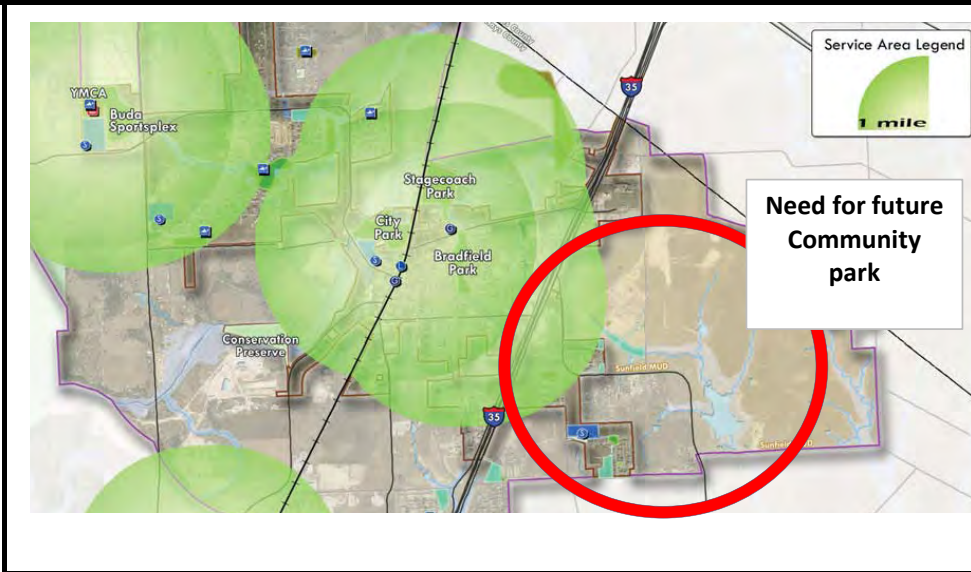
**Responsible Department:** Parks **CIP No.** P06

**Financial Plan (thousands of dollars) :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	8,000,000	-	-	-	-	-	-	8,000,000

**Description :**

All existing Community and Regional Parks are located on the west side of IH-35. The residents on the eastern side of Buda do not have easy access to a community park. An approximately 70-acre site for a future community park on the east side of IH-35 should be identified and acquired while land values remain relatively affordable. While land acquisition for a community park is a priority, development of the park might not be needed for another 5 to 10 years. **PRIORITY:** high for identifying park site; long-term for developing the park. Colocate adjacent to a future maintenance facility.



<b>Estimated Project Cost (000's):</b>	
Design/Engineering	-
ROW Acquisition	7,500,000
Construction	500,000
Other	-
<b>Total</b>	<b>8,000,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	8,000,000
Grants/Other	-
<b>Total</b>	<b>8,000,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	2,000
Capital & Other	-
<b>Total</b>	<b>2,000</b>

**Notes:**

Identified in the Parks Master Plan. Funded through the 2021 GO bond election. Operational impact is pre-development of park and is staff time, supplies, and machinery for maintaining the property.



**Recreation Center with Pool**

**Responsible Department:** Parks **CIP No.** P07

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	75,000	-	-	-	8,200,000	8,275,000

**Description :**

The Parks Master Plan recommends the city should evaluate the need for a community center and recreation center that includes a public pool to perform a variety of recreation and social needs. The only swimming facilities in Buda are private or semi-private, located at six (6) HOA parks or the YMCA. A feasibility study is recommended to be completed first to identify the size of the facility and specific components that should be included along with the operating costs and potential revenues.

## Recreation Center

**Recreation Center**

As Buda gains population, the more likely that a community center and recreation center will be needed to offer a variety of recreation and social needs. One of those might be the first public outdoor pool in Buda.

Cost Estimate Range: \$6-9 million

<b>Estimated Project Cost:</b>	
Design/Engineering	1,230,000
ROW Acquisition	-
Construction	6,970,000
Other	75,000
<b>Total</b>	<b>8,275,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	14
Right-of-way/Utilities	-
Construction	16
<b>Total</b>	<b>30</b>

<b>Funding Source:</b>	
Operating Fund	75,000
Debt	8,200,000
Grants/Other	-
<b>Total</b>	<b>8,275,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	TBD
Supplies & Materials	TBD
Repair & Maint.	TBD
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Initial cost would be to conduct a feasibility study and to develop schematic plans. Full design and construction would occur in the future. This project could be included in a future bond election. The ongoing operational impact should be evaluated as part of the feasibility study.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Bradfield Park Playground and Restroom**

**Responsible Department:** Parks **CIP No. P08**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	160,000	-	-	-	-	-	160,000	

**Description :**

Installation of ADA accessible restrooms for trail and park users at Bradfield Park. Cost based on estimate of constructing in-house or relocating a composting facility over from Stagecoach Park. Additionally, the Buda EDC provided \$75,000 in funding to replace the playground structure in Fiscal Year 2021.



<b>Estimated Project Cost:</b>	
Design/Engineering	-
ROW Acquisition	-
Construction	160,000
Other	-
<b>Total</b>	<b>160,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	4
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>13</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	160,000
<b>Total</b>	<b>160,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	480
Capital & Other	-
<b>Total</b>	<b>480</b>

**Notes:**

\$85,000 for the restroom is funded from the Parks Capital Fund. The \$75,000 for the playground was funded by the Buda EDC.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**City Park Repairs**

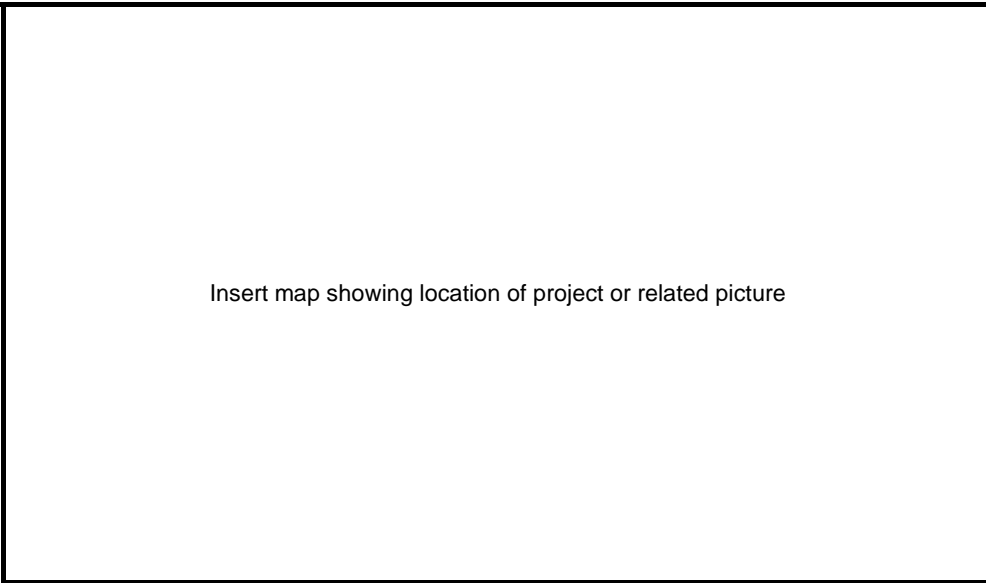
**Responsible Department:** Parks **CIP No.** P09

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	1,000,000	-	-	-	-	-	1,000,000

**Description :**

City Park opened in 2021. Several components of the Park were improperly installed including electrical and irrigation. Pending litigation with the contractor has also prematurely ended the warranty period required for the project, prompting the need for landscaping and other repairs to be covered directly by the City. The City will competitively bid and select a general contractor to complete these repairs as the City pursues legal remedies against the contractor.



Insert map showing location of project or related picture

**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	1,000,000
Other	-
<b>Total</b>	<u>1,000,000</u>

**Project Task:**

Planning/Design	-
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<u>4</u>

**Funding Source:**

Operating Fund	-
Debt	1,000,000
Grants/Other	-
<b>Total</b>	<u>1,000,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**



**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Green Meadows and Stoneridge Park Improvements**

**Responsible Department:** Parks **CIP No.** P10

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	283,500	-	-	-	-	-	283,500

**Description :**

Green Meadows Park is in need of an additional large pavillion due to the splash pad and the need for more shade. An expansion of the parking lot, along with picnic tables and additional shade structures would complement the park. Basketball court needs resurfacing and expansion. Project also includes lighting enhancements at neighboring Stoneridge Park.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	233,500
Other	-
<b>Total</b>	<b>283,500</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	283,500
Grants/Other	-
<b>Total</b>	<b>283,500</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project was included in the 2021 GO bond election.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Stagecoach Park Improvements**

**Responsible Department:** Parks **CIP No.** P11

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	125,000	-	-	-	-	125,000

**Description :**

Stagecoach Park, host site of the Annual Trail of Lights, is in need of electrical upgrades in order to avoid costly rental fees for the annual festival (\$12,500 annually). Trail improvements including drainage improvements, are also needed to ensure a safe trail system for users to enjoy.



<b>Estimated Project Cost:</b>	
Design/Engineering	15,000
ROW Acquisition	-
Construction	110,000
Other	-
<b>Total</b>	<b>125,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	3
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>7</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	125,000
<b>Total</b>	<b>125,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Possible funding source is the Parks Capital Fund.

**City Park Shade Structures**

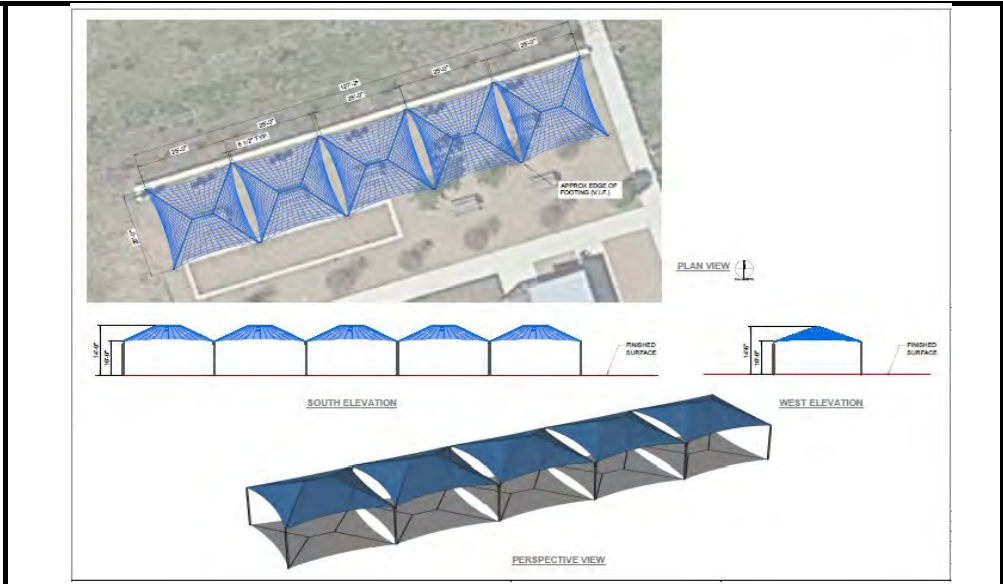
**Responsible Department:** Parks **CIP No.** P13

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	100,000	-	-	-	-	-	100,000

**Description :**

Add shade structures to City Park to active amenity areas such as the BBQ area, playground and splash pad. These were not constructed as part of the initial construction but have been requested by patrons now that the park is open.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	100,000
Other	-
<b>Total</b>	<b>100,000</b>

**Project Task; Duration**

Planning/Design	2
Right-of-way/Utilities	-
Construction	1
<b>Total</b>	<b>3</b>

**Funding Source:**

Operating Fund	-
Debt	-
Grants/Other	100,000
<b>Total</b>	<b>100,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Possible funding source is the Parks Capital Fund or from the Buda Economic Development Corporation.



**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**City Park Parking Areas**

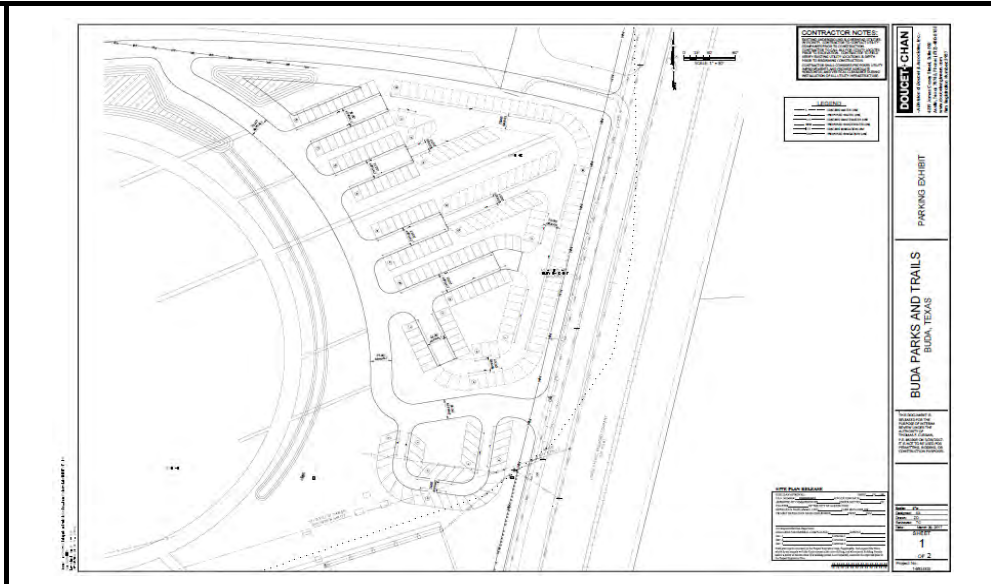
**Responsible Department:** Parks **CIP No.** P14

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	607,500	-	-	-	-	-	607,500

**Description :**

Pave or use alternative parking surface for parking area removed from the City Park construction scope. This would add approximately 250 all weather surface parking spots for events at City Park. Currently, the area is used for overflow parking on road base and cars are not able to be parked as efficiently as they would in designated parking spaces.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	547,500
Other	10,000
<b>Total</b>	<b>607,500</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>3</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	607,500
Grants/Other	-
<b>Total</b>	<b>607,500</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project has been funded by the 2021 Bond Election.

**City of Buda, Texas**  
**Capital Improvement Program - Parks**



**Main Street / S Loop 4 Sidewalk to Norris Skate Park**

**Responsible Department:** Parks **CIP No.** P16

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	185,000	-	-	-	185,000

**Description :**

Construct a 6' - 220 linear foot sidewalk from Main Street / Loop 4 near the railroad tracks to Jackson Norris Skate Park. Add a HAWK pedestrian beacon to allow safer access across the highway.



<b>Estimated Project Cost:</b>	
Design/Engineering	25,000
ROW Acquisition	-
Construction	160,000
Other	-
<b>Total</b>	<b>185,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	185,000
<b>Total</b>	<b>185,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Possible funding source is the Parks Capital Fund.

**Municipal Facilities Capital Improvement Program  
FY 2023 - 2027**



Facilities projects will be funded through a number of funding sources including General Obligation debt, cash, grants, and other sources as available.

<i>Sources of Funding</i>	Prior Years						2023-27
		23	24	25	26	27	Total
General Fund	28,000	55,000	25,000	170,000	-	-	250,000
Fund Balance	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	6,736,000	-	6,087,000	-	12,823,000
Other	-	55,000	175,000	-	-	-	230,000
<b>Total</b>	<b>28,000</b>	<b>110,000</b>	<b>6,936,000</b>	<b>170,000</b>	<b>6,087,000</b>	-	<b>13,303,000</b>

<i>Uses of Funds</i>	Prior Years						Future	Total
		23	24	25	26	27		
<b><u>Facility Projects:</u></b>								
F01 Current Public Works & Parks Facility Expansion Pro	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000
F02 Convention Center	-	-	-	-	-	-	-	-
F05 121 Main Street Exterior Siding Replacement	-	55,000	-	-	-	-	-	55,000
F06 Stagecoach House Historic Restoration	-	55,000	175,000	-	-	-	-	230,000
F07 Downtown Parking Lot Site Lighting	-	-	25,000	170,000	-	-	-	195,000
<b>Total Use of Funds</b>	<b>28,000</b>	<b>110,000</b>	<b>6,936,000</b>	<b>170,000</b>	<b>6,087,000</b>	-	<b>32,897,000</b>	<b>46,228,000</b>

**Cumulative Balance**

**Sources Over/(Under) Uses**

-                    -                    -                    -                    -



**Current Public Works & Parks Facility Expansion Projects**

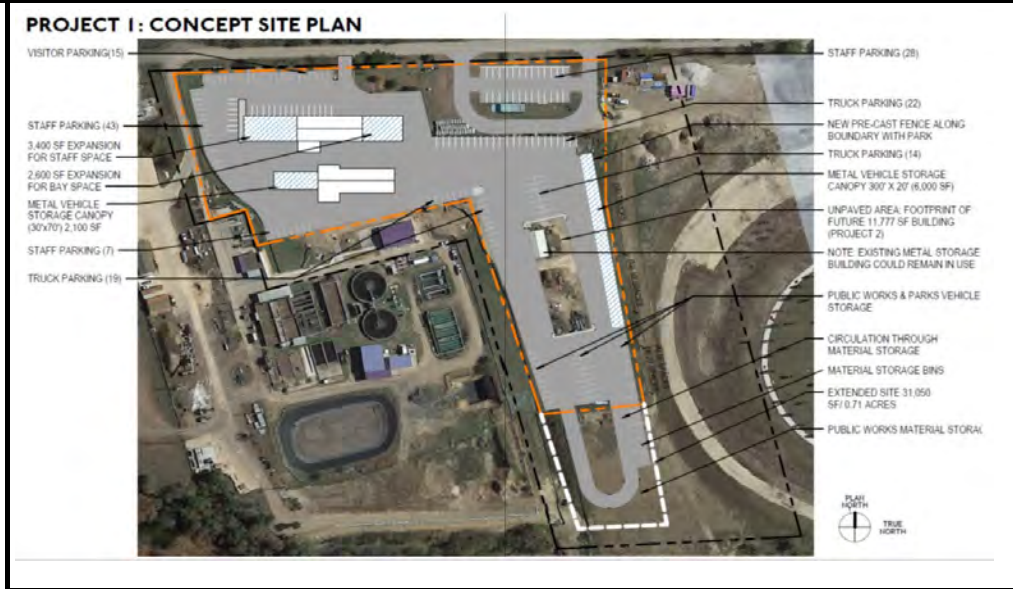
**Responsible Department:** Public Works **CIP No.** Fac01

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000

**Description :**

The City hired PGAL Architects to conduct a Facility Needs Assessment and to develop programming space needs for the Parks and Public Works Departments. The study shows that the current site can be expanded through a series of phases (Projects 1 - 3). Projects 1 and 2 would expand the current site as a combined Public Works and Parks site. Project 1 includes an additional 6,000 sf of interior space added onto the existing Public Works Building with 3,400 sf for staff and 2,600 sf for equipment bays and renovation of the existing space. Additionally, two canopies would be added for storage of vehicles/equipment. Project 2 includes the construction of a new 11,777 sf building. Project 3 (future) would include the development of a new Public Works yard and renovation of the current site to fit the needs of the Parks Department. Project 3 is expected to be needed by 2030 or when the population reaches 40,000.



<b>Estimated Project Cost:</b>	
Design/Engineering	1,015,000
Property Acquisition	-
Construction	10,850,000
Other	986,000
<b>Total</b>	<b>12,851,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	8
Right-of-way/Utilities	-
Construction	12
<b>Total</b>	<b>20</b>

<b>Funding Source:</b>	
Operating Fund	28,000
Debt	12,823,000
Grants/Other	-
<b>Total</b>	<b>12,851,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	15,000
Capital & Other	-
<b>Total</b>	<b>15,000</b>

**Notes:**

The current facility and site is lacking expansion space due to growth of the Parks and Recreational facility. The current site, combined with the P&R and PW, lacks employee parking, lacks adequate site space for housing department trucks, heavy construction equipment, material and parts storage and site area laydown for materials. The current facilities building also lacks office space expansion for staff.

**City of Buda, Texas**  
**Capital Improvement Program - Facilities**



**Convention Center**

**Responsible Department:** Administration **CIP No.** Fac02

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	-	

**Description :**

The Buda EDC and the Tourism Department conducted a study to determine the feasibility of constructing and operating a convention center. Initial market research indicates that a 22,000 square foot convention center would be viable in Buda. The study was conducted by CBRE in 2017. The study evaluated a variety of locations in the Buda area. Funding for the project is unknown as a public-private partnership would be the preferred project delivery method.

Recommended Facilities			
Proposed Buda Hotel & Conference Center			
Buda, Texas			
Number of Guestrooms	120		
Type of Hotel	Select-Service		
<b>Meeting Space</b>			
Ballroom	7,500	sq. ft.	divisible by 3 or 4
Junior Ballroom	2,500	sq. ft.	divisible by 2 or 3
Meeting Rooms	1,500	sq. ft.	various sizes
Boardroom	500	sq. ft.	
Exhibition Space	10,000	sq. ft.	Optional
Total Meeting Space	22,000	sq. ft.	

<b>Estimated Project Cost:</b>	
Design/Engineering	-
Property Acquisition	-
Construction	-
Other	-
<b>Total</b>	-

<b>Project Task:</b>		<b>Duration</b>
Planning/Design		-
Right-of-way/Utilities		-
Construction		-
<b>Total</b>		-

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	-

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	-

**Notes:**

Funding for the project would likely come from a combination of hotel tax funds and possibly an economic development agreement with a private development group.

**City of Buda, Texas**  
**Capital Improvement Program - Facilities**



**121 Main Street Exterior Siding Replacement**

**Responsible Department:** Facilities **CIP No.** Fac05

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	55,000	-	-	-	-	-	55,000

**Description :**

This project would remodel the exterior of the building to assure an extended life of the structure by replacing the damaged siding with Hardi-Plank lap siding, perform general repairs to the building, repainting the exterior, minor roof repairs and caulking and provide some cleanup of electrical work on the former City Hall located at 121 Main Street.



**Estimated Project Cost:**

Design/Engineering	-
Property Acquisition	-
Construction	55,000
Other	-
<b>Total</b>	<u>55,000</u>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Construction	<u>2</u>
<b>Total</b>	<u>2</u>

**Funding Source:**

Operating Fund	55,000
Debt	-
Grants/Other	-
<b>Total</b>	<u>55,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	-

**Notes:**



**Stagecoach House Historic Restoration**

**Responsible Department:** Facilities **CIP No.** Fac06

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	55,000	175,000	-	-	-	-	230,000

**Description :**

Restoration and repairs to Stagecoach House to create a museum and public meeting space and to help preserve the historic significance of the building's history. Physical construction work would include preserving and refinishing wood floors, repointing masonry, reworking doors, wood trim, refinishing wood ceilings, general repairs to wood deck, plumbing and electrical repairs, re-roofing, fascia trim repairs and repainting inside and out. Purchase period antique furnishings for the museum portion of the building.



<b>Estimated Project Cost:</b>	
Design/Engineering	55,000
Property Acquisition	-
Construction	175,000
Other	-
<b>Total</b>	<b>230,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	3
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>7</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	230,000
Grants/Other	-
<b>Total</b>	<b>230,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Design Fees - \$55,000. Construction work: \$175,000. Funding might be needed to acquire period appropriate furniture for display in the house and in the former post office. Eligible for funding from the Hotel Occupancy Tax funds. The repair construction amount is estimated until a full design assessment is completed.

**Downtown Parking Lot Site Lighting**

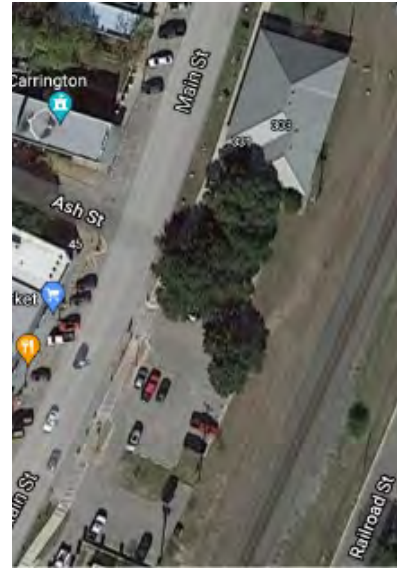
**Responsible Department:** Facilities **CIP No.** Fac07

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	25,000	170,000	-	-	-	195,000

**Description :**

This project will provide parking light coverage for safety purposes at the current City owned facilities and parking lots including the Former City Hall, Former Library (New Welcome Center) and the Main Street parking lots. The lighting would comply with the Dark Sky requirements. Fixtures will match the current street lighting in the downtown area and along Main Street. This project supports the Downtown Parking Plan.



<b>Estimated Project Cost:</b>	
Design/Engineering	25,000
Property Acquisition	-
Construction	170,000
Other	-
<b>Total</b>	<b>195,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	3
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>7</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	195,000
Grants/Other	-
<b>Total</b>	<b>195,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	2,500
Capital & Other	-
<b>Total</b>	<b>2,500</b>

**Notes:**

**Water Capital Improvement Program  
FY 2023 - 2027**



The City serves potable water to residential and non-residential customers of the City of Buda. Not all residents are provided water by the City of Buda as Monarch and Goforth Special Utility District serve portions of the city. The proposed water capital projects are needed to extend services to growing areas of the city, upsize infrastructure to increase the city's service capacity, the development of new water sources, and overall projects that improve the city's efficiency to deliver safe and reliable water.

<b>Sources of Funding</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>2023-27 Total</b>
Operating Fund	179,400	-	-	260,000	-	-	260,000
Future Utility Debt	9,546,000	-	1,825,000	700,000	1,750,000	4,250,000	8,525,000
Impact Fees	-	-	150,000	135,000	-	-	285,000
Other/Grants	175,000	955,000	-	-	-	-	955,000
<b>Total</b>	<b>9,900,400</b>	<b>955,000</b>	<b>1,975,000</b>	<b>1,095,000</b>	<b>1,750,000</b>	<b>4,250,000</b>	<b>10,025,000</b>

<b>Uses of Funds</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>Future</b>	<b>Total</b>
<b><u>Water Projects:</u></b>								
W01 ASR / Trinity Well #1	1,896,000	-	150,000	700,000	-	-	-	2,746,000
W03 Water Master Plan	175,000	-	-	-	-	-	-	175,000
W04 IH-35 12" Transmission Main Loop	-	-	-	135,000	1,000,000	-	-	1,135,000
W09 Old Black Colony Road 12" Transmission Main & Pressure Valve	-	250,000	1,250,000	-	-	-	-	1,500,000
W11 Old Black Colony Water Storage Facilities	7,650,000	-	-	-	-	-	-	7,650,000
W12 Old Black Colony to Treehaven 12" Line Upsize	135,000	-	-	-	-	-	-	135,000
W13 ASR/Trinity #2 & 3	-	-	-	-	750,000	4,250,000	-	5,000,000
W14 FM 2770 12" Waterline	-	125,000	575,000	-	-	-	-	700,000
W15 South Loop 4 Water Tank Paint and Rehabilitation	-	320,000	-	-	-	-	-	320,000
W17 S. Loop 4 Utility Relocations for Roadway Reconstruction - Water	44,400	260,000	-	-	-	-	-	304,400
W18 Upsize Main Street 2" Waterline to 8"	-	-	-	260,000	-	-	-	260,000
<b>Total Use of Funds</b>	<b>9,900,400</b>	<b>955,000</b>	<b>1,975,000</b>	<b>1,095,000</b>	<b>1,750,000</b>	<b>4,250,000</b>	-	<b>19,925,400</b>

**Cumulative Balance  
Sources Over/(Under) Uses**

- - - - -



**City of Buda, Texas**  
**Capital Improvement Program - Water**



**ASR / Trinity Well #1**

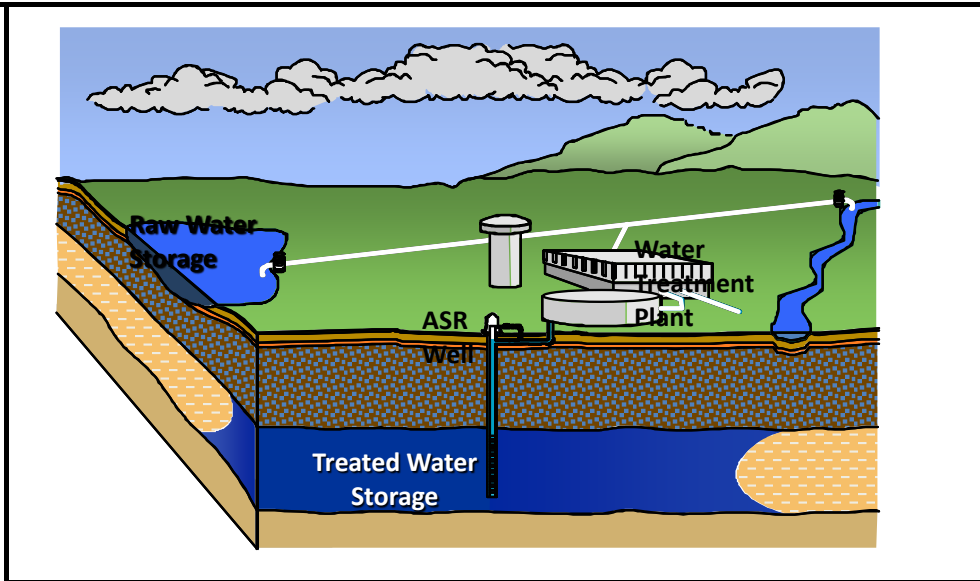
**Responsible Department:** Public Works **CIP No.** W01

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	1,896,000		150,000	700,000	-	-	-	2,746,000

**Description :**

Phase I included drilling and testing of the well. Phase II of the project includes upsizing of 2 Garlic Creek Booster Pumps, SCADA and other automation of ASR related equipment, and installation of a generator to run the two wells and booster station. Remaining work, if the ASR pilot well is successful, will be to design the pumpstation upgrades. The design is expected to occur in late 2022 after the cycle testing is performed, followed by construction in 2023. The City may also pursue a Trinity Well permit during this time.



<b>Estimated Project Cost:</b>	
Design/Engineering	700,000
ROW Acquisition	-
Construction	1,646,000
Other	400,000
<b>Total</b>	<b>2,746,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	-
Construction	24
<b>Total</b>	<b>42</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	2,746,000
Grants/Other	-
<b>Total</b>	<b>2,746,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	20,000
Repair & Maint.	5,000
Capital & Other	-
<b>Total</b>	<b>25,000</b>

**Notes:**

\$1,896,000 was issued in the 2017 Certificates of Obligation to fund the Phase 1 portion of the project. The Well #5 site was chosen to locate the first ASR project. Permitting is underway with the initial well expected to be drilled in 2020. Cycle testing will occur in 2021. Completion of the project and pump station improvements at Well #5 site will occur in 2022-23 and into 2023-24. Remaining portion of project may use ARPA funds.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**Water Master Plan**

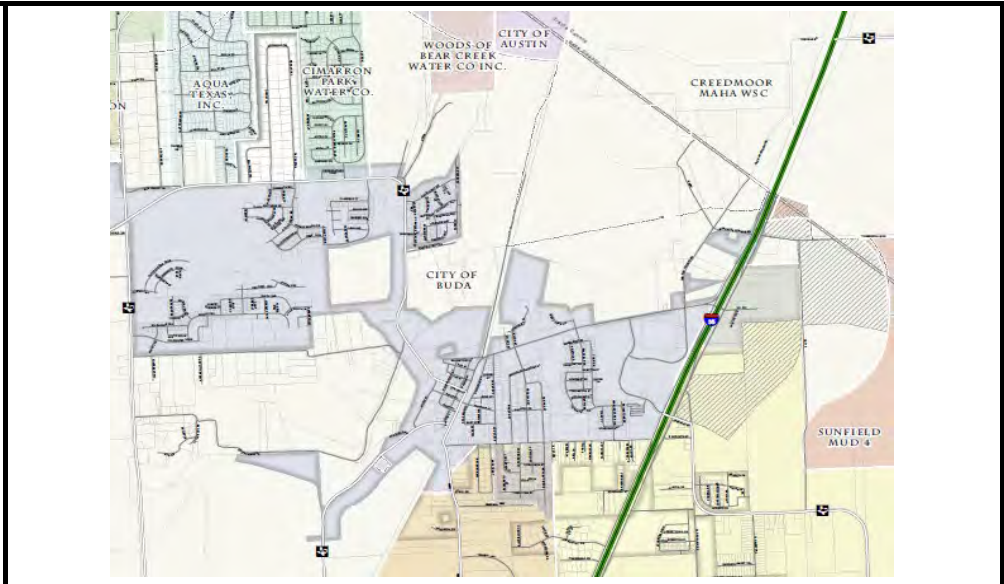
**Responsible Department:** **Engineering** **CIP No.** **W03**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	175,000	-	-	-	-	-	-	175,000

**Description :**

Create a long range water master plan to enable City staff to make the best informed decisions regarding development commitments, long term CIP's, and future enhancements to water distribution system design an operation. The water master plan will address long term needs. It will also evaluate the expansion of the recycled water service in order to preserve the City's potable water supply.



<b>Estimated Project Cost:</b>	
Design/Engineering	175,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>175,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	
Debt	-
Grants/Other	175,000
<b>Total</b>	<b>175,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The necessity for a long range water master plan is recognized by Planning, Engineering, and Public Works. American Rescue Plan Act funded in Fiscal Year 2021-2022.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**IH-35 12" Transmission Main Loop**

**Responsible Department:** Public Works **CIP No.** W04

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
-	-			135,000	1,000,000	-	-	1,135,000

**Description :**

Total project cost to install a new 12-inch waterline for a total length of 2,400 linear feet, including one bore under Interstate 35. Project 3 and part of Project 11 from 2017 Impact Fee Report.



<b>Estimated Project Cost:</b>	
Design/Engineering	110,000
ROW Acquisition	-
Construction	700,000
Other	325,000
<b>Total</b>	<b>1,135,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	12
Construction	9
<b>Total</b>	<b>27</b>

<b>Funding Source:</b>	
Operating Fund	135,000
Debt	1,000,000
Grants/Other	
<b>Total</b>	<b>1,135,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	1,135
Capital & Other	-
<b>Total</b>	<b>1,135</b>

**Notes:**

Private development in the area is constructing much of the line. The project amount is shown in the CIP in case a portion is not built. The City will need to analyze this project further to determine what responsibility, if any, is on the City.



**City of Buda, Texas**  
**Capital Improvement Program - Water**



**Old Black Colony Road 12" Transmission Main & Pressure Valve**

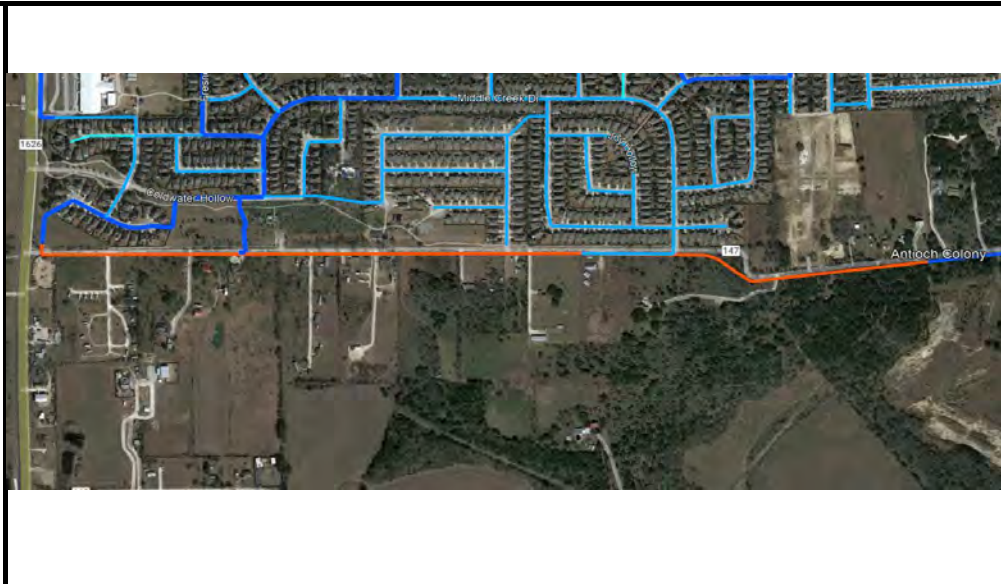
**Responsible Department:** Public Works **CIP No.** W09

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	250,000	1,250,000	-	-	-	-	1,500,000

**Description :**

This project will complete a 12-inch waterline connection between the middle and lower pressure zones along Old Black Colony Road to be able to move water from the proposed elevated storage tank near Old Black Colony Road and FM1626. Approximately 6.700 linear feet of waterline will need to be constructed to tie into the Colony Development. Right-of-way costs are unknwn at this time and timing of the project is to be aligned with the reconstruction of Old Black Colony Road from the 2021 Bond and also the completion of the elevated tank by the summer of 2024.



<b>Estimated Project Cost:</b>	
Design/Engineering	175,000
ROW Acquisition	
Construction	1,100,000
Other	225,000
<b>Total</b>	<b>1,500,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	6
Construction	9
<b>Total</b>	<b>21</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,500,000
Grants/Other	-
<b>Total</b>	<b>1,500,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	1,500
Capital & Other	-
<b>Total</b>	<b>1,500</b>

**Notes:**

Impact fees may be used to offset a portion of the City's annual debt service requirement. This project will need to be coordinated with the Old Black Colony Road Reconstruction project and the Old Black Colony Water Storage Facilities project.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**Old Black Colony Water Storage Facilities**

**Responsible Department:** Public Works **CIP No.** W11

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	7,650,000	-	-	-	-	-	-	7,650,000

**Description :**

City would need to acquire approximately 1 acre of land for this project. Utility improvements are necessary to keep up with demand and pressure for a growing system at the entry point for Alliance Regional Water Authority water into our system. Construction of the following items are included: 1.25 Million Gallon Elevated Storage Tank to help relieve demand off Beacon Hill Tower, install 12" water line along FM 1626 to Elm Grove Elementary School to create redundancy and improve distribution system operations, and upsize to 16" approximately 200 linear feet of water line to Whispering Hollow Subdivision .



<b>Estimated Project Cost:</b>	
Design/Engineering	750,000
ROW Acquisition	300,000
Construction	6,600,000
Other	-
<b>Total</b>	<b>7,650,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	6
Construction	9
<b>Total</b>	<b>27</b>

<b>Funding Source:</b>	
Operating Fund	300,000
Debt	7,350,000
Grants/Other	-
<b>Total</b>	<b>7,650,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	22,950
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Freese & Nichols was hired in FY 21 to begin design of the water site. A hydraulic study confirmed that a 1.25 million gallon elevated tank is needed. The City continues to work with property owners on the property acquisition. This project is needed to tie into the Alliance Regional Water Authority project to deliver water to Buda at this location. Combines the following projects identified in 2017 Impact Fee Report: Projects 1 & 4.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**Old Black Colony to Treehaven 12" Line Upsize**

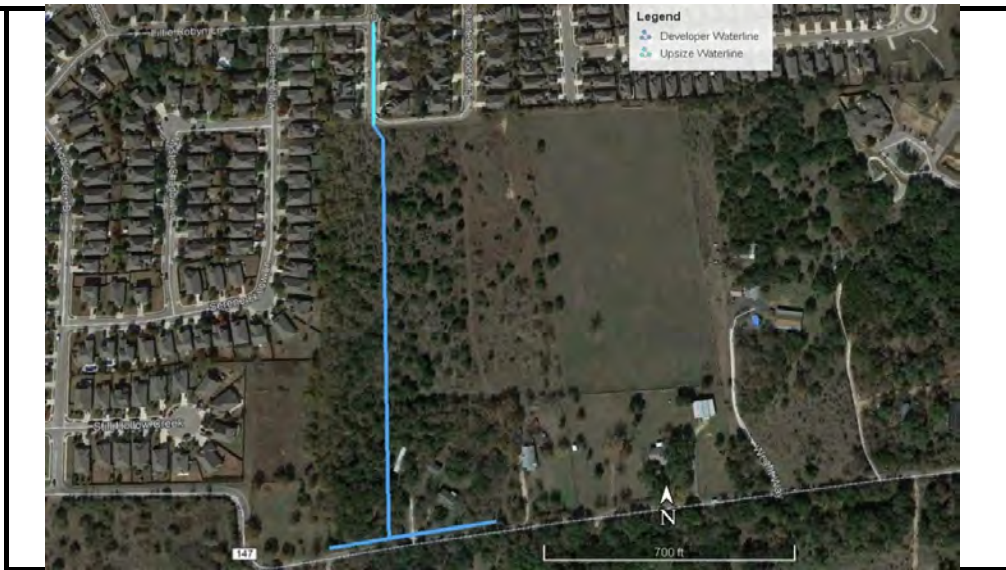
**Responsible Department:** Public Works **CIP No.** W12

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	135,000	-	-	-	-	-	-	135,000

**Description :**

Project 6 from 2017 Impact Fee Study. Work with developer to upsize approximately 1,250 linear feet of proposed 8-inch waterline serving new development to a 12-inch waterline. Replace approximately 325 linear feet of existing 8-inch line along Treehaven Court in Whispering Hollow to a 12-inch line in order to complete a full 12-inch loop in the water distribution system. This allows for better system operation and connectivity which improves public health. Upsizing the line while the development is being constructed saves significant capital and resources from having to tear up roads and replacing pipe post-development.



<b>Estimated Project Cost:</b>	
Design/Engineering	15,000
ROW Acquisition	-
Construction	120,000
Other	
<b>Total</b>	<b>135,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	15,000
Debt	-
Grants/Other	120,000
<b>Total</b>	<b>135,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project cost is for the 325 linear feet along Treehaven Court. Estimates from Impact Fee Study for wateline (\$108/ft) and pavement repair (\$85/ft). Project was put out to bid in 2021, but no bids were received.



**City of Buda, Texas**  
**Capital Improvement Program - Water**



**ASR/Trinity #2 & 3**

**Responsible Department:** Public Works **CIP No.** W13

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-		-	750,000	4,250,000	-	5,000,000

**Description :**

Construction of the second and third ASR Trinity wells. The wells will be sized and constructed for production capability. Well 4 site includes new booster pump station and water storage tank, and the Triangle Site is only for the production well and potential monitoring well. Bringing both wells online at the same time saves time and cost, reduces the need for additional lead and copper sampling if timed for completion with ARWA water coming online.



<b>Estimated Project Cost:</b>	
Design/Engineering	750,000
ROW Acquisition	-
Construction	4,250,000
Other	-
<b>Total</b>	<b>5,000,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	18
<b>Total</b>	<b>30</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	5,000,000
Grants/Other	-
<b>Total</b>	<b>5,000,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

There is potential to utilize the well at one of the two sites for a Trinity production well if water quality proves to be adequate or blendable with existing supplies.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**FM 2770 12" Waterline**

**Responsible Department:** Public Works **CIP No.** W14

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	125,000	575,000	-	-	-	-	700,000

**Description :**

Installation of a new 12-inch waterline along FM 2770 in order to connect to the proposed Colony at Cole Springs subdivision. This line will connect to the developer built waterline to be included with the new bridge across Onion Creek. Having a secondary line crossing the creek increases system resiliency and improves waterflow throughout the water system. This project includes the installation of approximately 3,100 linear feet of 12-inch waterline and two bore crossing of FM 2770 and the Project 1B drainage channel. Using existing public utility easements should limit the need for right-of-way acquisition. A portion of this project will be constructed by Buda Fire as part of the Central Fire Station project.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	
Construction	475,000
Other	125,000
<b>Total</b>	<b>700,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	6
Construction	9
<b>Total</b>	<b>21</b>

<b>Funding Source:</b>	
Operating Fund	125,000
Debt	575,000
Grants/Other	
<b>Total</b>	<b>700,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Bridge completion projected for Summer 2023. Right-of-way acquisition and Engineering design/procurement services allocated in FY2023 with construction in FY2024. Project 7 from the 2017 Water/Wastewater Impact Fee Report.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**South Loop 4 Water Tank Paint and Rehabilitation**

**Responsible Department:** Public Works **CIP No.** W15

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	320,000	-	-	-	-	-	320,000

**Description :**

Rehabilitate and paint the outside of the 100,000 gallon elevated water storage tank located at South Loop 4.



<b>Estimated Project Cost:</b>	
Design/Engineering	35,000
ROW Acquisition	-
Construction	285,000
Other	-
<b>Total</b>	<b>320,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	2
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>6</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	320,000
<b>Total</b>	<b>320,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project may be funded through the American Rescue Plan Act.



**City of Buda, Texas**  
**Capital Improvement Program - Water**



**S. Loop 4 Utility Relocations for Roadway Reconstruction - Water**

**Responsible Department:** Public Works **CIP No.** W17

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	44,400	260,000	-	-	-	-	-	304,400

**Description :**

Relocate water lines to accommodate the reconstruction of S. Loop 4 by Hays County (\$210,000) and the City's 2014 Project Area 1B Drainage Improvements (\$50,000).

**PROJECT SCOPE AND NEED**  
**CITY OF BUDA**  
**WATER/WASTEWATER**  
**RELOCATIONS**

- Adjust City of Buda facilities in conflict with the two projects prior to Roadway/Drainage construction
- RM967S Improvements: 690' of waterline, 215' of wastewater forcemain
- Phase 1B Drainage: 50' of waterline, 430' of wastewater line and forcemain

**Estimated Project Cost:**

Design/Engineering	44,400
ROW Acquisition	-
Construction	260,000
Other	-
<b>Total</b>	<b>304,400</b>

**Project Task:** **Duration**

Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	-
Debt	-
Grants/Other	260,000
<b>Total</b>	<b>260,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project may be funded through the American Rescue Plan Act.

**City of Buda, Texas**  
**Capital Improvement Program - Water**



**Upsize Main Street 2" Waterline to 8"**

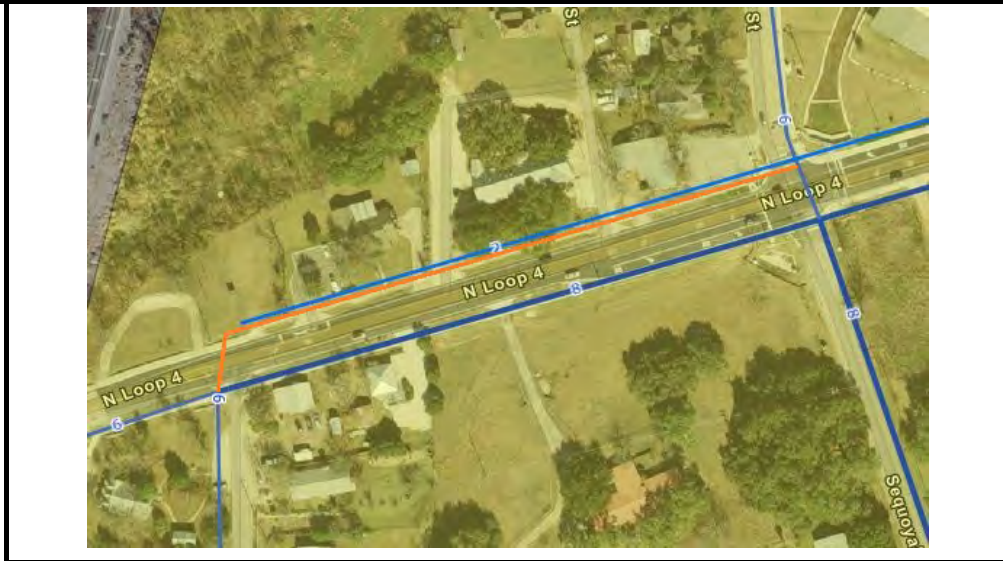
**Responsible Department:** Public Works **CIP No.** W18

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	260,000	-	-	-	260,000

**Description :**

Replace 750 L.F of 2" Watermain on the North side of Main Street from the East Corner of East Loop Street to just East of the UPRR tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximately 90' of bored steel casing and connect water line in at the corner of Cedar Street. Installation includes automatic flush valve, three American Darling Fire Hydrants, four gate valves, one T, and Three 90's.



<b>Estimated Project Cost:</b>	
Design/Engineering	35,000
ROW Acquisition	-
Construction	175,000
Other	50,000
<b>Total</b>	<b>260,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	4
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>8</b>

<b>Funding Source:</b>	
Operating Fund	260,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>260,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Wastewater Capital Improvement Program  
FY 2023 - 2027**



The City provides retail wastewater services to a portion of Buda and wholesale service to areas of Buda that are served by other water providers. The City has previously invested in expansion of wastewater services through expansion of the wastewater treatment plant. A Wastewater Master Plan was completed in 2020 to guide the planning process of the current CIP.

<b>Sources of Funding</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>2023-27 Total</b>
Operating Fund	153,600	-	50,000	-	-	-	50,000
Future Utility Debt	-	-	3,000,000	1,450,000	2,305,000	1,925,000	8,680,000
2017 COs	9,504,000	-	-	-	-	-	-
2021 COs	-	-	-	-	-	-	-
2022 COs	450,000	-	-	-	-	-	-
Impact Fees	797,545	-	750,000	340,000	-	-	1,090,000
Other/Grants	377,880	2,610,455	2,200,000	-	-	-	4,810,455
<b>Total</b>	<b>11,283,025</b>	<b>2,610,455</b>	<b>6,000,000</b>	<b>1,790,000</b>	<b>2,305,000</b>	<b>1,925,000</b>	<b>14,630,455</b>

<b>Uses of Funds</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>Future</b>	<b>Total</b>
<b><u>Wastewater Projects:</u></b>								
WW04 Wastewater Manhole Rehabilitation	202,880	-	-	-	-	-	-	202,880
WW07 South Loop 4 Lift Station Decommission & Gravity Interceptor Extension	797,545	2,045,455	-	-	-	-	-	2,843,000
WW10 Northwest IH-35 15" Gravity Interceptor	-	-	-	-	-	1,275,000	-	1,275,000
WW11 Bradfield/Lifschutz 12"/16"/18" Gravity Interceptor Expansion	450,000	-	3,000,000	-	-	-	-	3,450,000
WW12 Direct Potable Reuse (DPR) Feasibility Study	-	-	-	-	-	-	450,000	450,000
WW13 Garlic Creek Basin Inflow & Infiltration Study	50,000	-	-	-	-	-	-	50,000
WW14 Edwards Aquifer Recharge Zone Integrity Testing & Rehabilitation	-	-	50,000	-	-	-	-	50,000
WW15 Overlook Lift Station Upsize and Interceptor for Cole Springs Road	-	-	-	700,000	-	-	-	700,000
WW16 Sunfield Effluent Wastewater Discharge Force Main	9,504,000	-	-	-	-	-	-	9,504,000
WW17 Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion	-	-	-	-	-	-	2,480,000	2,480,000
WW18 FM 967 Interceptor Expansion to 12"	-	-	-	75,000	-	650,000	-	725,000
WW19 Lower Garlic Creek Interceptor Expansion 18" to 21"	-	-	-	215,000	1,885,000	-	-	2,100,000
WW20 Upper Garlic Creek Interceptor Expansion to 15"	-	-	-	50,000	420,000	-	-	470,000
WW21 Dacy Lane Lift Station and Force Main	-	-	2,800,000	-	-	-	-	2,800,000
WW22 FM1626 Wastewater Service Extension Study	75,000	-	-	-	-	-	-	75,000
WW23 Lift Station Condition and Capacity Assessment	100,000	-	-	-	-	-	-	100,000
WW24 Nighthawk Lift Station Capacity Increase	-	-	-	-	-	-	3,000,000	3,000,000
WW25 South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater	103,600	565,000	-	-	-	-	-	668,600
WW26 Coves of Cimarron Wastewater Line Replacement	-	-	150,000	750,000	-	-	-	900,000
<b>Total Use of Funds</b>	<b>11,283,025</b>	<b>2,610,455</b>	<b>6,000,000</b>	<b>1,790,000</b>	<b>2,305,000</b>	<b>1,925,000</b>	<b>5,930,000</b>	<b>31,843,480</b>

**Cumulative Balance**

**Sources Over/(Under) Uses**



**Wastewater Manhole Rehabilitation**

**Responsible Department:** Public Works **CIP No.** WW04

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	202,880	-	-	-	-	-	-	202,880

**Description :**

There are approximately fifty manholes throughout the City that are in need of rehabilitation. This mainly involves removing the old chip coating Spray Rock Coating and applying Raven 405 at 100 mils. Some additional work such as Urethane grout will need to be applied to stop ground water infiltration.



<b>Estimated Project Cost:</b>	
Design/Engineering	-
ROW Acquisition	-
Construction	-
Other	202,880
<b>Total</b>	<b>202,880</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>3</b>

<b>Funding Source:</b>	
Operating Fund	202,880
Debt	-
Grants/Other	-
<b>Total</b>	<b>202,880</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The City of Buda has notified TCEQ that it would lower its TSS and BOD's in order to meet new treatment outflow permit requirements. This work will help to reduce the amount TSS/BOD to better allow the City to meet the new levels. Project is funded using ARPA funds.

**South Loop 4 Lift Station Decommission & Gravity Interceptor Extension**

**Responsible Department:** Public Works **CIP No.** WW07

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	797,545	2,045,455	-	-	-	-	-	2,843,000

**Description :**

Segment A involves the decommission an existing lift station near the South Loop 4 and West Goforth Road intersection, and installation of ~1,800 L.F of 8-inch PVC/HDPE to divert flow to existing manhole on Bluff Street. Segments B & C will extend wastewater service to Robert S. Light Blvd. to serve existing and future commercial development. This project is funded through a partnerships with the Buda Economic Development Corporation. Congressional funding has been secured for Segments B & C with a 20% local match pledged by the Buda EDC. The City will reimburse ESD#8 to install a portion of the interceptor as part of the Fire Station reconstruction.



<b>Estimated Project Cost:</b>	
Design/Engineering	109,000
ROW Acquisition	523,000
Construction	2,211,000
Other	-
<b>Total</b>	<b>2,843,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	24
Right-of-way/Utilities	6
Construction	9
<b>Total</b>	<b>39</b>

<b>Funding Source:</b>	
Operating Fund	797,545
Debt	-
Grants/Other	2,045,455
<b>Total</b>	<b>2,843,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The improvements needed are related to growth and existing infrastructure lack of capacity to handle future demands. The removal of the existing lift station also supports the extension of drainage improvements associated with the 2014 Buda Bond Proposition 4 - Drainage; Project Area 1 - West Goforth Drainage Improvements. The Congressional Appropriation totals \$1,636,364. Buda EDC funding totals \$409,091. The reimbursement to the ESD#8 is estimated at \$288,335.

**Northwest IH-35 15" Gravity Interceptor**

**Responsible Department:** Public Works **CIP No.** WW10

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-			-		1,275,000	-	1,275,000

**Description :**

Northwest IH-35 interceptor is a proposed wastewater project. Approximately 4,500 linear feet. This project includes the installation of a 15" wastewater line on the western side of Interstate 35 north of Main Street and along Main Street to the Dorsett Lift Station.



<b>Estimated Project Cost:</b>	
Design/Engineering	150,000
ROW Acquisition	-
Construction	900,000
Other	225,000
<b>Total</b>	<b>1,275,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,275,000
Grants/Other	-
<b>Total</b>	<b>1,275,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Actual schedule will depend upon the timing of projects in the basin. The project costs are for the full basin. The developer will be required to provide costs for the discrete development and the City will be responsible for the oversizing. Project could be aligned on either IH-35 or Old San Antonio Road. Project is subject to cost recovery from impact fees, developer participation, and/or EDC contributions.



**Bradfield/Lifschutz 12"/16"/18" Gravity Interceptor Expansion**

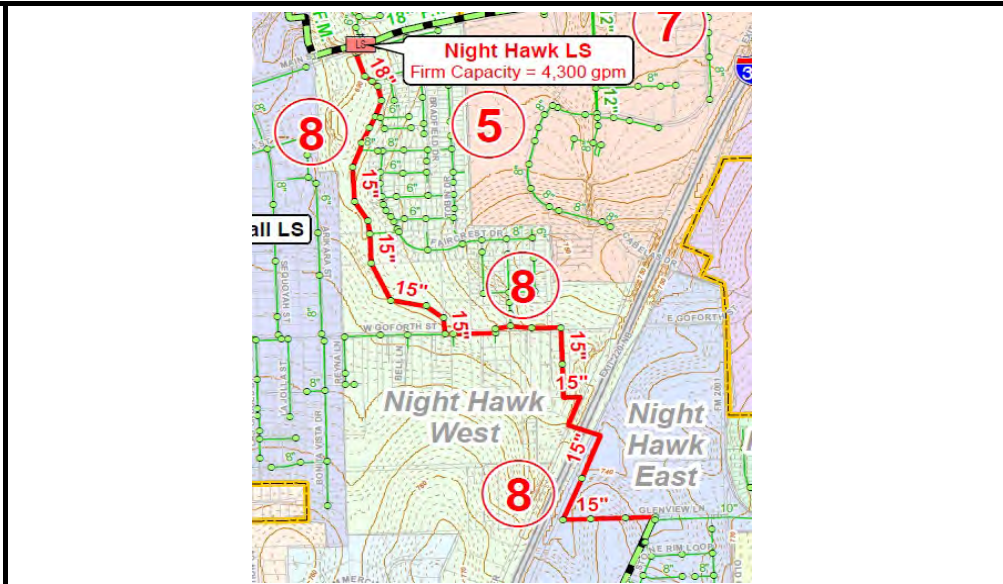
**Responsible Department:** Public Works **CIP No.** WW11

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	450,000		3,000,000	-	-	-	-	3,450,000

**Description :**

This project identified as WW Project 8 in the adopted Water & Wastewater Impact Fee Report dated September 2017 would replace undersized existing assets and provide wastewater collection system capacity to serve future growth. The project will replace the existing gravity mains with a new 15-inch diameter gravity interceptor from Glenview Lane to Roseberry Street, and a new 18-inch diameter gravity interceptor from Roseberry Street to the new Night Hawk Lift Station.



<b>Estimated Project Cost:</b>	
Design/Engineering	450,000
ROW Acquisition	-
Construction	2,400,000
Other	600,000
<b>Total</b>	<b>3,450,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	3,450,000
Impact Fees	-
<b>Total</b>	<b>3,450,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	3,450
Capital & Other	-
<b>Total</b>	<b>3,450</b>

**Notes:**

Wastewater modeling has indicated a potential for overflows during peak wet weather events. Upsizing this segment of line will reduce the possibility for overflows, and also allow for more capacity to serve this growing area of the City.

**Direct Potable Reuse (DPR) Feasibility Study**

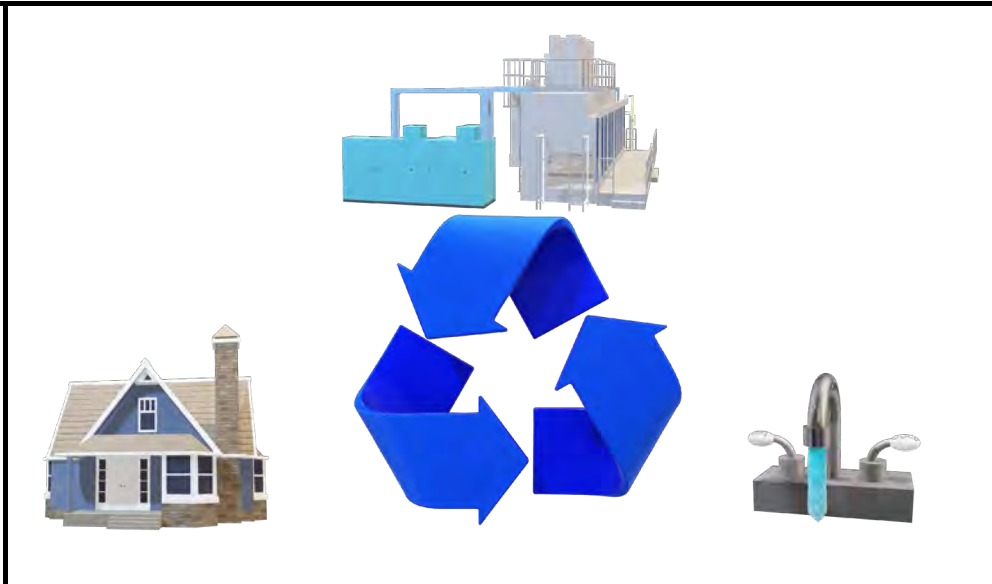
**Responsible Department:** Public Works **CIP No.** WW12

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	450,000	450,000

**Description :**

The City began a characterization study in 2017 to evaluate the possibility of utilizing Direct Potable Reuse (DPR) as a future water supply. The next step is to define study processes and protocols, perform final design of pilot plant facilities, and to obtain review and approvals from TCEQ for implementation of a DPR pilot study.



<b>Estimated Project Cost:</b>	
Design/Engineering	450,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>450,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	450,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>450,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Funding would be from the Wastewater Operating Fund.

**City of Buda, Texas**  
**Capital Improvement Program - Wastewater**



**Garlic Creek Basin Inflow & Infiltration Study**

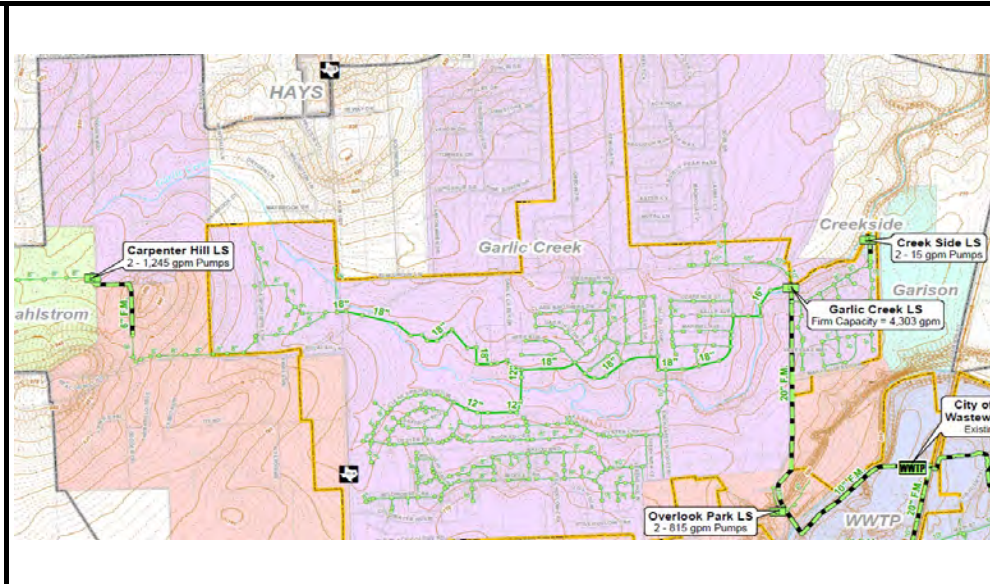
**Responsible Department:** Public Works **CIP No.** WW13

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	50,000	-	-	-	-	-	-	50,000

**Description :**

The purpose of the proposed study is to monitor and analyze the existing flows in the Garlic Creek wastewater collection basin, and to update the City's wastewater system model used to determine necessary improvements for collection system capacity and reduce non-wastewater flows into the City's WWTP. The project scope of the work would include conducting real time low monitoring; defining existing and future service area land use; determining Average Dry Weather Flow (ADWF), Peak Dry Weather Flow (PDWF), and Peak Wet Weather Flow; performing system modeling; and identifying projects for improved operation and maintenance of the wastewater collection system.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>50,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>6</b>

<b>Funding Source:</b>	
Operating Fund	50,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>50,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Edwards Aquifer Recharge Zone Integrity Testing & Rehabilitation**

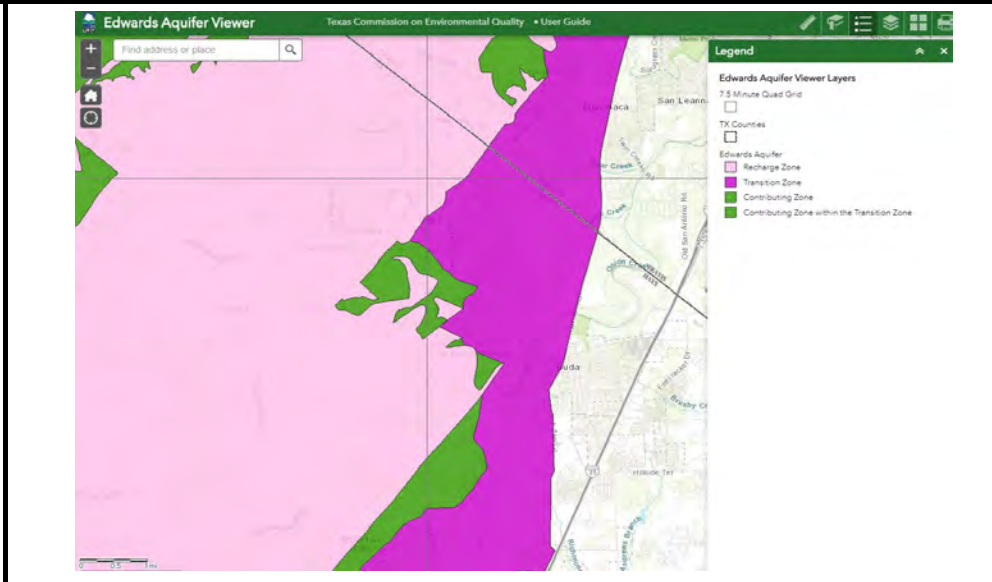
**Responsible Department:** Public Works **CIP No.** WW14

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	50,000	-	-	-	-	50,000

**Description :**

The purpose of the proposed study is to monitor and analyze the wastewater system and to update the City's wastewater system model used to determine necessary improvements for collection system capacity and reduce non-wastewater flows into the City's WWTP, specific to the areas included in the Edwards Aquifer Recharge Zone. The project scope of the work would include conducting real time low monitoring; defining existing and future service area land use; determining Average Dry Weather Flow (ADWF), Peak Dry Weather Flow (PDWF), and Peak Wet Weather Flow; performing system modeling; and identifying projects for improved operation and maintenance of the wastewater collection system.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>50,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>6</b>

<b>Funding Source:</b>	
Operating Fund	50,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>50,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Overlook Lift Station Upsize and Interceptor for Cole Springs Road**

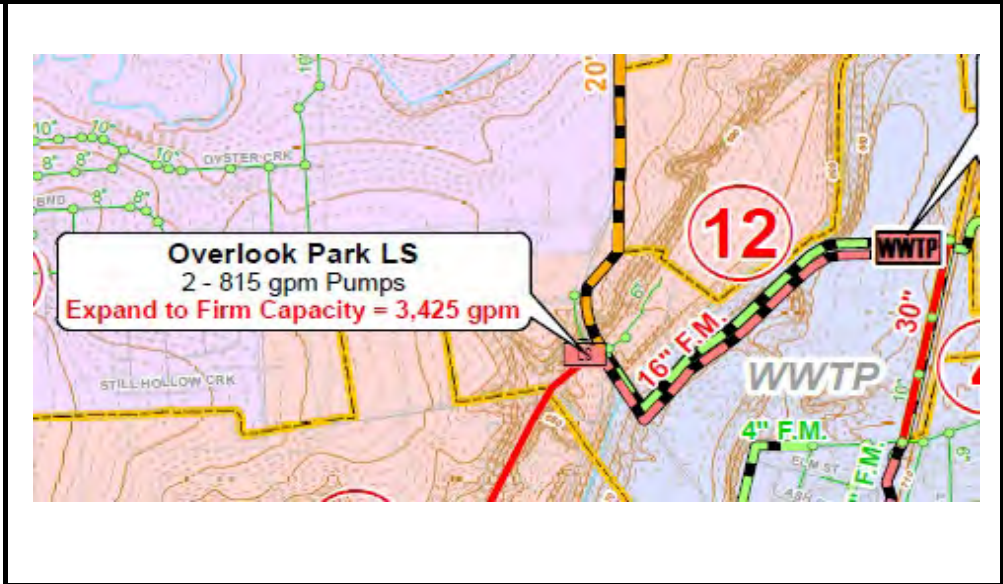
**Responsible Department:** Public Works **CIP No.** WW15

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	700,000	-	-	-	700,000

**Description :**

Expand the Overlook Park Lift Station to a capacity of 3,425 gallons per minute and replace the existing force main with a 16-inch force main to the wastewater treatment plant. This project will serve planned new growth along Cole Springs Road. This project could be completed through a reimbursement agreement with The Colony where they complete the improvements for oversizing the lift station and the City covers the cost of oversizing.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	-
Construction	600,000
Other	-
<b>Total</b>	<b>700,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	12
<b>Total</b>	<b>24</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	700,000
<b>Total</b>	<b>700,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project will expand the existing Overlook Lift Station and upsize the existing force main or run a new parallel force main.

**Sunfield Effluent Wastewater Discharge Force Main**

**Responsible Department:** Engineering **CIP No.** WW16

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	9,504,000	-	-	-	-	-	-	9,504,000

**Description :**

This project was previously included as part of the Wastewater Treatment Plant Expansion (WW00). It has been broken out as the timeline for construction of the interceptor differs from the WWTP. The project includes roughly 6,000 linear feet of a 20" force main that will carry the treated discharge to the Plum Creek basin via a discharge location in the Sunfield MUD. Bonds were issued in 2017 to finance the project. Costs have increased resulting in the need for additional funds for the project. Segments of the project were constructed as part of the Prop 3 - Main Street Reconstruction project.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	500,000
Construction	9,004,000
Other	-
<b>Total</b>	<b>9,504,000</b>

**Project Task: Duration**

Planning/Design	24
Right-of-way/Utilities	24
Construction	18
<b>Total</b>	<b>66</b>

**Funding Source:**

Operating Fund	-
Debt	9,504,000
Grants/Other	-
<b>Total</b>	<b>9,504,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The ongoing operational impact will not change initially. Additions will be the result of new wastewater flows caused by new growth. AECOM is the lead engineer for the project design.



**Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion**

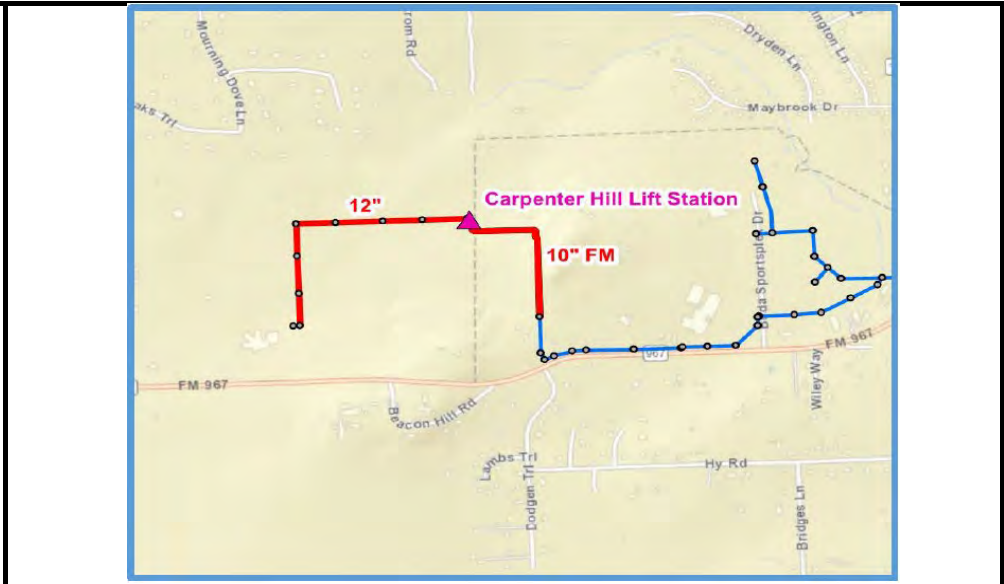
**Responsible Department:** Engineering **CIP No.** WW17

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-		-	2,480,000	2,480,000

**Description :**

Upsize approximately 3,150 LF of existing 8-inch sanitary sewer gravity main to 12-inch, increase the Carpenter Hill lift station capacity to 850 gpm, and upsizing approximately 1,885 LF of existing 6-inch force main to 10-inches. This project will be necessary when projected future population growth in the Northwest side of the City increases peak wet weather flow through the existing 8-inch gravity line.



<b>Estimated Project Cost:</b>	
Design/Engineering	250,000
ROW Acquisition	-
Construction	1,715,000
Other	515,000
<b>Total</b>	<b>2,480,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	2,480,000
Grants/Other	-
<b>Total</b>	<b>2,480,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	2,400
Capital & Other	-
<b>Total</b>	<b>2,400</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Wastewater**



**FM 967 Interceptor Expansion to 12"**

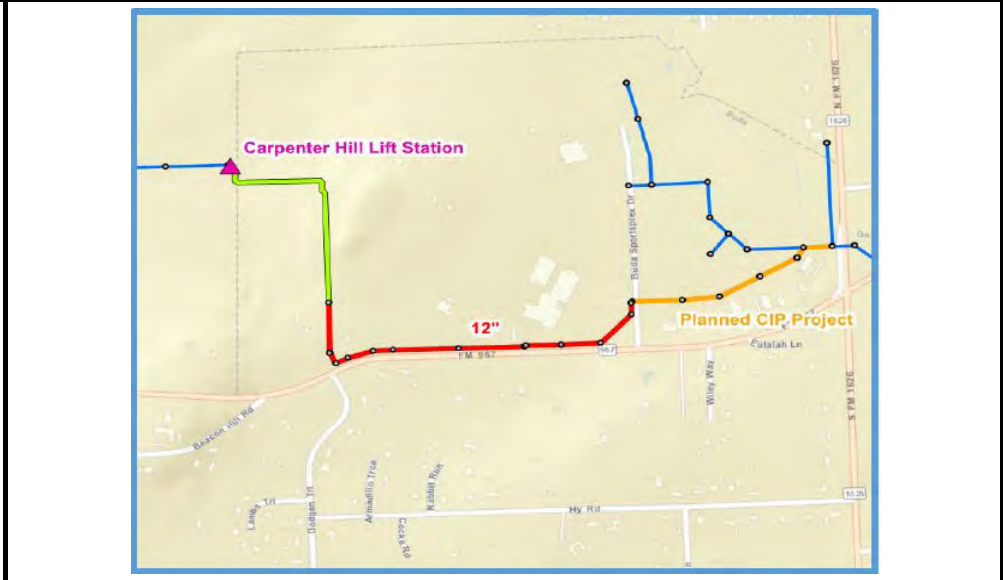
**Responsible Department:** Engineering **CIP No.** WW18

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
-	-	-	-	75,000	-	650,000	-	725,000

**Description :**

Upsize approximately 3,040 LF of existing 8-inch sanitary sewer main to 12-inch. This project will be necessary when projected future population growth in the Northeast side of the City increases peak wet weather flow through the existing 8-inch line.



<b>Estimated Project Cost:</b>	
Design/Engineering	75,000
ROW Acquisition	-
Construction	500,000
Other	150,000
<b>Total</b>	<b>725,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	652,000
<b>Total</b>	<b>652,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	650
Capital & Other	-
<b>Total</b>	<b>650</b>

**Notes:**

**Lower Garlic Creek Interceptor Expansion 18" to 21"**

**Responsible Department:** Engineering **CIP No.** WW19

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	215,000	1,885,000	-	-	2,100,000

**Description :**

Upsize approximately 2,430 LF of existing 15-inch sanitary sewer main to 18-inch, and 4,360 LF of existing 18-inch sanitary sewer main to 21-inch. This project will be necessary when projected future population growth in the Garlic Creek basin increases wet weather flow through the existing 15 and 18-inch line.



<b>Estimated Project Cost:</b>	
Design/Engineering	215,000
ROW Acquisition	-
Construction	1,450,000
Other	435,000
<b>Total</b>	<b>2,100,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	2,100,000
Grants/Other	-
<b>Total</b>	<b>2,100,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Upper Garlic Creek Interceptor Expansion to 15"**

**Responsible Department:** Engineering **CIP No.** WW20

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-		50,000	420,000	-	-	470,000

**Description :**

Upsize approximately 2,430 LF of existing 15-inch sanitary sewer main to 18-inch, and 4,360 LF of existing 18-inch sanitary sewer main to 21-inch. This project will be necessary when projected future population growth in the Garlic Creek basin increases wet weather flow through the existing 15 and 18-inch line.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	320,000
Other	100,000
<b>Total</b>	<b>470,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>15</b>

<b>Funding Source:</b>	
Operating Fund	50,000
Debt	420,000
Grants/Other	-
<b>Total</b>	<b>470,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Dacy Lane Lift Station and Force Main**

**Responsible Department:** Engineering **CIP No.** WW21

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
-	-	2,800,000	-	-	-	-	2,800,000	

**Description :**

Design and construct Dacy Lane Lift Station to provide wastewater service in the southeastern portion of the City. This would include an 8-inch force main to the Meadows at Buda Lift Station of nearly 5,000 linear feet. Project 6 in the 2020 Wastewater Master Plan.



<b>Estimated Project Cost:</b>	
Design/Engineering	200,000
ROW Acquisition	-
Construction	2,150,000
Other	450,000
<b>Total</b>	<b>2,800,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	600,000
Debt	-
Grants/Other	2,200,000
<b>Total</b>	<b>2,800,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

City is looking to cost share and oversize a planned liftstation to serve a proposed residential development located west of Dacy Lane. Developer is proposing to install an approximate 256 LUE liftstation. The total proposed liftstation would be approximately 564 LUEs. This project would open up future commercial development along IH-35 and potentially to serve the Hillside Terrace neighborhood. Developer cost would be \$2.2 million and the City's portion would be \$600,000.

**FM1626 Wastewater Service Extension Study**

**Responsible Department:** Engineering **CIP No.** WW22

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	75,000	-	-	-	-	-	-	75,000

**Description :**

Study the FM 1626 Corridor to evaluate how best to serve with utilities and to foster future growth in this area.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>100,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	100,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>100,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Lift Station Condition and Capacity Assessment**

**Responsible Department:** Engineering **CIP No.** WW23

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	100,000	-	-	-	-	-	-	100,000

**Description :**

Expand on the 2020 Wastewater Master Plan by completing a capacity and condition assessment on the city-owned wastewater lift stations. This study will identify the remaining capacity in existing lift stations to support future growth. It will also complete a conditions assessment of the pumps, impellers, control panels, and other components to develop a routine maintenance and replacement schedule.



<b>Estimated Project Cost:</b>	
Design/Engineering	80,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>80,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Permitting	-
Construction	-
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	80,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>80,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project will be funded through ARPA funds.

**Nighthawk Lift Station Capacity Increase**

**Responsible Department:** Engineering **CIP No.** WW24

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	3,000,000	3,000,000

**Description :**

Design and construct Nighthawk Lift Station to meet firm capacity as recommended in the 2017 Impact Fee Report. Include installation of generator and meet Unified Development Code fencing guidelines.



<b>Estimated Project Cost:</b>	
Design/Engineering	400,000
ROW Acquisition	-
Construction	2,100,000
Other	500,000
<b>Total</b>	<b>3,000,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	12
Permitting	-
Construction	9
<b>Total</b>	<b>30</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	3,000,000
Grants/Other	-
<b>Total</b>	<b>3,000,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Further analysis is needed to determine if this needs to be a new larger lift station or if the current Night Hawk Lift Station can be upsized to handle the increased demands.

**South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater**

**Responsible Department:** Public Works **CIP No.** WW25

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	103,600	565,000	-	-	-	-	-	668,600

**Description :**

Relocate wastewater and effluent lines to accommodate the reconstruction of South Loop 4 by Hays County (\$310,000) and the City's 2014 Project Area 1B Drainage Improvements (\$255,000).

**PROJECT SCOPE AND NEED**  
**CITY OF BUDA**  
**WATER/WASTEWATER**  
**RELOCATIONS**

- Adjust City of Buda facilities in conflict with the two projects prior to Roadway/Drainage construction
- RM967S Improvements: 690' of waterline, 215' of wastewater forcemain
- Phase 1B Drainage: 50' of waterline, 430' of wastewater line and forcemain

**Estimated Project Cost:**

Design/Engineering	103,600
ROW Acquisition	-
Construction	565,000
Other	-
<b>Total</b>	<b>668,600</b>

**Project Task:**

Project Task	Duration
Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	<b>-</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project may be funded through the American Rescue Plan Act.



**City of Buda, Texas**  
**Capital Improvement Program - Wastewater**



**Coves of Cimarron Wastewater Line Replacement**

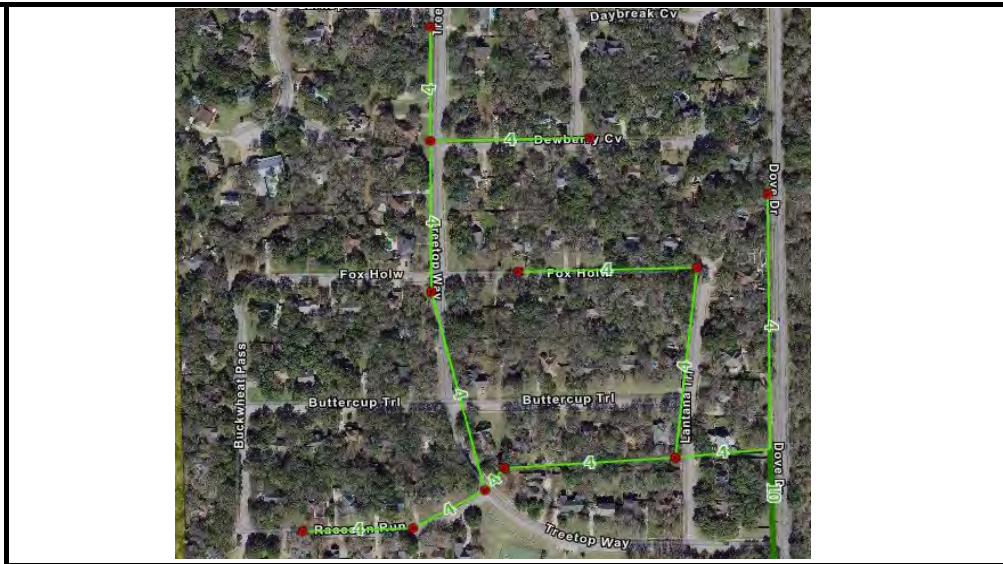
<b>Responsible Department:</b>	<b>Public Works</b>	<b>CIP No.</b>	<b>WW26</b>
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**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	150,000	750,000	-	-	900,000	

**Description :**

Replace 5200 linear feet of 2-inch to 4-inch wastewater forcemain and gravity line in the northern section of the Coves of Cimarron subdivision to an 8-inch line. This section of the collection system consists of multiple grinder pump connections onto the same small diameter force main, along with some sections of gravity line that is brought to the Dove Lane lift station. Most of the line was installed in the 1980s and receives a high level of inflow and infiltration. The small diameter line sizes make it almost impossible for staff to properly maintain, clean, and inspect this section of the system. Design a gravity system that will allow all homes to tie onto the system and to abandon aging septic systems.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	-
Construction	650,000
Other	150,000
<b>Total</b>	<b>900,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	6
Permitting	-
Construction	9
<b>Total</b>	<b>21</b>

<b>Funding Source:</b>	
Operating Fund	150,000
Debt	750,000
Grants/Other	-
<b>Total</b>	<b>900,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Reclaimed Water Capital Improvement Program  
FY 2023 - 2027**



The City provides Type I reclaimed water for irrigation, construction, and other non-potable uses. Distribution is currently restricted because of limited infrastructure including storage and distribution. Expanded use of reclaimed water is an important strategy for the City of Buda in meeting future water needs related to growth.

<b>Sources of Funding</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>2023-27 Total</b>
Operating Fund	50,000	-	-	75,000	-	-	75,000
Future Utility Debt	-	-	975,000	-	510,000	-	1,485,000
2022 COs	460,000	-	-	-	-	-	-
Other/Grants	-	-	-	-	-	-	-
<b>Total</b>	<b>510,000</b>	<b>-</b>	<b>975,000</b>	<b>75,000</b>	<b>510,000</b>	<b>-</b>	<b>1,560,000</b>

<b>Uses of Funds</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>Future</b>	<b>Total</b>
<b><u>Reclaimed Water Projects:</u></b>								
RW00 Reclaimed Water Ground Storage Tank	50,000	-	-	-	-	-	-	50,000
RW01 Main Street and Interstate 35 Reuse Loop	-	-	975,000	-	-	-	-	975,000
RW02 Reuse Water System Expansion	460,000	-	-	-	-	-	-	460,000
RW03 Westside Reuse Expansion Analysis	-	-	-	75,000	-	-	-	75,000
RW04 RM 967 Force Main Conversion and Reuse Line	-	-	-	-	510,000	-	-	510,000
RW05 Buda Sportsplex Reuse Line	-	-	-	-	-	-	1,825,000	1,825,000
RW06 Reuse Ground Storage Tank and Pump Station	-	-	-	-	-	-	1,600,000	1,600,000
<b>Total Use of Funds</b>	<b>510,000</b>	<b>-</b>	<b>975,000</b>	<b>75,000</b>	<b>510,000</b>	<b>-</b>	<b>3,425,000</b>	<b>5,495,000</b>

Cumulative Balance  
Sources Over/(Under) Uses

**Reclaimed Water Ground Storage Tank**

**Responsible Department:** Engineering **CIP No.** RW00

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	50,000	-	-	-	-	-	-	50,000

**Description :**

Expand the storage capacity of reuse water in order to meet increasing demands from City owned property and commercial customers. Tank capacity and construction cost to be determined, but should be placed near the Wastewater Treatment Plant to best utilize current infrastructure already in place.



**Estimated Project Cost:**

Design/Engineering	50,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>50,000</b>

**Project Task: Duration**

Planning/Design	6
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>10</b>

**Funding Source:**

Operating Fund	-
Debt	-
Grants/Other	50,000
<b>Total</b>	<b>50,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The project would be funded through the City's "Purple Pipe Fund" that was established to track revenues and expenses related to the reclaimed water service.



**Main Street and Interstate 35 Reuse Loop**

**Responsible Department:** Engineering **CIP No.** RW01

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-		975,000	-	-	-	-	975,000

**Description :**

Design and construct multiple extension totaling 6,200 linear feet of the reuse water system to serve higher demand irrigation customers within the commercial area of Interstate 35.



**Estimated Project Cost:**

Design/Engineering	125,000
ROW Acquisition	-
Construction	675,000
Other	175,000
<b>Total</b>	<b>975,000</b>

**Project Task:**

Project Task	Duration
Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	-
Debt	975,000
Grants/Other	-
<b>Total</b>	<b>975,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,000
Capital & Other	-
<b>Total</b>	<b>1,000</b>

**Notes:**

This project is proposed to be funded by a Certificate of Obligation bond to be funded by the Water Department.

**Reuse Water System Expansion**

**Responsible Department:** Engineering **CIP No.** RW02

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	460,000	-	-	-	-	-	-	460,000

**Description :**

Design and construct 1,020 linear feet of reuse waterline and convert the existing Stagecoach Pond or other storage system for reuse water storage and add a pump station. This will increase the capacity of the reuse water system and allow the service to be expanded.



**Estimated Project Cost:**

Design/Engineering	60,000
ROW Acquisition	-
Construction	320,000
Other	80,000
<b>Total</b>	<b>460,000</b>

**Project Task:**

	Duration
Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	-
Debt	460,000
Grants/Other	-
<b>Total</b>	<b>460,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,000
Capital & Other	-
<b>Total</b>	<b>1,000</b>

**Notes:**

Proposed debt funding. American Rescue Plan Act funds may also be considered for funding this project.

**Westside Reuse Expansion Analysis**

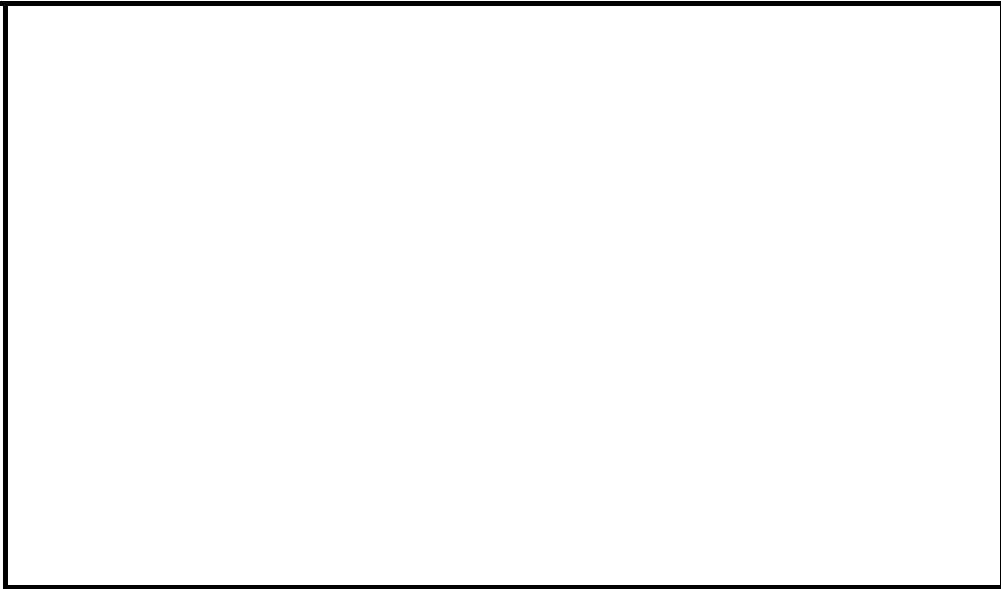
**Responsible Department:** Engineering **CIP No.** RW03

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	75,000	-	-	-	75,000

**Description :**

Submit Chapter 210 Reuse Authorization expansion for review and approval by the Texas Commission on Environmental Quality (TCEQ) for areas on the west side of Buda not currently authorized for reuse water. Conduct a Preliminary Engineering Report and Hydraulic Analysis for the westward expansion of the reuse system.



**Estimated Project Cost:**

Design/Engineering	75,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>75,000</b>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	9
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	75,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>75,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**RM 967 Force Main Conversion and Reuse Line**

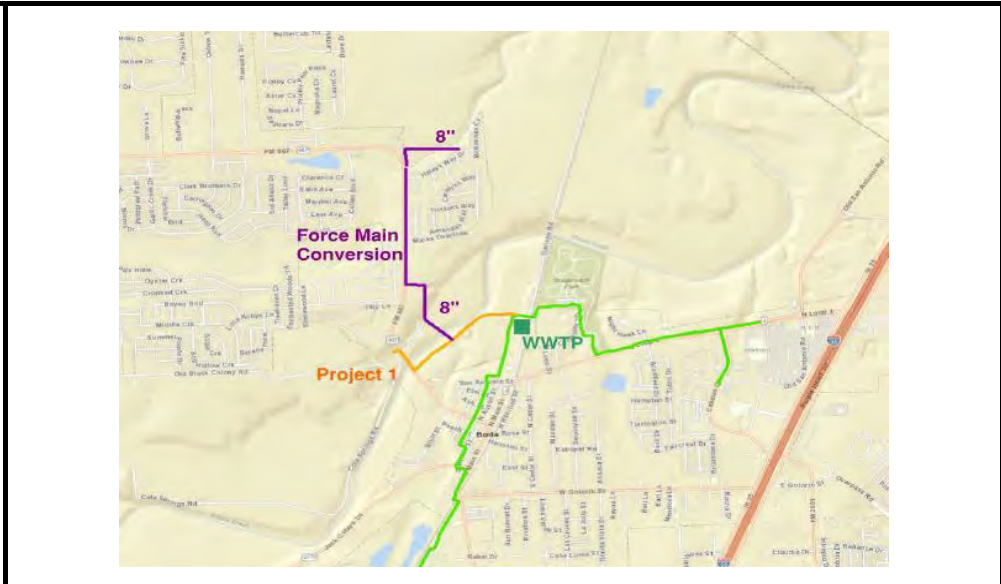
**Responsible Department:** Engineering **CIP No.** RW04

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	510,000	-	-	510,000

**Description :**

Design and construct approximately 1,150 linear feet of 8-inch reuse line and convert approximately 6,150 linear feet of existing force main to a reuse line. This project will be necessary to serve the west side of the City, including the Buda Sportsplex and Dahlstrom Middle School. Projects 1 and 2 from the Reuse Master Plan.



**Estimated Project Cost:**

Design/Engineering	55,000
ROW Acquisition	-
Construction	350,000
Other	105,000
<b>Total</b>	<b>510,000</b>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	9
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	-
Debt	510,000
Grants/Other	-
<b>Total</b>	<b>510,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	500
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Buda Sportsplex Reuse Line**

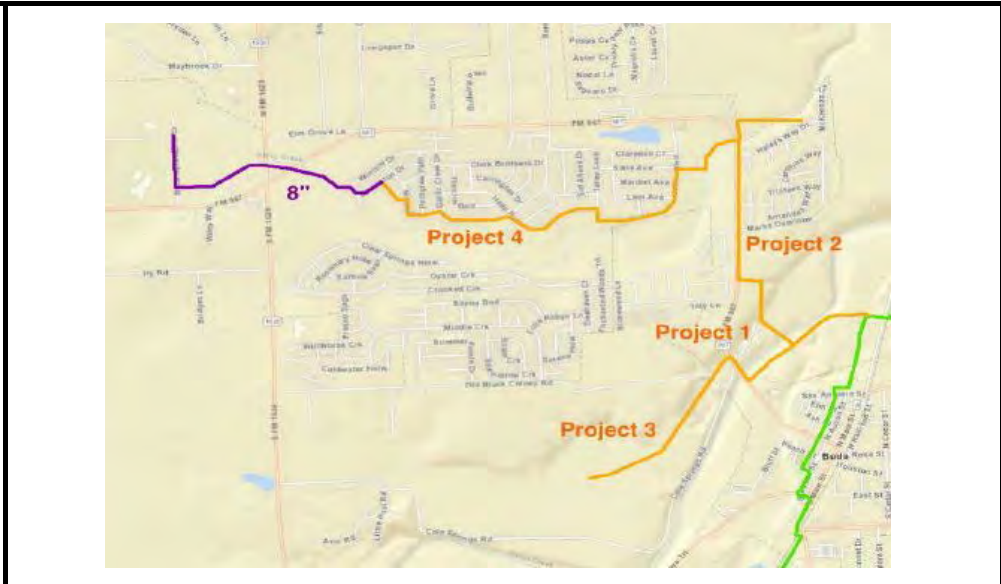
**Responsible Department:** Engineering **CIP No.** RW05

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,825,000	1,825,000

**Description :**

Design and construct approximately 13,900 linear feet of 8-inch reuse line. This project will be necessary to serve the northwest side of the City, including the Buda Sportsplex and Dahlstrom Middle School. Projects 4 and 5 from the Reuse Master Plan.



**Estimated Project Cost:**

Design/Engineering	200,000
ROW Acquisition	-
Construction	1,250,000
Other	375,000
<b>Total</b>	<b>1,825,000</b>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	9
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	-
Debt	1,825,000
Grants/Other	-
<b>Total</b>	<b>1,825,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	900
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Reuse Ground Storage Tank and Pump Station**

**Responsible Department:** Engineering **CIP No.** RW06

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-		-	-	-	-	1,600,000	1,600,000

**Description :**

Design and construct a 1 million gallon steel storage tank and pump station to serve reuse customers to the west. This project will be necessary to create storage in the reuse system to meet the variability in daily demands. Project 12 from the Reuse System Master Plan



<b>Estimated Project Cost:</b>	
Design/Engineering	165,000
ROW Acquisition	-
Construction	1,100,000
Other	335,000
<b>Total</b>	<b>1,600,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	3
Right-of-way/Utilities	-
Permitting	-
Construction	9
<b>Total</b>	<b>-</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,600,000
Grants/Other	-
<b>Total</b>	<b>1,600,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	2,000
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Mobility & Drainage Capital Improvement Program  
FY 2023 - 2027**



Improving mobility is a focus of the City of Buda as the City's population growth has caused traffic congestion at key locations around town. New development will also prompt the reconstruction of rural street sections to a more urban roadway complete street design. As roadway infrastructure ages, a pavement management plan will aid the City in prioritizing roadway maintenance projects. Mobility projects reflect the adopted 2020 Transportation Mobility Master Plan.

Sources of Funding	Prior Years	23	24	25	26	27	2023-27 Total
General Fund	512,000	100,000	-	400,000	-	-	500,000
2014 GO Proposition 3	420,000	-	-	-	-	-	-
2014 GO Proposition 5	300,000	-	-	-	-	-	-
2021 CO Bond	1,000,000	-	-	-	-	-	-
2021 GO Proposition A	26,860,718	8,939,686	29,665,920	-	-	-	38,605,606
Future Debt Proceeds	-	-	-	1,000,000	616,000	-	1,616,000
Other/Grants	400,000	480,000	-	-	-	-	480,000
<b>Total</b>	<b>29,492,718</b>	<b>9,519,686</b>	<b>29,665,920</b>	<b>1,400,000</b>	<b>616,000</b>	-	<b>41,201,606</b>

Uses of Funds	Prior Years	23	24	25	26	27	Future	Total
<b><u>Mobility Projects:</u></b>								
M01 Roadway Impact Fee Study	60,000	-	-	-	-	-	-	60,000
M03 Cabela's Drive at Old San Antonio Road Traffic Signal	-	-	-	400,000	-	-	-	400,000
M04 Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study	-	350,000	-	-	-	-	430,000	780,000
M05 Cabela's Connector	1,420,000	-	-	-	-	-	-	1,420,000
M06 IH-35 to Old San Antonio Connector	-	854,686	-	-	-	-	-	854,686
M07 Downtown Streetscaping Improvements - Main St.	-	-	-	-	-	-	1,500,000	1,500,000
M09 Old Black Colony Road Reconstruction	10,021,000	-	13,984,800	-	-	-	-	24,005,800
M10 West Goforth Road Reconstruction	9,237,248	-	11,693,000	-	-	-	-	20,930,248
M11 FM 2001 Pedestrian and Bicycle Trail	600,000	-	-	-	-	-	-	600,000
M12 South Loop 4 Sidewalk (Downtown to Meadows at Buda)	-	-	-	-	-	-	1,303,000	1,303,000
M13 FM 1626 and RM 967 Intersection Study	-	240,000	-	-	-	-	-	240,000
M14 Talley Loop Rehabilitation	409,230	713,000	-	-	-	-	-	1,122,230
M15 Oyster Creek Drive Rehabilitation	-	-	-	-	616,000	-	-	616,000
M16 Green Meadows Lane Rehabilitation	-	-	-	-	-	-	3,142,000	3,142,000
M17 Middle Creek Drive Rehabilitation	864,000	2,931,000	-	-	-	-	-	3,795,000
M20 Railroad Street Reconstruction	-	-	-	-	-	-	1,600,000	1,600,000
M21 Austin Street Reconstruction	3,492,040	-	3,267,000	-	-	-	-	6,759,040
M23 Interstate Drive Reconstruction	-	-	-	1,000,000	-	-	-	1,000,000
M24 Cole Springs Road Reconstruction	-	-	-	-	-	-	34,734,000	34,734,000
M25 Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector	-	-	-	-	-	-	6,800,000	6,800,000
M26 Downtown Streets Reconstruction	-	-	-	-	-	-	4,100,000	4,100,000
M27 Overpass Road / FM 2001 Intersection Improvements	-	-	721,120	-	-	-	-	721,120
M28 Oyster Creek / Mark's Overlook at RM 967 Signal	-	-	-	-	-	-	400,000	400,000
M29 RM 967 Accel / Decel Lanes	930,650	1,639,000	-	-	-	-	-	2,569,650
M30 Main Street Pedestrian Crossings	-	-	-	-	-	-	1,500,000	1,500,000
M31 Downtown Railroad Crossing Safety Improvements	-	-	-	-	-	-	8,400,000	8,400,000
M32 Harvest Meadows Roadway Extension	-	-	-	-	-	-	1,900,000	1,900,000
M33 RM 967 Sidewalk from Old Buda Elementary to Downtown	177,000	-	-	-	-	-	-	177,000
M34 Cabela's Drive Sidewalk Connection	-	50,000	-	-	-	-	-	50,000
M35 Old San Antonio Rd. Sidewalk Gap	-	67,000	-	-	-	-	-	67,000
M36 Garlic Creek Trail	745,500	-	-	-	-	-	-	745,500
M37 Onion Creek Trail from RM 967 to Garrison Park	553,500	-	-	-	-	-	-	553,500
M38 Bradfield Trail Connection to West Goforth	75,000	-	-	-	-	-	-	75,000
M39 FM 2770 Trail from Cole Springs Road to Bluff Street	-	-	-	-	-	-	592,000	592,000
M40 RM 967 Sidewalk from FM 1626 to City Limits	-	-	-	-	-	-	308,000	308,000
M41 Pavement Management Plan Implementation	-	-	-	-	-	-	-	-
M42 RM 967 Right Turn Lane onto FM 1626	444,260	1,037,000	-	-	-	-	-	1,481,260
M43 FM 2770 / Main St / China St Pedestrian Connections	355,790	816,000	-	-	-	-	-	1,171,790
M44 ADA Transition Plan	-	100,000	-	-	-	-	-	100,000
M45 Existing Robert S. Light Blvd Rehabilitation	107,500	605,000	-	-	-	-	-	712,500
M46 Bella Vita Sidewalk to West Goforth	-	117,000	-	-	-	-	-	117,000
<b>Total Use of Funds</b>	<b>29,492,718</b>	<b>9,519,686</b>	<b>29,665,920</b>	<b>1,400,000</b>	<b>616,000</b>	-	<b>66,709,000</b>	<b>137,403,324</b>

Cumulative Balance  
Sources Over/(Under) Uses

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Roadway Impact Fee Study**

**Responsible Department:** **Engineering** **CIP No.** **M01**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	60,000	-	-	-	-	-	-	60,000

**Description :**

Roadway impact fees are common in the DFW & Houston metropolitan areas. In Central Texas, Lockhart, Round Rock, & Leander have implemented roadway impact fees. The City of Austin is currently seeking stakeholder input on a proposed roadway impact fee program. Components that can be paid for through a roadway impact fee program include right of way acquisition, design and construction costs for CIPs to meet growth needs, and any physical roadway improvement that adds vehicular capacity or enhances regional mobility. This project will be completed in FY21 following the completion of the Transportation Mobility Master Plan in 2020.



<b>Estimated Project Cost:</b>	
Design/Engineering	60,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>60,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	10
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>10</b>

<b>Funding Source:</b>	
Operating Fund	60,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>60,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Cabela's Drive at Old San Antonio Road Traffic Signal**

**Responsible Department:** Engineering **CIP No.** M03

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	400,000	-	-	-	400,000

**Description :**

This project includes the design and installation of a Traffic Signal at Old San Antonio and Cabela's Drive. It is anticipated that the signal will meet warrants in the near future based upon commercial and multi-family development that has grown in the area. A new warrant study was completed in FY20 and found that a 4-way stop is warranted at this time. A fully controlled traffic signal is not anticipated until 2025. This project is shown as P13 in the Transportation Mobility Master Plan.



**Estimated Project Cost:**

Design/Engineering	40,000
ROW Acquisition	60,000
Construction	230,000
Other	70,000
<b>Total</b>	<b>400,000</b>

**Project Task: Duration**

Planning/Design	6
Right-of-way/Utilities	3
Construction	3
<b>Total</b>	<b>12</b>

**Funding Source:**

Operating Fund	400,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>400,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,000
Capital & Other	-
<b>Total</b>	<b>1,000</b>

**Notes:**

RPS was engaged in FY20 to conduct a new warrant study which found that the intersection does not yet meet the conditions for a signalized intersection. This is project P13 in the Transportation Mobility Master Plan.



**Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study**

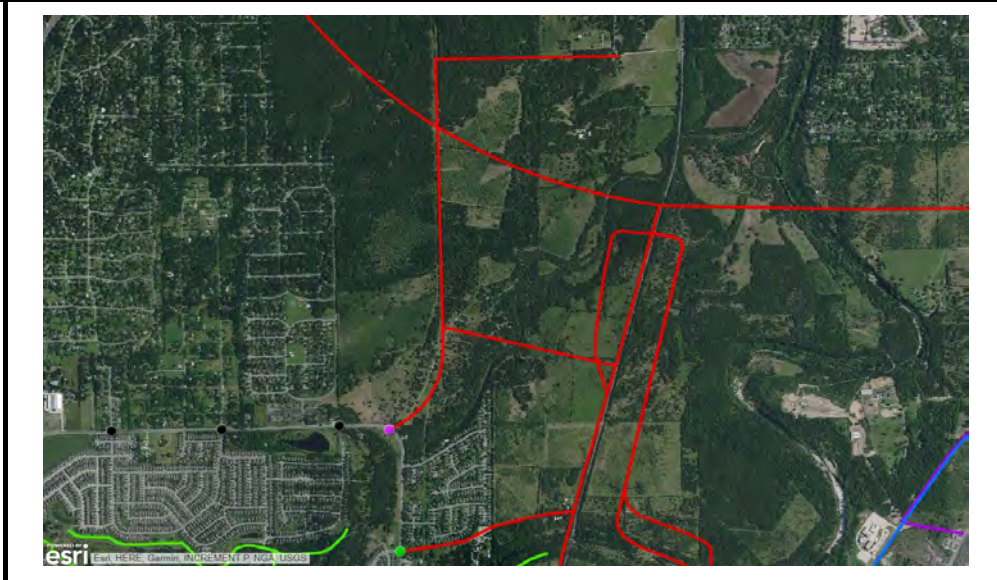
**Responsible Department:** Engineering **CIP No.** M04

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	350,000	-	-	-	-	430,000	780,000

**Description :**

The future development of the Bailey tract will involve extension of a north-south arterial street from RM 967 to the new extension of SH 45. The development will also include east-west collector streets to conform with the City's Thoroughfare Plan. The developer must mitigate intersection safety concerns at RM 967. The ultimate thoroughfare construction will involve a multiparty agreement between the developer, the City, TxDOT and possibly Hays County. The Capitol Area Metropolitan Planning Organization (CAMPO) may conduct a study of this future roadway as part of the 2019-22 Transportation Improvement Plan.



**Estimated Project Cost:**

Design/Engineering	350,000
ROW Acquisition	-
Construction	-
Other	430,000
<b>Total</b>	<u>780,000</u>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<u>-</u>

**Funding Source:**

Operating Fund	-
Debt	500,000
Grants/Other	280,000
<b>Total</b>	<u>780,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

The study was included in the CAMPO Transportation Improvement Program with an 80/20 grant. In FY20, CAMPO shifted funds from this and other projects for improvements to IH-35. CAMPO has re-appropriated funds for this study but it is not clear which year it will proceed. \$500,000 was included in the 2021 GO Bond Election to be used for design and potential projects. \$70,000 of the \$500,000 will be used for the City's match for the CAMPO study.

**Cabela's Connector**

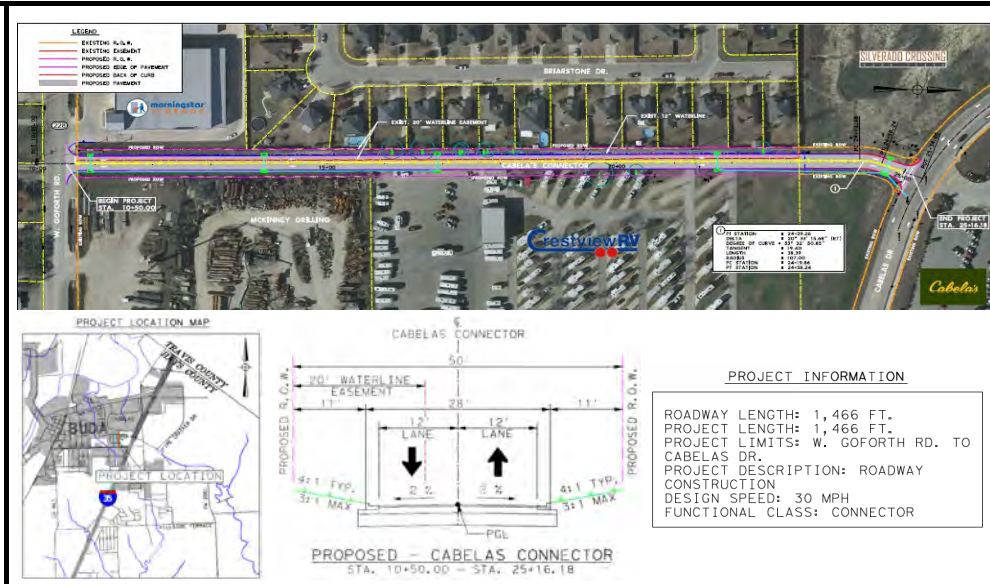
**Responsible Department:** Engineering **CIP No.** M05

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	1,420,000	-	-	-	-	-	-	1,420,000

**Description :**

Project involves design and construction of a two-lane roadway with three lane approaches, curb and gutter, storm sewer drainage and sidewalks. The project length is approximately 0.3 miles. Additional right of way is anticipated for the project.



**Estimated Project Cost:**

Design/Engineering	150,000
ROW Acquisition	600,000
Construction	900,000
Other	-
<b>Total</b>	<b>1,650,000</b>

**Project Task:**

Project Task	Duration
Planning/Design	6
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>12</b>

**Funding Source:**

Operating Fund	-
Debt	1,650,000
Grants/Other	-
<b>Total</b>	<b>1,650,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,600
Capital & Other	-
<b>Total</b>	<b>1,600</b>

**Notes:**

City has authorized up to 60% design out of the 2014 Prop 3 funds. The 2021 Certificates of Obligation include \$1,000,000 for construction.

**IH-35 to Old San Antonio Connector**

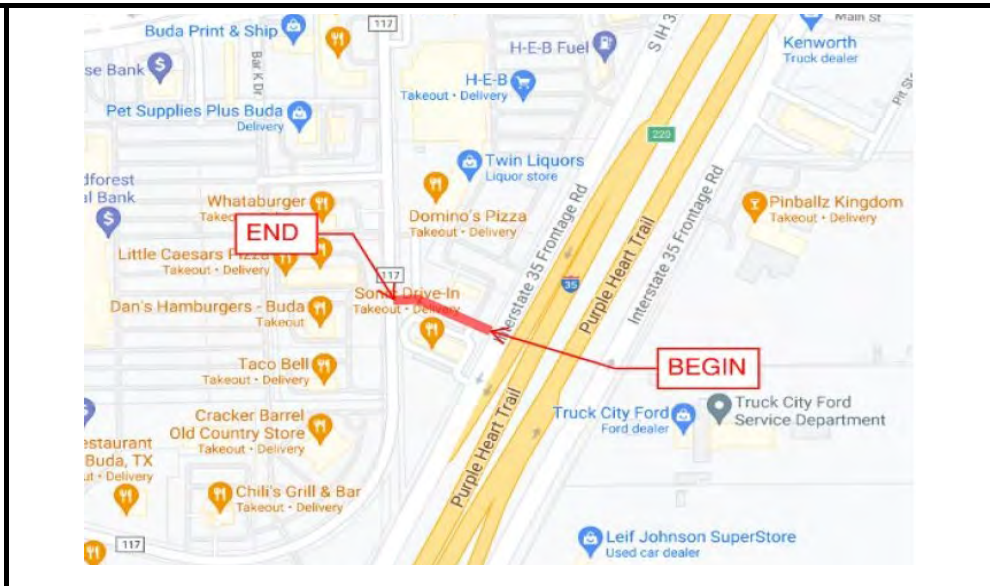
**Responsible Department:** **Engineering** **CIP No.** **M06**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	854,686	-	-	-	-		854,686

**Description :**

This project will provide for a connection to the IH-35 Southbound Frontage Road from Old San Antonio Road. Currently, direct access to the IH-35 Southbound Frontage Road north of the Cabela's store main entrance can only be obtained by passing through private property.



<b>Estimated Project Cost:</b>	
Design/Engineering	527,686
ROW Acquisition	-
Construction	327,000
Other	-
<b>Total</b>	<b>854,686</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	854,686
Grants/Other	-
<b>Total</b>	<b>854,686</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project has been prioritized as a project for inclusion in the 2021 GO Bond Election.



**Downtown Streetscaping Improvements - Main St.**

**Responsible Department:** Engineering **CIP No.** M07

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,500,000	1,500,000

**Description :**

Project includes functional sidewalk along existing buildings. Sidewalks will include an assortment of decorative streetscape elements such as street trees, tree grates, benches, picnic tables, and accent pavers. Drainage improvements will include selected installation of curb and gutter along street in addition to area drains, curb inlets, and sub-surface drainage areas. The project scope would extend the streetscape and sidewalk from Buda Mill & Grain to Ash St.



<b>Estimated Project Cost:</b>	
Design/Engineering	150,000
ROW Acquisition	-
Construction	1,350,000
Other	-
<b>Total</b>	<b>1,500,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	12
<b>Total</b>	<b>24</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,500,000
Grants/Other	-
<b>Total</b>	<b>1,500,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Old Black Colony Road Reconstruction**

**Responsible Department:** **Engineering** **CIP No.** **M09**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	10,021,000	-	13,984,800	-	-	-	-	24,005,800

**Description :**

Reconstruction and realignment of Old Black Colony Road from FM 1626 to the future relocated intersection at Cole Springs Road. This project has been identified in the Transportation and Mobility Master Plan. This is project L20 in the Transportation and Mobility Master Plan CIP table. Old Black Colony Rd. would be constructed as a 70' right-of-way, urban, 2-lane roadway with bike lanes and sidewalks, and drainage improvements.



<b>Estimated Project Cost:</b>	
Design/Engineering	10,021,000
ROW Acquisition	Included in Design
Construction	13,984,800
Other	-
<b>Total</b>	<b>24,005,800</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	18
Construction	16
<b>Total</b>	<b>52</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	24,005,800
Grants/Other	-
<b>Total</b>	<b>24,005,800</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	5,000
Capital & Other	-
<b>Total</b>	<b>5,000</b>

**Notes:**

This project has been included as a priority project for the 2021 bond election by the Buda Bond Advisory Committee. ROW acquisition costs are included in the design/engineering estimated project cost.

**West Goforth Road Reconstruction**

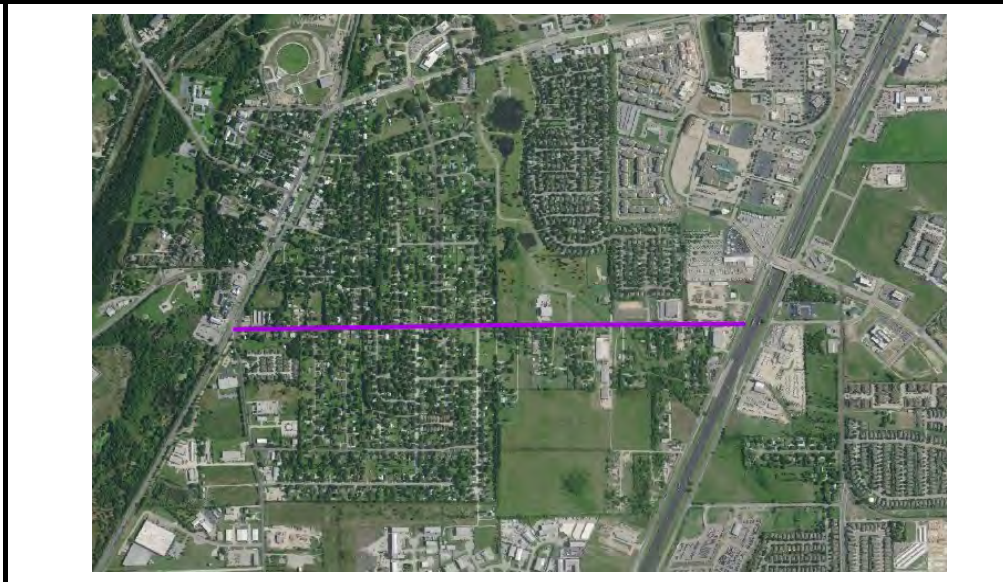
**Responsible Department:** Engineering **CIP No.** M10

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	9,237,248	-	11,693,000	-	-	-	-	20,930,248

**Description :**

West Goforth Street is a roadway reconstruction project, approximately 4,490 linear feet. This project will include full depth pavement reconstruction along West Goforth Street from S Loop 4 to IH-35. Drainage improvements are significant part of the reconstruction effort. The roadway will be evaluated and expanded to provide a 2-lane roadway with bike lanes and sidewalks on both sides. The roadway would be classified as an Active Street with a 70' right-of-way.



<b>Estimated Project Cost:</b>	
Design/Engineering	9,237,248
ROW Acquisition	
Construction	11,693,000
Other	-
<b>Total</b>	20,930,248

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	18
Construction	12
<b>Total</b>	48

<b>Funding Source:</b>	
Operating Fund	-
Debt	20,930,248
Grants/Other	-
<b>Total</b>	20,930,248

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	5,000
Capital & Other	-
<b>Total</b>	5,000

**Notes:**

Project design could proceed under City lead to await future funding through a partnership with Hays County. Project is funded as part of the 2021 bond election.



**FM 2001 Pedestrian and Bicycle Trail**

**Responsible Department:** **Engineering** **CIP No.** **M11**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	600,000	-	-	-	-	-	-	600,000

**Description :**

Construct a 10' wide multi-use path for pedestrian and bicycle traffic along the east side of FM 2001 to connect to existing sidewalks located along Overpass Road and proposed sidewalks along Old Goforth Road. The project will connect pedestrian traffic to commercial activities and future medical facilities in the area.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	-
Construction	500,000
Other	-
<b>Total</b>	<b>600,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	10
Right-of-way/Utilities	-
Construction	4
<b>Total</b>	<b>14</b>

<b>Funding Source:</b>	
Operating Fund	200,000
Debt	-
Grants/Other	400,000
<b>Total</b>	<b>600,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

\$400,000 in funding is planned to come from the Capitol Area Metropolitan Planning Organization TIP. Local match of \$100,000 for construction. \$100,000 was funded in the Fiscal Year 2020 Budget for design. \$100,000 was budgeted in the FY 2021 Budget for the Construction Match. These funds will be carried over to FY 2022.

**South Loop 4 Sidewalk (Downtown to Meadows at Buda)**

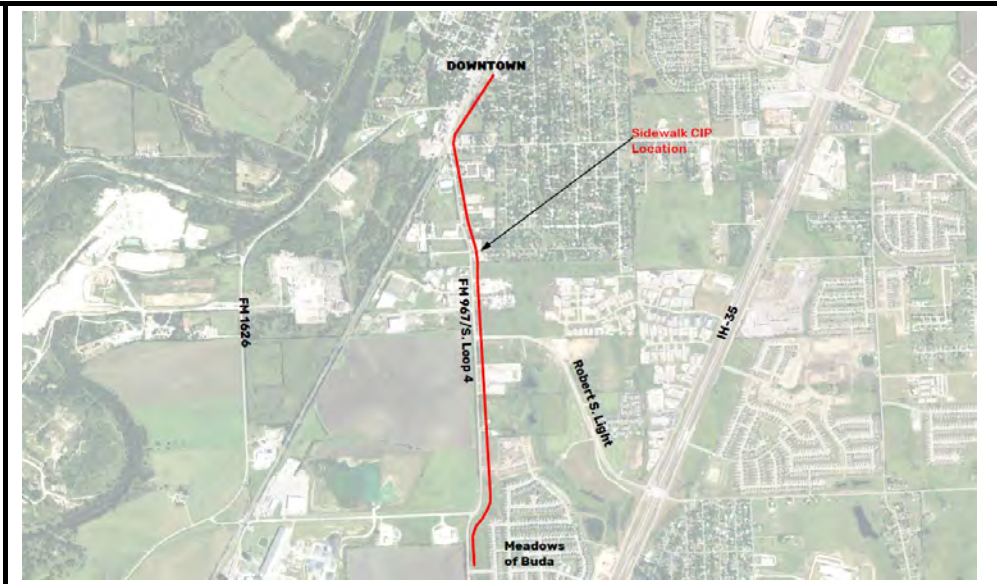
**Responsible Department:** Engineering **CIP No.** M12

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,303,000	1,303,000

**Description :**

Construct a 6' sidewalk along S Loop 4 from West Goforth Road to IH-35 Southbound Frontage Road. The approximate length is 13,500 lf. The project would provide pedestrian connectivity to downtown Buda from the Meadows at Buda subdivision and the Robert S. Light Blvd. corridor. This will enable pedestrians to access businesses and job centers located along this roadway and will improve pedestrian connectivity.



<b>Estimated Project Cost:</b>	
Design/Engineering	192,000
ROW Acquisition	-
Construction	1,280,000
Other	128,000
<b>Total</b>	<b>1,600,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>15</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,600,000
Grants/Other	-
<b>Total</b>	<b>1,600,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The cost and funding source of this project are unknown at this time.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**FM 1626 and RM 967 Intersection Study**

**Responsible Department:** Engineering **CIP No.** M13

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	240,000	-	-	-	-	-	240,000

**Description :**

Due to rapid growth in Hays County and on the western side of Buda, the intersection of FM 1626 and RM 967 is over capacity. Both roadways serve as important commuter routes. The study will analyze the intersection and identify improvements needed to help realize the full capacity of the recently improved FM 1626 roadway. It will identify alternatives to improve the intersection, define right-of-way needs, determine approximate costs, develop a project scope, and recommend timelines for implementation. Stakeholders of this project include the City of Buda, Hays and Travis counties, and TxDOT.



<b>Estimated Project Cost:</b>	
Design/Engineering	240,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>240,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	40,000
Debt	-
Grants/Other	200,000
<b>Total</b>	<b>240,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This study would be funded by the City (\$40,000) and the Capitol Area Metropolitan Planning Organization (\$200,000) Transportation Improvement Plan. The study was included in the CAMPO Transportation Improvement Program with an 80/20 grant. In FY20, CAMPO shifted funds from this and other projects for improvements to IH-35. The project has been re-appropriated thru CAMPO but the exact timing of the project is not yet known.



**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Talley Loop Rehabilitation**

**Responsible Department:** Engineering **CIP No.** M14

**Financial Plan:**

	Prior Years	Projected					Future	Total
		21	22	23	24	25		
	409,230	713,000	-	-	-	-	-	1,122,230

**Description :**

Full depth reconstruction of Talley Loop from Cullen Boulevard north to where the road bends west towards Garlic Creek Drive. Staff estimates a cost of \$455,000 for the project. Completion of the Pavement Management Plan will better inform staff of the cost and the priority of this project. A year and official budget for this project is not included pending the Pavement Management Plan.



<b>Estimated Project Cost:</b>	
Design/Engineering	409,230
ROW Acquisition	-
Construction	713,000
Other	-
<b>Total</b>	<b>1,122,230</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	5
Right-of-way/Utilities	-
Construction	5
<b>Total</b>	<b>10</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,123,000
Grants/Other	-
<b>Total</b>	<b>1,123,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project is recommended for inclusion in the 2021 bond election by the Buda Bond Advisory Committee.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**

**Oyster Creek Drive Rehabilitation**

**Responsible Department:** **Engineering** **CIP No.** **M15**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	616,000	-	-	616,000

**Description :**

Oyster Creek Drive is failing from 200' West of Crooked Creek Drive in the Whispering Hollow Subdivision and heading east terminating at the intersection of Enchanted Woods. This project is a full depth reconstruction consisting of removal of asphalt paving, crushed limestone, curb and gutter, and sidewalks. These items are all failing due to the abundance of ground water and irrigation water infiltrating the road bed which destroyed the integrity of the road. Evaluate adding French Drains and lime stabilization. The Pavement Management Plan shows this road has a PCI ranging from 10 to 84 for the newer sections. The Plan proposes a mix of crack sealing, reconstruction, and thin mill and overlay.



<b>Estimated Project Cost:</b>	
Design/Engineering	61,600
ROW Acquisition	
Construction	554,400
Other	-
<b>Total</b>	<b>616,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	5
Right-of-way/Utilities	-
Construction	5
<b>Total</b>	<b>10</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	616,000
Grants/Other	-
<b>Total</b>	<b>616,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

The project estimate from the Pavement Management Plan is \$473,597 for all sections of Oyster Creek. The project includes a 30% contingency.

**Green Meadows Lane Rehabilitation**

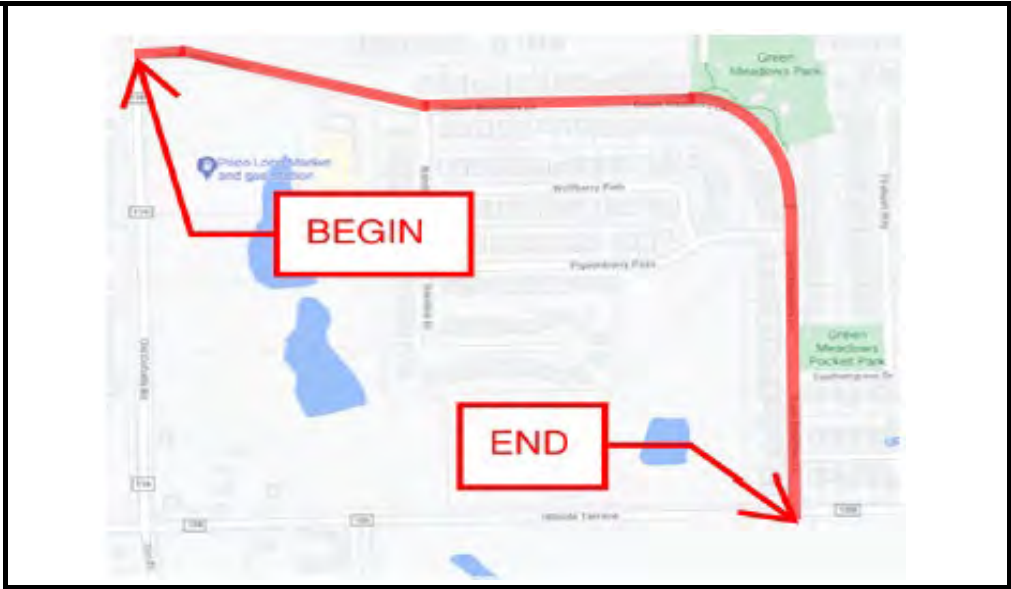
**Responsible Department:** Engineering **CIP No.** M16

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	3,142,000	3,142,000

**Description :**

Green Meadows Lane subgrade is failing in areas causing the pavement, curb, and sidewalks to heave allowing water to penetrate the subgrade and has jeopardized the structural integrity of the pavement, curbs, and sidewalks. The project could be expanded to consider adding parking and pedestrian access to the Green Meadows Park. The PCI for the roadway ranges from 67 to 83 with proposed maintenance to include crack sealing and a thin mill and overlay.



**Estimated Project Cost:**

Design/Engineering	720,000
ROW Acquisition	-
Construction	2,422,000
Other	-
<b>Total</b>	<b>3,142,000</b>

**Project Task; Duration**

Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	-
Debt	3,142,000
Grants/Other	-
<b>Total</b>	<b>3,142,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Middle Creek Drive Rehabilitation**

**Responsible Department:** **Engineering** **CIP No.** **M17**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	864,000	2,931,000	-	-	-	-	-	3,795,000

**Description :**

Middle Creek Drive has subgrade failures causing the pavement, curb, and sidewalks to heave allowing water to penetrate the subgrade and has jeopardized the structural integrity of the pavement, curbs, and sidewalks. The deterioration of Middle Creek is believed to be from infiltration of ground water and irrigation systems. The Pavement Management Plan has identified PCI scores ranging from 7 to 83 on Middle Creek. The Plan recommends a combination of crack sealing, reconstruction for portions, and a thin mill and overlay for portions. Full-depth rehabilitation may be a preferred option and the costs with this option are reflected in the costs.



**Estimated Project Cost:**

Design/Engineering	864,000
ROW Acquisition	-
Construction	2,931,000
Other	-
<b>Total</b>	<b>3,795,000</b>

**Project Task:**

	<u>Duration</u>
Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	-
Debt	3,795,000
Grants/Other	-
<b>Total</b>	<b>3,795,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project is funded through the 2021 bond election.

**Railroad Street Reconstruction**

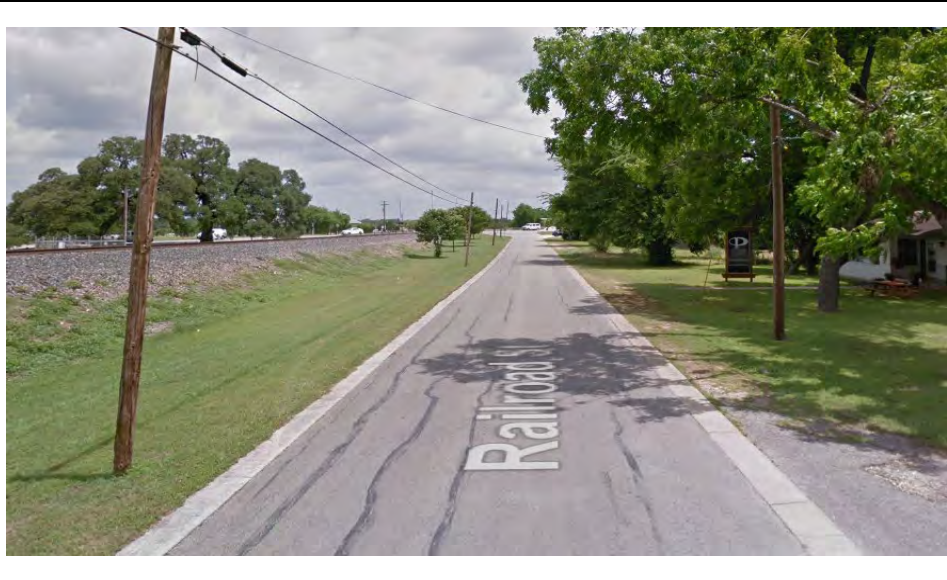
**Responsible Department:** Engineering **CIP No.** M20

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,600,000	1,600,000

**Description :**

Railroad Street is a roadway that runs parallel to Main Street through a portion of the historic Main Street District. The roadway supports businesses east of the rail line that divides downtown. The roadway provides alternative access to Main Street and provides additional downtown parking for events and festivals. On-street parking is needed for the businesses located along Railroad Street. The project would include reconstruction of the roadway to an urban section complete with on-street parking. It would be designed as an Active Street classification with a 70' right-of-way.



<b>Estimated Project Cost:</b>	
Design/Engineering	200,000
ROW Acquisition	300,000
Construction	1,100,000
Other	-
<b>Total</b>	<b>1,600,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	9
Construction	10
<b>Total</b>	<b>37</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,600,000
Grants/Other	-
<b>Total</b>	<b>1,600,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Austin Street Reconstruction**

**Responsible Department:** Engineering **CIP No.** M21

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	3,492,040	-	3,267,000	-	-	-	-	6,759,040

**Description :**

From the Downtown Master Plan: Austin Street has been identified as a transition zone between the commercial uses along Main Street and the existing residential areas on the west side of the street. The desire is for the Main Street side of Austin Street to convert to a mix of businesses and residences that face the street. The design would incorporate on-street parking on at least one side of the street as well as sidewalks on both sides. Shared dumpster pads should be designed for function and aesthetics. This project would reconstruct Austin Street from FM 2770 to San Antonio Road. The project may also incorporate stormwater treatment elements at inlets to address stormwater from Downtown.

Roadway Framework

The proposed roadway network for Downtown Buda maintains two-way traffic flow on all streets, but adds turning capacity at Main Street and Live Oak (FM 967), discussed further in this section. To improve connectivity in the downtown area and provide an alternative route for some traffic, the plan recommends that

Railroad Street be extended to connect to Goforth Street.

The intersection of San Antonio Street should be re-aligned to slow traffic, trying to bypass delays at the intersection of Main and FM 967. Traffic calming is recommended along Austin and San Marcos Streets, and is discussed in detail on page 53.



**Estimated Project Cost:**

Design/Engineering	3,492,000
ROW Acquisition	Included in the Design.
Construction	3,267,000
Other	-
<b>Total</b>	<b>6,759,000</b>

**Project Task:** **Duration**

Planning/Design	12
Right-of-way/Utilities	14
Construction	12
<b>Total</b>	<b>38</b>

**Funding Source:**

Operating Fund	-
Debt	6,759,000
Grants/Other	-
<b>Total</b>	<b>6,759,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

If desired, additional funds should be included to move electric and telecommunication utilities underground. This project is funded through the 2021 bond election.



**Interstate Drive Reconstruction**

**Responsible Department:** Public Works **CIP No. M23**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	1,000,000	-	-	-	1,000,000

**Description :**

Interstate Drive is an approximately 20-foot wide, 1,275 linear feet long concrete roadway that serves commercial businesses between FM 967 and IH-35. The current roadway is failing due to heavy truck traffic. This roadway has a PCI score of 1 in the Pavement Maintenance Plan. Alternative to rebuilding the road with concrete, the roadway could be rebuilt with asphalt at a lesser cost.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	900,000
Other	100,000
<b>Total</b>	<u>1,000,000</u>

**Project Task: Duration**

Planning/Design	6
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<u>12</u>

**Funding Source:**

Operating Fund	-
Debt	1,000,000
Grants/Other	-
<b>Total</b>	<u>1,000,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

**Cole Springs Road Reconstruction**

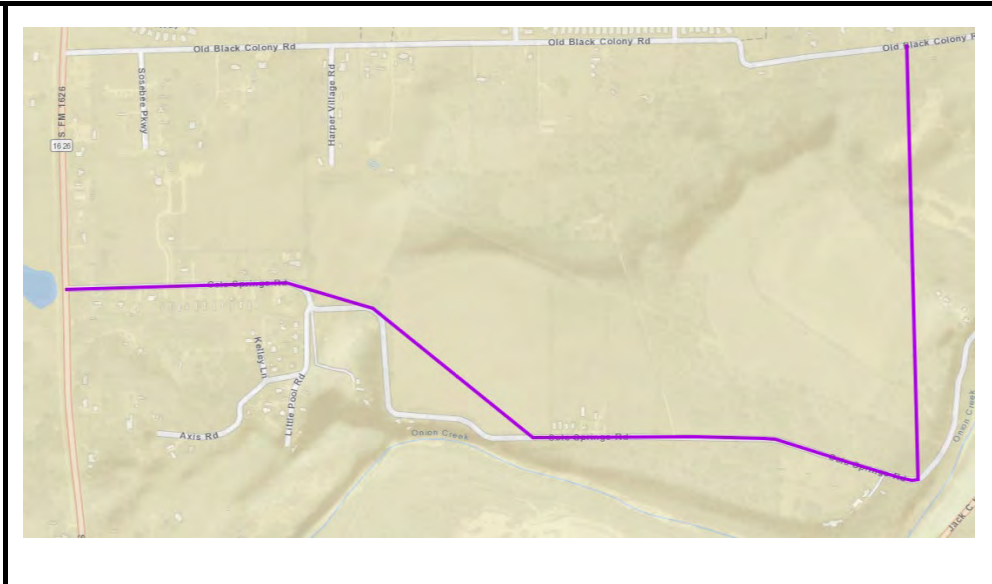
**Responsible Department:** **Engineering** **CIP No.** **M24**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	34,734,000	34,734,000

**Description :**

Full reconstruction and realignment of Cole Springs Road from FM 1620 to the edge of the proposed The Colony at Cole Springs subdivision. This project will coincide with the potential residential development in the area. This project has been identified in the Transportation and Mobility Master Plan as project L6. This road is currently a Hays County roadway. The roadway would be built as a Collector with 70' right-of-way.



<b>Estimated Project Cost:</b>	
Design/Engineering	12,045,000
ROW Acquisition	Included in design
Construction	22,689,000
Other	-
<b>Total</b>	<b>34,734,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	24
Right-of-way/Utilities	24
Construction	24
<b>Total</b>	<b>48</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	34,734,000
Grants/Other	-
<b>Total</b>	<b>34,734,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Cost for a full urban section is shown. The cost for a rural or hybrid section is \$24,223,000. The project could be constructed by private development as it occurs along the roadway. Portions of the road are in the ETJ.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector**

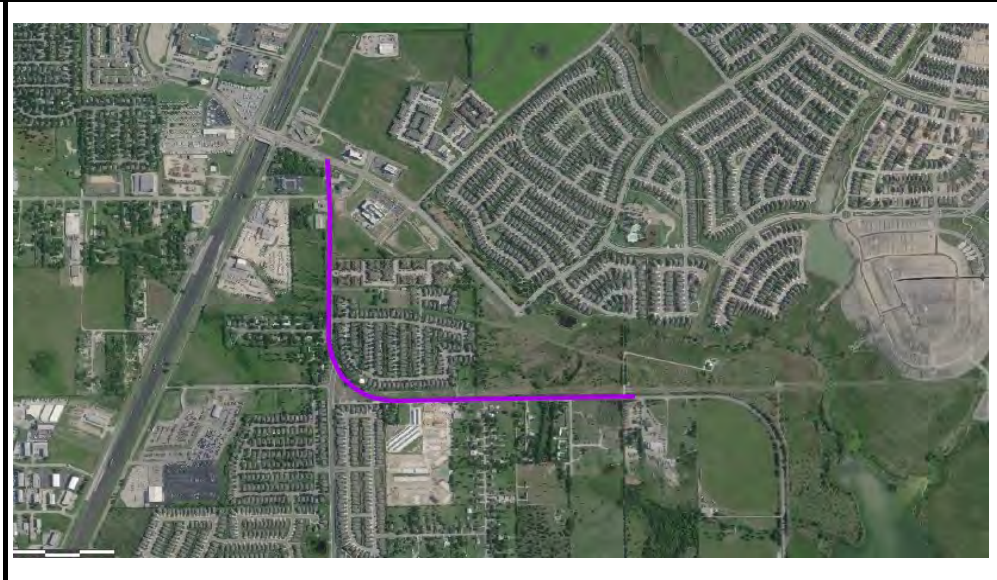
**Responsible Department:** Engineering **CIP No.** M25

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	6,800,000	6,800,000

**Description :**

This project is L10 in the TMMP. The project will reconstruct 1.16 miles of roadway as an urban section community connector once the new FM 2001 re-alignment is completed. Project would be a Community Connector with a 70' right-of-way.



**Estimated Project Cost:**

Design/Engineering	560,000
ROW Acquisition	1,120,000
Construction	4,485,000
Other	235,000
<b>Total</b>	<b>6,400,000</b>

**Project Task: Duration**

Planning/Design	18
Right-of-way/Utilities	18
Construction	12
<b>Total</b>	<b>48</b>

**Funding Source:**

Operating Fund	-
Debt	6,200,000
Grants/Other	-
<b>Total</b>	<b>6,200,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Funding source is unknown. It could include a combination of debt, roadway impact fees, developer contributions, and partnership with Hays County.



**Downtown Streets Reconstruction**

**Responsible Department:** **Engineering** **CIP No.** **M26**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	4,100,000	4,100,000

**Description :**

Improve and reconstruct downtown streets between FM 2770 to San Antonio Street. The improvements will range from preventive maintenance to full depth reconstruction depending on the current existing condition of the pavement. This is project L69 in the Transportation and Mobility Master Plan CIP table. The project includes the installation of sidewalks and drainage improvements. Austin Street is not included in this project estimate as it is broken out as a discrete project.



<b>Estimated Project Cost:</b>	
Design/Engineering	370,000
ROW Acquisition	735,000
Construction	2,825,000
Other	170,000
<b>Total</b>	<b>4,100,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	24
Construction	12
<b>Total</b>	<b>54</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	4,100,000
Grants/Other	-
<b>Total</b>	<b>4,100,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project was not recommended for inclusion in the 2021 bond election by the Buda Bond Advisory Committee.

**Overpass Road / FM 2001 Intersection Improvements**

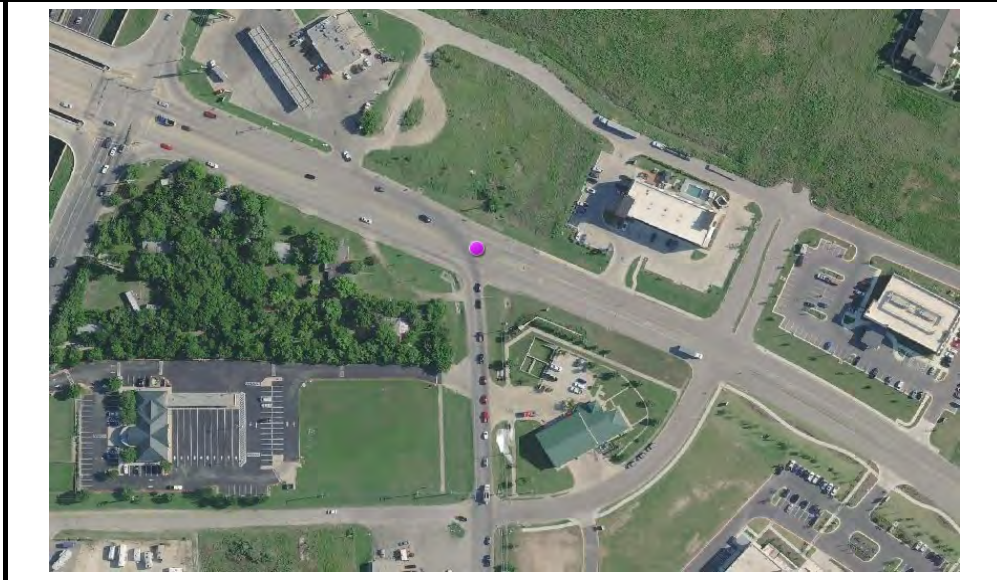
**Responsible Department:** Engineering **CIP No.** M27

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	721,120	-	-	-	-	721,120

**Description :**

This project will address queuing issues during peak traffic time and address the 3-way stop. This project is identified as P2 in the Transportation Mobility Master Plan.



**Estimated Project Cost:**

Design/Engineering	218,120
ROW Acquisition	Included in Design
Construction	503,000
Other	-
<b>Total</b>	<b>721,120</b>

**Project Task: Duration**

Planning/Design	9
Right-of-way/Utilities	3
Construction	3
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	-
Debt	721,120
Grants/Other	-
<b>Total</b>	<b>721,120</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project is funded through the 2021 bond election. The project would need to meet traffic counts to warrant the signalization and should be studied after the Hays County extension and realignment of FM 2001 is completed.

**Oyster Creek / Mark's Overlook at RM 967 Signal**

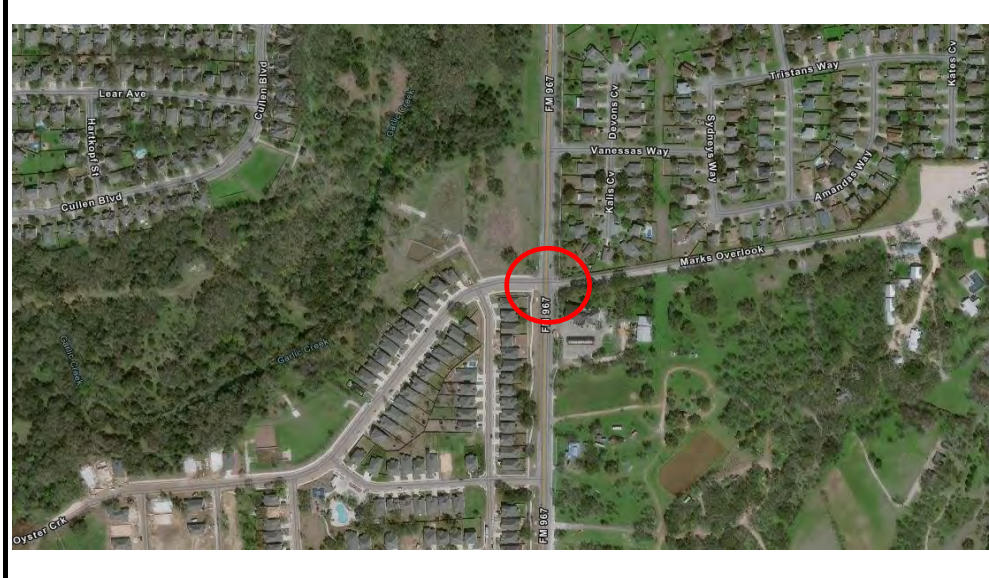
**Responsible Department:** **Engineering** **CIP No.** **M28**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	400,000	400,000

**Description :**

Install a traffic signal at the intersection of Oyster Creek / Mark's Overlook and RM 967 once a traffic signal is warranted. This project was identified by the public through the Transportation Mobility Master Plan process. This project is identified as P8 in the TMMP.



<b>Estimated Project Cost:</b>	
Design/Engineering	40,000
ROW Acquisition	60,000
Construction	230,000
Other	70,000
<b>Total</b>	<b>400,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	3
Construction	3
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	400,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>400,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**RM 967 Accel / Decel Lanes**

**Responsible Department:** Engineering **CIP No.** M29

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	930,650	1,639,000	-	-	-	-	-	2,569,650

**Description :**

The project will add acceleration and decel at Cullen Country, Garlic Creek / Oxbow, Grove Lane, and Creekside subdivisions. This project is P17 in the Transportation Mobility Master Plan. Depending on the timing of the project, it would be done as a city-initiated project or through an Advanced Funding Agreement with TxDOT. The project could further be broken into phases to do intersections as needed.



<b>Estimated Project Cost:</b>	
Design/Engineering	930,650
ROW Acquisition	-
Construction	1,639,000
Other	-
<b>Total</b>	<b>2,569,650</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	18
Right-of-way/Utilities	18
Construction	9
<b>Total</b>	<b>45</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	2,569,650
Grants/Other	-
<b>Total</b>	<b>2,569,650</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project is recommended for inclusion in the 2021 bond election by the Buda Bond Advisory Committee.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Main Street Pedestrian Crossings**

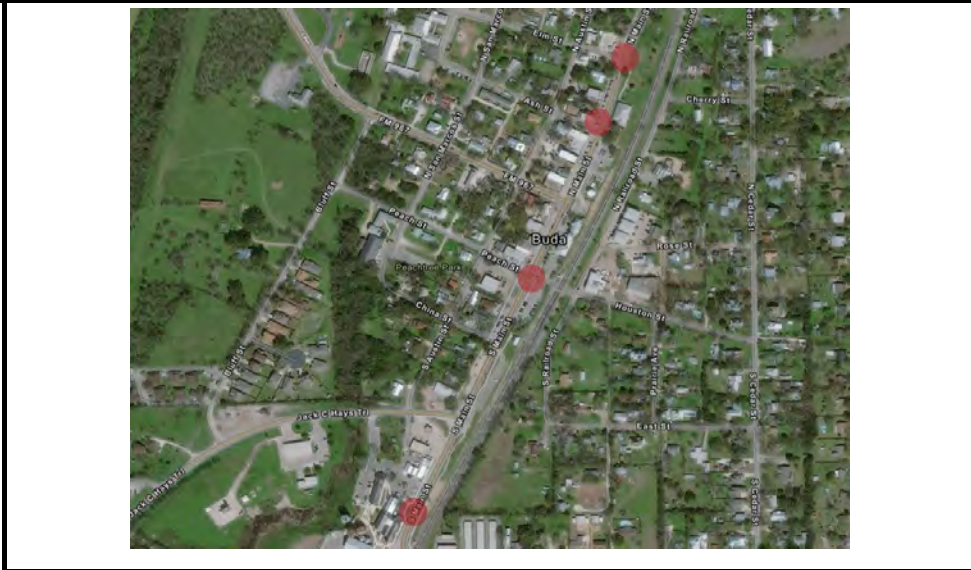
**Responsible Department:** Engineering **CIP No.** M30

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,500,000	1,500,000

**Description :**

This project combines projects P23 - P26 from the Transportation Mobility Master Plan. This project would conduct an audit of downtown sidewalks, crosswalks, and transitions for compliance with the American's with Disabilities Act, design and construct improvements. The project will add pedestrian crossings on Main Street at the intersections of Main and Elm, Peach, Ash, and at Buda Mill and Grain.



<b>Estimated Project Cost:</b>	
Design/Engineering	320,000
ROW Acquisition	184,000
Construction	812,000
Other	184,000
<b>Total</b>	<b>1,500,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	
Right-of-way/Utilities	
Construction	
<b>Total</b>	-

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,500,000
Grants/Other	-
<b>Total</b>	<b>1,500,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	-

**Notes:**

Project is linked to the Downtown Streetscaping Improvements - Main St. (M07) is combined with the previous Downtown Sidewalks and ADA Improvements Project (M22).

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



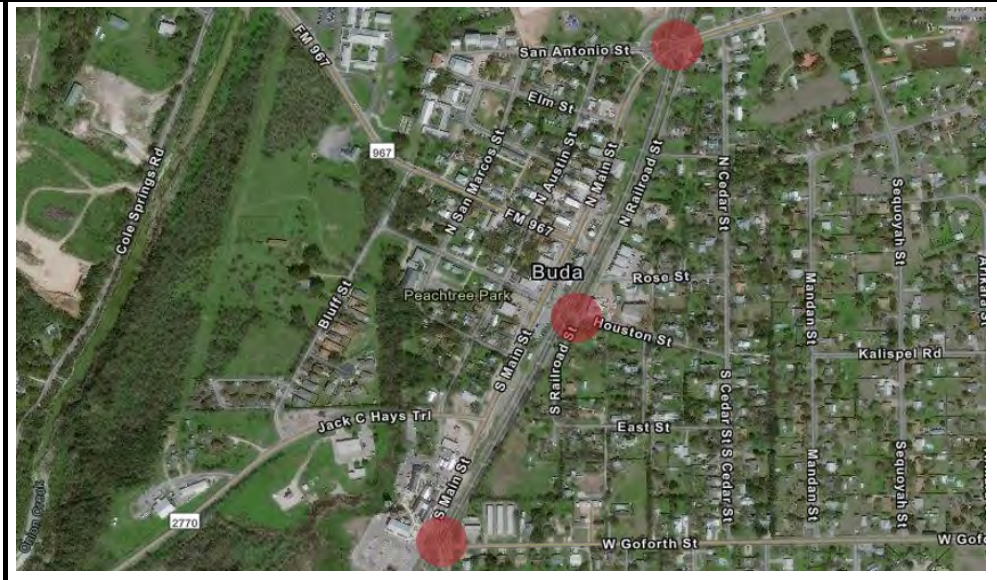
**Downtown Railroad Crossing Safety Improvements**

**Responsible Department:** Engineering **CIP No.** M31

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	8,400,000	8,400,000

**Description :**  
 This project represents P27 from the Transportation Mobility Master Plan. The project will improve safe crossings of the railroad at Main and West Goforth, Houston Street, and Main and San Antonio Street. The West Goforth portion of the project could be broken out and added to the West Goforth Reconstruction project. Approximately \$4 million of the project includes adding quiet zones at the downtown crossing locations.



**Estimated Project Cost:**

Design/Engineering	755,000
ROW Acquisition	1,510,000
Construction	5,788,000
Other	347,000
<b>Total</b>	<b>8,400,000</b>

**Project Task:**

	<u>Duration</u>
Planning/Design	16
Right-of-way/Utilities	16
Construction	9
<b>Total</b>	<b>41</b>

**Funding Source:**

Operating Fund	-
Debt	8,400,000
Grants/Other	-
<b>Total</b>	<b>8,400,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**Harvest Meadows Roadway Extension**

**Responsible Department:** **Engineering** **CIP No.** **M32**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	1,900,000	1,900,000

**Description :**

This project would extend Harvest Meadows from South Loop 4 to Blossom Valley Street to improve overall connectivity in the southwest quadrant of Buda. This project is shown as L57 in the City's Transportation Mobility Masterplan. It is a Local project with an anticipated right-of-way of 60'.



<b>Estimated Project Cost:</b>	
Design/Engineering	170,000
ROW Acquisition	345,000
Construction	1,320,000
Other	65,000
<b>Total</b>	<b>1,900,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	12
Construction	6
<b>Total</b>	<b>30</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,900,000
Grants/Other	-
<b>Total</b>	<b>1,900,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**RM 967 Sidewalk from Old Buda Elementary to Downtown**

**Responsible Department:** **Engineering** **CIP No.** **M33**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	177,000	-	-	-	-	-	-	177,000

**Description :**

Complete the 6' sidewalk connection along the west and south side of RM 967 from Old Buda Elementary School to Main Street (approximately 1,310 linear feet).



<b>Estimated Project Cost:</b>	
Design/Engineering	52,000
ROW Acquisition	-
Construction	125,000
Other	-
<b>Total</b>	<b>177,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>9</b>

<b>Funding Source:</b>	
Operating Fund	122,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>122,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

City Council awarded the design to KSA. An additional \$55,000 is expected to be needed in FY22 to complete the project construction.

**Cabela's Drive Sidewalk Connection**

**Responsible Department:** Engineering **CIP No.** M34

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	50,000	-	-	-	-	-	50,000

**Description :**

Complete the 6' sidewalk connection along the southside of Cabela's Drive from the Silverado Crossing Apartments to Crestview RV (approximately 500 linear feet). Possible to complete this project as part of the Cabela's Connector construction. Staff will evaluate a sidewalk connection to Briarstone Drive.



<b>Estimated Project Cost:</b>	
Design/Engineering	7,000
ROW Acquisition	-
Construction	39,000
Other	4,000
<b>Total</b>	<b>50,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	1
<b>Total</b>	<b>7</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	50,000
Grants/Other	-
<b>Total</b>	<b>50,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	500
Capital & Other	-
<b>Total</b>	<b>500</b>

**Notes:**

Proposed funding source is the 2021 GO Prop A Fund - Pedestrian and Bike Improvements.



**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Old San Antonio Rd. Sidewalk Gap**

**Responsible Department:** **Engineering** **CIP No.** **M35**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	67,000	-	-	-	-	-	67,000

**Description :**

Complete the 6' concrete sidewalk connections along the northside of Old San Antonio Street within the Cabela's TIRZ from Cabela's Drive to the Walmart prive drive (approximately from the Silverado Crossing Apartments to Crestview RV (approximately 630 linear feet). This project combines L49 and L50 from the Transportation Mobility Master Plan.



<b>Estimated Project Cost:</b>	
Design/Engineering	10,000
ROW Acquisition	-
Construction	52,000
Other	5,000
<b>Total</b>	<b>67,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	1
<b>Total</b>	<b>7</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	67,000
Grants/Other	-
<b>Total</b>	<b>67,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Proposed funding source is the 2021 GO Prop A Fund - Pedestrian and Bike Improvements.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Garlic Creek Trail**

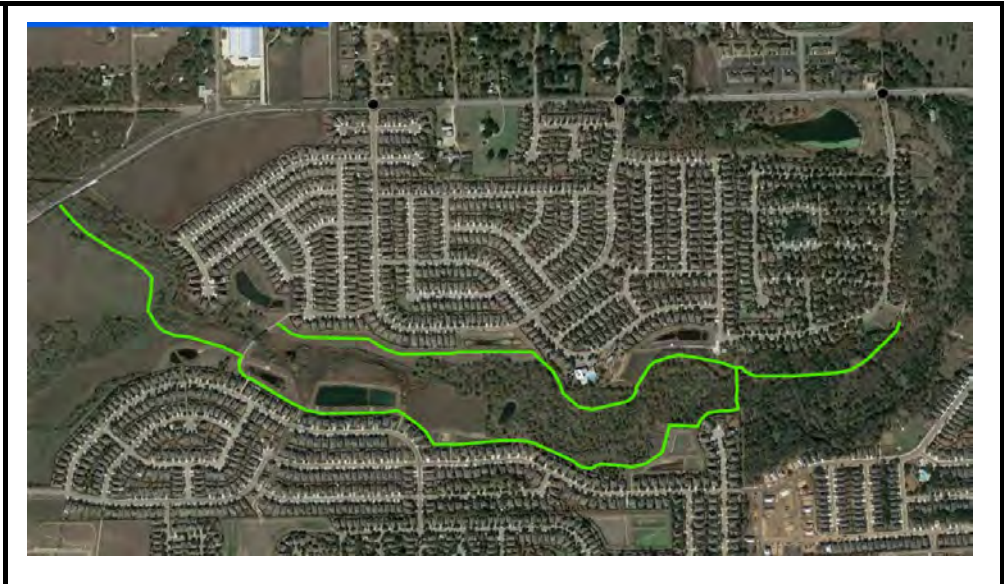
**Responsible Department:** Engineering **CIP No.** M36

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	745,500	-	-	-	-	-	-	745,500

**Description :**

Construct trails throughout the Garlic Creek Greenbelt. Phase I of the project was included in the 2014 Bond Election. The project will include 10' - 12' sections of natural trail, decomposed granite, and concrete to provide connections between adjacent neighborhoods. Pedestrian bridges will be constructed over low water areas that are prone to flooding and washout. This will include pre-fabricated bridges and field constructed bridges. Phase II proposes to expand the trail system to the east towards RM 967 to connect the White Oak Preserve neighborhood.



**Estimated Project Cost:**

Design/Engineering	80,000
ROW Acquisition	-
Construction	665,000
Other	-
<b>Total</b>	<u>745,000</u>

**Project Task:**

Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<u>15</u>

**Funding Source:**

Operating Fund	-
Debt	745,000
Grants/Other	-
<b>Total</b>	<u>745,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,500
Capital & Other	-
<b>Total</b>	<u>1,500</u>

**Notes:**

Phase I was funded as part of the 2014 Bond Election. It has not been started and is planned to be combined with Phase 2. Phase 2 was included and funded through the 2021 bond election.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Onion Creek Trail from RM 967 to Garison Park**

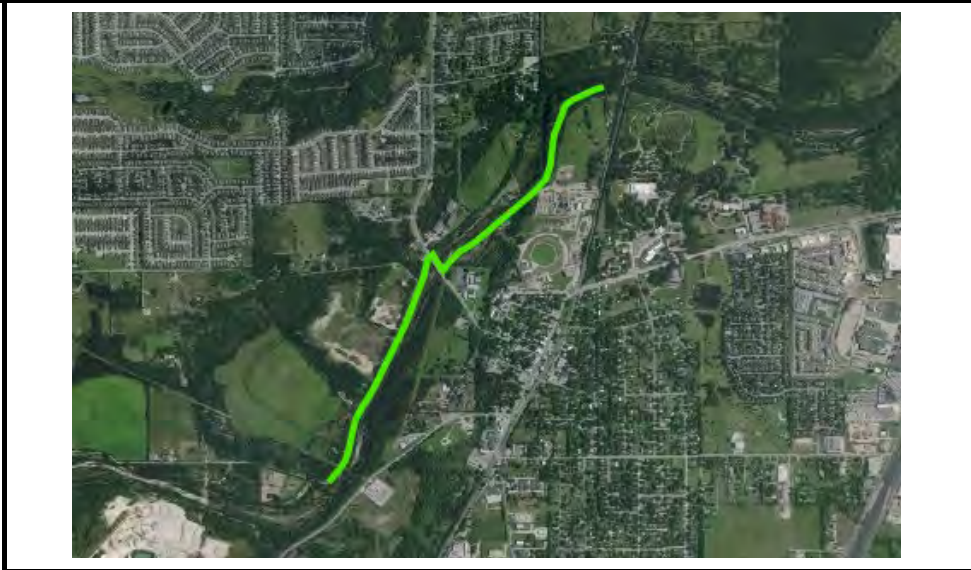
**Responsible Department:** Engineering **CIP No.** M37

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	553,500	-	-	-	-	-	-	553,500

**Description :**

Construct a 12' to 14' trail from Old Black Colony Road, across Onion Creek, and terminate at the new Garison Park (approximately 7,700 linear feet). The project would include a pedestrian bridge to cross Onion Creek. The southern portion would be constructed by development and future projects.



<b>Estimated Project Cost:</b>	
Design/Engineering	75,000
ROW Acquisition	-
Construction	478,500
Other	-
<b>Total</b>	<b>553,500</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	12
<b>Total</b>	<b>21</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	553,500
Grants/Other	-
<b>Total</b>	<b>553,500</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	3,000
Capital & Other	-
<b>Total</b>	<b>3,000</b>

**Notes:**

This project is recommended for inclusion in the 2021 bond election by the Buda Bond Advisory Committee. The Committee is tracking two separate project including the Onion Creek Trail from Cole Springs to Lower Campus (\$283,500) and the Onion Creek Trailhead and Improved Trail from Lower Camputs to Garison Park (\$270,000).



**Bradfield Trail Connection to West Goforth**

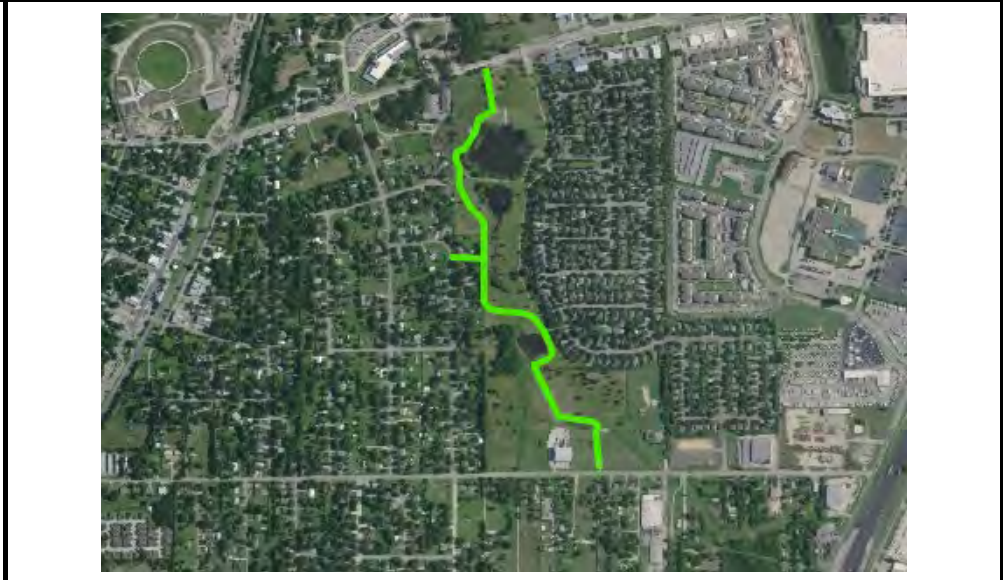
**Responsible Department:** Engineering **CIP No.** M38

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	75,000	-	-	-	-	-	-	75,000

**Description :**

Extend a 12' trail from the existing Bradfield Park trail south to connect to West Goforth Road (approximately 2,000 linear feet). This connection would provide pedestrian connectivity from West Goforth to Main Street. This proposal is based on a decomposed granite trail.



**Estimated Project Cost:**

Design/Engineering	9,000
ROW Acquisition	-
Construction	60,000
Other	6,000
<b>Total</b>	<u>75,000</u>

**Project Task: Duration**

Planning/Design	6
Right-of-way/Utilities	-
Construction	1
<b>Total</b>	<u>7</u>

**Funding Source:**

Operating Fund	75,000
Debt	-
Grants/Other	-
<b>Total</b>	<u>75,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	1,000
Capital & Other	-
<b>Total</b>	<u>1,000</u>

**Notes:**

Funds for the project were allocated during the FY21 Budget. This project has not advanced due to pending litigation with an impacted property owner. If a concrete trail is preferred, the cost is \$200,000.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**FM 2770 Trail from Cole Springs Road to Bluff Street**

**Responsible Department:** Engineering **CIP No.** M39

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	592,000	592,000

**Description :**

Construct a 10' concrete trail from the proposed Cole Springs Road bridge over Onion Creek to Bluff Street (approximately 2,000 linear feet). This connection would provide pedestrian connectivity from the new The Colony neighborhood to downtown Buda. This project will required coordination with TxDOT unless this section of Fm 2770 is turned over to local control.



<b>Estimated Project Cost:</b>	
Design/Engineering	71,000
ROW Acquisition	-
Construction	474,000
Other	47,000
<b>Total</b>	<b>592,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>15</b>

<b>Funding Source:</b>	
Operating Fund	592,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>592,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	5,900
Capital & Other	-
<b>Total</b>	<b>5,900</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**RM 967 Sidewalk from FM 1626 to City Limits**

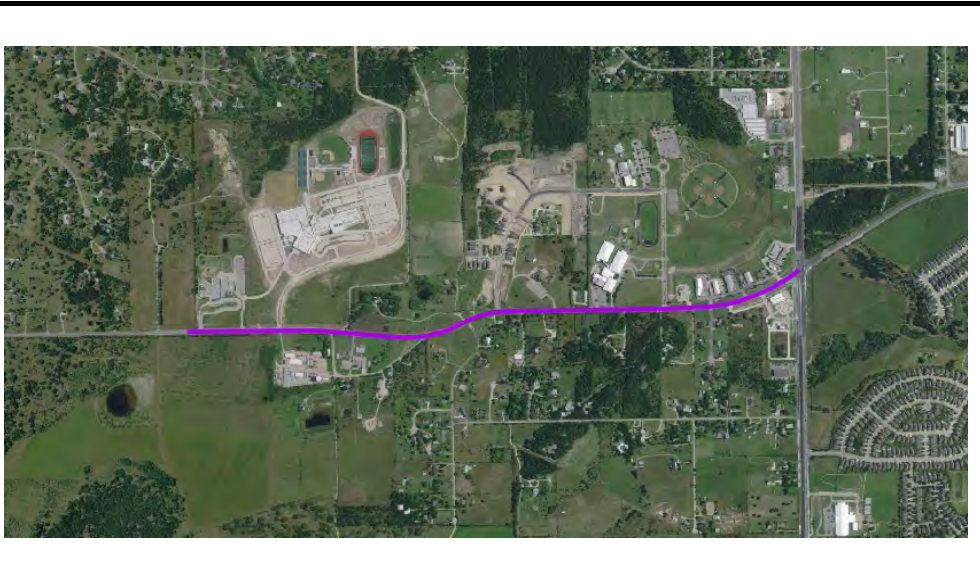
**Responsible Department:** Engineering **CIP No.** M40

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	-	-	-	308,000	308,000

**Description :**

Extend a 6' concrete sidewalk from FM 1626 (approximately 2,600 linear feet). This connection would provide pedestrian connectivity to school sites along RM 967, Buda Sportsplex, and new commercial growth. Coordination needed with TxDOT.



**Estimated Project Cost:**

Design/Engineering	37,000
ROW Acquisition	-
Construction	246,000
Other	25,000
<b>Total</b>	<b>308,000</b>

**Project Task:**

Planning/Design	12
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>15</b>

**Funding Source:**

Operating Fund	308,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>308,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	590
Capital & Other	-
<b>Total</b>	<b>590</b>

**Notes:**



**Pavement Management Plan Implementation**

**Responsible Department:** Engineering **CIP No.** M41

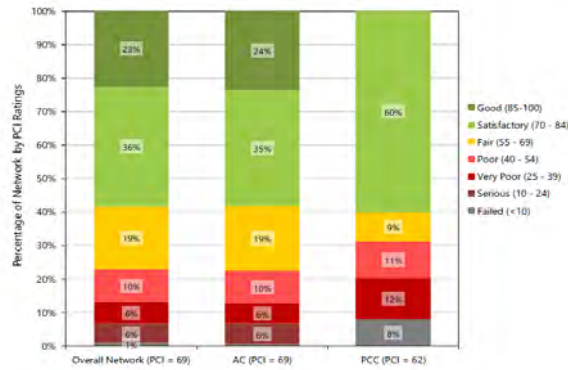
**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-							-

**Description :**

In 2020, the City completed a Pavement Management Plan to evaluate the pavement condition of every city-owned roadway. A 10-year Pavement Management Plan was developed. The plan developed a 10-year maintenance plan that includes a range of treatments from crack sealing to full depth reconstruction. The plan identifies an annual budget of \$1.4 million needed to maintain the current Pavement Condition Index (PCI) score of 68.

Figure 3.5 displays the road network PCI score distribution by pavement type and for the overall surveyed road network as of 2020. The overall network PCI is 69 and approximately 19%, 36%, and 23% of pavement sections are in "Fair", "Satisfactory", and "Good" conditions, respectively. About 13% of the surveyed roads fall into "Very Poor", "Serious" or "Failed" conditions with PCI scores below 40. The overall network PCI and AC sections PCI scores are similar because 94% of the network is consisted of AC sections.



**Figure 3.5: PCI Score Distribution by Pavement Type**

**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>-</b>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<b>-</b>

**Funding Source:**

Operating Fund	\$1,400,000 (annual)
Debt	-
Grants/Other	-
<b>Total</b>	<b>-</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**RM 967 Right Turn Lane onto FM 1626**

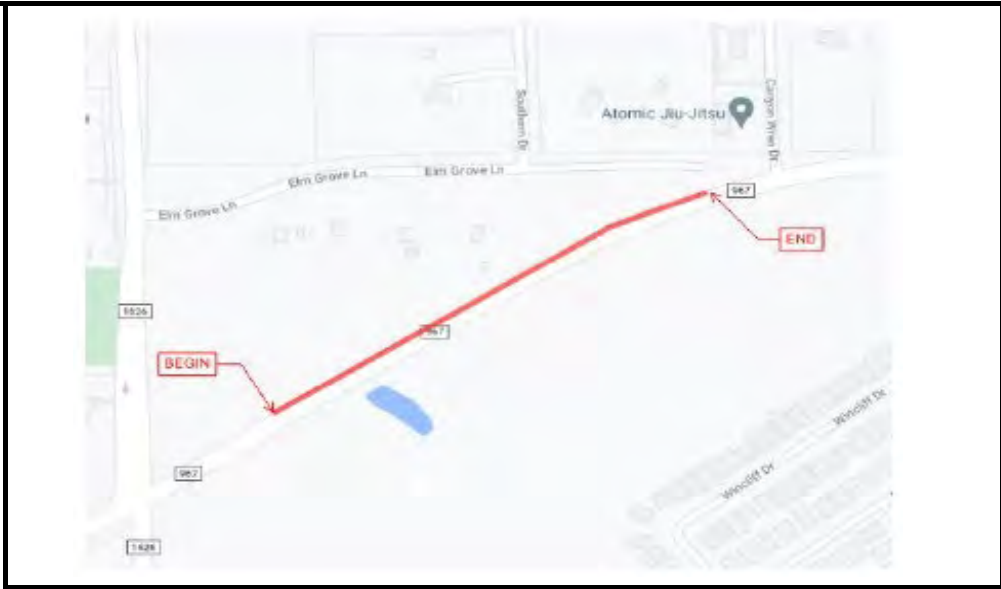
**Responsible Department:** **Engineering** **CIP No.** **M42**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	444,260	1,037,000	-					1,481,260

**Description :**

Construct a right turn lane from Canyon Wren Drive to FM 1626 to accommodate northbound traffic and to mitigate queing from the intersection of FM 1626 and RM 967. This westbound lane is approximately 1,300 linear feet. The project may include drainage improvements and floodplain impacts.



**Estimated Project Cost:**

Design/Engineering	444,260
ROW Acquisition	-
Construction	1,037,000
Other	-
<b>Total</b>	<b>1,481,260</b>

**Project Task:**

	<b>Duration</b>
Planning/Design	9
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>18</b>

**Funding Source:**

Operating Fund	-
Debt	1,481,260
Grants/Other	-
<b>Total</b>	<b>1,481,260</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project is recommended for including in the 2021 bond election by the Buda Bond Advisory Committee.

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**FM 2770 / Main St / China St Pedestrian Connections**

**Responsible Department:** Engineering **CIP No.** M43

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	355,790	816,000	-	-	-	-	-	1,171,790

**Description :**

Connect existing sidewalk from Buda Mill & Grain to China Street to provide pedestrian connection across FM 2770. Match existing 8' sidewalk. Add curb ramps and curb and gutter at FM 2770 with refuge island for pedestrians. Reconstruct some of the pavement at intersections to meet ADA requirements. Includes a signalized crossing.



**Estimated Project Cost:**

Design/Engineering	355,790
ROW Acquisition	-
Construction	816,000
Other	-
<b>Total</b>	<b>1,171,790</b>

**Project Task:**

	Duration
Planning/Design	12
Right-of-way/Utilities	-
Construction	6
<b>Total</b>	<b>18</b>

**Funding Source:**

Operating Fund	-
Debt	1,171,790
Grants/Other	-
<b>Total</b>	<b>1,171,790</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project was included in the 2021 bond election.



**ADA Transition Plan**

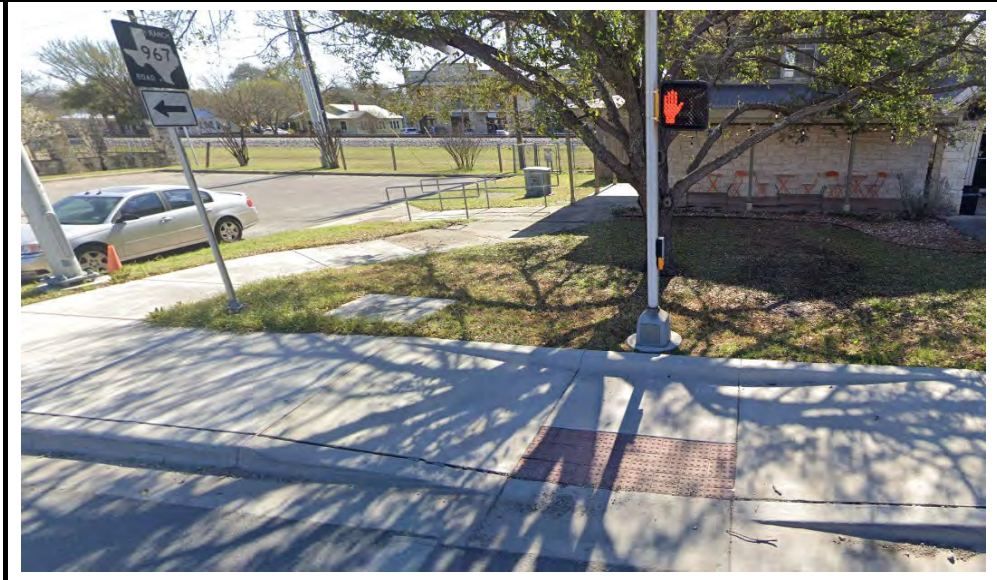
**Responsible Department:** **Engineering** **CIP No.** **M44**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	100,000	-	-	-	-	-	100,000

**Description :**

The American's with Disabilities Act (ADA) requires that a city develop a Transition Plan in order to identify features in facilities, parks, streets, sidewalks, and trails that do not meet ADA standards. The plan will further develop a schedule and budget for implementation to ensure compliance with ADA. Failure to have an ADA plan and strategy for compliance could impact future grant funding availability. The plan is important in ensuring that all people, regardless of ability, have access to enjoy and use public spaces.



**Estimated Project Cost:**

Design/Engineering	100,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<u>100,000</u>

**Project Task:**

Planning/Design	12
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<u>12</u>

**Funding Source:**

Operating Fund	100,000
Debt	-
Grants/Other	-
<b>Total</b>	<u>100,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Mobility**



**Existing Robert S. Light Blvd Rehabilitation**

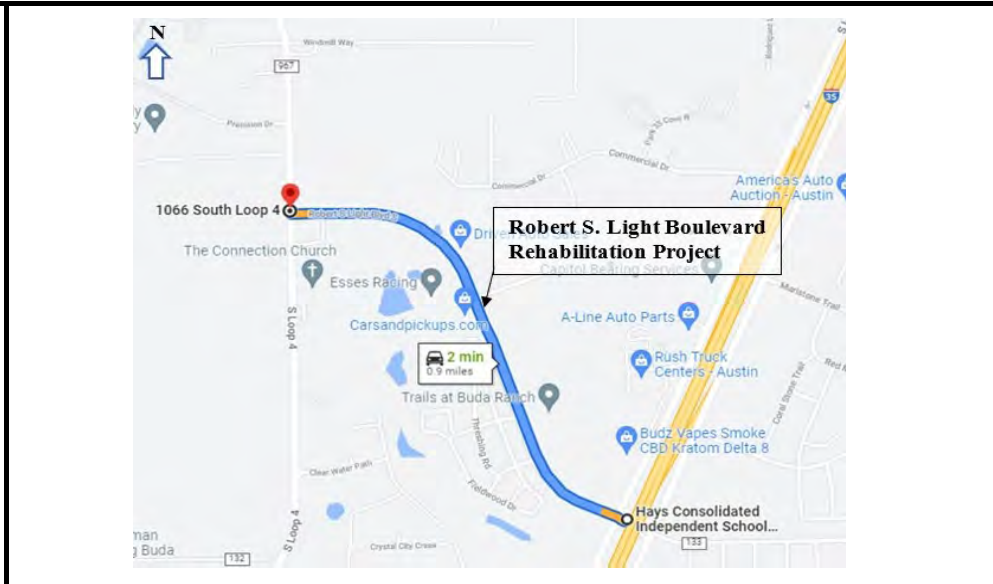
**Responsible Department:** **Engineering** **CIP No.** **M45**

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	107,500	605,000	-	-	-	-	-	712,500

**Description :**

Hays County and the City of Buda are working together to rehabilitate the existing Robert S. Light Blvd. from IH-35 to S. Loop 4. Hays County is taking the lead on the project and has agreed to split the cost of the project with the City with each entity covering 50% of the design and construction.



<b>Estimated Project Cost:</b>	
Design/Engineering	107,500
ROW Acquisition	-
Construction	550,000
Other	-
<b>Total</b>	<b>657,500</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Construction	9
<b>Total</b>	<b>15</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	<b>-</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Bella Vita Sidewalk to West Goforth**

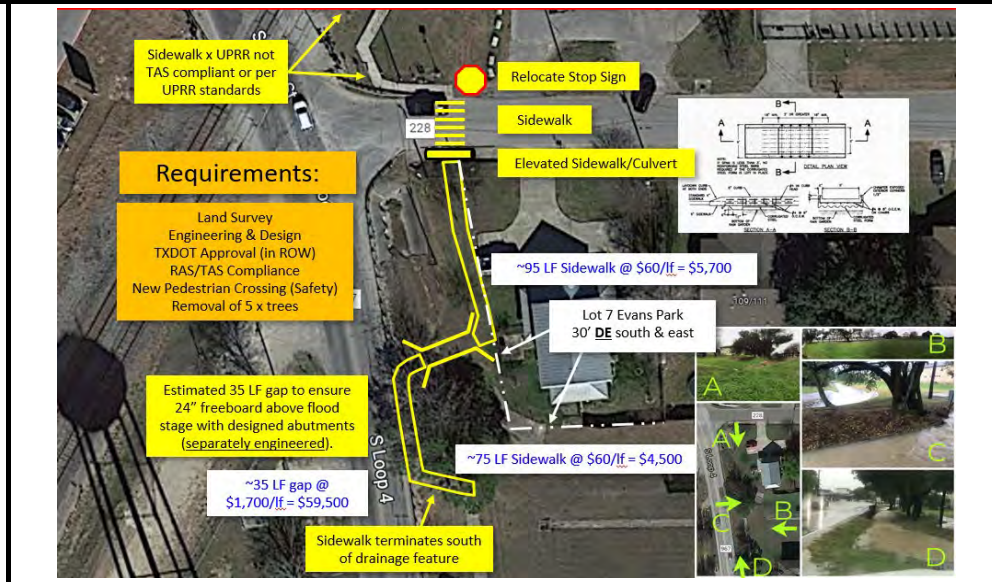
**Responsible Department:** Engineering **CIP No.** M46

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	117,000	-	-	-	-	-	117,000

**Description :**

Construction of a concrete sidewalk from the terminus of an existing sidewalk near Bella Vita subdivision to West Goforth. Project includes the installation of a ~35 linear foot pedestrian bridge over an existing drainage channel and the installation of a culvert to cross a drainage ditch on West Goforth Road. Completion of the project will require the granting of a public access easement from a private property owner.



**Estimated Project Cost:**

Design/Engineering	10,000
ROW Acquisition	-
Construction	107,000
Other	-
<b>Total</b>	<b>117,000</b>

**Project Task:**

Project Task	Duration
Planning/Design	2
Right-of-way/Utilities	2
Construction	2
<b>Total</b>	<b>6</b>

**Funding Source:**

Operating Fund	-
Debt	117,000
Grants/Other	-
<b>Total</b>	<b>117,000</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Proposed funding source is the 2021 GO Prop A Fund - Pedestrian and Bike Improvements.



**Drainage Capital Improvement Program  
FY 2023 - 2027**



Drainage projects are based on the 2014 Drainage Master Plan. The City of Buda projects are designed to keep flood waters out of structures and to ensure compliance with the City's Municipal Separate Storm Sewer System (MS4) permit from TCEQ.

<b>Sources of Funding</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>2023-27 Total</b>
General Fund	200,000	480,000	264,000	250,000	270,000	-	1,264,000
2014 GO Proposition 3	-	-	-	-	-	-	-
2014 GO Proposition 4	410,000	-	-	-	-	-	-
2014 GO Proposition 5	-	-	-	-	-	-	-
2021 GO Proposition A	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	-	-	1,900,000	-	1,900,000
Other/Grants	-	3,108,000	400,000	-	-	-	3,508,000
<b>Total</b>	<b>610,000</b>	<b>3,588,000</b>	<b>664,000</b>	<b>250,000</b>	<b>2,170,000</b>	<b>-</b>	<b>6,672,000</b>

<b>Uses of Funds</b>	<b>Prior Years</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>Future</b>	<b>Total</b>
<b><u>Drainage Projects:</u></b>								
D02 Whispering Hollow Street Drainage	410,000	-	-	-	-	-	-	410,000
D03 Garlic Creek Tributary Under RM 967	-	-	-	50,000	270,000	-	-	320,000
D05 West Lifschutz Area Drainage	-	1,700,000	-	-	-	-	-	1,700,000
D06 Stormwater Drainage Master Plan	-	175,000	-	-	-	-	-	175,000
D07 Lifschutz Central Area Drainage	-	1,408,000	-	-	-	-	-	1,408,000
D08 West Goforth Drainage Improvements	150,000	-	-	-	-	-	-	150,000
D09 Wild Wind Cove Groundwater Solutions	50,000	150,000	-	-	-	-	-	200,000
D10 Bradfield Park / Onion Creek Watershed Protection Pilot Project	-	-	50,000	150,000	-	-	-	200,000
D11 Drainage Inventory, Inspection and Maintenance Plan	-	55,000	-	-	-	-	-	55,000
D12 Flood Property Buyouts - Claudia Drive	-	-	400,000	-	-	-	-	400,000
D13 Downtown Regional Stormwater Study	-	100,000	-	-	-	-	-	100,000
D14 Elm Grove Channel Improvements	-	-	214,000	-	-	-	-	214,000
D15 Sequoyah Drainage Improvements	-	-	-	50,000	1,900,000	-	-	1,950,000
<b>Total Use of Funds</b>	<b>610,000</b>	<b>3,588,000</b>	<b>664,000</b>	<b>250,000</b>	<b>2,170,000</b>	<b>-</b>	<b>-</b>	<b>7,282,000</b>

**Cumulative Balance  
Sources Over/(Under) Uses**

**Whispering Hollow Street Drainage**

**Responsible Department:** **Engineering** **CIP No.** **D02**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	410,000	-	-	-	-	-	-	410,000

**Description :**

Street flooding occurs in the Whispering Hollows subdivision during seasonal storm event. The resulting water surface elevation of a downstream detention pond is higher than curb line. Adjacent houses north of the roadway are below the curb elevation and become inundated when curb is overtopped. Solutions could include Increasing storage of downstream detention pond to lower peak pond stage or reconfiguring the pond outfall to lower the water surface elevation of the pond and eliminate tail water effects currently acting on the storm drain system.



<b>Estimated Project Cost:</b>	
Design/Engineering	40,000
ROW Acquisition	-
Construction	370,000
Construction Management	-
<b>Total</b>	<b>410,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	2
Construction	4
<b>Total</b>	<b>12</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	410,000
<b>Total</b>	<b>410,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

This project has been revised from what is included in the Drainage Master Plan Phase 2 report (see HDR proposed scope of work and fee estimate). The design is proposed to be funded out of the 2014 Bond - Proposition 4 proceeds. Currently this project is unfunded.

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Garlic Creek Tributary Under RM 967**

**Responsible Department:** Engineering **CIP No.** D03

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	50,000	270,000	-	-	320,000

**Description :**

FM 967 is a crucial roadway connecting west Buda with downtown and IH 35. The roadway has flooded due to undersized culverts. Install two new 9'x4' reinforced concrete boxes (RCBs) in addition to the existing 8.5'x3.5' RCBs. Grade channel both upstream and downstream of the crossing. Install rock riprap protection on sides of crossing. The project will also improve drainage out of the Coves of Cimarron (County) as the Coves of Cimarron drainage pond drains through the culvert to the tributary. Coordination with TxDOT will be required. A hydrologic and hydraulic study will be necessary to evaluate the downstream impact of any proposed improvements.



**Estimated Project Cost:**

Design/Engineering	50,000
ROW Acquisition	-
Construction	270,000
Construction Management	-
<b>Total</b>	<u>320,000</u>

**Project Task:**

<u>Project Task:</u>	<u>Duration</u>
Planning/Design	6
Right-of-way/Utilities	2
Construction	6
<b>Total</b>	<u>14</u>

**Funding Source:**

Operating Fund	-
Debt	320,000
Grants/Other	-
<b>Total</b>	<u>320,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

This area of concern is not currently included in Proposition 4 - Drainage Project Area 3 and is not part of the Flood Early Warning System improvements. This roadway and drainage is a TxDOT facility. An Advanced Funding Agreement (AFA) with TxDOT will be required. The operational impact will be de minimus as this is an existing draining structure that will be improved. Staff time may be required to clear debris from riprap structure after heavy rain events.



**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**West Lifschutz Area Drainage**

**Responsible Department:** Engineering **CIP No.** D05

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	1,700,000	-	-	-	-	-	1,700,000

**Description :**

Area flooding along south side of Goforth Road in West Lifschutz. Existing drainage system is undersized and in need of general maintenance. Regrade existing ditches at the intersection of Bonita Vista Drive and Goforth Rd. Upgrade drainage ditch beside the eastern pond along Reyna Lane. Install (2) 18" RCP's at Bonita Vista Drive to convey water from western ditch. Install (3) 8'x4' RCB's at the northeast corner of the eastern pond under Goforth and grade channel downstream to convey water to existing drainage ditch. Project is subject to a development agreement with private developer.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	267,000
Construction	803,000
Other	-
<b>Total</b>	<b>1,170,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	2
Construction	8
<b>Total</b>	<b>16</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	1,700,000
<b>Total</b>	<b>1,700,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Project could be phased and would only proceed through a combined funding initiative (e.g., future road improvement bond; development agreement). This project should be timed to correspond with the West Goforth Rd. Reconstruction project.

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Stormwater Drainage Master Plan**

**Responsible Department:** Engineering **CIP No.** D06

**Financial Plan:**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	175,000	-	-	-	-	-	175,000

**Description :**

The City's drainage plan was last revised in 2015. With the completion of the 2014 Prop. 4 projects and based on City growth, it will be important to update the City's drainage models and identify future drainage projects. The plan will also focus on the creeks that run through the City and any improvements that can be made to mitigate potential flooding issues. Completion of the master plan will enable the City to strategically plan drainage infrastructure that preserves land for other use.



**Estimated Project Cost:**

Design/Engineering	175,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<u>175,000</u>

**Project Task:**

Planning/Design	12
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<u>12</u>

**Funding Source:**

Operating Fund	175,000
Debt	-
Grants/Other	-
<b>Total</b>	<u>175,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Lifschutz Central Area Drainage**

**Responsible Department:** **Engineering** **CIP No.** **D07**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	1,408,000	-	-	-	-	-	1,408,000

**Description :**

Lack of defined channel resulting in ponding adjacent to residences along Bradford Street. Upgrade existing CMP culverts at Rodriguez St. with (3) 7'x3' RCBs. Clear vegetation and excavate western ditch to convey runoff north into existing channel. Install concrete pilot channel to promote drainage on minimal slopes. Add channel armor to improve maintenance. Channel improvements to extend from southbound IH 35 frontage road to confluence with existing drainage channel. Some improvements may be made by Project Stream.



<b>Estimated Project Cost:</b>	
Design/Engineering	140,000
ROW Acquisition	309,000
Construction	959,000
Other	-
<b>Total</b>	<b>1,408,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	4
Construction	6
<b>Total</b>	<b>16</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	1,408,000
Grants/Other	-
<b>Total</b>	<b>1,408,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**



**West Goforth Drainage Improvements**

**Responsible Department:** Engineering **CIP No.** D08

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	150,000	-	-	-	-	-	-	150,000

**Description :**

This project is a developer contribution towards a regional drainage improvement to be located along West Goforth at the Buda Business Park. The total estimated cost of the project is \$1.1 million. The City would contribute roughly 10% the cost of the project. The developer is responsible for engineering and construction of the improvement.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	-
Other	150,000
<b>Total</b>	<u>150,000</u>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Construction	-
<b>Total</b>	<u>-</u>

**Funding Source:**

Operating Fund	150,000
Debt	-
Grants/Other	-
<b>Total</b>	<u>150,000</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Wild Wind Cove Groundwater Solutions**

**Responsible Department:** **Engineering** **CIP No.** **D09**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	50,000	150,000	-	-	-	-	-	200,000

**Description :**

Near surface groundwater and highly expansive clay soils within certain sections of the Whispering Hollow subdivision have caused localised house foundation and road surface issues. Several homeowners located near Wild Wind Cove have installed sump pumps to remove excess groundwater from beneath their homes. A study was conducted in 2021 identifying possible solutions. A focus group composed of impacted residents reviewed the study and recommended different options. The highest priority would be to connect homeowner's sump pumps to the City's stormwater infrastructure.



<b>Estimated Project Cost:</b>	
Design/Engineering	72,500
ROW Acquisition	-
Construction	127,500
Other	-
<b>Total</b>	<b>200,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Construction	3
<b>Total</b>	<b>15</b>

<b>Funding Source:</b>	
Operating Fund	200,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>200,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Bradfield Park / Onion Creek Watershed Protection Pilot Project**

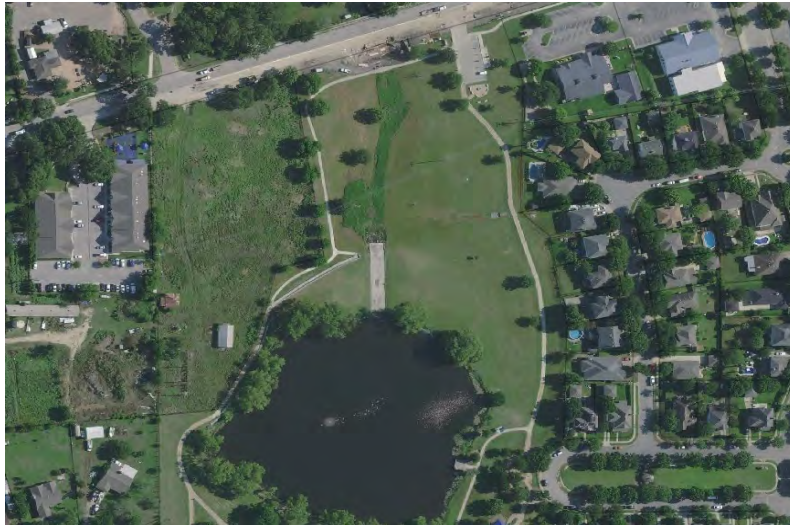
**Responsible Department:** Engineering **CIP No.** D10

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	50,000	150,000	-	-	-	200,000

**Description :**

Prairie and wooded riparian restoration project upstream through Bradfield Park for watershed protection and park/gateway enhancement. This project would serve as a pilot project for future Onion Creek Watershed Protection project. The plan is to pursue grant funding and provide maximum 50% matching City funds.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	150,000
Other	-
<b>Total</b>	<b>200,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Permitting	3
Construction	9
<b>Total</b>	<b>18</b>

<b>Funding Source:</b>	
Operating Fund	100,000
Debt	-
Grants/Other	100,000
<b>Total</b>	<b>200,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

Estimated \$50,000 for grant application and design services. \$150,00 estimate for planting and grading. The City is pursuing grants through the Environmental Protection Agency, US Forest Service, and the US Bureau of Reclamation to fund this project. No personnel impact is anticipated as the parkland is already maintained by City of Buda.



**Drainage Inventory, Inspection and Maintenance Plan**

Responsible Department: **Engineering** CIP No. **D11**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	55,000	-	-	-	-	-	55,000

**Description :**

Prepare a report preceding a full drainage masterplan to inventory all drainage infrastructure in the City providing GIS data, existing conditions, and proposing an inspection and maintenance plan to ensure compliance with the City of Buda's drainage requirements and MS4 program compliance.



<b>Estimated Project Cost:</b>	
Design/Engineering	55,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<b>55,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	6
Right-of-way/Utilities	-
Permitting	-
Construction	-
<b>Total</b>	<b>6</b>

<b>Funding Source:</b>	
Operating Fund	55,000
Debt	-
Grants/Other	-
<b>Total</b>	<b>55,000</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**Flood Property Buyouts - Claudia Drive**

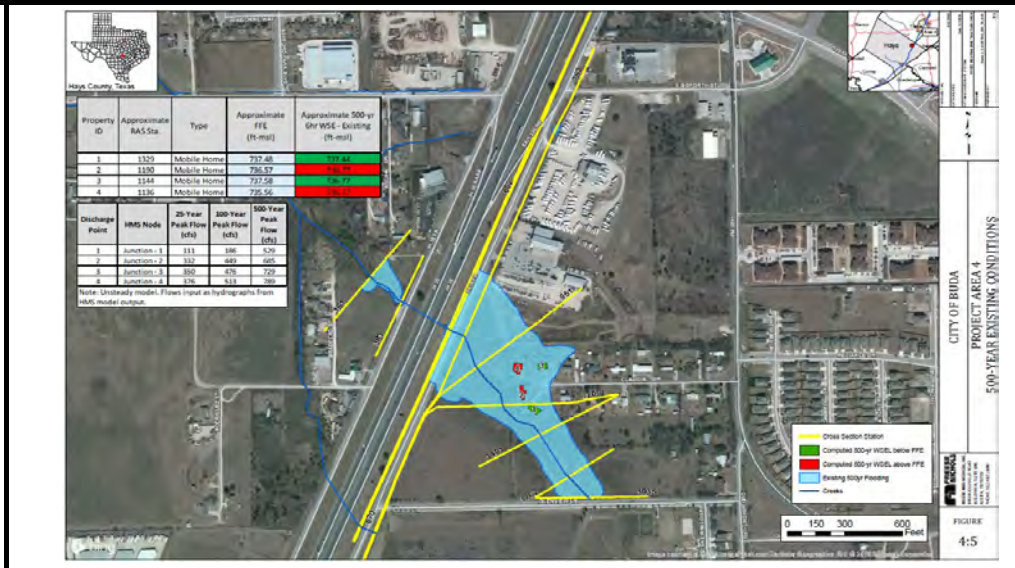
**Responsible Department:** Engineering **CIP No.** D12

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	400,000	-	-	-	-	400,000

**Description :**

Property buyouts of flood prone properties on the upper ends of the Lifschutz drainage feature near the cul-de-sac of Claudia Drive. This project was included in the 2014 GO Bond election.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	400,000
Construction	-
Other	-
<b>Total</b>	<b>400,000</b>

**Funding Source:**

Operating Fund	-
Debt	400,000
Grants/Other	-
<b>Total</b>	<b>400,000</b>

**Project Task:**

Project Task	Duration
Planning/Design	6
Right-of-way/Utilities	12
Permitting	-
Construction	-
<b>Total</b>	<b>18</b>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Downtown Regional Stormwater Study**

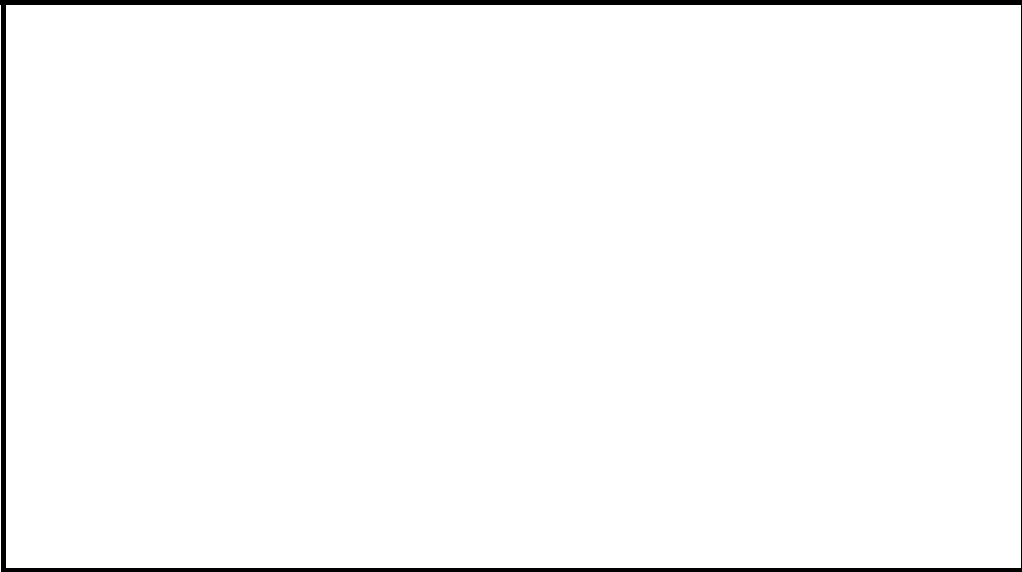
**Responsible Department:** Engineering **CIP No.** D13

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	100,000	-	-	-	-	-	100,000

**Description :**

Complete a regional stormwater analysis for the historic downtown region to explore regional solutions and projects for treating stormwater detention and quality that will allow increased impervious cover on constrained downtown lots.



<b>Estimated Project Cost:</b>	
Design/Engineering	100,000
ROW Acquisition	-
Construction	-
Other	-
<b>Total</b>	<u>100,000</u>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	12
Right-of-way/Utilities	-
Permitting	-
Construction	-
<b>Total</b>	<u>12</u>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	<u>-</u>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**



**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Elm Grove Channel Improvements**

**Responsible Department:** Public Works **CIP No. D14**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	214,000	-	-	-	-	214,000

**Description :**

Regrade Elm Grove channel and line with Flex-a-mat. Approximately 1,000 linear feet.



**Estimated Project Cost:**

Design/Engineering	-
ROW Acquisition	-
Construction	214,000
Other	-
<b>Total</b>	<u>214,000</u>

**Project Task: Duration**

Planning/Design	-
Right-of-way/Utilities	-
Permitting	-
Construction	<u>3</u>
<b>Total</b>	<u>3</u>

**Funding Source:**

Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	<u>-</u>

**Ongoing Operational Impact:**

Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<u>-</u>

**Notes:**

**City of Buda, Texas**  
**Capital Improvement Program - Drainage**



**Sequoyah Drainage Improvements**

**Responsible Department:** Public Works **CIP No. D15**

**Financial Plan :**

	Prior Years	Projected					Future	Total
		23	24	25	26	27		
	-	-	-	50,000	1,900,000	-	-	1,950,000

**Description :**

Regrade drainage ditches, replace culvert pipes and replace driveway approaches.



<b>Estimated Project Cost:</b>	
Design/Engineering	50,000
ROW Acquisition	-
Construction	1,900,000
Other	-
<b>Total</b>	<b>1,950,000</b>

<b>Project Task:</b>	<b>Duration</b>
Planning/Design	5
Right-of-way/Utilities	-
Permitting	-
Construction	6
<b>Total</b>	<b>11</b>

<b>Funding Source:</b>	
Operating Fund	-
Debt	-
Grants/Other	-
<b>Total</b>	<b>-</b>

<b>Ongoing Operational Impact:</b>	
Personnel	-
Supplies & Materials	-
Repair & Maint.	-
Capital & Other	-
<b>Total</b>	<b>-</b>

**Notes:**

## CIP POLICIES & PROCEDURES

### PURPOSE

The purpose of the Capital Improvements Plan Procedure is to create a consistent process that outlines the procedure for proposing, evaluating, and adopting capital projects that will create long-term benefit to the City and that can be funded through the City's budget process.

### II.BACKGROUND

The Capital Improvements Plan (CIP) is a five-year planning document adopted annually by the City Council to plan for capital improvements related to the City's water, wastewater, mobility, drainage, parks, and facilities infrastructure.

Capital projects included in the CIP will be limited to projects costing \$50,000 or greater with a useful lifespan of twenty (20) years or longer, and also infrastructure master plans.

The Capital Improvements Plan is broken into six project categories: Parks, Facilities, Water, Wastewater, Mobility, and Drainage.

### III. CIP DEVELOPMENT PROCESS

A. The City Manager or designee will be responsible for coordinating the CIP process each year. Each department head will submit projects in a form and timeframe annually established by the City Manager or designee. Projects contained in the current CIP will be updated by the responsible department as necessary to reflect changes in cost and/or scope. The responsible department will also notify the CIP Committee if a project in the current CIP needs to be removed from the plan. The City Manager or designee will be responsible for compiling all of the submissions to be considered in the review process.

B. The City Manager or designee will lead a committee established to review and prioritize capital improvement projects. The committee will include at least one representative from impacted City departments. The committee shall prioritize and rank projects according to the criteria listed in Section IV.

C. Departments will include the following items as part of their project submission for evaluation and prioritization. Please do not use abbreviations or acronyms as this is a public document. A copy of the CIP standard form is located on the Shared Drive: CIP Folder.

-Project Category: Parks, Facility, Water, Wastewater, Mobility, or Drainage.

-Project Name: Provide a sufficient and reasonable description of the project.

-CIP Number: Leave blank, will be assigned by the CIP Committee.

-Financial Plan: Round all estimates up to the nearest \$1,000. For prior years, enter any previous dollars that have been spent on the project. Select which year the funding will be needed to begin the project. You may consider putting engineering and right-of-way acquisition in one year and construction in the following year if projects will span more than 12 months. If the project will go beyond the five-year Capital Improvements Plan window, place the remaining dollars needed in the "Future" column.

-Description: State how the project criteria (Section IV) will be met. Provide a detailed description of the project that includes the limits, estimated linear feet, features etc., for all that is included in the identified Financial Plan. If a future phase is anticipated, note that in the project description.

-Estimated Project Costs: Break out the anticipated costs for design/engineering and other costs. The total should match the total in the Financial Plan section.



-Project Task: Provide estimates in months to complete each of the listed tasks. If no activity is required for the project, leave field marked as “-”.

-Funding Source: If the project will be funded from the General, Water, or Wastewater Fund, include the amounts in “Operating Fund”. If it is anticipated that debt will be issued, include the amount in “Debt”. All other funding sources such as minor funds, include in “Other”. The total from this section should match the total from the Financial Plan section.

-Ongoing Operational Impact: Provide an estimate for the ongoing annual operational impact of the project.

-Notes: Provide any other pertinent project information including detail on funding sources, right-of-way acquisition, or relation to other projects included in the Capital Improvements Plan.

D. The proposed Capital Improvements Plan will be presented to the Capital Projects Council Committee.

E. The proposed Capital Improvements Plan will be presented to each appropriate board or commission before being presented to the City Council.

F. The City Council will annually adopt a five-year Capital Improvement Plan as part of the annual budget process.

#### IV. Project Ranking Criteria

Projects will be initially ranked high, medium, or low according to the following criteria. Final recommended project priority will be determined by the CIP committee based on the project rank.

A. Public Health and Safety – Projects that improve the public health and safety of the community. Projects must demonstrate the benefit provided to the community and possible risks from not completing the project.

B. Mandates - Compliance with state and federal mandates that require the City to invest in a project.

C. Funding – Grants and funding partnerships are considered first followed by operating revenues and debt. Fund balance may be used to fund capital projects if the use of reserves will delay or eliminate a proposed bond issue and sufficient fund balance exists to provide necessary contingency reserves.

D. Service and Operational Impact – The service category prioritizes projects that will improve service delivery or reduce increasing maintenance costs including rehabilitating aging infrastructure. A cost-benefit analysis shall be conducted to weigh the impact of project rehabilitation to determine if the project will reduce future ongoing maintenance costs. Performance data will also be analyzed when considering projects related to improved service delivery. Future operation and maintenance expenses will be considered as part of this analysis.

E. Strategic Alignment – Projects will align with strategic priorities identified by the City Council and with strategic planning documents.

F. Quality of Life – Projects that promote recreational or aesthetic improvement opportunities.

G. Community Priority – Direction from public comment at various board, commission, and City Council meetings as well as results from community surveys and any other means that the public communicates their interest in potential projects.

H. Sustainable Design – The City recognizes the long-term benefits of incorporating sustainable elements and design into capital project design and construction. Sustainable design goals include reducing negative environmental impacts while improving citizens’ health, comfort, and safety. Sustainable design involves “right-sizing” infrastructure to meet current and future needs, application of the City’s design criteria, and use of long-lasting materials that will optimize performance, minimize the City’s ongoing maintenance, and extending the asset’s useful life.

i. Materials – The City will strive to incorporate sustainable materials into capital projects when feasible. Use of long-lasting materials that will optimize performance, minimize the City’s ongoing maintenance, and extending the asset’s useful life. Use of native landscaping and locally sourced materials are preferred.

ii. Dark Sky – The City will strive to incorporate lighting for projects that conform to the International Dark Sky Association’s lighting standards.

iii. Conservation – The City will strive to incorporate alternative water and energy strategies for projects when feasible. Alternative water strategies include but are not limited to the following: rainwater harvesting, condensate collection, reuse water, gray water, storm water management and reuse, and EPA WaterSense approved plumbing fixtures and appliances. Alternative energy strategies include, but are not limited to the following: solar, wind, geothermal, hydropower, biofuels, and Energy Star rated items. Utilizing alternative energy methods for trail lighting and other lighting when feasible

iv. Preservation of Natural Resources – Project design will be mindful of natural resources and seek to preserve them whenever possible. The City will follow the City’s Tree Ordinance as included in the Unified Development Code and will consider a projects impact on the natural environment and groundwater.

V. Project Charter

Projects included in the approved City CIP shall have a charter that includes information on the following categories:

- A. Project Description including how it meets Department goals with an accompanying schematic and location reference
- B. Assigned CIP Number
- C. Project Manager and assigned City Staff
- D. Schedule
- E. Budget
- F. Environmental Factors
- G. Public Outreach
- H. Procurement Information
- I. Project Contract or professional service agreement

VI. CIP Amendment

Amendments to the Capital Improvement Plan (CIP) affecting the current fiscal year must be submitted to the City Engineer for review and recommended by the CIP committee for approval to the City Council through a budget amendment.

VII. Mid-Year CIP Review

The City Council will review the progress of the CIP at the mid-year financial review for the City.

VIII. Annual Closeout of CIP Projects

Before the commencement of the next year’s CIP planning process, the CIP Committee will document and provide a reason for the removal of a project from the previous year’s CIP plan. This should include whether the project is complete, not needed, in progress, or any other reason as to why the project will no longer be included in the CIP planning process.